

*Myanmar*

*Permanent Mission of the Union of Myanmar*

*47, Avenue Blanc, 1202 Geneva, (022) 906 98 70 - 71*

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Statement by

His Excellency U Aung Kyi,  
Minister for Labour  
of the Union of Myanmar

at the

Ninety-Eighth Session of the  
International Labour Conference

Geneva, 11 June 2009

Mr. President,  
Ladies and Gentlemen,

It is indeed an honor and a pleasure for me to deliver an address at this Assembly. On behalf of my delegation and on myself, I extend my warmest congratulations to you on your election as the President of this Conference.

Mr. President,

I'd like to comment on the report 1(A) "Tackling the global jobs crisis". It proposes the initial elements of a Global Jobs Pact with the key objective of ensuring the better employment and social protection outcomes in dealing with the crisis.

Among the components of the Global Jobs Pact, I'd like to state that we have the same views on the paragraphs 88, 103 and 108.

It is an opportunity for me to make a brief review of our efforts regarding the mentioned paragraphs. In Myanmar, the Government has undertaken the developments of infrastructure with might and main. The measures for basic necessities in both public and private sectors especially in the agriculture sphere are extended and more investments are made. Under these circumstances, job opportunities are being generated in the rural areas and I'd like to reveal that Myanmar can manage to handle the job crisis quite well to be harmonious.

Mr. President,

We have observed that the role of governments in leading and coordinating national action against forced labour being indicated in the ILO DG's report 1(B). In this context, I'd like to comment on the fact which is being considered the approaches to law and policy making on forced labour. In Myanmar, eradication of forced labour has been carried out with political will. The Supplementary Understanding between Myanmar and ILO, complaint mechanism for eradication of forced labour has been extended for one more year. In addition, the provision on the prohibition of forced labour is clearly mentioned in Section 359, Chapter (8) of the Constitution of the Republic of the Union of Myanmar which was ratified by the referendum held in May 2008 with 92.48% affirmative votes.

Mr. President,

As it is done in all constitutions of the world, laws are promulgated to enforce and spell out the detailed provisions of constitutions that are in legal effect. The duty and right to promulgate such laws are mentioned in Section 96. The laws prohibiting forced labour and allowing freedom of associations will be drafted and enacted with bona-fide good faith to be in conformity with the spirit of Conventions 29 and 87. The constitution on careful study already reflects this spirit. One should have a positive attitude towards and respect for what a nation and its people are trying to achieve with genuine political will and good faith. Regarding the spirit of Conventions 29 and 87 it is reflected in the Constitution.

Turning a blind eye to these efforts and taking negative approaches such as the constitution not in line with Conventions 29 and 87 will only be counter-productive. We, the people of Union of Myanmar and the Government, are determined to continue to defend the Constitution of the Republic of the Union of Myanmar that we have drafted and ratified.

Mr. President,

Finally, I'd like to express the current situation on Myanmar concerning Daw Aung San Su Kyi's trial which is merely an internal affair of Myanmar taking action through its legal system in accordance with domestic law. It is the universal legal principle that no one is above the law. Only when this legal principle is upheld, put into practice and encouraged will there be Rule of Law in a country. With regard to the trial, it is nothing but a process for the Rule of Law which is the prime characteristic for democratization. Myanmar government is strongly dedicated to continue implementing the remaining three steps of the seven-step road map for democratization and international community could best assist in this process.

Mr. President,

In conclusion, I would like to take the opportunity to assure this esteemed Conference that Myanmar remains committed to cooperate with the ILO to achieve the mutually desired goal.

I thank you, Mr. President.