Minister for Labour responds to question of Dr Myat Nyana Soe

NAY PYI TAW, 28 March- At today’s session of Pyidaungsu Hluttaw, three hluttaw representatives discussed the approved proposal “call on the government to form a migrant workers, affairs department under a suitable ministry submitted by Dr Myat Nyana Soe of Yangon Region Constituency No.4.

U Paik Htwe of Kanma Constituency discussed the proposal, saying that the government is sending workers to foreign countries through oversea licensed employment agencies under a foreign employment law.

According to provisions of Foreign Employment Law (99) Section 25, Sub-section (d), these licensed agencies take responsibilities of the workers to enjoy the rights fully, when they are deprived of rights in foreign countries.

Most of migrant workers who went abroad through brokers and through borders are facing many difficulties.

The government is providing necessary assistance to them.

First, for instance, about 1000 Myanmar workers are working at fishing net factory in Khon Kaen, Thailand.

They demonstrated on 9-9- 2010 because of not getting salary from the factory.

Officials from Myanmar embassy in Thailand helped them.

Second, some of the 600 illegal Myanmar workers who are working at garment factory in Amman of Jordan quarreled with some Bangladeshi workers there on 5-1-2010. The company has arranged to send Myanmar workers back. So Myanmar ambassador and officials from the Embassy settled the problem. As a result, the workers got damages and compensation. And they have to continue working there.

Third, more than 2700 illegal workers detained at immigration camps in Malaysia were sent to Myanmar in cooperation between two officials, starting 4-9-2009. It can be seen that the government helps workers working in foreign countries to enjoy the rights.

The government is taking necessary action on licensed employment agencies and brokers who do not obey existing laws. Authority concerned detected that brokers sent workers overseas illegally. A total of 17 cases were charged in line with the laws.

Altogether 14 oversea employment agencies that failed to follow the licenses provisions were terminated.
Ministry of Home Affairs is taking legal action against seven cases because of having no overseas employment licenses.

Myanmar is sharing border with Thailand about 1800 Kilometre. So, Myanmar workers are working in Thailand crossing border camps. Three border camps in Ranong of Thailand issue temporary passports to workers in coordination between Myanmar and Thai governments. The government is sending new workers who want to work in Thailand in cooperation with respective ministries.

It is obviously seen that the government is undertaking migrant workers' affairs within the framework that should be. So, regarding the proposals of Dr Myat Nyana Soe, no need to continue to discuss, he said.

Afterwards, U Win Oo of Yebyu Constituency said that many of Myanmar citizens go abroad as workers and scholars. Myanmar embassies in respective countries are providing necessary assistances to them all. They have obligations to pay income taxes and are paying income taxes to Myanmar embassies.

Myanmar embassies in Thailand, Singapore, Japan and UAE settle workers’ affairs. In cooperation with local authorities, necessary assistances are being provided to Myanmar workers by forming an association for safeguarding Myanmar workers, including Myanmar ambassadors as patron and Myanmar entrepreneurs as members. Myanmar workers are working in neighboring countries as general workers.

Being migrant workers, they have to face difficulties. Under the guidance of the Head of State, this affair is regarded as national plan. And it has been implemented since 2005.

Legal work permit in Thailand and passports have been issued to more than 400,000 workers. The government doesn’t collect income taxes.

Most of legal workers are working in foreign countries as skilled workers after attending training courses in respective ministries and private training schools. Now they get good reputations and well-paid jobs.

In the world of international sailors, Myanmar sailors earn good reputation and salaries because respective departments and private sector open Maritime University and Maritime Training Institute. To enjoy the rights fully, respective ministries and MOSA are supervising their affairs.

In addition, civil aviation such as cockpit crew and cabin crew will be conducted.

To get job opportunities in international airlines, respective departments will conduct the courses in cooperation with private schools.

Many national experts and skilled workers are working abroad for well-paid jobs. The government is establishing port terminals, industrial zones and factories in the nation to crate remunerative jobs and to improve the living status of the people. Dawei Deep Sea Port Project, the largest of its kind in Myanmar is on schedule to be completed in 10 years and will create about over 200,000 jobs.
The government is safeguarding the rights of the people, training national workers for overseas jobs for reasonable taxes to the nation, so the proposal should not be under discussion any more.

U Kyi Myint from Latha Constituency said that the term “migrant worker” should be used as “Myanmar citizens working abroad for earnings”.

A migrant worker is a person who has decided to live in a foreign country for good. He may send remittances to his family or relatives, but illegally. The remittance of a citizen staying abroad for earnings is part of the mother country’s GDP and taxes. A national worker overseas may need help from the society of mother country, and the society is willing to extend a helping hand.

It is not difficult to establish a department in this regard, but national workers in foreign countries still need to declare all facts truly.

He disclosed that he is in support of the proposal in principle, but to establish a related department will come true only if legal or illegal national workers in foreign countries declare all facts truly.

Minister for Labour U Aung Kyi said that the proposal is composed of four points. Regarding the first point, in 2010, the State got 26.92 million US dollars from migrant workers as income taxes. Income taxes stated by the proposer on the 15th-day session are, indeed, remittances.

Regarding the second point, migrant workers should be termed documented migrant workers or undocumented migrant workers. The ASEAN Declaration issued at the 12th ASEAN Summit manifests that receiving states have to protect migrant workers in accordance with the law.

Sending states are also protecting their national migrant workers through MoUs with receiving states concerned.


Many more workers are being sent to Thailand through the centres according to the orders.

In 2001, MoUs were signed between Shwe Inwa Agency Co Ltd of the Myanmar War Veterans Organization and agencies in Malaysia to send Myanmar workers to work in. According to the MoU signed between Myanmar and the Republic of Korea, Myanmar has been sending national workers with Employment Permit System (EPS) since 2009.

Organizations for protecting Myanmar workers were formed in Malaysia and Thailand in 2009. A Myanmar official of the Ministry of Labour was sent to ROK in January 2011 to provide assistance to national workers there.

Regarding the third point, Oversea Employment Law was promulgated in 1999 and the people were allowed to form oversea job hunting agencies. It prescribes that agencies are responsible for rights of
workers in coordination with the foreign companies concerned if a national worker is deprived of rights.

In 2010 alone, the two training centres under the ministry and four training centres of agencies trained 5210 skilled workers. Skilled workers were sent only 1.8% of the migrant workers in 2001, and 19.46% in 2010.

National Skill Standard Authority (NSSA) formed in 2007 will be upgraded to an organization at ASEAN level.

The ministry is in pursuance of short- and long-term plans to bring about a growing number of skilled workers.

Regarding the fourth point, the ministry does not need to open a department for migrant workers as it has already had an oversea employment division. In this case, the Ministry of Foreign Affairs, the Ministry of Home Affairs and the Ministry of Immigration and Population are working closely as a task force.

Overall, the proposal is intended to make Overseas Employment Mechanism more effective. He admitted that the ministry has yet to carry out many steps.

One of them is that the nation has not had enough necessary institutions. The nation needs to sign more bilateral agreements and upgrade the signed MoUs and MoAs to the ones that can guarantee that can safeguard the interests of Myanmar workers. The ministry is also trying to expedite tasks with the help from IOM. Local and foreign employment agencies and Myanmar migrant workers should choose right tracks, rather than shortsighted shortcuts. Everyone in favour of the interests of migrant workers is urged to render assistance and hold talks for institutional development and cultural change.

He wished individuals, agencies and migrant workers improvement in wisdom of big-picture thinking.

The speaker sought the opinion of the proposer.

Dr Myat Nyana Soe expressed thanks for the minister and the representatives for their assessments. He said that he has known well that the government has made all necessary arrangements in that regard. All concerned have to do their bit in the tasks for institutional development and cultural change.

He pledged that he will relay the minister’s clarification to the people. He reported that his proposal should be documented and it should not go on.

The Hluttaw approved the report and confirmed that the proposal is documented and it is no longer needed to discuss the proposal.

*Source: NLM 2011-03-29*