The International Labour Organisation Makes History

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"The struggle of people against power is the struggle of memory against forgetting"

Milan Kundera

As a country that has long suffered extreme and systematic repression and isolation, Burma's struggle against the power of its military regime has long appeared to have been shelved from the sights and respective minds of the international community. However, in the wake of the International Labour Organisation's recent and unprecedented resolution to support wide-ranging sanctions against the military regime, perhaps a glimmer of hope can be gleaned in this struggle against the systematic violations of human rights inside Burma.

Readers of the September issue of this journal would recall the comprehensive article written by Ms Louise Southalan entitled 'Forced labour, the ILO and Burma.' That article, amongst other things, examined in detail the domestic legal arrangements in Burma, the Forced Labour Convention 1930 (No. 29) and provided background information on the developments that have led up to the historic resolution.

This brief article is intended merely to provide an update on the recent decision of the Governing Body of the International Labour Organisation (ILO) regarding the issue of forced labour in Burma. It also seeks to assess the role regional and geo-politics has played throughout the ILO decision-making process which led to the adoption of the resolution of 16 November 2000 by the ILO's Governing Body. Finally, the article attempts to look forward, to examine briefly
the next step in the implementation of this remarkable resolution.

Background

By way of background, the forced labour matter arose on the basis of a complaint lodged with the International Labour Organisation Conference on 20 June 1996. Twenty five workers' delegates presented a complaint under Article 26 of the ILO Constitution against the government of Burma for non-observance of the Forced Labour Convention, 1930 (No. 29). As the oft-quoted jurist once said “the road to hell is paved with good Conventions” – this rings true for the situation in Burma with abundant volume and clarity. Although Burma ratified this Convention in 1955, there has been no evidence of compliance with the requirements of the Convention of the past 45 years. In fact, the ruling military junta has only show complete contempt and disregard for this fundamental human right.

The complaint stated that:

"...Burma's gross violations of the Convention have been criticised by the ILO’s supervisory bodies for 30 years... The Government has demonstrated its unwillingness to act upon the repeated calls addressed to it by the ILO’s supervisory bodies to abolish and cancel legislation which allows for the use of forced labour and to ensure that forced labour is eliminated from practice. In these circumstances, the Committee on Applications has again expressed deep concern at the systematic recourse to forced labour in Burma...

It is clear that the practice of forced labour is becoming more widespread and that the authorities in Burma are directly responsible for its increasing use, and actively involved in its exploitation...

... Forced labour is being used systematically... in an increasing number of areas of activity. Large numbers of forced labourers are now working on railway, road, construction and other infrastructure projects, many of which are related to the government’s efforts to promote tourism in Burma. In addition the military is engaged in the confiscation of land from villagers who are then forced to cultivate it to the benefit of the military appropriators. The current situation is that the government of Burma, far from acting to end the practice of forced labour, is actively engaged in its promotion, so that it is today an endemic abuse affecting hundreds of thousands of workers who are subjected to the most extreme forms of exploitation, which all too frequently leads to loss of life.”
In March 1997, the ILO Governing Body established a Commission of Inquiry to investigate the complaint and examine Burma’s observance of its obligations in respect of the forced labour Convention. The Commission conducted a lengthy and thorough investigation, collected over 6000 pages of documents pertaining to the matter, and heard testimony from over 250 eyewitnesses with experience of the use of this draconian practice. The Inquiry then released a report in 1998 revealing its findings. Those findings may be best summarised by quoting a passage from the report, which discussed in general terms the outcome of the Inquiry as it “reveals a saga of untold misery and suffering, oppression and exploitation of large sections of the population inhabiting Burma by the Government, military and other public officers. It is a story of gross denial of human rights to which the people of Burma have been subjected, particularly since 1988 and from which they find no escape except fleeing the country.”

The Commission of Inquiry concluded in its report that there was overwhelming evidence to establish that there is widespread and systematic use of forced labour throughout Burma by the Burmese authorities and military. As readers of the former article will recall, the recommendations of the Committee of Inquiry were that the Commission urged the junta to make the necessary legislative, executive and administrative changes to ensure compliance with the forced labour convention. Specific reference was made to the Village Act and the Towns Act, both statutory laws that presently breach international law. In addition, the recommendations also included that no more forced or compulsory labour be imposed by the authorities, particularly by the military and that penalties to be imposed for the use of forced labour be enforced with thorough investigation, prosecution and punishment of those found guilty. Prior to this, on June 17 1999 the ILO Conference had suspended Burma from receiving ILO technical assistance or attending ILO meetings on the basis of the junta’s ‘flagrant and persistent failure to comply’ with the forced labour convention.

The June 2000 Conference9 resolved that it could not abstain from the immediate application of the measures recommended10, to secure compliance with the recommendations of the Commission of Inquiry “unless the Burmese authorities promptly take concrete action to adopt the necessary framework for implementing the Commission of Inquiry’s recommendations, thereby ensuring that the situation [of workers affected by various forms of forced or compulsory labour] will be remedied more expeditiously and under more satisfactory conditions for all concerned.”11

The October Technical Mission

In what appears to be a protracted game of passing responsibility, the ILO Con-
ference entrusted the Governing Body with the task of examining the legislative, administrative and executive framework “which must be sufficiently concrete and detailed to demonstrate that the recommendations of the Commission of Inquiry have been fulfilled.” Under the terms of the resolution, the measures approved by the Conference were to take effect on 30 November 2000 unless, before that date, the Governing Body became convinced that an overall framework of measures of the kind referred to in the Commission of Inquiry’s report had been implemented, rendering the implementation of one or more of those measures inappropriate.

In response to the Conference’s adoption of the said resolution, the Governing Body determined to send yet another ILO Technical Co-operation mission to Burma. The second ILO Technical Co-operation mission was then sent to Burma in October 2000. The ball was unambiguously placed in the Governing Body’s court – if it determined on the basis of the Technical Mission’s findings that appropriate and concrete measures had not been adopted by the Burmese regime in the intermittent five month period, the measures approved by the Conference – including sanctions – would then be considered. The Governing Body would decide whether and to what extent the terms of the resolution adopted by the Conference at its 88th Session had been satisfied.

On the basis of the report of the ILO Technical Co-operation Mission, the Governing Body concluded that it was not satisfied that actions taken by Burma to date met the recommendations of the Commission of Inquiry. Whilst the experts found that Burma had made some progress in amending laws to end forced labour, it also found that not enough had been done towards putting these changes into practice. The report stopped short of condemning the junta, however it did state for the record its disappointment with the authorities’ lack of response to the ILO’s recommendations.

The report analysed the legislative, executive and administrative measures required to abolish the use of forced labour in Burma in law and in practice. In terms of legislative reform, specific regard was given to measures taken to bring the Village Act and Towns Act into conformity with the Convention and thereby give effect to the ILO Conference resolution. The mission explored and analysed the possible obstacles and opportunities for the attainment of that goal.

The mission reported that the Burmese authorities argued they could not directly amend the Acts in question, on the basis that they lacked the legal power to do so as they were not an elected government. The junta sustained the argument that their initiative to issue Order 1/99 was sufficient to ensure compliance with the Commission of Inquiry’s recommendation. Order 1/99 directed all the authorities concerned not to exercise certain powers granted under...
the Acts in question to requisition labour. The mission endeavoured to obtain amendment or withdrawal of the provisions from the statutes. Whilst this was not achieved, the supplementary Order produced directs all competent authorities without restriction not to requisition labour or services, notwithstanding the relevant provisions of the Village Act and Towns Act. In terms of substance, Order 1/99 only partially rectified the fact that the Acts authorised the requisition of labour under conditions inconsistent with those provided for under the Convention.

The mission then considered statute based laws other than the Towns Act and Village Act, which also require attention in terms of rendering all practices of forced labour under the Convention illegal under domestic law. As stated in the report, the Commission of Inquiry had found that labour is requisitioned without reference to these Acts, particularly by the military. On this basis, the mission argued that it would be desirable, in the interests of greater legal certainty, to provide for a more general prohibition of all forms of forced labour. Such a course of action would extend section 374 of the Penal Code, which provides for sanctions only in the case of illegal requisitions of labour, to cover all requisitions including those outside the scope of the Village and Towns Acts. The ‘Order supplementing Order 1/99’ (as discussed further on page 6 of this article) achieved this broad aim that is, it provided that the requisitioning of forced labour is illegal and is an offence under the existing laws of Burma. The technical mission reported that this subsequent Order is intended to have general applicability and not be confined to the scope of Order 1/99. The technical mission found that “progress has been made in the area of legislation in bringing Burma legislation into line with Convention No. 29, even if the way chosen for correcting the offending provisions of the Towns Act and Village Act is not that of a direct amendment but the indirect way of seeking to deprive the provisions in question of legal force.”

In considering the executive and administrative measures, the mission’s report was more damning. It found that “at the time of completing this report, progress is far less in evidence in comparison to progress regarding legislative initiatives in terms of appropriate executive measures and the accompanying administrative and budgetary measures.” The technical mission re-emphasised the necessity of “going beyond legislative changes and adopting concrete measures in all areas affected by forced labour to ensure that in actual practice, no more forced or compulsory labour be imposed by the authorities.” The types of action required included instructions issued to all levels of the military, measures to inform the public and effective sanctions to be imposed against those who violate the law in this regard.

The mission proposed a supplementary Order to give more ‘explicit instructions to all the authorities concerned... not to impose or order the imposition of forced labour, and to specify the practices covered by this prohibition in order
As the mission was about to board the plane to leave Burma, it received another Order from the Minister of Labour entitled ‘Order Supplementing Order No. 1/99.’ The document amongst other things, conceded that the question of an ILO presence would be considered favourably by the authorities in the future, without providing any commitment or undertaking.

The mission responded that agreeing to such a presence (the Order did not in fact go that far) “would not in itself remedy any deficiencies in the framework which would have to be put in place before the matter was brought before the Governing Body for consideration.” Furthermore, the text of the document also provided that the military would itself take responsibility for reinforcing the legislative document, providing a broad ban on the use of forced labour, with a separate instruction enacted in its own name, the SPDC. The Governing Body clearly determined that this measure was too little too late. In its concluding commentary, the mission determined to focus its observations more broadly and provided little substantive response to this late breaking development.

The mission took a cautious approach, indicating its disappointment with Burma’s progress in terms of implementing the recommendations, particularly regarding the area of administrative reform, whilst noting that change would take some time and the actual impact in practical terms will not always be immediately clear. It therefore warned that at the time of reporting it was difficult to assess the extent to which the use of forced labour is imposed. The report concluded with the compelling statement: “However, in order to conclude that the implementation of one or more of the measures agreed by the Conference would be inappropriate, the Governing Body must be satisfied that the intentions expressed by the Minister of Labour in his letter of 27 May are translated into a framework of legislative, executive and administrative measures that are sufficiently concrete and detailed to demonstrate that the recommendations of the Commission of Inquiry have been fulfilled.”

The Governing Body supported the full implementation of the resolution of the International Labour Conference, adopted in June 2000. On the basis of the mission’s report, the Governing Body determined that the junta had not complied with the ultimatum served upon it in the Conference’s resolution. The thrust of the resolution is compel the government of Burma to comply with its international obligations under Convention Number 29, the forced labour Convention. Human rights activists and the global community more generally have acknowledged this as a representation of a principled stand against the Burmese
regime and its systematic perpetration of human rights violations. This may signal the downfall of the illegitimate military power in Burma.

The resolution

On 16 November, the Governing Body at its 279th session resolved to invoke Article 33 of its Constitution, inviting its member States to impose wide-ranging sanctions against Burma to eradicate the ‘widespread and systematic’ use of forced labour. This decision has both profound political and historical significance.

Firstly, Article 33 has never before been invoked in this history of the ILO’s existence. The decision to take such action is unprecedented. The Governing Body, acting on advice of the Technical Mission and recommendations of the International Labour Conference, also found that Burma had so flagrantly violated the international Convention against forced labour that sanctions had to be imposed to respond to the situation.

Secondly, the decision is remarkable in the sense that it requires substantive and unambiguous measures, which have taken effect as from 30 November 2000. The resolution calls on Burma to ‘take concrete actions’ to implement the recommendations of the 1988 Commission of Inquiry. An important element of this is that it is a decision of a tripartite international organisation, not one whose membership is confined to nation states. In this context, the decision is of a different and far broader paradigm as it encompasses governments, industry and workers’ representatives. It follows that the multilateral sanctions agreed upon will also have a broader and arguably more significant impact than those generally imposed upon by nation states.

The resolution is framed in such a way that it provides broad scope for sanctions. Rather than the myriad of resolutions condemning and deploring certain conduct or omissions, this decision is intended to translate into formal action. Thus, after a protracted series of reports, investigations, resolutions and debate, the governing body called on the 174 member states to review their relations with Burma and take appropriate measures to ensure that these relations do not perpetuate or extend the system of forced or compulsory labour.

The Governing Body opened the way for the full implementation of the resolution of the International Labour Conference adopted in June 2000 at its 88th session. The resolution is aimed at compelling the Government of Burma to comply with the forced labour convention and calls on Burma to ‘take concrete actions’ to implement the recommendations of the 1998 Commission of In-
The action allows for a series of measures to be implemented. Those measures are broad ranging in scope and deal with the myriad of relationships Burma may have with the ILO’s constituents – particularly member states, as well as international organisations, other branches of the United Nations and specialised agencies. The measures that could be implemented include the following:

- Keeping under review the implementation of the Commission of Inquiry’s recommendations at future sessions of the Conference so long as Burma has not been shown to have fulfilled its obligations;
- Recommending to the organisation’s constituents - governments, employers and workers - that they review their relations with Burma and take appropriate measures to ensure that such relations do not perpetuate or extend the system of forced or compulsory labour in that country;
- Inviting the Director-General of the ILO to inform international organisations working with the ILO to reconsider any co-operation they may be engaged in with Burma and, if appropriate, to cease as soon as possible any activity that could have the effect of directly or indirectly abetting the practice of forced or compulsory labour;
- Inviting the Director-General to request the United Nations Economic and Social Council (ECOSOC) to place an item concerning the failure of Burma to implement the recommendations of the Commission of Inquiry and seeking the adoption of recommendations directed by ECOSOC or by the General Assembly, or by both, to governments and other specialised agencies to ensure that by their involvement they are not directly or indirectly abetting the practice of forced labour;
- Requesting the Director-General to submit to the Governing Body a periodic report on the outcome of measures directed to international organisations and the United Nations and to inform those entities of any developments in the implementation by Burma of the recommendations of the Commission of Inquiry.28

The geo-politics played out behind the scenes of this remarkable decision may also have profound implications for regional politics. In the weeks preceding the ILO’s historic decision, much political pressure was exerted on the ILO by several members of the Association of South East Asian Nations (ASEAN) block, in defence of their fellow member’s failure to take action on this matter. The efforts of several ASEAN nations such as Malaysia, Indonesia, the Philippines, Singapore and Vietnam united to argue, albeit unsuccessfully, that Burma had made progress towards conforming with the forced labour convention.29

Furthermore, these nations also attempted to apply pressure on other ASEAN member nations, such as Thailand, to adopt a united ASEAN position in de-
The quite recent inclusion of Burma within ASEAN has not been without its negative internal implications and international repercussions. Notwithstanding this, the very fact that Thailand has demonstrated a firm opposition to initiatives to protect Burma within ASEAN may also indicate a stronger commitment to eradicate the use of forced labour within Burma.

fence of Burma. Whilst Thailand is not a member of the ILO Governing Body, a united ASEAN position may have proved a considerable factor against achieving consensus on the resolution. However, Thailand resisted the Malaysia-led bid to protect the Burmese junta, and took a firm and unyielding position regarding the proposed resolution and action of the ILO.

As reported in The Nation in the lead up to the Governing Body’s vote, Thailand objected to a common voice on the matter of forced labour in Burma. Thailand had reportedly instructed its representatives at Geneva that Thailand would only support a common ASEAN statement on the issue if the following four conditions were incorporated into any proposed statement:

1. Burma must allow the ILO to establish a presence in the country;
2. The ILO’s technical co-operation mission must be given permission to conduct regular visits to Burma without having to notify Rangoon ahead of time;
3. A credible mechanism be created that can receive complaints from individuals or groups over violation of laws concerning forced labour;
4. Sanctions against Burma should not be lifted until the international community is satisfied with administrative and legal measures issued by the ruling junta and that all legal measures undertaken by regime produces real results.

Thailand’s direct opposition to that of other key ASEAN nations such as Malaysia, may be indicative of internal tensions within the regional alliance. This recent issue may prove to be a divisive wedge between the neighbouring Asian countries. The quite recent inclusion of Burma within ASEAN has not been without its negative internal implications and international repercussions. Notwithstanding this, the very fact that Thailand has demonstrated a firm opposition to initiatives to protect Burma in this context may also indicate a stronger commitment to eradicate the use of forced labour within Burma. The alternative perspective is that Thailand’s position on this matter is purely motivated by national interest and security, given that it bears the economic pressures associated with an estimated one million illegal Burmese refugees fleeing the repressive junta and arriving across its border.

Response by the junta

The junta’s response has been predictable, downplaying the economic effects of the decision and decrying the ILO as a biased, unfair tool solely representing the interests of the Western and developed nations. "The resolution cannot hurt us too much as it does not carry much weight and individual countries are not obliged to comply with ILO’s urgings," Deputy Foreign Minister Khin Maung Win told a press conference. "Trade patterns are mostly with neighbouring
countries who are not obliged to follow the resolution," he said.

The future - where to from here?

As AFL-CIO President John Sweeny stated, the sanctions approved by the ILO are “only a starting point... Nations are urged to halt any aid, trade or relationship that helps Burmese leaders remain in power.”\(^{33}\) Whilst the United States has already imposed restrictions on US investment in Burma, this has not been entirely successful and some US based companies have not been prevented or deterred from trading and doing business with the junta. Unlike other resolutions adopted by branches of the United Nations, the ILO has adopted a strategy of minimal prescription and has left it to governments, employers and trade unions to determine their own method of compliance with the spirit and letter of the resolution adopted. Another significant feature of the resolution will be any future action that may be adopted by the General Assembly, ECOSOC, or any other United Nations bodies, as referred to in the resolution. Further future action may include even broader sanctions for instance.

The success of the measure adopted by the ILO will naturally turn on the level and rigour with which the ILO’s membership adopts and implements the resolution. This includes whether neighbouring countries will elect to impose economic sanctions against Burma. Broader trade and investment sanctions should be imposed to ensure that no area of the economy profits from the use of forced labour. Some commentators argue this is a significant step towards restoring democracy within Burma and will pave a way towards the respect and protection of human rights for all people within Burma.

Whilst the move is welcomed, caution may well be exercised when assessing the true impact that such a resolution may in fact to the people of Burma. In this context, it is important to consider the words which framed the Chairman’s comments when the resolution was passed. He emphasised the importance of ensuring that the Director-General continued to “extend a co-operative to the government of Burma in order to promote the full implementation by that government of the recommendations of the Commission of Inquiry.”\(^{34}\)

Despite this, it is clear that companies who continue to do business inside Burma will face the heavy and often costly responsibility of explaining themselves to the world. It is crucial that human rights organisations, international agencies and the media continue to maintain pressure on multinational companies and recalcitrant nation states to ensure that the impact of sanctions adopted against Burma is not reduced or countered in any way. A strategic and comprehensive imposition of broad-based economic sanctions in addition to those already imposed by the United States and European Union may well prove to be
the death knell for the Burmese regime's illegitimate reign.

The International Confederation of Free Trade Unions (ICFTU) has already warned governments and business that it will impose strong industrial action against any companies or states that continue to maintain relations with the Burmese junta. The ICFTU, as the largest trade union body in the world, wields extensive industrial power. It has stated that it “plans to obtain the rapid withdrawal of those foreign investors whose presence has the direct or indirect effect of aiding or abetting forced labour.” The ICFTU has determined to target private companies involved in the oil and gas, timber, rice, textile, tobacco and tourism industries. Investigations by the ICFTU suggest that up to three hundred companies, including several multi-national companies may be involved in the Burmese economy in some way. The international organisation has adopted a multi-pronged approach to the issue and has already begun lobbying at the political and diplomatic levels, as well as adopting its industrial campaign. It has also called on all tour operators to cancel planned trips to Burma on the grounds that forced labour is still being used to sustain the tourism infrastructure.

The next deadline for Burma is the March 2001 meeting of the Governing Body, at which the Director-General will report again on any developments in terms of Burma’s initiatives to comply with the recommendations of the Commission of Inquiry. The ICFTU has heralded this progressive step as signalling that the “international community has now banished the Burmese dictatorship” – time will tell whether the proposed sanctions will have such an effect. However, in the interim, the role of United Nations and international agencies, human rights organisations, nation states and the broad international community to monitor and enforce the November resolution is pivotal to ensure that the crimes against humanity perpetrated with impunity by the Burmese junta are stopped once and for all.

Endnotes

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1. Many of the ILO documents referred to in this article use the name Myanmar rather than Burma. However the text in this article uses the name Burma.
2. The ILO is the arm of the United Nations where representatives of government, trade unions and employers/businesses participate.

3. As had already been requested by the Committee of Experts.

4. This complaint was preceded by a former complaint in January 1993, by the International Confederation of Free Trade Unions (ICFTU). In November 1994, the Governing Body adopted the report of the Committee it had established to examine the representation made by the ICFTU. However, it has been a concern of the ILO Committee of Experts for the Application of Conventions and Recommendations since 1964.

5. Article 26 of the ILO Constitution provides an avenue under which any Member can file a complaint with the International Labour Office if it is not satisfied that any other Member is effectively observing a Convention which both have ratified. The Governing Body must refer the complaint to a Commission of Inquiry and may also elect to communicate with the Government in question.


7. As noted in the afore-mentioned article, the obligation to eliminate forced labour is now regarded as being inherent in ILO membership.


10. In the event of Burma’s non-compliance with the resolution, specific measures would be implemented. The measures provided for in the resolution are provided in detail in page 8 of this article. In brief, they included reviewing Burma’s implementation of the recommendations of the Commission of Inquiry; recommending to the ILO’s constituents that they review their relations with Burma to ensure any such relations do not perpetuate or extend the system of forced labour; inviting the Director-General of the ILO to inform international organisations working with Burma to cease any arrangements that directly or indirectly abet the use of forced labour; requesting the United Nations Economic and Social Council (ECOSOC) to consider Burma’s failure to implement the recommendations of the Commission of Inquiry; and requesting the Director-General to submit periodic reports on the outcome of measures directed to international organisations and the United Nations to inform those entities of any developments in the implementation by Burma of the afore-mentioned recommendations.


14. The mission’s mandate was simply to report objectively to the Governing Body on the progress and outcome of the discussions it held with Government authorities for the Governing Body in November to assess the degree
to which the requirements had been fulfilled. It had no mandate to negotiate a compromise with the military junta. The first technical mission was in May 2000.


17. Order 1/ 99 is the ‘Order directing not to exercise powers under certain provisions of the Town Act 1907 and the Village Act 1907.’ Order 1/ 99 was issued by the Burmese junta in May 1999, in response to the ILO’s Commission of Inquiry. The order in effect reduced the scope of the offending statutes, the Village and Towns Acts. However, it reserved the exercise of powers under the relevant provisions of the Acts in several ways. Furthermore, the Order was not equivalent to a legislative amendment, as requested in the recommendations of the Commission of Inquiry.

18. It is worth noting that the Committee of Experts on the Application of Conventions and Recommendations noted that this could lead to the risk of a return to the previous state of affairs in its Report of the Committee of Experts on the Application of Conventions and Recommendations, Report III (Part 1A), International Labour Conference, 88th Session, 2000 pages 107-112.

19. GB 279/ 6/ 1 page 4
20. GB 279/ 6/ 1 page 9
21. GB 279/ 6/ 1 page 9
22. GB 279/ 6/ 1 page 5
23. GB 279/ 6/ 1 page 5
24. GB 279/ 6/ 1 page 9

25. The intentions of the Minister for Labour, Major General Tin Ngwe as expressed in his letter of 27 May 2000 are duplicated in Ms Southlan’s article. In brief, they signalled what was interpreted by some of the members of the ILO as a change in attitude by the Burmese regime. The letter indicated a willingness on the part of the junta to take the necessary measures (legislative, administrative and executive) to eradicate any instances of forced labour within Burma. This letter followed the first technical cooperation mission sent by the Director General to Burma in May 2000.

26. GB 279/ 6/ 1 page 9

27. The Governing Body is the executive body of the ILO. It meets three times a year and takes decisions on ILO policy, decides the agenda of th International Labour Conference, adopts the draft programme and budget for the organisation and elects the Director General.


29. In the June 2000 meeting of the International Labour Conference, all ASEAN members except Thailand which abstained, voted against the resolution.

30. The Governing Body’s composition is of 56 titular members comprised of 28 Governments, 14 employers’ organisations representatives and 14 workers’ organisations’ representatives; and 66 deputy members comprised of 28
Governments, 19 employers and 19 workers. Ten of the titular government seats are permanently held by the following States Brazil, China, France, Germany, India, Italy, Japan, the Russian Federation, the United Kingdom and the United States. The other government members are elected by the Conference and presently are: Algeria, Burkina Faso, Canada, Chad, Croatia, Ethiopia, Ghana, Guatemala, the Islamic Republic of Iran, the Republic of Korea, Malaysia, Namibia, Peru, Saudi Arabia, Slovakia, Switzerland, Trinidad, Tobago and Venezuela.


32. The ICFTU has estimated that 80 per cent of Burmese refugees in Thailand were subjected to forced labour before fleeing their country. The ICFTU has reported that there are up to 1.5 million such refugees living in Thailand in 2000.


