

Myanmar

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Statement by

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of the Union of Myanmar

at the

Committee on the Application of Standards of the
98th Session of the International Labour Conference

Geneva, 6 June 2009

Mr. Chairman,

Thank you for giving me the floor.

At the outset, I should like to extend our warmest congratulations to you on your election as the Chair of this esteemed Committee. I am fully confident that with your wisdom, knowledge and strong leadership, our deliberations will bring about a successful conclusion.

My delegation is pleased to join in commemorating the 90th Anniversary of the International Labour Organization focus on the theme of "90 years working for social justice." In this connection, we commend His Excellency Mr. Juan Somavia, Director-General of the International Labour Office for his very well job in leading the International Labour Office effectively and timely in these challenging and difficult years and in advancing the work of the organization substantially in response to the needs of the present financial and economic crises.

Mr. Chairman,

The 304th Session of the Governing Body welcomed the further extension of SU for one year trial period which had been reflected in the Report of the Liaison Officer. The Director-General of the ILO also appreciates the response of the Government of the Union of Myanmar toward this mechanism by expressing "positive" in his Global Report on the cost of coercion.

In response to the requests made by the 97th session of June ILC and 303rd session of November GB regarding the highest level statement of Government, I would like to reiterate that as the Minister for Labour is the highest authorized person for labour matters, the statement of the Minister for Labour following the extension of SU is the highest level statement of the Government for the elimination of forced labour. The provisions enshrined in the new Constitution clearly show the high level commitment to the eradication of forced labour.

With respect to the translation of SU in appropriate local language which was mentioned in the Conclusions of the 97th June ILC and para 5 of the Conclusions of March GB 304th session, the text of SU and its related documents had been translated into Myanmar language and 10,000 copies of a booklet had been produced and widely distributed to the civilian and military authorities nationwide, UN agencies, civil societies, NGOs, INGOs, political parties and the general public for awareness raising purposes. Moreover, a total of 20,000 additional copies of the booklet were produced for further distribution nationwide.

With regard to the complaints received by the ILO Liaison Officer, he forwarded (87) cases to the Working Group for Prevention Against Forced Labour. Out of (87), (12) cases have already been replied to the ILO Liaison Officer after necessary investigation conducted by the authorities and (64) cases have been closed. Only (11) cases are under investigation with the collaboration of the departments concerned and will be finalized in the near future.

The Ministry of Labour is cooperating with the ILO Liaison Officer in arranging field visits in accordance with the SU. The ILO Officer has been able to travel throughout the country and able to see the situation on the ground. The Ministry of Labour and the ILO Liaison Officer undertook a joint mission to Hpan-an Township of Karen State on 27 April 2009 and Lashio Township of Northern Shan State on 7 May 2009. These two missions had proved the Government's willingness to implement the Supplementary Understanding.

Mr. Chairman,

During these missions, the joint awareness workshops on the eradication of the practice of forced labour were held. The Director-General of the Department of Labour and the ILO Liaison Officer had given the lectures concerning the implementation of Convention No.29 to the large audience including members of District and Township Peace and Development Council, officials from the Department of Prison, the representatives from Myanmar Police Force, the representatives from Immigration Department, the officials and staff of the Ministry of Defence, and (9) representatives from national race groups which had returned to the legal fold. On 2 April 2009, the Liaison Officer had given a lecture on International and National Law relating to forced labour at the annual Deputy Township Judges Training Course. This had been reflected in paragraphs 19 and 20 of the Report of the Liaison Officer.

A labour-intensive employment project launched by the ILO in the cyclone affected areas of Delta region is a good example of cooperation between the Government of the Union of Myanmar and the ILO. The objective of the project is to provide temporary decent employment to the most needy cyclone victims, adding value to the interventions of other international agencies including FAO and UNDP. The facts are expressed in the Global Report of the Director-General, "The cost of coercion."

This project, which includes the developments of (60) villages in the Mawlamyine Gyun Township was funded by the Department for International Development (DFID) of the United Kingdom. The first stage of the pilot project including the construction of (4) miles of village and inter-village tracks, (2) jetties, (5) small bridges and (40) lavatories in (10) villages were completed on 15 March 2009. This first stage project was able to create job opportunities for (7,802) workers including (1,437) skilled labour and (6,365) general workers in this area.

The Stage Two of the Project Work Plan, which covers the developments of (20) villages in (12) village-tracks are being undertaken since 13 February 2009. The construction of (50) bridges, (23) jetties and concrete footpaths are included in the list of the Stage Two Project. Altogether (5,849) skilled labour, (65,979) general workers involved in this second stage project. A total of (71,828) jobs have been created for the local people. Therefore, I would like to take this opportunity to extend our appreciation to ILO on the constructive efforts in advancing the livelihood of the people in the cyclone affected area. The details of the project had been mentioned in paragraphs 27 and 28 of the Report of the Liaison Officer.

Mr. Chairman,

In response to the matter regarding the under-age recruitment which had been mentioned in para (4) of the Conclusions of the 97th Session of June 2008 ILC and para (6) of the Conclusions of the 303rd Session of November 2008 GB. I also wish to inform that Myanmar attaches great importance to the question of protection and promotion of the rights of the child. Myanmar is a state party to the Convention on the Rights of the Child since 16 July 1991. Military service is voluntary in Myanmar. A person cannot enlist in the armed forces until he has attained the age of 18.

The Myanmar Government has established a High-Level Committee for the Prevention of Military Recruitment of Under-age Children on 5 January 2004 to effectively address the issue. The Committee was reinstated on 14 December 2007. The Committee adopted a Plan of Action which includes the recruitment procedures, procedures for discharge from military service, reintegration into society, public awareness measures, punitive action, reporting measures, submission of recommendations and consultation and cooperation with the international organizations.

A working-level Committee of Monitoring and Reporting Task Force on prevention against recruiting minors into military was established in 2007. The Committee coordinated multiplier courses on prevention of recruiting child soldiers for 25 times in the State and Division Commands in 2008 and it was attended by (1,308) officers and other ranks.

A total of (83) under-age children have been rejected from the military last year and they were properly handed-over to their respective parents and guardians. The disciplinary actions were taken against those who recruited the under-age persons into armed forces. Altogether (44) armed forces personnel, including (10) officers and (34) other ranks had been charged for irregular recruitments.

In this context, I would like to inform the House of the very recent development. On 2nd June 2009, the ceremony to hand-over eight minors who joined the Tatmadaw (Armed Forces) of their own accord to their parents was held by the Working Committee for Prevention Against Recruitment of Minors at Mingaladon Station. The ceremony was attended by Chairman of the Committee, and members of the Working Committee, resident representatives of UNICEF, NGOs such as Save the Children (Myanmar), World Vision (Myanmar), the minors and their parents.

Mr. Chairman,

The above-mentioned developments had clearly demonstrated the firm evidence of the sincere cooperation of the Government of Myanmar with the ILO.

In conclusion, I would like to reiterate that Myanmar has shown its political will and she has been and will be cooperating with the ILO in a constructive manner with a view to eradicating the practice of forced labour in the country.

I thank you, Mr. Chairman.