
Appendix

Resolution concerning the measures on the subject of Myanmar adopted under article 33 of the ILO Constitution

The General Conference of the International Labour Organization, meeting in Geneva at its 101st Session, 2012,

Taking note of the measures previously adopted by the Conference with a view to securing compliance by Myanmar with the recommendations of the Commission of Inquiry that had been established to examine the observance by Myanmar of its obligation in respect of the Forced Labour Convention, 1930 (No. 29), namely the resolution on the widespread use of forced labour in Myanmar, adopted by the International Labour Conference at its 87th Session (June 1999) (the “1999 resolution”), and the resolution concerning the measures recommended by the Governing Body under article 33 of the ILO Constitution on the subject of Myanmar, adopted by the International Labour Conference at its 88th Session (May–June 2000) (the “2000 resolution”),

Having been informed by the Officers of the Governing Body, the International Labour Office, member States and other international organizations of the progress made by Myanmar towards complying with the recommendations of the Commission of Inquiry,

Taking note of the conclusions adopted on 4 June 2012 by the Committee on the Application of Standards resulting from the discussion at its special sitting on Myanmar at this session of the Conference,

Considering that maintaining the existing measures would no longer help in attaining the desired result of compliance with the recommendations of the Commission of Inquiry;

1. *Decides* that the limitation of ILO technical cooperation or assistance to the Government of Myanmar, enunciated in paragraph 3(b) of the 1999 resolution is lifted with immediate effect to enable the ILO to assist the Government, employers and workers on a variety of issues coming within the ILO’s mandate;

2. *Decides* that the measure enunciated in paragraph 3(c) of the 1999 resolution is also lifted to allow the Government of Myanmar to participate in ILO meetings, symposia and seminars in the same way as any other Member, with social partners from Myanmar receiving the same treatment;

3. *Determines* that the remainder of the 1999 resolution ceases to apply with immediate effect;

4. *Suspends* for one year the recommendation contained in paragraph 1(b) of the 2000 resolution with immediate effect. The International Labour Conference will review the recommendation again in 2013 in the light of information available to it in respect of the elimination of forced labour in Myanmar. The Governing Body is requested to include this item on the agenda of the 102nd Session of the Conference (2013);

5. *Requests* the Director-General to prepare for the November 2012 session of the Governing Body a report on ILO technical cooperation priorities for Myanmar, including the resources required. The report is to include progress made in the implementation of the Joint Strategy for the elimination of forced labour in Myanmar, the operation of new labour legislation, including freedom of association, and on the impact of foreign investment on decent working conditions in the country;

6. *Invites* the Governing Body to organize at its March 2013 session a discussion, with a view to making any recommendations it deems appropriate, on arrangements for consideration of all relevant issues concerning Myanmar at the 102nd Session of the Conference (2013);

7. *Requests* the International Labour Office to give urgent attention to the identification of technical cooperation priorities in Myanmar in close consultation with the Government and social partners in the country. This should be in addition to the established priorities of effective and full realization of freedom of association and the elimination of forced labour, particularly through the effective implementation of the Joint Strategy. It is noted that the Government has acknowledged the need for immediate action on the Joint Strategy, with a view to its full implementation before the declared target date;

8. *Calls upon* Members and international organizations to make available to the ILO the financial resources necessary for it to provide the technical assistance that Myanmar requires to meet the opportunities and challenges of its rapidly changing circumstances;

9. *Invites* the Governing Body and International Labour Office to make adequate budget provisions to support the ILO Office in Myanmar on a reasonable and stable basis;

10. *Requests* Members and international organizations to continue following closely the situation and share with the ILO Liaison Officer any information on the occurrence of forced labour in Myanmar;

11. *Requests* that the ILO coordinate its work with UN system and other international organizations to seek their support for ILO priorities in Myanmar;

12. *Requests* the Government of Myanmar to facilitate the enlarged scope of the activities of the International Labour Office in Myanmar through appropriate arrangements;

13. *Notes* that the provisions of paragraph 1(c), (d) and (e) of the 2000 resolution have ceased to apply;

14. *Invites* the Director-General to communicate to relevant international organizations referred to in article 12, paragraph 1, of the Constitution, the text of this resolution.