

**Statement delivered by the Delegation of Myanmar at the
Committee of Application on Standards during the 108th
International Labour Conference**

(Geneva, 13 June 2019)

Mr. Chairman,

1. At the outset, I, on behalf of Myanmar Delegation, wish to commend you on your stewardship since your assumption of office as Chair of this Committee. I would like to congratulate the other members of the Bureau for their election. I would like to assure you of our full cooperation as you undertake your duties and responsibilities.

Mr. Chairman,

2. The current democratically elected civilian government has been transforming the country from authoritarian to a democratic federal union. Myanmar has started to enjoy greater freedom and democratic rights since the emergence of the civilian government three years ago. Though our democratic transition is in its process and the country is facing with numerous challenges including constitutional constraint and ongoing armed conflicts in some parts of Myanmar, there are visible improvements in many areas including health, education, socio-economic sectors. These positive changes will be reinforced by on-going implementation of the Myanmar Sustainable Development Plan-MSDP which provides a unifying and coherent roadmap for all future reforms. MSDP is in accord with the SDGs including SDG 8.
3. In a multi-ethnic country like Myanmar, making unity out of diversity is a great challenge. Thus, the Government is striving for sustainable peace and genuine national reconciliation and all-round development while embracing democratic practices, human rights value and principle of inclusiveness. As part of its agenda for peace, the government has already

convened 3 sessions of Union Peace Conference or the 21st Century Panglong Conference and agreed on a total of 51 basic principles for building a Democratic Federal Union that guarantees security and prosperity for all creating a peaceful and harmonious society. We are planning to convene 3 more sessions by 2020 to finalise those fundamental principles.

4. A total of ten Ethnic Armed Organisations (EAOs) have already signed the Nationwide Ceasefire Agreement (NCA). The Armed Forces has also announced unilateral ceasefire in Kachin and Shan States for four months commencing from 21 December and it was extended again in April.

Mr. Chair, let me pass the floor to Ambassador Kyaw Moe Tun to apprise you of matters related to C.29.

Mr. Chairman,

5. Myanmar associates itself with the ASEAN Joint Statement to be delivered by Thailand which is the ASEAN Chair in 2019. The Joint Statement reflects the progress and actions and measures undertaken by the Government of Myanmar in its efforts in the elimination of forced labour.
6. As we are in need of a constitution that can truly protect the democratic rights of the people, the ruling party has recently taken a bold initiative to amend the undemocratic, let me repeat, undemocratic provisions of the 2008 Constitution. To that end, a joint parliamentary committee was formed, and it is in progress to amend the Constitution. Our democratic struggle is still very much alive.
7. As we strongly commit ourselves to the elimination of forced labour, the General Administration Department which is responsible for many issues and matters relating to forced labour has been transferred from the

military-designated Ministry of Home Affairs to the Civilian Ministry of the Office of the Union Government in order to effectively carry out the actions which contribute to the elimination of forced labour.

8. We do believe that all efforts towards democratic reforms play a role for the promotion and protection of human rights including labour rights. With this in mind, our Government has been encouraging all the relevant stakeholders to intensify the process of labour law reforms, to strengthen further the culture of tripartite social dialogue, and to educate and train people who are heavily involved in the promotion and protection of labour rights in close cooperation with the ILO. Taking this opportunity, I would like to thank the ILO for its continued assistance.

Mr. Chairman,

9. Being a nascent democratic state, Myanmar faces many daunting challenges and if I may name a few, national reconciliation and peace, poverty, weak institution and underdevelopment. However, our Government is resolute to overcome all the challenges to bring about the benefit and betterment of everyone living in the country. Due to our efforts in public institutions reforms and in strengthening the rule of law aiming to create a fair and just society, significant progress has been made in many areas and the promotion and protection of labour rights is one of the areas which is making progress steadily.
10. What we think the most important thing to eliminate forced labour in every country is the political will and I do wish to inform this meeting that our Government has a strong political will and unwavering determination when it comes to elimination of forced labour. The President of Myanmar in his message on Workers' Day in last May underscored the Government's efforts in bringing about the environment

and the condition for the people of Myanmar in which human rights and democracy could fully be enjoyed in a lawful manner. The President highlighted, among others, the promotion of the rights of workers, eradication of child labour and forced labour.

11. One of the root causes of forced labour in Myanmar is due to the decades-long internal conflicts and we have been facing with the internal conflicts ever since we gained independence in January 1948. As we understand that the development, whether it be politically, economically and social-culturally, could not be achieved without peace and stability, the current Government has been exerting its efforts to put an end the armed conflicts in the country and we have undergone rapid social, economics and political transformation in recent years.

Mr. Chairman,

12. We would like to thank ILO for its remarkable contribution in the elimination of forced labour in Myanmar over the past years. ILO adopted the resolutions relating to the situations of forced labour in Myanmar at the ILC sessions held in 1999 and 2000 respectively. It is noticeable that the complaints on forced labour have been significantly decreased due to the Government's steadfast efforts which include awareness raising, workshop, seminar and training conducted in close cooperation with ILO. Our efforts combined with dedication finally yielded the good outcomes and all sanctions imposed on Myanmar have been lifted at the 102th ILC session in 2013 as the progress made by Myanmar is in compliance with the Forced Labour Convention.
13. As a result of our strong commitment for elimination of forced labour, new instances of underage recruitment are in declining trend and we are committed to resolve the underage recruitment cases which have not been

settled. In this regard, we look forward to receiving continued constructive cooperation from our partners.

14. Since its establishment in 2007 with the signing between the Government of Myanmar and ILO, the Supplementary Understanding turned out well and satisfactorily met its objective in eradicating forced labour. It had been extended yearly and was in force until the end of December 2018.
15. After the expiration of Supplementary Understanding at the end of 2018, Myanmar has been closely working with the ILO to continue implementing the activities and measures to eliminate forced labour under the newly signed Decent Work Country Programme. Therefore, the time-bound action plan is being prepared to establish an appropriate complaints mechanism.
16. To gain deeper knowledge and better understanding and to learn best practices of other countries, we had a workshop in January 2019 in Nay Pyi Taw. It was actively participated in by members of the parliament and High Level Working Group and Technical Working Group, representatives of ILO, Government, Workers and Employers.
17. Taking into account of the procedures and mechanism in handling the complaints in Myanmar and the information and good practices gained from the Workshop, we have been developing the new action plan in consultation and cooperation with ILO and the tripartite constituents. The negotiation is at the final stage now and the draft will be submitted to the Cabinet for approval.
18. The time-bound new action plan includes Four Priorities namely:
 - Institutionalization of national forced labour complaints mechanism;
 - Training and awareness raising on forced labour;
 - Capacity building to end forced labour; and
 - Mobilization of tripartite partners for prevention of forced labour in the private sector

19. We develop this action plan under the Decent Work Country Programme in order to put in place the relevant policies and to coordinate among related Ministries. We have already prepared the concept note in order to implement the National Complaints Mechanism when the new action plan is approved by the Cabinet.
20. I wish to inform the meeting that the members of High Level Working Group has met with the representatives from the relevant Ministries and Organizations on 4th March and 21st May 2019 respectively and they had fruitful discussions on the establishment of National Complaints Mechanism as well as the interim procedures to resolve the complaints before its establishment.
21. Before National Complaints Mechanism is put in place, the High-level Working Group will resolve the complaints made on forced labour by any organizations and any individuals including ILO, by means of cooperation and coordination with related Ministries and Organizations.

Mr. Chairman,

22. In addition to working with the ILO, the issue of underage recruitment has been tackled with the collaboration of the UN Country Taskforce on Monitoring and Reporting (UNCTFMR). Moreover, the Government of Myanmar is actively cooperating with SRSG on Children and Armed Conflict to prevent and address conflict-related violations on children.
23. In order to further its commitment, the Government established the Inter-Ministerial Committee for the Prevention of the Six Grave Violations during Armed Conflict on 7 January 2019. The Committee held two consecutive meetings in April and May 2019 and discussed implementation of new action plan.

24. As of March 2019, Tatmadaw has already released a total of 987 minors to their parents or guardians for wrongful recruitment. A total of 448 military officers and other ranks were taken action in accordance with military discipline and a civilian who helped and encouraged the wrongful recruitment was sentenced for one year in prison by civilian law.
25. In order to ensure the best interest of children, the existing Child Law (1993) was reviewed. Accordingly, the Child Rights Law has been developed in accordance with the UNCRC. Many chapters have been added to the current law and one of the important chapters includes provisions which prevent anyone from committing serious offences including recruitment and use of child in armed conflict.

Mr. Chairman,

26. Let me now touch on awareness raising activities which is one of the important components in elimination of forced labour.
27. Despite the fact that we have achieved many tangible developments in promoting and protecting the labour rights because of our continued efforts in awareness raising activities and programme, there remains challenges to overcome. We will therefore continue to conduct more training and awareness raising courses including trainings of trainers.
28. We do feel that training and awareness raising are important factor when it comes to the issue of forced labour. In this regard, the awareness raising seminars are being held across the country and the awareness raising brochures are being distributed in many parts of the countries in Eight ethnic languages. Moreover, salient points of the raising awareness of forced labour are highlighted in the newspapers, radio, TV programme and news media, and the awareness raising billboards are erected all over the country in collaboration with the ILO.

29. A total of 9,221 times for awareness raising workshops, seminars, talks and other forms of activities on forced labour were conducted with the participation of 368,952 persons in various townships in States and Regions from July 2018 to March 2019. Furthermore, 96,756 pamphlets have been distributed all over the country.
30. In close cooperation with the ILO, we have conducted training of trainers on elimination of forced labour with the participation of members of High Level Working Group and Technical Working Group including officials of Tatmadaw and Police from 14 to 15 January 2019. In addition, the ILO conducted 34 workshops, the employees conducted 10 other training and awareness raising sessions on forced labour throughout the country.
31. It is undeniable fact that the culture of tripartite social dialogue has grown and stronger at the national level in Myanmar which plays a significant role to our efforts to eliminate forced labour. The National Tripartite Dialogue Forum established in 2014 meet three times a year and the discussions, decisions and adoptions with regard to the labour related matters including the law reforms are made during the meeting.
32. We firmly believe that we will be able to achieve our aims and goals if tripartite constituents, Government, workers and employers closely work hand in hand.

Mr. Chairman,

33. We recognize the role played by Liaison Officer in the promotion and protection of labour rights as well as the elimination of forced labour. We will continue our close cooperation with the ILO and other relevant partners in our efforts for the promotion and protection of labour rights based on mutual understanding and trust. We do hope that the ILO can maintain its constructive approach and genuine cooperation with

Myanmar for the benefit of the people of Myanmar. We wish to express our sincere appreciation to Mr. Rory Mungoven for his hard work and valuable contribution to the development of labour sector in Myanmar and we look forward to having the same level of cooperation from his successor.

34. We are fortunate to celebrate the 100th anniversary of the establishment of the ILO and our tireless efforts for elimination of forced labour should therefore be well recognized. And I think it is time that the relations between ILO and Myanmar should be further enhanced and we therefore wish to urge ILO to upgrade the current Liaison Office into the Country Office taking into account of the longstanding cooperation between Myanmar and ILO.
35. In conclusion, I wish to express our sincere appreciations to the countries that supported our endeavours in elimination of forced labour.
36. I thank you, Chair.