



**Second report of the Director-General to the members of the Governing Body on measures taken by the Government of Myanmar following the recommendations of the Commission of Inquiry established to examine its observance of the Forced Labour Convention, 1930 (No. 29)**

**Addendum**

1. The Director-General received the attached communication from the Government of Myanmar on 22 March 2000.
2. This communication replies to comments made under article 23 of the Constitution by the International Confederation of Free Trade Unions (ICFTU), which on 19 October 1999 were transmitted to the Government for any comments it might wish to make. The ICFTU's letter was noted by the Committee of Experts on the Application of Conventions and Recommendations, at its November-December 1999 session, in the observation it formulated on the application of Convention No. 29; that observation was reproduced in the Director-General's second report to the members of the Governing Body.

Geneva, 23 March 2000.



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**Letter to the Director-General of the International Labour Office from the Director-General of the Department of Labour of the Government of Myanmar, dated 20 March 2000**

Dear Director-General,

I write in response to the letter of Mr. Andre Zenger, Director a.i. of the ILO Standards Department. I have also received the letter dated 19 October 1999 of the ICFTU General Secretary, Mr. Bill Jordan, with the following enclosures attached.

- (a) An independent report by the “Karen Human Rights Group (KHRG)”.
- (b) The “Mon Forum”, issue No. 8/99 dated 31 August 1999.
- (c) The ICFTU perspective of the 1999 report of the Special Rapporteur on Myanmar of the United Nations Commission on Human Rights.

At the outset it should be noted that two of the three organizations cited by the ICFTU are in fact unlawful organizations and are composed of expatriates hostile to the Government of Myanmar.

As you are no doubt aware, the Union of Myanmar has responded promptly to all queries from the ILO Standards Department without fail. May I point out that the letter from the ICFTU is simply an accusatory letter based on the reports issued by unlawful organizations and armed groups operating outside of Myanmar.

The “Karen Human Rights Group” and “Mon Forum” cited by the ICFTU are also unlawful organizations that have been opposing the Union of Myanmar in the name of ethnicity and human rights. It is common knowledge that these organizations are funded by certain countries and organizations opposed to Myanmar.

They have been active in the border areas between Myanmar and neighbouring countries for a considerable number of years. Obviously, they entirely depend on the financial assistance provided by foreign countries and they provide distorted information to the world with the sole objective of maintaining pressure on Myanmar. The “Free Trade Union, Burma (FTUB)” itself, which plays a lead role in the misinformation campaign, is an unlawful organization and as such instituted outside of Myanmar. Its General Secretary, Maung Maung, a former government employee, was dismissed from the service because he was guilty of criminal offences. He is in fact a fugitive from law. He has also led terrorist acts in his past activities against the country.

The ICFTU bases its allegations on the news reports issued by dubious and disreputable organizations. Therefore, it may be assumed that the ICFTU is being exploited by these organizations.

This is an example of how information is distorted. The “KHRG”, using the information that there would be a pagoda festival in Nabu in Kaw Kareik Township, distorted this information to the effect that donations were exacted from the locals for the said festival. This fabricated story of lawlessness is then gladly pounced on by foreign countries and Myanmar expatriates. The fact of the matter is that, in keeping with well-established traditions, Myanmar's voluntarily make donations to gain merit. These donations are virtuous deeds and are done with the best of intentions. The allegation that donations were

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extorted for a religious matter is, therefore, hardly possible and is obviously an outrageous allegation made with an evil intent.

A news report by “KHRG” dated 4 August states that local people were forced to contribute labour in the construction of a canal in the Kyaik Mayaw Township and that monetary contributions were collected from those who did not contribute labour. It also stated that the Ward and Village Tract Peace and Development Councils imposed forced labour saying that the canal would benefit the local population. These distortions could have been fabricated by the destructive elements only who might have been able to manage to dispatch these fabrications to Myanmar expatriates and outside organizations.

The independent report of “KHRG” contains over 100 orders. They include orders from Peace and Development Councils (PDCs) of Mawlamyaing District and Kyaik Mayaw Township of Mon State, orders from infantry battalions to the Chairpersons of Ward and Village Tract Peace and Development Councils, demanding porters, labours, food and material, and order summoning the Ward and Village Tract Peace and Development Councils chairpersons to attend meetings without fail as well as orders from the Democratic Karen Buddhist Army (DKBA).

This raises the question of how the “KHRG” got hold of such a large number of orders. With regard to the contention that these orders are stamped and signed, we wish to point out that it is not difficult to counterfeit stamps and to forge signatures. We therefore categorically reject the allegations submitted and wish to underscore that the report provided by such unlawful organizations like “Free Trade Union, Burma (FTUB)”, “Burma Initiative” and the “Karen Human Rights Group” are not credible.

A study of Order No. 7 about the establishment of a new Affiliated High School in Pa-an District, Karen State, clearly reveals the negativism that characterizes the criticism against Myanmar. In fact, in line with Myanmar’s motto “education for all by the year 2000”, extensive activities for education are being carried out all over the country. In some regions, schools on self-help basis have been established to complement the Government’s efforts. The State provides financial assistance, building materials and other necessary support to those schools. The allegations that the school is only allowed to exist if it teaches the State Peace and Development Council (SPDC)-approved curriculum, simply reveals the irrationality of these organizations. In reality, those schools adopt the same curriculum as the State so that there will be uniformity in the courses provided and the examinations conducted. Allegations should be seen as what they really are. Judgement should be made only after reviewing the facts in an objective manner.

Order No. 3, said to be received from “FTUB” regarding assignment of target paddy acreage in Kyaik Mayaw Township, Mon State, is tantamount to allegations of repression by the local authorities against local residents. Under the State’s plans, planned targets have been assigned respectively for state/division township levels. The respective state/divisions and townships are required to meet these targets so that sufficient food supply will be achieved. The people need to be informed of the planned targets for their respective regions and to coordinate their wholehearted participation in these efforts is required. Only through the achievement of these targets in agriculture can the State’s prospects for food sufficiency be met. There is no justification to call into question the assignment of target paddy acreage for Kyaik Mayaw. Those who do so harbour ulterior motives.

The reports by “KHRG” and “FTUB” also contain translations of orders from infantry battalions demanding food, building materials and labour from villagers in Pa-an and Dooplaya Districts for construction of army camps and payment of financial contributions for the construction of a hospital for the village. The report mentions such accusations as

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that the chairperson and the secretary of the Ward and Village Tract PDC had to submit explanations for failure to send the carcass of a game shot by the villagers. Such pettiness makes it amply clear that “KHRG” and “FTUB” are simply exaggerating. The allegations of the “KHRG” also contain allegation such as coercion by the State Peace and Development Council of NLD party members to resign from membership. Such matters do not concern labour affairs and are merely political. It is well known that NLD members have been resigning from their party due to lack of confidence in their party. These matters entirely fall within the ambit of internal politics and the allegations only demonstrate that these unlawful organizations and insurgent groups hostile to Myanmar will seek any opportunity to denigrate the country.

The letter of the ICFTU refers to “Mon Forum” issue 8/99 dated 31 August 1999 as a source. The purpose of this reference to “Mon Forum” is to strengthen its allegation that forced labour continues to exist in Myanmar even after Order 1/99 of 14 May 1999 issued by the Ministry of Home Affairs under the directive of the State Peace and Development Council. It is highly regrettable that the ICFTU accepts as true exaggerated and fabricated news from the insurgent groups which use ILO Convention No. 29 to make politically motivated attacks against Myanmar.

Myanmar has always responded to the allegations of the ICFTU through the ILO in a most responsible manner. However, to our regret and to our disappointment, the responses and explanations were found disregarded while the allegations of the unlawful organization were accentuated.

A careful study of the 1999 report of the Special Rapporteur of the Commission on Human Rights reveals that the report was prepared from information garnered by the Special Rapporteur from expatriates and remnants of rebel groups residing in border areas. The Myanmar delegation has already rebutted the charges at the fifty-fourth United Nations General Assembly and I am pleased to enclose herewith for your information the statements by the Myanmar delegation and the Third Committee representative of Myanmar.

In this connection, I wish to add that the report of the Special Rapporteur is based on scanty information and as a result its credibility is highly questionable.

Once again allow me to express our hope that the ILO will make a judicious and careful assessment of the situation and treat the allegations against Myanmar as nothing more than malicious charges of politically motivated persons and groups.

Yours sincerely,

*(Signed)* Soe Nyunt,  
Director-General.