
294th Session of the Governing Body of the International Labour Office (November 2005)

SIXTH ITEM ON THE AGENDA

GB.294/6/1(& Add.) and GB.294/6/2(& Add.)

Conclusions concerning Myanmar

1. In the light of the documents before the Governing Body and after listening to the Ambassador of Myanmar, the Governing Body had a thorough exchange about developments.
2. There was a general feeling of grave concern about the degradation of the situation which these developments – including the most recent condemnation of Aye Myint, the situation of Su Su Nway, and other individual cases raised during the discussion – reflected. It was also one of firm rejection of what appeared as attempts to influence the ILO's position through various forms of pressures and intimidation, including that of withdrawal, in contradiction with the commitment that the Authorities have consistently pledged to the eradication of forced labour in cooperation with the Organization.
3. Members of the Governing Body were particularly concerned and critical about the threats which have been made against the Liaison Officer a.i. as well as to the former Acting Liaison Officer and Informal Facilitator (Mr. Léon de Riedmatten), following a public campaign against the ILO and which resulted in paralysing his capacity to discharge his responsibilities. The Governing Body reiterated its full confidence and support for the Liaison Officer of the ILO. The Authorities of Myanmar were urgently requested to guarantee full exercise of his functions. They were also earnestly warned about the responsibility they would have to bear under international law for any consequence that could result from their attitude.
4. A number of Members were of the view that, as already contemplated by the ILC in its conclusions last June, the only way which was left to the Organization, in light of the further very disturbing developments which had taken place, was to enable the Conference itself to revisit the measures adopted in the 2000 ILC resolution under article 33 of the Constitution, by placing a specific item for that purpose on its 2006 agenda in order to review and, as appropriate, to strengthen them.
5. However, taking into account the willingness expressed by the Ambassador to cooperate and the fact that any step relating to action by the Conference would in any case need to be reconfirmed at its next session, the Governing Body, firstly, requests the Government at various levels, including the senior leadership, to take advantage of the time available between now and March 2006 to resume an effective dialogue with the Office. Secondly, it was understood, however, that to be meaningful any future dialogue which the Office would conduct with the Government should be based on the mandate provided by the conclusions of the ILC. Thirdly, the dialogue would also have to address the issues and cases raised in the present debate and conclusions. Fourthly, the authorities should, in the meantime, cease prosecuting victims of forced labour or their representatives and instead should take action against the perpetrators.