



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)**

1. At its 282nd Session (November 2001), the Governing Body, after examining the report of the High-Level Team, adopted the following conclusions:
  - (i) The Governing Body notes with great interest the report of the High-Level Team and extends its gratitude to the Team and to its Chairperson, Sir Ninian Stephen, for having accepted this important and difficult task, as well as its congratulations on the quality of its work.
  - (ii) The Governing Body acknowledges that the Myanmar authorities have fulfilled their commitments under the Understanding of 19 May 2001, but intends to remain vigilant with regard to the parallel commitment made by these authorities to refrain from taking any action against persons or organizations who may have directly or indirectly contributed information to the Team.
  - (iii) It also recognizes the efforts made by the authorities to disseminate the Orders among the population, although it considers that these efforts should be strengthened and extended to include all the media and the use of the appropriate languages, in accordance with paragraph 42 of the report.
  - (iv) Profound concern has been expressed, however, regarding the very limited impact of this new legislation to date and, in particular, the persistent impunity with regard to criminal prosecution of persons who have committed violations, despite the provisions of this legislation.
  - (v) Consequently, urgent efforts should be undertaken by the Myanmar authorities to rectify this situation and provide more convincing evidence of their willingness to achieve this by the next session of the Governing Body.
  - (vi) To this end, the Governing Body requests the Director-General to pursue the dialogue with the authorities in order to define the modalities and parameters of continued and effective ILO representation in Myanmar, which should be put in place as soon as possible.

- (vii) The Director-General should also continue to provide assistance to the authorities with a view to giving effect to the other concrete suggestions put forward in the report, including with regard to establishing a form of ombudsman.
- (viii) The Director-General is invited to report to the next session of the Governing Body. Depending on the progress or lack of progress achieved on the different points under consideration, including criminal proceedings concerning the allegations mentioned in paragraph 28 of the report if they are founded, it will be for the Governing Body to draw appropriate conclusions, both regarding action within its remit and that which it should refer to the Conference.
2. In pursuance of the mandate which was given to him, the Director-General fielded a technical cooperation mission to Myanmar from 19 to 25 February 2002. The report of this mission is attached as document GB.283/5/2.
3. Any further developments following the return of this mission will be the subject of an additional document, or presented in an oral statement to the Governing Body.
4. *The Governing Body may wish to examine these two reports jointly and, as appropriate, give further guidance to the Director-General as to further action required.*

Geneva, 18 March 2002.

*Point for decision:* Paragraph 4.