
Conclusions on document GB.295/7: Developments concerning the question of the observance by the Government Myanmar of the Forced Labour Convention, 1930 (No. 29)

The Governing Body has considered all the information before it, including the comments of the Permanent Representative of Myanmar. The overwhelming reaction was one of profound concern at the continued lack of any meaningful progress in the situation.

In particular, the determination expressed by the Myanmar authorities to prosecute individuals involved in lodging “false allegations” represented a further deterioration in the situation which seriously undermined any prospect of progress, and was in direct contradiction with the conclusions adopted at the International Labour Conference in 2005. The Myanmar authorities should cease prosecuting such individuals and should release those already imprisoned for such activities, including Ma Su Su Nwe and U Aye Myint.

Under these circumstances, the Workers moved that, as previously envisaged in November 2005, an item should be placed on the agenda of the 95th Session of the International Labour Conference (May-June 2006) as follows: “*To review what further action could be taken by the ILO in accordance with its Constitution in order (i) to effectively secure Myanmar’s compliance with the recommendations of the Commission of Inquiry and (ii) to ensure that no action is taken against complainants or their representatives.*” For that purpose, the Office would be instructed to prepare an analysis of all relevant options which the International Labour Conference could consider taking to ensure compliance with the Convention or to draw in any other appropriate way the consequences of the situation.

This resolution, with an amendment made by the Employers to the Preamble, received the general support of the Employers and many Governments, and it can thus be considered that it has sufficient support to be adopted as amended. In the course of the discussion, a number of specific proposals concerning possible action were made. It was understood that the Office would take these into consideration in preparing its analysis of the options.

In the meantime, all remaining possibilities to resolve the issue should continue to be pursued.