



## SEVENTH ITEM ON THE AGENDA

**Developments concerning the question  
of the observance by the Government of  
Myanmar of the Forced Labour  
Convention, 1930 (No. 29)****Report of the Liaison Officer a.i.****I. Background**

1. Following discussion of the item at its 291st Session (November 2004), the Governing Body adopted the following conclusions:

The Governing Body, having heard the explanations provided by the Permanent Representative of Myanmar, Ambassador Mya Than, proceeded to examine in detail the information and analysis provided in the documents which was supplemented during the debate, notably on the part of the Workers. It seems overall that the Governing Body remains gravely concerned by developments in the situation and the continued impunity of those who exact forced labour. More particularly, as regards the high treason judgement discussed at the previous session, as well as by the Committee on the Application of Standards of the International Labour Conference, the Workers' group, the Employers' group and many Governments, while recognizing that the judgement by the Supreme Court did answer the fundamental question of the legality of the contacts with the ILO, expressed regret at the continued detention of the persons concerned when their guilt had not been established, and called for their immediate release or pardon. In the circumstances, the Workers' group, the Employers' group, and a number of Governments were of the opinion that reactivation of the measures to be taken under article 33 and in accordance with the Conference resolution of 2000 would be fully justified. Furthermore, the Workers' group insisted that the strength of the ILO presence, whose importance and contribution were recognized and welcomed by the whole of the Governing Body, should be reinforced for the eradication of the problem.

At the end of the debate, a number of speakers did however consider that the problems identified in the reports as well as the sudden replacement of the previous interlocutors of the Organization following the changes which had occurred among the leadership of the Myanmar Government justified an evaluation of the current attitude of the authorities and their determination to effectively address the continuing practice of forced labour. The attitude that they will adopt, which does not yet seem clearly defined, about the very alarming cases identified in the documents before the Governing Body, constitutes a real test of this determination.

This is why the Governing Body requests the Director-General to field a very high-level mission to evaluate the attitude of the authorities and assess their determination to continue their cooperation with the ILO, the modalities of which must make it possible to address the

root causes of the problems described in the reports. The Director-General will have to ensure that the conditions of such a mission and the credentials of those charged with conducting it, as well as the position of its interlocutors at the highest political level, are such that it is able to meet these objectives and ensure the intervention has the required visibility. The Director-General will report on the results of this mission to the next session of the Governing Body. The Governing Body will then be able to determine the necessary consequences on the basis of full knowledge either as regards further action by the Organization under article 33, including as regards foreign direct investment, or for the implementation of the Plan of Action. In addition, the Office has been requested to provide further information for the next session on the actions taken on the basis of the 2000 resolution, to complement that provided in the report of the Director-General.

2. Mr. Richard Horsey continued to act as interim ILO Liaison Officer. The present report summarizes his activities since November 2004. Information concerning the visit of the very high-level team to Yangon as well as the information requested by the Governing Body on actions taken on the basis of the 2000 resolution will be reported separately.<sup>1</sup>
3. As regards the question of strengthening the office of the Liaison Officer, it was decided that in the first instance this would take the form of a secondment of an ILO official to Yangon to assist the interim Liaison Officer. This was conveyed to the authorities in Yangon on 24 January, but at the time this report was finalized the necessary approvals were still pending.

## **II. Activities of the Liaison Officer a.i.**

4. The Liaison Officer a.i. had a number of meetings with the authorities, both to discuss the general forced labour situation and specific complaints that he had received and communicated to the authorities.<sup>2</sup> On 11 February 2005 he met with the Deputy Minister for Labour. He also had a series of meetings with the Director-General of the Department of Labour on 14 December, 20 January, 8 and 9 February, as well as meetings with the Director-General and Deputy Director-General of the Department of General Administration (Home Affairs) on 16 December, 26 January and 17 February.
5. In addition to these meetings with the authorities, the Liaison Officer a.i. also met with members of the diplomatic community and with representatives of United Nations agencies, the International Committee of the Red Cross, international non-governmental organizations and the international business community. He also met with representatives of the National League for Democracy.
6. From 13 to 20 January, the Liaison Officer a.i. visited northern Sagaing Division, in the remote north-west of the country.<sup>3</sup> He took advantage of a government-organized trip to a new year festival in order to join a charter flight to the area (there is no regular access by air to the region). This festival brought together Naga villagers from a wide geographical area and therefore also represented a good opportunity to gain an overview of the situation in the area. On 16 January, following the festival, the Liaison Officer a.i. planned to travel south by river and road and visit a number of towns and villages en route. This onward travel was to be conducted independently of the authorities. However, he was informed

<sup>1</sup> See GB.292/7/3 and GB.292/7/1, respectively.

<sup>2</sup> In some cases, these meetings were also concerned with the modalities for the visit of the very high-level team.

<sup>3</sup> He travelled from Yangon to Hkamti by plane, then on to Lahe (where the Naga festival was held) by road. On his return, he travelled from Lahe to Hkamti by road, then from Hkamti to Tamanthi, Homalin, Mingin and Monywa by boat. He returned from Mandalay to Yangon by plane.

that his travel by road was not permitted and that he could only proceed by boat. This had the effect of considerably limiting the places that he was able to visit. Such a restriction was not in conformity with the understanding on the freedom of movement of the Liaison Officer a.i..

### III. Developments in the high treason case

7. On 3 January 2005, two of the persons whose convictions had an ILO connection, Nai Min Kyi and U Aye Myint, were released from prison as part of a wider release of more than 5,000 prisoners coinciding with Myanmar's Independence Day.<sup>4</sup> The Liaison Officer a.i. has had the opportunity to meet with both of these individuals and can report that they are both fine. The third person whose conviction had an ILO connection, U Shwe Mahn, remains in prison.

### IV. Developments in the forced labour situation

#### Overview

8. On the basis of all the information available to him, the Liaison Officer a.i.'s general evaluation of the forced labour situation continues to be, as presented previously to the Governing Body,<sup>5</sup> that although there have been some improvements since the Commission of Inquiry, the practice remains widespread throughout the country, and is particularly serious in border areas where there is a large presence of the army. One significant recent development which should be noted, however, is the prison sentences handed down to four local officials for imposing forced labour, and a number of other prosecutions initiated by the authorities concerning specific cases raised by the Liaison Officer a.i.<sup>6</sup> In his view, these developments can contribute significantly to changing the climate of impunity surrounding officials who continue to impose forced labour, and thus to reducing the prevalence of the practice. It is vital, however, that similar steps are also taken with regard to the military, which continues to be responsible for the majority of forced labour. If the recent trend continues, and is extended to the army, it can represent the beginnings of a credible response to the problem.
9. The Liaison Officer a.i. is continuing to receive complaints from individuals alleging they have been subjected to forced labour, or from representatives of such persons. Often these individuals are in fact complaining on behalf of a larger group of persons or a community subjected to forced labour. In 2004, there were a total of 80 such complaints, and interventions were made with the authorities on 46 of these cases.<sup>7</sup> Of these 46 cases, 26

<sup>4</sup> One other person in the case, whose conviction did not have an ILO connection, was also released at the same time.

<sup>5</sup> See GB.286/6 (Mar. 2003), para. 7; GB.288/5 (Nov. 2003), para. 8; GB.289/8 (Mar. 2004), para. 10; and GB.291/5/1 (Nov. 2004), para. 9.

<sup>6</sup> See para. 14 below.

<sup>7</sup> Of the remaining 34 cases, 20 were considered to be outside the mandate of the Liaison Officer, in nine cases of forced recruitment interventions had already been made by another agency, one case concerned an allegation already raised with the authorities in 2003, three cases were pending and one complaint directly to the court under section 374 of the Penal Code, copied to the Liaison Officer, was subsequently withdrawn.

concerned various forms of forced labour (other than forced recruitment), 13 concerned forced recruitment of minors into the armed forces,<sup>8</sup> one case concerned alleged harassment of a complainant (who has now successfully prosecuted local officials for imposing forced labour) and six were direct complaints by individuals to Myanmar courts under section 374 of the Penal Code, copies of which had been communicated to the Liaison Officer a.i. by the complainants. So far in 2005, the Liaison Officer a.i. has received a further 14 cases, and interventions have so far been made on six of these cases, as detailed below (a list of all these cases is appended).

10. In cases of alleged forced recruitment of minors, the Liaison Officer a.i. has written to the Convention 29 Implementation Committee with the details of the allegation, requesting that the Committee take urgent action to verify this information in order that, if it is confirmed, the individual in question can be returned to the care of their parents and an investigation carried out into the circumstances of their recruitment so that any person found to have acted illegally can be prosecuted. In other cases of alleged forced labour, the Liaison Officer a.i. has written to the Convention 29 Implementation Committee providing details of the allegation and recommending that, in line with the Committee's procedures, a field observation team (FOT) be sent to the area in question to investigate the allegation, and expressing his readiness to accompany this FOT in an observer capacity.
11. Of the 46 cases transmitted to the Convention 29 Implementation Committee in 2004, responses have been received in 36 cases.<sup>9</sup> In five cases, the authorities have upheld the allegations (partly or in full) and have initiated criminal prosecutions against the officials involved. In 25 cases, the allegation that forced labour was involved was rejected. In the six cases where individuals complained directly to the court, three cases went to trial and resulted in the officials concerned being sentenced to prison terms. (As reported previously, the other three cases were rejected on the grounds that there was no prima facie evidence of forced labour.)
12. As indicated in an earlier report,<sup>10</sup> the Liaison Officer a.i. considers that the mechanism put in place by the authorities for addressing forced labour allegations, that of sending an ad-hoc team composed of senior government officials to the region to conduct an investigation, is not well-suited to dealing with the increasing numbers of cases. As the number of allegations has increased, they have tended to be investigated internally by the General Administration Department or the Ministry of Defence. He has always underlined, however, that the credibility of the investigation mechanism would be ultimately judged by its results. It is therefore encouraging that, notwithstanding the abovementioned concerns, this mechanism has begun to produce results in the form of prosecutions of officials implicated in the imposition of forced labour, as detailed below.

<sup>8</sup> As regards this question, on 4 Feb. the *New Light of Myanmar* reported, in a front-page item headlined "Myanmar still facing unjust accusations of child soldiers as only slanders and falsehoods reach UN" that the Committee for Prevention of Recruitment of Minors for Armed Forces, established in Jan. 2004, had met the previous day. The Chairman of the Committee, Lt. Gen Thein Sein, was reported as stating in his opening remarks that "conspirators are framing the Tatmadaw for the alleged forced recruitment of juvenile soldiers for the front lines and trying to raise the matter at the United Nations for the global body to take action against Myanmar. Thus, the Committee will have to pay attention to refuting the matter".

<sup>9</sup> Verbal responses have also been received in a further two cases.

<sup>10</sup> See GB.291/5/1 (Nov. 2004), para. 12.

## Details of cases

13. Details of 33 cases on which interventions were made in 2004 have already been presented to the Governing Body and the Committee on the Application of Standards of the International Labour Conference.<sup>11</sup> Details on new cases in December 2004 and in 2005 on which the Liaison Officer a.i. made interventions are provided below:

- *Intervention dated 7 December 2004.* The intervention concerned four allegations of forced labour that were received from individuals from different townships in Sagaing Division. In the first case, it was alleged that Tamu district Forestry Department had ordered the heads of two village tracts to provide villagers to work on a teak plantation project. One person from each household in the villages concerned was requisitioned to carry out this work (a total of more than 200 people), and anyone who refused was fined. In the second case, according to the information received from a number of alleged victims, several hundred villagers in Kalewa township were forced to do work on the road from Kalewa to Mawlaik, and several people who did not participate were detained and fined. In the third case, it was alleged that a number of people in Tamu town were ordered by a police officer to perform all-night sentry duty for several consecutive nights. Any person who was unable to perform this duty was required to hire a substitute at their own expense. In the fourth case, it was alleged that several hundred villagers from a number of villages in Homalin township were requisitioned by the township chairman, through their village heads, to work on the repair of a number of bridges on the road from Homalin to Hkamti. Villagers received no payment and had to provide their own food. Any person who failed to take part was liable to a fine.
- *Intervention dated 8 December.* According to the allegation made by three individuals from the area, people from a number of villages in Toungup township (Rakhine State) were required to collect large quantities of firewood for the army's Military Operations Command No. 5, for use in brick kilns it was operating as an income-generation project.<sup>12</sup> No compensation was provided, and any household that could not collect its quota had to pay a fine.
- *Intervention dated 9 December.* According to the allegation from a number of individuals concerned, labour was being requisitioned on a large scale from many villages in Kyaikto township (Mon State) to clear land for a new road through the township. In addition to labour, villagers had to provide the necessary tools, and arrange their own transport to the work site (which in many cases meant walking for several hours in the dark to and from the work site). Villagers who were unable to perform these duties were liable to a fine.
- *Intervention dated 10 December.* According to the allegation from individuals concerned, the township chairman and police chief of Tabayin township (Sagaing Division) requisitioned residents of the town to repair an irrigation canal and plant trees along the approach road to the town. These instructions were given in the evening by loudspeaker. Anyone who failed to take part was fined.
- *Intervention dated 22 December.* According to the allegation, the army's Infantry Battalion 46 was confiscating land from villagers in Putao township (Kachin State), and then forcing these villagers to continue cultivating the land on behalf of the

<sup>11</sup> See C.App./D.5 (ILC, 2004), paras. 9-17; GB.289/8, paras. 15, 16 and 18; and GB.291/5/1, paras. 14-16.

<sup>12</sup> This is the third allegation that has been received concerning this particular army unit. See below, as well as GB.291/5/1, para. 14 and C.App./D.5. (ILC, 2004), para. 11.

battalion, for which they would receive only a limited proportion of the final crop. This allegation was made by 20 individuals concerned, on behalf of 102 affected persons.

- *Intervention dated 2 February 2005.* According to the allegation, a village-tract chairman in Myaing township (Magway Division) forced villagers to dig 350 three-foot-deep pits along the sides of a new road project in preparation for the planting of trees. This work had to be completed on the day the order was given. Any family that was unable to provide a worker was fined.
- *Intervention dated 3 February.* According to the allegation, a number of villagers in Thandaung township (Kayin State) were forced by soldiers of Light Infantry Battalion 439 to do repair work on the road from Bawgaligyi to Busakee. While carrying out this work, one 15-year-old boy stepped on a landmine and lost his leg.
- *Intervention dated 4 February.* According to the allegation, the police and village-tract authorities in Mawlamyinegyun township (Ayeyawaddy Division) forced villagers to cultivate police land as part of an income-generation project for police staff welfare funds. This practice has been ongoing since 2000. Villagers are also required to provide their own tools and bring their own food, as well as contribute cash to the police funds.
- *Intervention dated 15 February.* This intervention concerned two alleged cases of forced recruitment of children into the army. In the first case it was alleged that a boy now aged 15 had been kidnapped off the street in Yangon by an army sergeant in 2002 at the age of 12 and had been recruited against his will into the army. After undergoing basic military training he was assigned to an army battalion and sent on a number of military operations during which he contracted malaria. The second case concerned a boy from Yangon who was allegedly recruited against his will in January 2005 at the age of 15. According to the allegation, he was currently undergoing basic military training.
- *Intervention dated 18 February.* According to the allegation, extensive forced labour was being used by the army in Pyinmana and Lewe townships (Mandalay Division) for the construction of camps and facilities for army Battalions 603, 604, 605 and an air defence battalion. At least 14 villages in the area had to provide 200 workers each, on a daily basis, for this work. In addition to labour, each village had to provide roofing and construction materials and transport for the project.

## Responses received from the authorities

- 14.** In letters to the Liaison Officer a.i. dated 1 and 17 February, the authorities presented their findings on a number of allegations of forced labour that he had raised.
- As regards three complaints of forced labour lodged directly with the township court in Kawhmu (Yangon Division),<sup>13</sup> the authorities indicated that the three separate trials had now concluded and the accused local officials had been found guilty under section 374 of the Myanmar Penal Code.<sup>14</sup> Three of these officials had been sentenced to eight-month prison terms, and a fourth, who was found guilty on two separate counts, was sentenced to a 16-month prison term.

<sup>13</sup> See C.App./D.5 (ILC, 2004), para. 9.

<sup>14</sup> Section 374 of the Penal Code concerns the illegal imposition of forced labour and provides for a prison term which may extend to one year, or a fine, or both.

- As regards the allegation of forced labour imposed by the army for a land reclamation project in Toungup township (Rakhine State),<sup>15</sup> the authorities indicated that an investigation had found that some village-tract officials were guilty of imposing forced labour, extortion and abuse of power, and (legal) action was being taken against them. No indication was given of any findings regarding the army unit (Military Operations Command No. 5) implicated in the allegation.
- As regards the allegation of forced labour on a teak plantation in Tamu (Sagaing Division),<sup>16</sup> it was indicated that sufficient funds had been allocated to the project, and that a Forestry Department official had temporarily misappropriated these funds, which were subsequently disbursed to the workers. The official concerned would be prosecuted for misappropriation of funds. The response was unclear as to whether the workers had been initially forced to work on the project, or had been freely hired and then not paid.
- As regards the allegation of forced labour for the road from Kalewa to Mawlaik (Sagaing Division),<sup>17</sup> it was found that the village-tract chairman had requisitioned 120 villagers for this work on three occasions. He had also fined seven people for failing to do the work. This was a violation of Order No. 1/99, and he was being prosecuted.
- As regards the allegation of forced labour imposed by the police for sentry duty in Tamu town,<sup>18</sup> an investigation found no basis to the claims, and no further action would be taken.
- As regards the allegation of forced labour for the repair of bridges on the road from Homalin to Hkamti (Sagaing Division),<sup>19</sup> it was found that these projects were the responsibility of the Public Works Department. This department had hired a private contractor to carry out the work. Villagers had been freely hired to work on these projects, but had agreed to donate their wages towards the cost of a new roof for the local school. No further action would be taken.
- As regards the allegation of forced labour imposed by the army in Toungup township (Rakhine State) for the collection of firewood,<sup>20</sup> an investigation had found that Military Operations Command No. 5 had arranged to purchase the wood through the village-tract chairman. Instead of hiring woodcutters to do this, however, the chairman had forced the villagers to do so. Therefore, (legal) action was being taken against him.
- As regards the allegation of forced labour for a road construction project in Kyaikto township (Mon State),<sup>21</sup> it was indicated that the villagers had participated willingly in this project and that a considerable amount of money had been disbursed to them in labour charges. It was therefore concluded that the allegation was not true. The

<sup>15</sup> See C.App./D.5 (ILC, 2004), para. 11.

<sup>16</sup> See para. 13 above.

<sup>17</sup> *ibid.*

<sup>18</sup> *ibid.*

<sup>19</sup> *ibid.*

<sup>20</sup> *ibid.*

<sup>21</sup> *ibid.*

Liaison Officer a.i. has confirmed from another source that, following an on-the-spot investigation by the authorities (during which the villagers reportedly confirmed to the investigators that they had been forced to work on the project), a significant amount of money was distributed to the villages concerned by way of compensation.

Yangon, 18 February 2005.



## Appendix

### Cases on which interventions have been made (2004-05)

Case type	Location	Intervened	Response	Details of response from the authorities
Forced recruitment	Hlaingthaya township, Yangon Division	26/01/2004	23/02/2004	The child in question was released from the army back to the care of his parents on 5/2/2004, but recruitment was found to have been voluntary.
Forced labour	Twante township, Yangon Division	28/01/2004	05/05/2004	The Convention 29 Implementation Committee found the allegation to be unfounded but the district chairman was removed from his post for "being a burden to the people".
Forced recruitment	Hlaingthaya township, Yangon Division	29/01/2004	17/02/2004	The child in question was released from the army back to the care of his parents on 5/2/2004, but recruitment was found to have been voluntary.
Forced labour	Thandaung township, Kayin State	24/02/2004	None to date	[Verbal response from the Convention 29 Implementation Committee, according to which work was voluntary and paid at prevailing rates.]
Forced recruitment	Twante township, Yangon Division	11/03/2004	26/05/2004	Found to have been voluntarily recruited when over the age of 18.
Forced labour	Bogale township, Ayeyawaddy Division	12/03/2004	09/08/2004	Work found to have been jointly organized by community elders and local authorities. Response ambiguous as to whether this could have nevertheless involved forced labour.
Forced recruitment	Insein township, Yangon Division	18/03/2004	26/05/2004	Individual not found to be serving in the battalion mentioned in the allegation.
Forced recruitment	North Okkalapa township, Yangon Division	18/03/2004	26/05/2004	Found to have been over the age of 18 when recruited and currently imprisoned for desertion. No indication given as to whether the recruitment was found to have been voluntary.
Forced recruitment	Thakehta township, Yangon Division	18/03/2004	26/05/2004	Found to have been voluntarily recruited when over the age of 18.
Forced labour	Toungup township, Rakhine State	07/04/2004	17/02/2005	[See following.]
Forced labour	Toungup township, Rakhine State	07/04/2004	17/02/2005	Found that local officials had requisitioned labour and money from villagers and abused their powers. Instruction had been given to take action against these officials. No indication of findings regarding the army unit implicated in the allegation.
Forced recruitment	Khayan township, Yangon Division	08/04/2004	None to date	

Case type	Location	Intervened	Response	Details of response from the authorities
Forced labour	Bogale township, Ayeyawaddy Division	09/04/2004	31/08/2004	Found to have been community development work carried out collectively by the villagers.
Forced labour	Bogale township, Ayeyawaddy Division	09/04/2004	31/08/2004	It was found that no forced labour was involved in the project, and that voluntary cash donations had been received but had been insufficient for the project, so the funds had been used for construction of a school building and roof of the USDA office.
Forced labour	Pantanaw township, Ayeyawaddy Division	09/04/2004	27/08/2004	Work found to have been carried out willingly by villagers after the majority had agreed to do this work for free in return for a donation of funds to village community projects.
Forced recruitment	Hlaingthaya township, Yangon Division	23/04/2004	26/05/2004	Found to have been voluntarily recruited when over the age of 18.
Forced labour	Monywa township, Sagaing Division	29/04/2004	25/10/2004	Found that at the request of the Buddhist Abbot, the authorities arranged the upgrading of the road, and villagers took part willingly in providing their labour to produce rock chippings for the project. No forced labour found to have been involved.
Forced recruitment	Hlaingthaya township, Yangon Division	30/04/2004	31/08/2004	Found to have been recruited when over the age of 18, and to have been absent without leave since 4 June 2004.
Forced recruitment	Thingangyun township, Yangon Division	30/04/2004	31/08/2004	Found to have been voluntarily recruited when over the age of 18.
Forced recruitment	Twante township, Yangon Division	30/04/2004	31/08/2004	Found to have been voluntarily recruited when over the age of 18.
§374 complaint	Kawhmu township, Yangon Division	04/05/2004	01/02/2005	Two accused sentenced to 16-month and eight-month prison terms, respectively.
Forced labour	Falam district, Chin State	20/05/2004	30/07/2004	No forced labour found to have been involved.
§374 complaint	Kawhmu township, Yangon Division	26/05/2004	01/02/2005	Two accused sentenced to 16-month and eight-month prison terms, respectively.
Forced recruitment	Shwepyitha township, Yangon Division	28/05/2004	31/08/2004	Found to have been recruited when over the age of 18. No indication given as to whether the recruitment was found to have been voluntary. Arrested for desertion and given 6-month sentence in a military prison. Returned to his battalion on 23 September.
Forced labour	Bago township, Bago Division	06/07/2004	25/10/2004	No forced labour or compulsory contributions found to have been imposed for the project.
Forced labour	Bago township, Bago Division	06/07/2004	25/10/2004	Sentry duty had been requested of villagers for a long time, but only during the day, and only required being watchful when going about normal household work. It did not therefore constitute forced labour, and there were no compulsory contributions.

Case type	Location	Intervened	Response	Details of response from the authorities
Forced labour	Bago township, Bago Division	06/07/2004	25/10/2004	Workers were paid on government teak plantation, but were not satisfied with the wages and stopped work. No forced labour or compulsory contributions were found to have been involved.
Forced labour	Bago township, Bago Division	06/07/2004	None to date	[Verbal response in the Implementation Committee according to which villagers had been paid and fed and worked willingly.]
Other	Kawhmu township, Yangon Division	07/07/2004	None to date	[Alleged harassment of a complainant, who has now successfully brought a prosecution against local officials for imposing forced labour.]
Forced labour	Toungup township, Rakhine State	08/07/2004	None to date	
Forced labour	Hinthada township, Ayeyawaddy Division	09/07/2004	None to date	
§374 complaint	Hinthada township, Ayeyawaddy Division	22/07/2004	31/08/2004	Case rejected by court on the grounds that there was no prima facie evidence of forced labour. Complainant then found guilty of defamation and imprisoned for six months, but subsequently released.
Forced labour	Maungdaw township, Rakhine State	23/07/2004	31/08/2004	Official investigation (by FOT) found that the allegations of forced labour on the bridge projects were not true.
§374 complaint	Hinthada township, Ayeyawaddy Division	06/08/2004	31/08/2004	Case rejected by court on the grounds that there was no prima facie evidence of forced labour. Complainant then found guilty of defamation and imprisoned for 6 months, but subsequently released.
§374 complaint	Kawhmu township, Yangon Division	09/08/2004	01/02/2005	Accused sentenced to an 8-month prison term.
Forced recruitment	Kyimindine township, Yangon Division	13/09/2004	None to date	
§374 complaint	Hinthada township, Ayeyawaddy Division	01/10/2004	–	Case rejected by court on the grounds that there was no prima facie evidence of forced labour.
Forced labour	Ramree township, Rakhine State	12/10/2004	None to date	
Forced labour	Tamu township, Sagaing Division	07/12/2004	17/02/2005	It was found that a Forestry Department official temporarily misappropriated pay for workers, who were later paid. He would be prosecuted for misappropriation. Response unclear as to whether workers were forced, or hired but then not paid.
Forced labour	Kalewa township, Sagaing Division	07/12/2004	17/02/2005	Local official found to have requisitioned 120 people on three occasions, and fined seven people for failing to work. This was a violation of Order No. 1/99 and the official would be prosecuted.
Forced labour	Tamu township, Sagaing Division	07/12/2004	17/02/2005	It was found that the allegation was unfounded and no further action would be taken.
Forced labour	Homalin townshin, Sarawak	07/12/2004	17/02/2005	Project found to have been the responsibility of the Public Works Department, who had hired a private

Case type	Location	Intervened	Response	Details of response from the authorities
	Division			contractor. Workers were hired voluntarily and had agreed that their pay be donated for a new roof for the school. No further action would be taken.
Forced labour	Toungup township, Rakhine State	08/12/2004	17/02/2005	It was found that the army unit concerned had paid a local official to provide firewood. This official had not hired woodcutters but had instead forced villagers to cut the wood. Accordingly, action was being taken against the official.
Forced labour	Kyaikto township, Mon State	09/12/2004	17/02/2005	It was found that villagers had participated willingly in the project, and over 2.7 million kyat in labour fees had been disbursed to the workers in 22 villages. No forced labour found to have been involved.
Forced labour	Tabayin township, Sagaing Division	10/12/2004	None to date	
Forced labour	Putao township, Kachin State	22/12/2004	None to date	
Forced labour	Myaing township, Magway Division	02/02/2005	None to date	
Forced labour	Thandaung township, Kayin State	03/02/2005	None to date	
Forced labour	Mawlamyinegyun township, Ayeyawaddy Division	04/02/2005	None to date	
Forced recruitment	Insein township, Yangon Division	15/02/2005	None to date	
Forced recruitment	Hlaingthaya township, Yangon Division	15/02/2005	None to date	
Forced labour	Yamethin district, Mandalay Division	18/02/2005	None to date	