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Statement

by

H.E. Mr. Htin Lynn

Ambassador and Permanent Representative of Myanmar

at the 329th Session of the Governing Body of ILO

Agenda Item: INS 11 – “Follow-up to the resolution concerning

remaining measures on the subject of Myanmar adopted by the

Conference at its 102nd Session (2013)”

Geneva, 22 March 2017

Distinguished Social Partners and Delegates,

1. Myanmar has been moving steadily on the long and challenging path towards full democratization. We believe in the strong linkage between sustaining peace and sustainable development. Without peace and stability, the country will not be able to move forward to a democratic society with shared prosperity for all. While placing peace and national reconciliation as the highest priority, the social welfare of the workers is receiving full attention by the Government. In his message to the occasion of Worker's Day, President U Htin Kyaw highlighted the government's efforts to ensure national development through tripartite cooperation based on social justice. These efforts include labour laws reform, improving worksite safety, creating job opportunities at home and abroad, strengthening competitiveness, providing social protection and healthcare and settling of labour dispute through tripartite system.

Mr. Chairman,

2. As part of our labour laws reform, a total of 12 domestic laws has been amended or enacted since 2012. Additionally, 11 outdated laws are under review. Further committing to international obligations, we have signed the Maritime Labour Convention which will enter into force for Myanmar in May this year.

Mr. Chairman,

3. Given the short time span between November and this GB sessions, I do not have much information to update you. However, let me provide additional information and thoughts on some of the points mentioned in document GB.329/INS/11 dated 24 February 2017.

4. Since the extension of the Supplementary Understanding in November 2016, the Government has taken some initiatives to give better effect to the implementation of SU. The Government deployed new forms of engagement with ILO such as High-Level Working Group (HLWG) and Technical Working Group (TWG). All domestic stakeholders and ILO representation in the country are making good use of such platforms.

5. Although we are not able to provide the exact data for underage recruitment within the timeframe indicated in the document GB.329/INS/11, a total of 810 underage recruitment were discharged from the military service and returned to their parents or guardians from 2012 to date. Punitive actions were taken against (421) military personnel for underage recruitment.

6. The complaint mechanism under the supplementary understanding continues to function properly. From 2007 to December 2016, 753 complaints on underage recruitment and forced labour involving Tatmataw personnel were channeled through the ILO complaint mechanism. Out of these complaints, 318 cases were settled, 416 cases referred back to ILO for closure and 19 cases are pending.

7. We believe that there is still room for improvement in operational aspect of the mechanism. For example, there should be a coordination for consistency in numbers of complaints related to underage recruitment on the use of civilians as porters in conflict areas in the documents. Different understanding and methodology on complaints and cases should be solved. Moreover, a closer cooperation at the technical level could have avoided double-entry of 39 cases relating to underage recruitment complaints.

8. Regarding the land management, the Central Committee on Confiscated Farmlands and Other Lands was formed in early 2016 led by the Vice-President. The Central Committee has developed policies, procedure and work plan, including a three-point policy for land confiscated by the Tatmadaw. Until January 2017, over two hundred and forty thousands acres of land have been returned by the Tatmadaw (Military) to their original owners. Under the new Action Plan, the Government will be examining any report of land confiscation by anyone for any purpose.

Mr. Chairman,

9. I believe that the practice of forced labour in my country has been in substantial decrease over the years. It is the outcome of joint efforts made by the Government, all stakeholders in the country and the ILO Office.

10. Promoting public awareness is key to this progress. To date, 31 of a planned 112 billboards have been set up in 11 different States and Regions. There were 104 talks and trainings on forced labour elimination since 2012. On advocacy of preventing underage recruitment, (66) billboards and (220)Vinyls were set up in (286) townships.

Mr Chairman,

11. Let me turn to the important issue of agreeing to and signing up a renewed Memorandum of Understanding and Action Plan. Myanmar also believes that mutually agreeing on them would support the Government's commitment to the elimination of forced labour through ILO assistance in technical support, training and awareness-raising activities.

12. As activities in action plan have to be, first, agreed and eventually implemented by all stakeholders in the country, a series of coordination meetings were needed to secure their consent. Such a meeting with the participation of ILO was last held on 17 March 2017. This meeting was held to find a common ground in coping with practical challenges on the ground and to narrow differences between all stakeholders with common objective of signing the MoU in time for this GB Session. The views of the Government as a result of this meeting was conveyed to the ILO in Myanmar and the feedback by the ILO is with the focal Ministry of Myanmar for further coordination. In fact, policy level consultations are being conducted to expedite process. Although we are not able to sign it in time for today, I am confident that it will be done as soon as possible.

I thank you, Mr. Chairman.
