

**306th Session of the Governing Body
of the International Labour Office
(November 2009)**

SIXTH ITEM ON THE AGENDA

GB.306/6

Draft conclusions concerning Myanmar

The Governing Body took note of the report of the Liaison Officer and listened with interest to the statement made by the Permanent Representative of the Government of the Union of Myanmar. In the light of the information available, and considering the interventions made during the debate, the Governing Body concludes as follows:

1. Full compliance with the Forced Labour Convention, No. 29 (1930), implementation of the recommendations of the Commission of Inquiry and the complete elimination of the use of forced labour in Myanmar have not yet been achieved. All activity must be targeted to this end.
2. The Governing Body recalls its previous conclusions and those of the International Labour Conference and reconfirms their continuing validity. This concerns particularly accessible material in local languages for awareness raising and the need for an authoritative statement by the senior leadership against the continued use of forced labour and the need to respect freedom of association.
3. The Governing Body notes the Government's cooperation regarding the complaints submitted, as well as the joint Government/ILO awareness-raising activities. In continuing the arrangements under the Supplementary Understanding, the capacity of the ILO to deal with complaints throughout the country should be strengthened. Cases of forced labour should be reported and followed up consistently so that the practices cease and the perpetrators are prosecuted and punished. Particular attention should be paid to monitoring infrastructure projects such as oil and gas pipelines. The Governing Body calls for and encourages progress towards achieving greater compliance with the international obligations of Myanmar, including Convention No. 29, particularly where local practices do not respect the aim of abolishing forced labour.
4. The Governing Body is deeply concerned about the continued imprisonment of a number of persons who have complained of being subjected to forced labour or who have been associated with such complaints. This is in total contradiction with the Government of Myanmar's own commitments under the Supplementary Understanding and puts into question the good faith necessary for the implementation of the Supplementary Understanding. If this situation is not promptly remedied, it will undermine the advances made to date. The Office should continue to examine potential legal implications of the failure to comply with Convention No. 29.
5. The Governing Body calls for the immediate release of all persons currently detained being complainants, facilitators and others associated with the Supplementary Understanding complaints mechanism, as well as for the unconditional release of all imprisoned political and labour activists.

6. The Governing Body repeats its previous call for the Government of Myanmar to facilitate, as provided for in article 8 of the Supplementary Understanding, the adjustments to the staff capacity of the Office of the Liaison Officer so that an increased workload could be met. This includes the presence of an additional international recruited professional appointed by the ILO.