



## FIFTH ITEM ON THE AGENDA

**Developments concerning the question of the observance by the Government of Myanmar of the Forced Labour Convention, 1930 (No. 29)****Further developments following the return of the ILO technical cooperation mission**

1. Following the return of the ILO technical cooperation mission (TCM) from Yangon and the hope it expressed to the Myanmar Minister for Labour that good use could be made of the three weeks still remaining before the Governing Body, the Office was informed that the Government of Myanmar was willing to have further discussions on the outstanding issues and that a delegation would be coming to Geneva for this purpose.
2. The Myanmar delegation was composed of: H.E. Dr. Kyaw Win, Ambassador of Myanmar to the United Kingdom; U Thaung Tun, Director-General, Ministry of Foreign Affairs; and Dr. Tun Shin, Director-General, Attorney-General's Office.
3. The Office held discussions with the Myanmar delegation and the Permanent Representative of Myanmar in Geneva, Ambassador Mya Than, from Wednesday, 13 March to Tuesday, 19 March 2002, including over the weekend. After extended and sometimes difficult negotiations, an Understanding on the appointment of an ILO Liaison Officer in Myanmar was reached. The text of this Understanding is reproduced in the appendix to this document. Two important aspects of the Understanding should be pointed out: (1) the appointment of the Liaison Officer is seen as a first step towards the objective of an effective representation which should continue to be pursued; (2) the Understanding provides for this appointment to be made by June 2002<sup>1</sup> and contains essential parameters – in particular, that the functions of the Liaison Officer shall cover all activities relevant to the objective of ensuring the prompt and effective elimination of forced labour in Myanmar – that make this appointment possible, while leaving open the possibility to work out further details if needed.

Geneva, 20 March 2002.

<sup>1</sup> It will be recalled that under the terms of the resolution adopted by the International Labour Conference at its 88th Session (June 2000), the Committee on the Application of Standards will be discussing further developments at the 90th Session of the International Labour Conference in June 2002.

## Appendix

### Understanding between the Government of the Union of Myanmar and the International Labour Office concerning the appointment of an ILO Liaison Officer in Myanmar

*Considering*, on the basis of the report of the ILO High Level Team (HLT) and the subsequent discussion of this report by the Governing Body of the ILO, that the establishment of continued and effective ILO representation in the country is essential to assist the Myanmar Government in its efforts to ensure the prompt and effective elimination of forced labour in that country;

*Noting* paragraph 6 of the conclusions of the Governing Body on the said report under which the Director-General of the ILO is requested to pursue the dialogue with the Myanmar Government in order to define the modalities and parameters of the ILO representation;

*Recognizing* the desirability of maintaining momentum and opening a new phase in relations as soon as possible;

The Government of the Union of Myanmar has agreed to the appointment of an ILO Liaison Officer in Myanmar by the Director-General of the ILO not later than June 2002, pending the establishment of an ILO presence capable of contributing effectively towards the objective defined in the first preambular above. The functions of the Liaison Officer shall be on the basis of the following principles:

- (i) The functions of the Liaison Officer shall cover all activities relevant to the objective spelt out in the first preambular paragraph of the Understanding.
- (ii) The facilities and support extended to the Liaison Officer shall enable him/her to effectively assist in carrying out all the activities referred to above, and his/her status and privileges shall be the same as accorded to the officials of comparable ranks of the United Nations in accordance with the specific agreements and understandings concluded between the Government and the United Nations.

Detailed modalities concerning the appointment of the Liaison Officer may be worked out between the two sides.

*(Signed)*

Kari Tapiola  
Executive Director  
International Labour Office

*(Signed)*

Mya Than  
Permanent Representative  
Permanent Mission of the Union of Myanmar

Geneva, 19 March 2002.