

ZAMBIA

Zambia has had a long tradition of independent and effective labor union organizations. The country's eighteen national labor unions, which are organized by industry or profession, are all members of the Zambia Congress of Trade Unions (ZCTU). The AFL-CIO strongly endorses the Zambian government's past record of labor practices endorsing the right of Zambian workers to form free trade unions. Notwithstanding the laws enacted to protect the rights of workers, the AFL-CIO notes with increasing alarm the recent attempts by the government to: (1) abrogate freedom of association and the right to organize for Zambian workers; (2) restrict the right to bargain collectively; and (3) severely limit the right to strike.

1. Freedom of Association and the Right to Organize

During the 18th National Council of the United National Independence Party in 1982, a proposal was made to re-structure the ZCTU and its affiliates into a "mass organization", thereby attempting to undermine the independence and democratic practices of the Zambian trade union movement. To date, the proposal has not been acted upon.

The government has also attempted to introduce compulsory party membership as a requirement for holding office, and it has granted the Minister of Labor "unlimited powers" in dealing with trade unions. Vehemently rejecting all these proposals, the ZCTU remains at odds with the government over control of the central labor federation.

2. The Right to Bargain Collectively

Although the right to bargain collectively exists on paper, a ten percent ceiling on annual wage increases was declared by the President in June 1983. The ZCTU, while sympathetic to Zambia's worsening economic situation, argues that given the combination of low wages for workers, high inflation, and decontrol of prices means that the Zambian worker bears the brunt of Zambia's economic policies. It is not possible for workers to earn even a subsistence wage with the ten percent ceiling in place. Zambian workers are denied the right to bargain collectively for a fair wage.

3. The Right to Strike

Current legislation theoretically allows the right to strike, but limits it severely by restricting it to specifically defined situations and by requiring in advance a complicated and lengthy legal process, often lasting as long as one year. In practice, therefore, virtually all strikes are illegal.

If the President declares workers of a particular industry "essential", strike actions are specifically prohibited, and workers participating in such a strike are subject to arrest, trial and imprisonment. On March 31, 1985, the President enacted Statutory Instrument No. 35 declaring all workers in financial institutions and in almost every other industry "essential", therefore effectively abrogating almost all workers' right to strike.

Conclusion

In the past, Zambia has stood at the forefront of the international struggle for workers' rights. However, given the seriousness of steps taken by the government to compromise the independent and democratic nature of the Zambian trade union movement, the AFL-CIO recommends that Zambia be warned that it could lose its GSP benefits and that a comprehensive review be undertaken by USTR.

