

As delivered

Statement

by

H.E. Mr. Htin Lynn

Ambassador and Permanent Representative of Myanmar

at the 332nd Session of the Governing Body of ILO

**Agenda Item: INS 8 – “Follow-up to the resolution concerning
remaining measures on the subject of Myanmar adopted by the**

Conference at its 102nd Session (2013)”

Geneva, 20 March 2018

Mr. Chairman,

Distinguished Delegates and Social Partners,

1. Myanmar welcomes the document GB.332/INS/8 by the Office recognizing among others things, the Government's efforts on the promotion and protection of labour rights in Myanmar particularly on elimination of forced labour.
2. Following the decision of last November GB session, all stakeholders in the country, the ILO Liaison Officer, and the Deputy Director-General Mr. Greg Vines himself have made serious and collective efforts to extend the Supplementary Understanding and its associated action plan. Naturally, all stakeholders' concerns had to be satisfied in this exercise. Technical details in the new Action Plan had to be worked out. However, our commitment for the elimination of forced labour finally prevailed over our challenges. I am pleased to inform that as the Chairman has just stated Myanmar and ILO signed the extension of the Supplementary Understanding and associated Action Plan for the Elimination of Forced Labour on 22 January 2018.
3. Myanmar is ready to resolve the remaining underage recruitment cases. Recruitment in Myanmar is voluntary. There may be some cases of recruitment triggered by false documents and non-compliance of instructions, rules and regulations at the initial stage of recruitment. But the number of such cases are declining. Meanwhile, legal actions are taken on any perpetrators. Since 2006, a total of 87 military officers and 342 other ranks have been penalized under section 374 of the Penal Code and the Section 65 of the Defense Services Act, 1959.
4. At the same time, advocacy is further pursued actively. The Tamataw (Military), on its part, has been conducting numerous seminars and trainings on elimination of forced labour and underage recruitment. There

have been 8,998 seminars and talks in various military establishments from 2012 to 2018.

5. Tamataw (Military), UNCTFMR and ILO are working together to eliminate the underage recruitment. Under the CTFMR mechanism, 877 underage recruits are handed over to their parents or guardians since 2012.
6. Let me turn to Labour Law reform. A total of 15 domestic labour laws are in force in Myanmar. Out of them, 12 laws including the Minimum Wage Law, the Employment and Skill Development Law and the Payment of Wages Law (2016) have been amended or enacted since 2012. The Technical Working Group is holding substantive discussions with a view to amending the Labour Organizations Law and the Settlement of Labour Dispute Law.
7. The latest proposed amendments on Labour Dispute Law have been submitted to the Bill Committee of the Parliament on 11 January of this year for deliberations. The Parliament has initiated a series of negotiations with social partners on the draft bill. The ILO technical assistance for the Parliament for finalization of the Settlement of Labour Dispute Law will be required and welcomed.
8. We are aware of the concerns expressed by our social partners and the ILO on sectoral and geographical stipulations on the Labour Organization Law. The discussions are taking place between tripartite representatives and Parliament to address them.
9. The number of registered labour organizations at different levels is growing in Myanmar. Up to January this year, a total of 2,736 labour, employers organizations, and federations at different levels have been formed under the labour organization law, 2011.

10. The constructive cooperation between Myanmar and ILO through tripartite constituents for promotion of labour rights is well on its way. The National Tripartite Body was established on since September 2016, and three technical working groups on Decent Work Country Programme, Labour Law Reform and Communication Strategy are set up for the implementation of Decent Work Agenda.
11. The National Tripartite Dialogue Forum established December 2014 met three times a year with a view to promoting decent works in Myanmar. The final version of DWCP (2018-2021) was endorsed by the forum in Jaunaury 2018. It focuses job creation, fundamental principles and rights at work, and social protection and occupational safety and health. We are grateful to Deputy Director-General Greg Viens for his participation at the forum in Nay Pyi Taw.

Mr. Chairman,

12. I am pleased to inform that all stakeholders in the country are working on the final version of Decent Work Country Programme. I am confident that we would be able to launch Myanmar Decent Work Country Programme by April this year.

Mr. Chairman,

13. Now Let me touch upon the two cases mentiond in the GB document.
14. Article 505(b) of the Panel Code essentially stipulates that whoever makes, publishes or circulates any statement, rumour or report, with intent to cause fear or alarm to the public and against the public

tranquillity, shall be punished with the imprisonment of two years or with fine, or with both.

15. **Khine Myo Tun**, charged and sentenced under article 505 (b) of the Penal Code, was released on 22 February of this year after having served his sentence.
16. **Aung Ko Htwe** is still facing trial under the criminal code No 446/2017 and article 505(b) of the Penal Code. We shall make relevant information available as his due legal process continues.

Mr. Chairman,

17. The cooperation between Myanmar and the ILO is intensifying in many areas. In addition to progress made on forced labour, labour laws reform and decent work country programme, we were able to make advancement in child labour elimination.
18. Although we are not yet party to C-138, we had made amendments making 14 years of age as minimum, to the Shops and Establishment Law 2016 and the Factories Act, 1951 respectively.
19. The National Committee on Elimination of Child Labour was reformed on February 5 of this year and the first consultation workshop was convened on 19 February 2018. Under the current programme of elimination of child workers, a draft National Action Plan and a list of Hazardous workplaces and activities are being developed.

Mr. Chairman,

20. Our progress made does not confined to our population working in the country.
21. Myanmar's ratification of the ILO Seafarers Identity Document Convention on 16 January this year is also a significant step for the safty and wellbeing of Myanmar seafarers working abroad.

Mr. Chairman,

26. As a new born democracy, Myanmar faces many daunting challenges. We need international community's continued understanding and support. Our commitment to cooperation with social partners , ILO and the international community is unquestionable. In light of the cooperation leading to a higher level and progress made on ground, I believe it is time beginning to review the reporting requirement of the 102nd Session of ILC (2013) on Myanmar and make appropriate recommendation to the forthcoming ILC.
27. In conclusion, I would like to express our sincere appreciation to the Liaison Officer Mr. Rory Mungoven for his dedication and hard work in discharging his mandate.
28. I thank you, Mr. Chairperson.
