

Myanmar

Permanent Mission of the Union of Myanmar

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Statement

by

**His Excellency U Wunna Maung Lwin,
Ambassador / Permanent Representative
of the Union of Myanmar**

at the

306th Session of the ILO Governing Body

Geneva, 18 November 2009

**Statement by H. E. U Wunna Maung Lwin, Ambassador/Permanent Representative
of Myanmar at the 306th session of the ILO Governing Body
(18 November 2009)**

Madam Chairperson,

At the outset, I would like to pay tribute to you as the Chairperson of 306th session of the ILO Governing Body. I am confident that your vast experience and wisdom will guide our deliberations to a successful conclusion. My appreciations also go to the vice-Chairmen and the other members of the Bureau.

Madam Chairperson,

Myanmar has been consistently making efforts in observance of the Convention No. (29). In this connection, I would like to inform the meeting of the latest joint efforts done by the Government of the Union of Myanmar and the ILO particularly its Liaison Officer in Myanmar and the others.

One outstanding example is the Emergency Livelihood Project successfully implemented and concluded in September 2009. It was funded by the Department of International Development of UK and carried out under the responsibility of the ILO Liaison Officer with full cooperation of the Department of Labour of the Government of Myanmar. The Project in response to Cyclone Nargis in Mawlamyinegyun Region in Myanmar was built on the success of a pilot project launched in late 2008 and focuses on connectivity in the area which was severely affected by the Cyclone Nargis. As a result of this Project, 54.35 miles of raised concrete footpath linking villages, 55 footbridges, 25 small jetties, 40 pit latrines were built. It created job opportunity for over eighty thousand workers. The Project was beneficial to 65 villages in the region. It also demonstrated good employment practice as part of ILO mandate in Myanmar for the elimination of forced labour.

Madam Chairperson,

I would like to take this opportunity to express our sincere thanks to all who had made this project possible for the people in Mawlamyinegyun Region.

Madam Chairperson,

Awareness is one of the key elements necessary for eliminating forced labour in the country. Since April this year, three workshops on the ILO Convention (29) were jointly conducted by the ILO Liaison Officer and the Ministry of Labour in Hpa-an Township, Kayin State, Lashio in Northern Shan State and Sittwe in Rakhine State. Officials and other ranks from the Ministry of Defence, Prisons Department, Department of Immigration and Man Power, District and Township Peace and Development Council members, personnel from Myanmar Police Force, District and Township level officials from Ministry of Labour and representative from ethnic groups that had returned to legal fold were among the participants.

Legal authorities are also included in the audience for awareness raising activities. The Liaison Officer and the Director-General of Labour Department had a presentation and talk on the Convention (29) at the Refresher Course for Township level judges conducted by Supreme Court in September 2009.

A joint awareness raising workshop was conducted recently in Magwe Division on the 5th November. Local military, police and civil authorities are among the participants in that workshop.

At the same time, the 1907 Village Act and Towns Act are under review by the Ministry of Home Affairs with the purpose of bringing them to be in line with the Convention (29).

Madam Chairperson,

These workshops have contributed greatly to our objective of raising awareness on the law against the use of forced labour and of the respect of that law for appropriate civil and military authorities.

Madam Chairperson,

The complaint mechanism under the Supplementary Understanding is functioning smoothly. As of 5 November 2009, a total of 143 complaints have been submitted to the Working Group by the Liaison Officer. Of those complaints 81 have been closed

following an investigation. In 17 cases the findings have been communicated to the Liaison Officer. There are 45 cases still under investigation. In connection with complaints received, the Liaison Officer was allowed to make independent field visits.

In support of his mandate in the Understanding and in line with the Supplementary Understanding, the Liaison Officer had the opportunity to make a field visit in connection with Case no. 066 in March 2009. Likewise, an independent field visit to Aunglan in Magwe Division was made on Case no. 129 in September 2009. Another field visit also took place in October 2009 and this time he went to Kanbauk in Tanintharyi Division on a fact finding mission.

Madam Chairperson,

The cases 129, 066 and 109 mentioned in the Liaison Officer's Report are cases derived from disputes over ownership of the land or farming right on the land between individuals. They are not cases of harassment and judicial retaliation.

Madam Chairperson,

As a State Party to the Convention on the Rights of the Child, Myanmar attaches importance to the protection and promotion of rights of the child. Recruitment of minors into the military is illegal in Myanmar. The Myanmar Defence Services Act 1974 and The War Office Council Directive 13/73 only allow a person who attained the age of 18 and met other requirements to enlist into the military. A strict screening process for the new recruits and a stringent scrutiny for post-recruitment have been in place to prevent unwittingly recruitment of minors. Additionally, if the parents or guardians contact the authorities with the proof of age concerning recruitment, a minor who was accidentally recruited or is at any stage of recruitment would be discharged and handed over to his guardians.

The Committee for the Prevention of Military Recruitment of Under-age Children of Myanmar has been doing its utmost for the prevention of recruitment of minors in close cooperation with UNICEF, ILO, ICRC and international non-governmental organizations like World Vision and Save the Children. Since 2004 a total of 296 minors have been

handed back to their guardians including 63 for whom requests were forwarded through ILO Liaison Officer and ICRC. Enforcement is a vital part of our approach to preventing recruitment of minors. Punitive actions were taken against fifty-three military personnel during 2006 to May 2009.

Madam Chairperson,

Advocacy on awareness is also given high priority. Workshops for recruiting officers and other government officials were conducted eight times since 2007. Over 9300 multiplier courses for dissemination of information on laws protecting and promoting child rights and on prevention recruitment of minors were held for officers, other ranks and their family members in military establishments throughout the country. Moreover, over 92,000 pocket-size leaflets with the same information were distributed to the military personnel.

Madam Chairperson,

Information on activities taken by Myanmar including those mentioned above has been informed regularly to the relevant UN entities and ILO. These are concrete actions taken by a member state. We believe that such information should be adequately reflected in relevant ILO documents such as the Report of the Liaison Officer as he has been tasked within the Country Team taskforce under Security Council Resolution 1612 for the monitoring and reporting responsibly relating to child soldiers and underage recruitment into the military.

Madam Chairperson,

The ongoing and active cooperation of the Government of Myanmar with the ILO is clearly testified by the activities I have outlined. As such activities are gaining momentum, we strongly believe that our shared objective of eliminating the practice of forced labour in Myanmar will come to an end in due course.

Thank you, Madam Chairperson.

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