

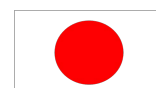


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► **An assessment
of the social protection
needs and gaps for workers
in informal employment
in Myanmar**

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FAST RETAILING

▶ **An assessment of the
social protection needs
and gaps for workers in
informal employment
in Myanmar**

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Quynh Nguyen Anh
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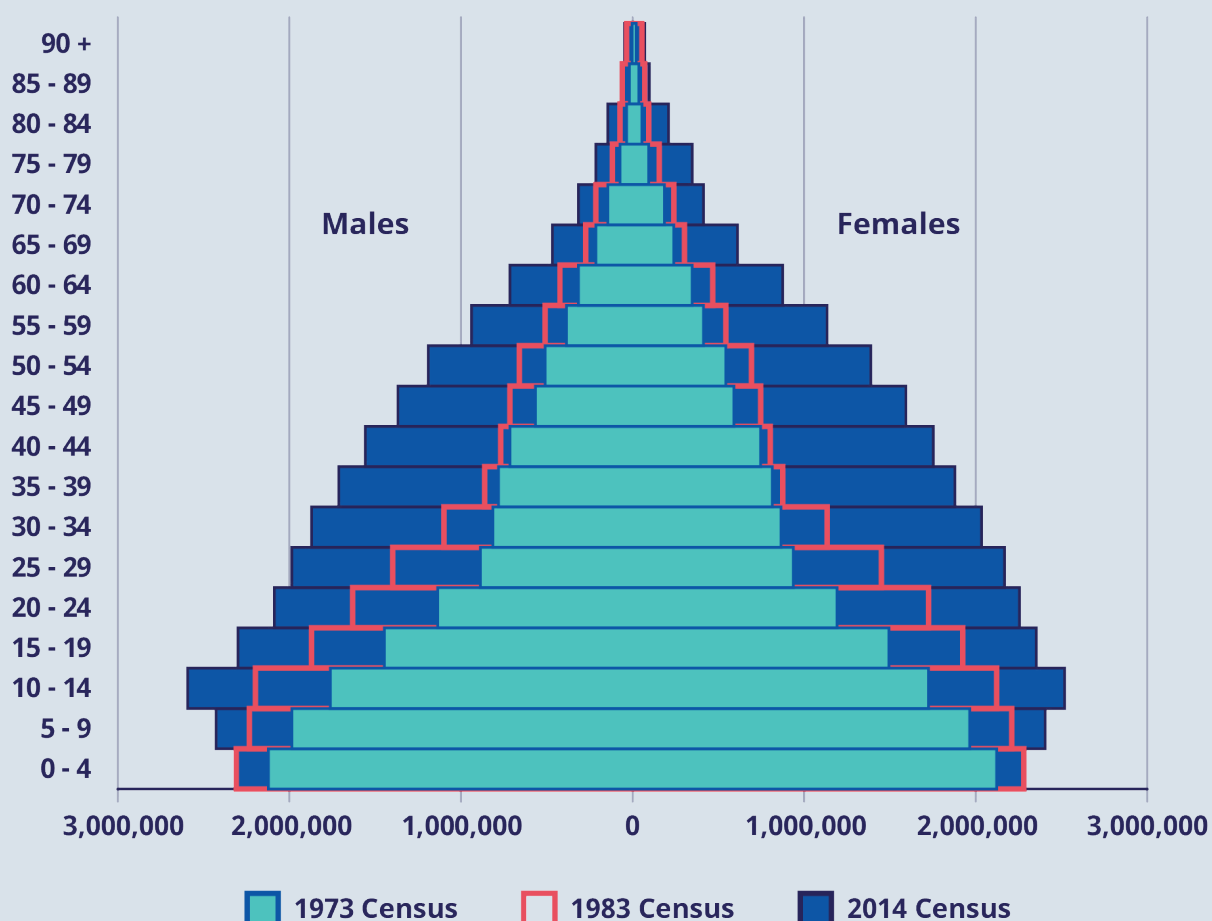
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► 1. Population, economy and social context¹

Myanmar is a country of 53.9 million people² in South-East Asia, bordered by China to the north and north-east; the Lao People's Democratic Republic and Thailand to the east and south-east; Bangladesh and India to the west and north-west; and the Andaman Sea and Bay of Bengal to the south-west. A multi-ethnic country, Myanmar has over 135 different ethnic groups, each with its own history, culture and language. The main groups are the Bamar (who constitute two-thirds of the population), Chin, Kachin, Karenni, Karen, Mon, Rakhine and Shan (Oxford Burma Alliance, undated). The median age is 27.1 years and life expectancy at birth is 64.7 years – 60.2 years for males and 69.3 years for females (DOP and UNFPA 2017). This is the lowest life expectancy rate among the countries of the Association of Southeast Asian Nations (ASEAN).

Figure 1

Changes in population structure from 1973 to 2014



Source: DOP and UNFPA 2017.

¹ This report was primarily prepared as a country background paper for an ILO publication 'Extension of social protection to workers in informal employment in the ASEAN region (Nguyen and Cunha 2019)'; and therefore, the authors collected information and data presented in this report in 2018.

² United Nations estimate in 2018

About 28.6 per cent of Myanmar people are children (0–14 years); 65.6 per cent are of working age (15–64 years); and only 5.8 per cent are elderly (65 years and above). The population is still relatively young with a falling fertility rate and a large share of working age people, which has grown since the last recorded censuses in 1973 and 1983 (see figure 1). Many people in Myanmar live in large households that include elderly people and grandchildren, though this is changing slowly. An old-age dependency ratio of 8.8 and a child dependency ratio of 43.7 make this an opportune time for policymakers in Myanmar to utilize a demographic window of opportunity (DOP and UNFPA 2017). Investments made today in the education and health of young people, especially girls, can help to build a skilled workforce that can not only accelerate economic development but also make contributions to a sustainable social protection system.

Myanmar is currently classified as a lower-middle income country with a gross national income (GNI) per capita of US\$1,455 in 2017 and a GINI coefficient of 38.1. The country has witnessed high economic growth in recent years. The gross domestic product (GDP) growth rate was 6.4 per cent for 2016–17 and is expected to remain at a similar level in the coming years, mainly driven by growth in services, manufacturing and agriculture. While this has led to a substantial decline in poverty from 44.5 per cent in 2004 to 26.1 per cent in 2015, differences between urban and rural areas remain significant. The manufacturing and service sectors witnessed faster growth rates than the agricultural sector, thereby benefitting people living in urban areas over those in rural areas, who mainly earn their livelihoods from agriculture and casual employment (World Bank 2018).

Composition of GDP and labour force

	Composition of GDP (2017)	Composition of labour force (2015)
Agriculture	24.8%	51.7%
Industry	35.4%	16.8%
Services	39.9%	31.5%

Source: CIA 2017; ILO 2016a.

The main industries are agricultural processing, forestry, minerals, construction, pharmaceuticals, petroleum and natural gas, garments, and gems (see the table above). Labour force participation is 64.7 per cent, with a large difference between women (51.6 per cent) and men (80.2 per cent) (ILO 2016a). Most of the workforce is in informal employment, which accounts for 85.7 per cent of total employment, one of the highest among ASEAN countries.³ This proportion of workers in informal employment is slightly higher for women than men. Among all the people in informal employment, most are engaged in agriculture, followed by the manufacturing and service sectors (ILO 2018). People in informal employment often receive low and irregular incomes, a fact that plays an important role in assessing how they access social protection. Women and youths usually have a higher share in unpaid family work and informal work, and thus face greater challenges in participating in national social protection systems and in accessing benefits.

³ The Labour Force Survey 2015 estimates the nature of employment as follows: 38.5 per cent as employees and 61.5 per cent as being self-employed, which comprises 3.8 per cent employers; 45.9 per cent own-account workers; and 11.8 per cent unpaid contributing family workers. However, many employees remain outside social security coverage and also lack proper legal contracts and labour protection resulting in them being in informal employment. Thus, the total informal employment is estimated at 84.9 per cent of all workers in the country (ILO 2016a).

Access to basic infrastructure, education, healthcare and social services remains a challenge in both rural and urban Myanmar. Moreover, the country is highly prone to natural disasters, such as floods, cyclones, earthquakes, landslides and droughts, ranking second out of 187 countries in the 2016 Global Climate Risk Index (World Bank 2018). In the face of social and economic risks and natural disasters, only a few people in Myanmar have access to publicly funded social protection measures. Most people rely on informal support mechanisms such as personal savings, family members, friends and communities. A large number of elderly people live with their children and receive care and financial support from them. Almost half of people living in rural areas cope with vulnerabilities through intrinsic social structures or organizations that have existed for a long time. A sense of solidarity and helping people in need during adverse life situations exists as part of social and religious ethics, beliefs and structures.

Research conducted in May 2016 found that the existence of social organizations had a noticeable impact on communities, and that people in those communities were more resilient (Griffiths 2016). In villages with social organizations, expenditures on healthcare and education were higher, but the related debt levels were lower with better overall health indices. Such villages also had lower income inequality and a lower degree of disadvantage experienced as a result of being in a poor household, a female-headed household or a household with a person with disabilities. The existence of such social support organizations varies according to geographic areas and ethnic groups, with positive impacts witnessed mainly in the west, south-east and Delta areas. This suggests that social organizations play a vital role in addressing vulnerabilities and inequalities in communities, and that they should be studied and suitably engaged by policymakers in the design and implementation of national social protection systems.

Rural and agricultural communities also participate in various kinds of solidarity mechanisms by pooling money and labour. These mechanisms include labour exchange (for example, between agricultural workers with different harvest times or to allow time for a pregnant woman or a temporarily ill person to recuperate), asset sharing, informal lending, and joint community development projects (such as building pagodas and schools or digging wells). While these mechanisms contribute to improving food security and resilience, they face some limitations. They are based on an inherent idea of reciprocity; one who borrows money today is expected to return the favour on another occasion. However, the poorest members of society could be at a disadvantage, as they are least able to contribute their resources to such mechanisms (HelpAge International 2016). When natural disasters or economic hardships strike entire communities, community support may be insufficient, causing people to adopt negative coping strategies such as selling assets or engaging in child labour.

▶ 2. Nature of informal employment

Workers in informal employment typically indulge in work that is not registered with or protected by the State and may even not be recognized or be difficult to prove as full-time productive work. Such work may be characterized by a lack of safe and decent working conditions, absence of representation and bargaining power, limited access to social protection, or a lack of a legal contract providing continuous and predictable employment opportunities, thus making such workers extremely vulnerable. Due to the varied nature of their employment conditions and difficulties in monitoring them, there exists no comprehensive picture of the needs and vulnerabilities of all such workers, creating a virtual black hole in policymaking.

▶ Box 1

▶ Definition of informal employment in the Labour Force Survey 2017

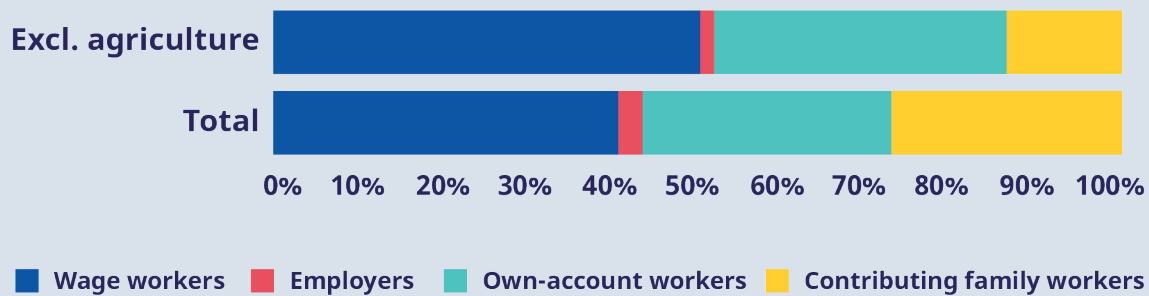
Informal employment includes contributing family workers, other self-employed with an informal sector enterprise, employees with no employer contribution to social security, employees with employer contribution to social security but no paid annual leave or employees with employer contribution to social security and paid annual leave but no paid sick leave.

Source: ILO 2016a.

In Myanmar, 85.7 per cent of workers are in informal employment, which includes wage workers, employers who are unregistered, own-account workers and contributing family workers (see box 1). As seen in figure 2, informal workers are composed mainly of wage workers (about 41.0 per cent), followed by own-account workers (29.3 per cent) and contributing family workers (27.0 per cent), while the smallest share is composed of employers (2.7 per cent). The proportion of wage workers and own-account workers increases when considering only non-agricultural work. Conversely, the proportion of contributing and unpaid family workers increases when agricultural work is also taken into consideration. Employment in the agricultural sector is mainly comprised of own-account workers and household members sharing workloads on smallholder farms and in subsistence agriculture (ILO 2018; ILO 2016a). Women and child workers see higher levels of participation in informal employment. Lower levels of education also increase the likelihood of ending up in informal employment.

Figure 2

Composition of informal employment by type of worker

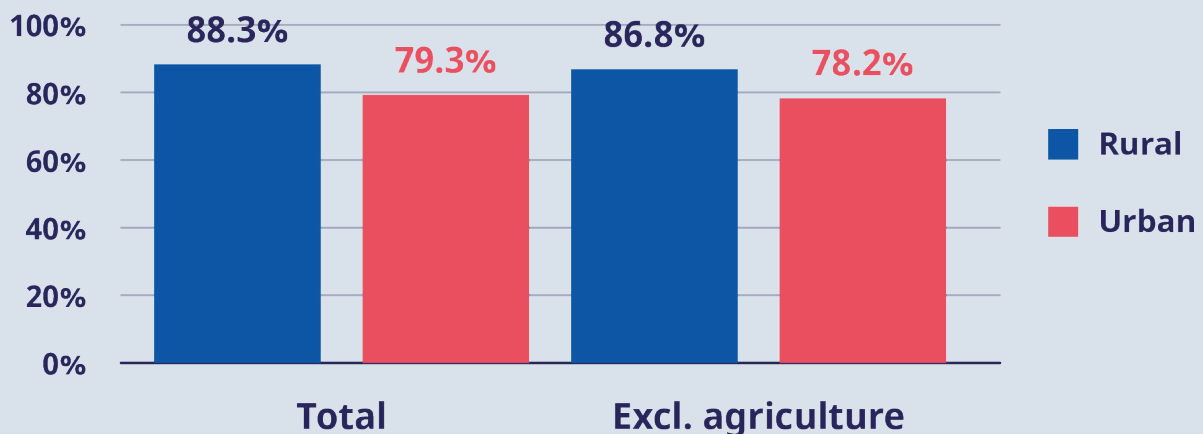


Source: ILO 2018.

Informal employment is found to a large extent in agriculture, but is also prevalent in mining, forestry, construction, domestic work, textiles, footwear, handicrafts and tourism. Many employed people in Myanmar, especially own-account workers, hold both a main job and a secondary job, and this is particularly common among those who have at least one job in agriculture, forestry or fishing. Often, seasonal workers find secondary jobs in small farms and plantations in nearby areas. While most people in informal employment work in the informal sector, a sizeable portion work in informal jobs in the formal sector – ranging between 11.1 per cent in agriculture and 19.2 per cent in manufacturing. These informal employees within the formal sector are employed in enterprises, usually small-sized ones, and often work without employment contracts or without being enrolled in social security schemes. A larger proportion of workers in rural areas are in informal employment, as compared to urban areas. This rural-urban difference does not change by much when considering only non-agricultural work, which demonstrates that informal employment is widely prevalent in the manufacturing and service sectors as well (figure 3).

Figure 3

Informal employment in rural and urban areas



Source: ILO 2018.

Traditional gender roles play an important part in Myanmar society. Labour force participation among women in Myanmar is considerably lower than among men (51.6 per cent versus 80.2 per cent), with women being more likely to be in informal employment. Women in informal employment are largely own-account workers, domestic care workers and unpaid contributing members to the family business. Women are more likely to be found in certain professions, such as domestic work and the garment industry, where they can face long working hours, poor and unstable working conditions, discrimination⁴ and even harassment. Many workers in low-income, low-skilled jobs are young women from rural areas who have migrated to Yangon to earn a living. In the garment industry, about three fourths of workers are young women migrants from rural areas looking for higher pay and longer periods of employment than they can get in rural areas. Very often they lack sufficient education, skills and awareness to work in formal employment and end up enduring poor working conditions and abuse in the hope of saving enough money to send back to their families (Hogan 2018).

Informal employment is high among migrant workers, including international migrants, internal rural-to-urban migrants and internal rural-to-rural migrants. A little over 2 million Myanmar nationals have migrated to other countries, mainly Thailand, Malaysia, China and Singapore (DOP and UNFPA 2017). While some may use official channels to migrate – such as overseas employment agencies or under bilateral agreements – most migrate irregularly due to high financial costs and time required for administrative procedures. As a consequence, they end up working in jobs without adequate labour protections or social security. Internal migration is growing as a result of the growth of the manufacturing, mining, fishing and construction sectors, which often places workers in a different linguistic and cultural context in a multi-ethnic country. This can create many challenges in accessing decent jobs and social protection benefits, especially when migrant workers lack nationality and identification documents (ILO, undated).

Certain social groups in Myanmar are systematically marginalized on the bases of ethnicity, religion and geographical location. They may face restrictions on free movement and may not possess national identification documents. Under such conditions, it becomes difficult to access good education and employment opportunities, as well as difficult to access markets, services and credit. Workers from such groups usually end up working in low-paid and unwanted informal jobs, which further affects the economic circumstances of such families.

Since Myanmar's transition to democracy in 2010, trade unions have grown rapidly and the country has started taking steps to improve freedom of association and collective bargaining. There is still much to be done in terms of increasing union membership and reducing discrimination against unions. Furthermore, existing trade unions often do not represent the most vulnerable of informally employed workers, such as female domestic workers (FTUM 2013). Such workers have little bargaining power in front of employers and are forced to endure poor working conditions or low wages, as the alternative is usually unemployment and poverty.

⁴ While women work at the machines in garment factories, supervisor and manager roles are usually performed by men.

▶ 3. Drivers to informality

The forces pushing people towards informality need to be examined in the context of structural socio-economic policies and issues.

Firstly, increasing globalization and economic liberalization in recent decades have led to the relaxing of labour regulations (such as minimum wage and working hours as well as social security obligations) as part of an effort to lower labour costs in order to be more competitive (Huitfeldt and Jütting 2009). For example, Myanmar is an emerging production base for the garment, textile and footwear industry, and an estimated 69.5 per cent of people employed in the industry in 2015 worked in informal jobs in both formal and informal enterprises and earned about 3,500 kyats (US\$3) per day⁵ (Huynh 2016). The industry is seeing rapid growth coupled with low labour protection and poor working conditions, due to rising costs of production in China as well as increasing scrutiny on factories in neighbouring Bangladesh and Cambodia (Baulk 2015).

Secondly, many workers who look for a way out of rural agricultural activities and therefore out of poverty may have low levels of education and professional skills, and are thus forced to take up fringe jobs in informal employment. Economic policies to absorb the growing labour force in decent jobs have been limited. As such, workers may migrate to Yangon, industrial regions or to other countries and work in jobs without sufficient labour protection.

Thirdly, existing laws and regulations have been designed mostly for large formal enterprises, and are often archaic to the extent that they do not recognize the multi-faceted conditions and needs of workers in informal employment and of small enterprises (Huitfeldt and Jütting 2009).

In Myanmar, the regulatory and institutional frameworks for private businesses are complex and fragmented, with no centralized system for enterprises to register or acquire licenses.⁶ Several government-wide committees coordinate matters for different industries and sectors, and in the process create inefficiencies and even disincentives for enterprises to register (Diofasi, Gelb and Ramachandran 2017). Enterprises, particularly those outside the large cities and urban areas, often perceive higher costs than benefits in registration. About 83 per cent of enterprises in Myanmar were estimated to be operating without registration, while about 16 per cent do not possess any kind of registration certificate, license or permit to operate a business (OECD 2013b; CSO and UNU-WIDER 2018). As enterprise size grows, the likelihood of formalizing also increases, as the benefits of holding property rights or tax certificates start to outweigh the time and resource costs of registration. Data estimates show that 99.5 per cent of all enterprises in Myanmar belong to the micro, small and medium enterprise category (74.2 per cent micro, 20.4 per cent small and 4.9 per cent medium) and employ 99.3 per cent of the labour force. While the smallest-sized enterprises may not register their workers for social security benefits, they may still provide some benefits, such as annual bonuses and sick leave, which vary from employer to employer (UNU-WIDER 2018).

Of the total workforce of Myanmar, about a third is engaged in agriculture. Agricultural workers, especially contributing family members, are among the least likely to be enrolled in social security schemes. A study

⁵ Daily wage earners received around US\$3 per day and monthly wage earners received around US\$99 per month in March 2015. However, these wages were estimated before the introduction of the minimum wage on 1 September 2015. The minimum wage stipulates 3,600 kyats for an eight-hour work day and has likely helped to boost workers' pay in the industry. It was further raised to 4,800 kyats in January 2018, which is a welcome move but still not adequate to meet the cost of living in urban areas.

⁶ "Registration of enterprises" and "licenses to operate" are different in that municipalities are solely responsible for issuing licenses, while other authorities register enterprises.

(CSO and UNU-WIDER 2018) found that many textile and leather enterprises (especially in remote rural areas) operate as traditional weaving and curing activities out of workers' homes. These family businesses are largely informal, which could be explained by lower awareness of and a lower presence of government authorities in charge of business licensing and registration in remote areas. On the other hand, the tobacco, chemical, wood and furniture industries are usually located in urban areas, and their businesses are the least likely to be operating informally. In particular, the wood industry is strictly regulated due to efforts to protect national forests.

Another issue that compounds the situation is that company registration and tax registration happen separately, and many registered firms, including medium and large enterprises, do not pay corporate income taxes. However, they do pay user or licensing fees, usually at the municipal level. Inspections are infrequent and the procedures for paying taxes are long, complex and cumbersome. All these factors contribute to creating an unfavourable environment for registration of enterprises with tax and social security authorities, and may even lead to the adoption of unofficial under-the-table payments to find easy solutions (CSO and UNU-WIDER 2018). See box 2 for an example of how Uruguay worked to promote formalization, particularly among smaller businesses.

▶ Box 2

Uruguay's Monotax regime to promote formalization

In the early 2000s, most self-employed workers and small family businesses in Uruguay were excluded from social security coverage due to an inadequate legislative framework and complex administrative procedures. The Monotax regime was introduced to address this coverage gap. It allows self-employed workers and micro-enterprises who fall below a certain income threshold to pay taxes and social security contributions simultaneously and in a simplified manner. It has especially helped to increase coverage of women, who comprise about 60 per cent of total membership.

Members of the regime pay a Monotax, a unified tax and social security contribution, that is set at a lower amount than the general tax. The amount of the Monotax is fixed depending on the income category of the member. Members receive the same social security benefits as members of the contributory social security system, with the exception of unemployment benefits. New members have some flexibility in paying contributions, as they need to gradually meet the full contribution rate within three years.

Source: ILO 2014.

Enterprises may also under-report the number of workers to avoid perceived social costs, leading to a proliferation of own-account workers and wage workers without legal contracts and access to social

protection benefits. Around 95 per cent of workers in manufacturing enterprises are estimated to be working without legal contracts. More than half of contracts are made orally and about three fourths are made on a daily basis. The informal economy in Myanmar is upheld to a large extent by informal elitist pacts that were solidified under the military era and wired in weak regulatory oversight and corruption. Many businesses work for the benefit of the owners to the detriment of the workers. Thus, the inefficient and cumbersome legal and regulatory system serves as a major driver towards informality (Stokke, Vakulchuk and Øverland 2018).

Other factors that drive workers towards informality include a lack of access to good basic education, with high primary school dropout rates and low secondary and vocational school enrolment rates. This creates barriers for young workers to develop the requisite professional skills to find jobs in formal employment. There is a general low understanding of what public social protection systems are and how they function, as well as limited information on existing social protection schemes. This is a huge challenge to enrolling people to the schemes. All these factors, combined with complex bureaucratic mechanisms and a low level of trust in public institutions, further exacerbate informality, even when workers and employers have the capacity to contribute.

▶ 4. Existing social protection provisions⁷

There are several social protection schemes in Myanmar implemented by government institutions, NGOs and international agencies with much fragmentation in the system. The main provisions are composed of:

- ▶ contributory social insurance for public and private sector workers
- ▶ various social health protection programmes covering different groups of persons
- ▶ access to education and nutrition for students and children
- ▶ social assistance schemes for poor and vulnerable groups of people.

4.1 Contributory social insurance

The Social Security Board (SSB) was originally created in 1956 following the adoption of the Social Security Act of 1954. It is now responsible for implementing the provisions of the Social Security Law of 2012. The Law provides for compulsory social security coverage for private sector companies with more than five employees and voluntary coverage for companies with fewer than five workers, students, self-employed workers and farmers.

Legislation: The SSB scheme is regulated by the Social Security Act of 1954, the Social Security Law of 2012 and the Social Security Rules of 2012. Occupational injury benefits are regulated by the Workmen's Compensation Act, adopted in 1923 and amended in 2005.

Benefits and services: The SSB package includes medical care, a funeral grant, sickness cash benefits, maternity and paternity cash benefits and work injury benefits. It is planned to introduce old-age pensions, disability and survivor's pensions, unemployment insurance and a housing allowance. The Workmen's Compensation Scheme provides cash benefits upon the occurrence of occupational disease, disability or death.

Beneficiary groups: Compulsory coverage is provided by the SSB for private sector companies with more than five employees, and voluntary coverage for companies with fewer than five employees, students, self-employed workers and farmers. The Workmen's Compensation Scheme covers all wage workers with the exception of those in the agricultural sector.

Legal and effective coverage: All formal private sector workers in enterprises of more than five employees are mandatorily covered by law; while workers in informal employment are entitled to voluntary coverage under the law. The scheme covered 1,089,559 workers – or 5 per cent of the total labour force – as of 2017, a gradual increase since its implementation in 2014 (Lynn 2017).

Financing: The SSB contributions are paid into three funds. The Disability, Superannuation and Survivor's Benefit Fund is financed by equal employer and worker contributions of 3 per cent of the wage each.⁸ The Health and Social Care Fund is financed by equal employer and worker contributions of 2 per cent of the wage each, if the worker is less than 60 years old at the time of registration, and 2.5 per cent of the wage each otherwise. The work injury benefit is financed by a sole employer contribution of 1 per cent of the

⁷ Section 4 is largely based on ILO and UNCT 2015.

⁸ The disability, old-age and survivor's pension benefits have not been implemented yet.

wage. Workers in informal employment pay both the worker's and employer's share of the contributions. Workmen's Compensation is financed as employer's liability.

Implementation arrangements: The SSB operates the scheme under the oversight of the Ministry of Labour, Employment and Social Security.

4.1.1 Gaps in policy design and barriers to access

- ▶ A large proportion of the workforce of Myanmar is engaged in agricultural activities and in family businesses, and there is no comprehensive social protection policy framework, law or scheme in place that has been designed according to their needs and circumstances. While the Workmen's Compensation Scheme provides some limited respite to wage workers in informal employment, the voluntary SSB scheme sees little take-up among those in informal employment. There are no systemic non-contributory benefits provided to workers in informal employment to address vulnerabilities such as maternity, disability, old age, unemployment and underemployment, and thereby serve as a social protection floor⁹.
- ▶ Workers engaged in farming and fishing activities in rural areas often work during certain seasons of the year and usually have low, irregular and unpredictable incomes. This makes it difficult for them to contribute to social insurance schemes that demand fixed monthly contributions. It is also difficult for them to pay both the employer's and worker's share of the contributions.
- ▶ There is no provision for portability of benefits for workers moving from formal to informal employment and vice-versa. There is also no provision for portability of benefits accrued by migrant workers.
- ▶ Despite mandatory membership in the SSB scheme, private sector enterprises do not always register all their employees due to long and tedious administrative procedures for registration and payment of contributions. The likelihood of non-compliance increases for micro and small enterprises, which together comprise 94.6 per cent of all enterprises. Inspections and penalties to enforce compliance are infrequent. Thus, workers in these enterprises are effectively uncovered.
- ▶ No system has been put in place so far for workers in informal employment to register themselves directly to the contributory social security scheme, which effectively excludes non-poor self-employed workers, even if they wish to participate.
- ▶ General awareness and understanding of social protection in Myanmar are low. Information on the existing schemes is not easily available to people.

4.1.2 Recommendations

Since workers in informal employment are largely uncovered in Myanmar, it is proposed to build a social protection system covering all such people and their families through a progressive approach. Coverage of poor and vulnerable workers can be prioritized in the immediate term with gradual expansion of coverage to everyone in the long term. Some recommendations to achieve this are described below.

⁹ A social protection floor provides minimum guarantees to all people residing in a country in the areas of access to healthcare and social protection for children, people who are unable to work and elderly people. While provisions in Myanmar include several ad-hoc programmes for poor and vulnerable people operated by various government institutions, NGOs and international development agencies, they suffer from a lack of coordination at the national level and do not reach all people in need.

- ▶ Provide tax-financed social assistance benefits to people who are not insured under the SSB. This can include disability, survivor and old-age pensions and maternity cash benefits, which are set at a lower level than the social security benefit amounts. Implementation can start with one benefit – for example, the social disability pension – and be expanded gradually as domestic fiscal resources grow.¹⁰
- ▶ Consolidate and coordinate the various public works programmes under a national employment guarantee for unemployed and underemployed workers. A public works programme guarantees employment to anyone who makes a demand for work, and can support seasonal agricultural workers in rural areas by providing temporary employment in construction, conservation and social work. The workers can be simultaneously enrolled in the SSB scheme and on-the-job training.
- ▶ Considerably simplify the existing registration procedures and provide the opportunity for enterprises and self-employed workers to acquire business licenses and register for tax payments and social security schemes at the same time.
- ▶ Conduct large-scale awareness raising to increase knowledge and understanding of social protection among employers, workers and the general public by involving local administrative bodies, NGOs and workers' unions. Ensure that people have timely and reliable access to information on existing schemes. It is expected that improved awareness, easier administrative procedures and enforcement of inspections and other compliance mechanisms can help to insure a far larger number of eligible workers in the SSB scheme.
- ▶ Increase enrolment in the voluntary SSB scheme by reaching out to those people who have the financial capacity to pay contributions, such as non-poor self-employed workers. In order to achieve this, it is crucial to improve general awareness of social protection as well as to make information on the scheme easily available to people. It is also important to build trust in the public administrative system. Increasing membership of workers in both formal and informal employment can also help to build the financial sustainability of the public social protection system.
- ▶ Increase enrolment of those who have some limited capacity to contribute to the voluntary SSB scheme. To account for low, irregular and unpredictable incomes, make provisions for flexible contribution mechanisms, such as by allowing members to contribute as and when they can, provided they reach a fixed total every six months (see box 3 for an example). Provide incentives for enrolment, such as government subsidies tailored to different income categories.
- ▶ Introduce portability under the SSB scheme and through bilateral international agreements to allow migrant workers to transfer their accumulated contribution payments when they migrate within or outside the country.

¹⁰ Since its transition to democracy, public social protection expenditures have increased from 0.1 per cent of GDP in the 2009–10 financial year to 0.7 per cent in 2013–14. Total public expenditures on health, education and social protection programmes are still lower than the international average for lower-middle income countries and there is considerable room for potential expansion (World Bank 2015b).

 **Box 3**

The AlkanSSSy financing mechanism in the Philippines

To increase coverage of workers in informal employment, the Philippine Social Security System launched an innovative mechanism called AlkanSSSy in 2012. Members contribute at least 11 pesos (US\$0.20) per day into a personalized savings box, whenever they can, until they reach the minimum monthly contribution. The programme targets low-income workers in informal employment, such as tricycle drivers, farmers, market vendors and fishermen.

AlkanSSSy simplifies contribution payments in the face of low and irregular incomes as well as limited access to formal banking channels. It thus aims to build up a daily discipline of contributing a small amount that, over time, can provide a meaningful level of social protection benefits. The scheme has 103,868 members and partners with 1,387 Informal Sector Groups.

Source: Philippines 2017.

4.2 Social health protection

Myanmar spent 2.3 per cent of its GDP on health expenditures in 2014, of which 50.7 per cent was spent out-of-pocket by households (WHO 2018). Out-of-pocket health spending has been declining in recent years as Myanmar is starting to build a social health protection system. Social health protection in Myanmar comprises a Medical Care Scheme covering private sector workers under the SSB and several free healthcare programmes operated by the Ministry of Health. A policy framework to achieve universal healthcare coverage and strengthen the supply side is presently under development.

Legislation: The SSB Medical Care Scheme is regulated by the Social Security Act 1954 and the Social Security Law and Rules of 2012. Some national policies such as the National Plan of Action for Food and Nutrition and the Myanmar National Strategic Plan and Operational Plan on HIV and AIDS 2011–16 cover some aspects of medical care and nutrition. Most of the free healthcare programmes are not embedded in law.

Benefits and services: The SSB Medical Care Scheme provides a comprehensive benefit package at certain public health facilities, covering examination, out-patient care, in-patient care, medicines and transportation. The Ministry of Health operates several free healthcare programmes at the public hospitals and health centres it operates all over the country. These include essential drugs, emergency care, institutional child delivery, free care for children up to the age of 5, a Hospital Equity Fund that provides free care especially to poor pregnant women and infants, immunizations for infants, treatment and psychological support to people living with HIV, treatment for malaria and tuberculosis, nutritional support, and micronutrient supplements.

Beneficiary groups: Compulsory coverage is provided by the SSB for private sector companies with more than five employees and voluntary coverage for companies with fewer than five employees, students, self-employed workers and farmers. Dependants of employees are not covered. The free healthcare programmes are designed for different groups of people prioritizing poor and vulnerable groups.

Legal and effective coverage: All formal private sector workers in enterprises of more than five employees are mandatorily covered by SSB, while workers in informal employment have voluntary coverage. The scheme covered 1,089,559 workers or 5 per cent of the total labour force as of 2017. The free healthcare programmes are mostly not embedded in national legislation. Consolidated information on their coverage is not available, though some disaggregated data can be found. For instance, the Maternal and Child Health Scheme reached 1,346 women or around 0.2 per cent of the pregnant population during its pilot in 2013, and 13,503,215 immunizations were provided to 62 per cent of infants in the same period. About 67,000 people (or 54 per cent of eligible individuals) received treatment for HIV; while 143,164 patients received treatment for tuberculosis, representing 77 per cent of all tuberculosis patients.

Financing: SSB medical insurance contributions equal to 2 per cent of the wage are paid by both the employer and worker if the worker is less than 60 years old at the time of registration, and 2.5 per cent of the wage is paid by both otherwise.¹¹ The free healthcare programmes are co-financed from the general government budget as well as by a variety of external donors, individuals and NGOs, such as the Global Alliance for Vaccines and Immunizations, the Myanmar Maternal and Child Welfare Association, the Global Fund to fight AIDS, Tuberculosis and Malaria, among others.

Implementation arrangements: The Social Security Board operates the scheme for private sector workers, while the Ministry of Health is responsible for the free healthcare programmes and implements them in coordination with NGOs and development partners.

4.2.1 Gaps in policy design and barriers to access

- ▶ The current social health protection schemes do not benefit from a well-coordinated policy framework, leading to gaps in coverage of individuals and ailments. Workers in informal employment and their families have very little choice, with just a handful being aware of and able to register in the SSB scheme. Most of these individuals access the free healthcare programmes, if at all. These entitlements are not set out in national legislation and there are insufficient regulations to guide their implementation uniformly and effectively. Further, even for those workers who are registered under the SSB, the scheme does not cover their dependant family members.
- ▶ Some schemes, such as the Hospital Equity Fund, rely on donor funding, which makes their long-term financial sustainability questionable.
- ▶ While the free healthcare programmes are only available at certain public health facilities, there is a pronounced inequity of service quality between private and public health facilities and between urban and rural areas, which often leads to people not utilizing formal healthcare services. Infrastructure is poor, with essential services and drugs not always being available in remote areas.
- ▶ There is limited awareness and information on social health protection schemes.

¹¹ This includes contributions for the funeral grant, sickness cash benefit, maternity and paternity cash benefits, and work injury.

- ▶ People in the informal economy who come from poor families face greater barriers in accessing healthcare. At some health facilities that are under-funded, they may be asked to make upfront payments before receiving treatment. When they are unable to afford such payments, they may choose not to approach healthcare facilities and practice self-medication or traditional healing methods. Furthermore, the methods to identify poor beneficiaries for some of the free healthcare programmes are not uniform and may leave some people out.
- ▶ Despite membership in the SSB medical care scheme being mandatory, some employers may not register their employees due to long and tedious administrative procedures. Inspections and penalties to enforce compliance are infrequent. Such workers, though entitled by law, are effectively in informal employment and have to manage their healthcare needs by themselves.

4.2.2 Recommendations

Recommendations to improve access to healthcare for people in the informal economy need to be developed in conjunction with increasing access for all other population groups and thereby building a sustainable national social health protection system. This has several advantages, such as higher fund sustainability, cross-subsidization of risks across different population groups, and greater efficiency. In order to move towards the government's objective of achieving universal healthcare coverage by 2030, broad options for policymakers are provided below. The feasibility of the different options should, however, be studied in depth separately.

- ▶ Study the feasibility of developing an integrated national social health protection system that will progressively cover all people and is financed from domestic resources, including the state budget and member contributions tailored to people's financial capabilities. The national system should consist of a single fund pool, appropriate benefit packages and financing mechanisms for different population groups, with a uniform essential healthcare package for all. Special benefit packages should be integrated into the national system for sexual and reproductive health and for vulnerable groups like people living with HIV.
- ▶ Increase the total public health expenditure and explore domestic financing mechanisms, such as higher enrolment and contributions under SSB, earmarking of taxes, and introduction of co-payments. Increase the effective coverage of the SSB, particularly of workers in unregistered private enterprises, by simplifying administrative procedures and enforcing compliance mechanisms such as periodic inspections and penalties.
- ▶ Explore ways to gradually cover non-poor informal economy households using an appropriate model, such as a mandatory social health insurance scheme with subsidized contributions or co-payments. The level of subsidies or co-payments for different groups of income earners should be assessed separately.
- ▶ Explore suitable financing strategies for poor informal economy households, such as government subsidies financed from earmarked taxes. Also harmonize the identification methodologies for the poor.

- ▶ Ensure continuous improvement of the supply-side infrastructure with a focus on improving equity between urban and rural areas. This includes ensuring accessible public health facilities situated at reasonable travel distances, strengthening of primary healthcare centres, ensuring availability of an adequate number of trained medical personnel, ensuring availability of drugs and medical equipment, and exploring ways to contract private health service providers.
- ▶ Increase general awareness and understanding of health insurance among the general public and endeavour to inculcate a culture of seeking professional medical care. Improve access to information on available healthcare packages.

4.3 Education-related provisions

Social protection provisions for children in Myanmar include fee subsidies and scholarships for students, day-care facilities, vocational training and nutritional programmes. The current provisions only reach out to poor children and children facing vulnerabilities, such as orphans.

Legislation: Primary education and day-care provisions are regulated by the National Education Law of 2014 and Early Childhood Care and Development Law of 2014; while vocational education for children with disabilities is regulated by the Rights of Persons with Disabilities Law of 2015. The SSB educational allowance is regulated by the Social Security Act 1954 and the Social Security Law and Rules of 2012. Other provisions are mostly ad hoc in nature and lack legal backing.

Benefits and services: Scholarships and subsidies take the form of conditional cash transfers ranging from 5,000 kyats for primary school students to 6,000 kyats for middle school students and 8,000 kyats for high school students, as well as in-kind support, such as free textbooks and notebooks. In addition, free day-care facilities with meals for young children are also available. Children who have disabilities can receive vocational training and care at specific centres. The SSB scheme provides a means-tested educational allowance equal to 10 per cent of the average wage per primary school student.

Beneficiary groups: Most of the programmes are designed for children from poor and vulnerable backgrounds, such as children with disabilities and students coming from single-headed households. The SSB scheme is available to those members whose incomes fall below a certain threshold.

Legal and effective coverage: The National Education Law of 2014 and Early Childhood Care and Development Law of 2014 cover all primary school students and pre-school children, respectively. In the 2013–14 school year, 5.2 million students (that is, all enrolled primary school students) received an annual stipend of 1,000 kyats, while conditional cash transfers were provided to 11,022 students, or 0.13 per cent of students in that age group. This transfer was being piloted and was meant to be expanded to reach 184,000 students. In 2013, day-care centres had registered 10,917 children. Informally employed workers enjoy voluntary coverage under the SSB scheme, but only 1,089,559 formal and informal workers – or 5 per cent of the total labour force – were effectively covered in 2017.

Financing: Education, scholarships and care for poor and vulnerable students are financed from the state budget. Several NGOs and external donor agencies also finance and operate projects. The SSB educational allowance is financed by equal employer and worker contributions equivalent to 2 per cent of the wage if the worker is less than 60 years old at the time of registration, and 2.5 per cent of the wage otherwise.

Implementation arrangements: The various programmes are operated by the Ministry of Education and the Ministry of Social Welfare, Relief and Resettlement. A variety of national and international agencies and NGOs run projects and small-scale programmes. The means-tested educational allowance is under the Social Security Board.

4.3.1 Gaps in policy design and barriers to access

- ▶ Many of the existing social protection programmes for children, such as scholarships and social care, are fragmented without overall policy coordination and with limited harmonization in their implementation. The main legal framework for policy interventions related to children, the Child Law of 1993, does not make a reference to social protection. Development agencies and NGOs operate several projects targeting different beneficiary groups and in different regions, with limited coordination among them. As a result, the support provided to children does not follow an overall and well-coordinated policy objective for adequate child development.
- ▶ While the children of some poor workers in informal employment may receive scholarships and support to attend school, many children do not receive any support due to the absence of an integrated social protection framework for children. The annual stipend of 1,000 kyats provided to all primary school students is a meagre amount that does not provide much support.
- ▶ The supply-side infrastructure, such as school buildings and access roads, as well as the quality of education – especially in rural areas – need to be improved to enable young workers to have good professional skills and to find jobs in formal employment.
- ▶ Children coming from particularly vulnerable situations (especially in rural areas), such as school drop-outs, child labourers, homeless children, former child soldiers, among others, face greater barriers to access the education, nutrition, healthcare and social support needed to grow into healthy and skilled adults who can work in productive and well-remunerated jobs. This exacerbates their situation and does not allow them to break out of the inter-generational cycle of poverty.

4.3.2 Recommendations

Since 28.6 per cent of Myanmar's population is comprised of children aged 0–14 years and investing in their education, health and nutrition will be directly beneficial to the economy and social situation in future, it is recommended to develop harmonized national policies for children and to increase the investment in them. Of particular importance is the need to invest in girls and children from poor and disadvantaged backgrounds in their formative years.

- ▶ Introduce a non-contributory cash benefit for all children to support their educational, nutritional and care needs. Such a benefit can serve many purposes, such as consolidating the existing fragmented scholarship programmes as well as reducing the need for children to engage in child labour. Provision of this cash benefit can be prioritized for poor and disadvantaged children, such as orphans and children with disabilities, in the immediate term and expanded to cover all children in the country in the long run when fiscal resources expand further (see an example of such a programme in box 4).

▶ **Box 4**▶ **Mongolia's Child Money Programme**

Mongolia implements a child allowance designed to tackle rural poverty and support children's needs. A monthly allowance of 20,000 tughriks (US\$8) is given to all children aged 0–17. It is financed through the Human Development Fund, which is accumulated from mineral resource taxes. Mongolia is rich in several mineral resources, such as oil, gold, silver, iron, coal, copper and others. The Government levies resource taxes and operates the Child Money Programme, which is seen as a way to redistribute wealth from the mining sector to the whole population in an equitable and efficient manner.

The Child Money Programme started in 2005 as a programme targeted at poor and vulnerable households. It was expanded to universal coverage in 2006 when the revenues from the mining sector were favourable for the expansion process.

Source: ILO 2016b.

- ▶ Introduce a cash or food programme to that will ensure adequate nutritional support to pregnant women and children aged 0–2 years and help to tackle the “1,000 days of malnutrition”.¹²
- ▶ Explore ways to implement an integrated and decentralized social service system comprised of well-trained social workers who can provide support to vulnerable children, provide information on nutrition and childcare to families, identify the most vulnerable children and students in their regions, and refer families to the appropriate social protection programmes.

4.4 Social assistance

Social assistance benefits and services in Myanmar are usually small-scale and consist of relief for victims of disasters, livelihood schemes, training, job placement services, and in-kind support for vulnerable groups such as institutional care for orphans and long-term care, homes and self-help groups for elderly people. There are no publicly-funded social welfare programmes addressing poverty and social risks such as old age, disability or maternity.

Legislation: Most of the social assistance programmes are not embedded in national legislation, though some laws are being drafted. The Employment and Skill Development Law of 2013 establishes an Employee Skill Development Fund.

Benefits and services: In the aftermath of frequent natural disasters, emergency response and livelihood rebuilding measures are put in place, including restoration of crops and livestock. Village Development Committees operate non-contributory cash and in-kind transfers to communities to enable income-

¹² The 1,000 days from the start of pregnancy until a child's second birthday have scientifically been proven to be critical for brain development, healthy growth and a strong immune system of the child. Malnutrition during these 1,000 days and its root cause – poverty – can cause irreversible damage to a child's development. It can affect their capacity to learn in school, make them more susceptible to illness and affect their labour productivity in future (1,000 Days, undated).

generation activities and vocational training. The Employee Skill Development Fund finances training and job placement services. Elderly people have access to different services, such as home-based care by volunteers, voluntary residence in homes, some cash transfers, and self-help groups in villages. Additionally, the Ministry of Social Welfare, Relief and Resettlement runs a number of vocational development centres for women, rehabilitation centres for drug addicts and training schools for social caregivers.

Beneficiary groups: Social assistance is provided to poor and vulnerable people especially in rural areas, as well as to victims of natural disasters. The Employee Skill Development Fund covers jobseekers, workers and apprentices who are members of the fund.

Legal and effective coverage: During the fiscal year 2013–14, 2,282 elderly people (or 0.05 per cent of the elderly population) lived in voluntary homes. In addition, 5,123 elderly people were members of 93 older people's self-help groups, and 5,197 participated in 110 Village Development Committees. Close to 1,420 children lived in orphanages.

Financing: The various programmes are co-financed by the state budget and by several external agencies and NGOs, such as HelpAge, World Vision, the Young Men's Christian Association (YMCA), and the Myanmar Maternal and Child Welfare Association. The disaster relief programmes are usually donor-funded, including by the World Bank and bilateral agencies.

Implementation arrangements: Various ministries implement social assistance benefits and services, mainly the Ministry of Social Welfare, Relief and Resettlement and the Ministry of Labour, Employment and Social Security, in some form of coordination with development partners and NGOs.

4.4.1 Gaps in policy design and barriers to access

- ▶ There are no systemic non-contributory programmes at the national level providing benefits to workers in informal employment who temporarily or permanently lack the capacity to work and earn an income, such as people with disabilities, elderly people, new mothers, and unemployed and underemployed workers. While some formal sector workers are enrolled in the SSB scheme, workers in informal employment do not have any such benefits.
- ▶ Social assistance measures that are financed and operated by external donors with limited government oversight or coordination are unlikely to have long-term impact. Most measures of this type are not embedded in national law, which affects their sustainability. Social care services provided by the Government are under-funded and delivered by volunteers who are not professionally trained at the job. This affects the quality and effectiveness of these services.
- ▶ There are a few small non-contributory schemes – such as the provision of training for women and informally employed workers – sometimes operating with donor support. These schemes can lack coherence within the overall social protection system and may not be embedded in law, thus reducing their effectiveness.
- ▶ It is not fully understood how coherent the existing labour laws and social protection measures are, particularly in addressing the needs and circumstances of workers in informal employment. Legal protection provided to informally employed workers with specific vulnerabilities, such as people with disabilities and pregnant women, is of a limited nature.

- ▶ Training centres are not fully effective in achieving their objectives, as they are limited in number, lack sufficient infrastructure to enable access for people with disabilities, and utilize facilities and training methods that are inadequately tailored to jobseekers' circumstances.
- ▶ Access to social assistance benefits and services is more difficult in remote areas and for marginalized social groups. Such people often live in regions that are highly prone to natural disasters, and when these disasters strike they may not receive emergency aid and shelter, and are therefore left to rebuild their homes and businesses by themselves. Such people form a large number of internally displaced migrants, a scenario that further exacerbates their already vulnerable circumstances.

4.4.2 Recommendations

- ▶ Introduce non-contributory cash benefits in the event of disability, sickness, maternity and death of a breadwinner for workers in informal employment who are not insured under the SSB. In the immediate term, prioritize the provision of benefits for vulnerable groups and people from disadvantaged regions.
- ▶ Strengthen the non-contributory social protection system by developing appropriate legislation, establishing better and more efficient coordination with development partners and NGOs, and improving supply-side measures such as professional training for care workers. Special focus should be accorded to disaster preparedness, management and relief by ensuring an emergency relief fund, extension of cash benefits and livelihood rebuilding activities in the immediate aftermath of disasters, temporary shelters, and psychological support to victims.
- ▶ Extend well-coordinated training and job placement services to workers in informal employment to enable them to build and upgrade their skills and more easily find better jobs. Special attention should be given to vulnerable groups among those in informal employment, such as people with disabilities and those living with HIV, to enable them to find jobs suitable to their needs and capacities.
- ▶ Explore and create linkages between social welfare benefits, skills development and income generation activities to provide comprehensive support to workers in informal employment. For example, for rural agricultural workers and their families, explore ways to increase productivity, improve access to better tools and equipment, and improve access to markets, while also identifying social needs and gaps that could be addressed through the provision of welfare benefits, such as re-training for those interested or participation in public works programmes during lean periods of farming.
- ▶ Review the existing labour laws and ensure coherence with related policy areas such as non-discrimination of and protection for people with disabilities; gender equality in homes, schools and workplaces; internal migration, among others.
- ▶ Improve training for caregivers who can deliver long-term care services to elderly people.

► 5. Policy recommendations

Myanmar has witnessed high economic growth in the last few years and benefits from a relatively young population. With the right investments in the health, education and social protection of the population and appropriate labour market policies, the country can take significant steps towards providing a decent standard of living in the face of socio-economic shocks. Realization of these objectives is a long and gradual process. While contributory social protection like the SSB scheme can potentially cover a far larger number of people and help to build a financially sustainable system, substantial investment in non-contributory social protection by the government is essential to reach universal coverage. All the relevant agencies involved in providing social protection in Myanmar, including the government, development partners and NGOs, have to coordinate their actions and resources in implementing nationally-led programmes aligned with national policy objectives.

A national social protection system benefits from strong, capable and decentralized governance structures. In turn, it can help to strengthen administrative and monitoring capacities in rural areas. Myanmar's progress in building democratic institutions and processes and rapid growth trajectory provide an opportunity for policymakers to introduce appropriate policies and legislation that will address the social protection needs of all Myanmar people, especially those who are currently uncovered, such as workers in informal employment and their families. Such policies and legislation can be progressively implemented over time as more domestic resources become available. While policies should consider approaches to reach the large number of informally employed workers and their families, they should also seek to address issues such as non-compliance of enterprises, complex bureaucratic procedures and corruption, which all weaken the taxation and public social protection systems and indirectly – but strongly – affect development. Efforts to extend coverage must recognize the necessity of bringing non-poor workers into the contributory social security system while simultaneously extending non-contributory support to the rest.

Social protection policies are closely tied with economic and labour policies, and it is crucial to examine them together for an effective policymaking and implementation process. A large number of working people remain poor, especially those who are informally employed and in rural areas. While livelihood programmes can provide some support, adequate remuneration needs to be ensured through appropriate mechanisms, such as strict enforcement and regular indexation of minimum wages with actual living standards in both the formal and informal economies. The wages are then supported by social protection measures when people lack working capacity. It is important for policymakers to concentrate efforts in putting into place robust policies so that people can enjoy good standards of living.

Below is a summary of specific policy recommendations outlined in this report:

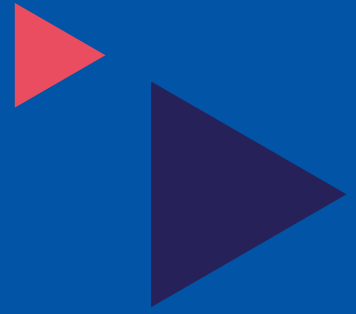
- Provide tax-financed social assistance benefits to people who are not insured under the SSB, such as disability, survivor and old-age pensions, and maternity cash benefits.
- Improve coordination with development partners and NGOs and enforce legislation for the implementation of disaster relief programmes.
- Consolidate and coordinate the various public works programmes under a national employment guarantee for unemployed and underemployed workers.

- ▶ Considerably simplify the existing registration procedures and provide the opportunity for enterprises and self-employed workers to acquire business licenses and register for tax payments and social security schemes at the same time.
- ▶ Improve public awareness of social protection, access to information on available schemes and people's trust in the public administrative system.
- ▶ Increase enrolment of non-poor informal economy households in the SSB scheme, and consider introducing mandatory insurance for such households.
- ▶ Extend training and job placement services to workers in informal employment, with special attention paid to vulnerable groups.
- ▶ Study the feasibility of developing an integrated national social health protection system that will progressively cover all people and that is financed from domestic resources.
- ▶ Ensure continuous improvement of the supply-side health infrastructure with a focus on improving equity between urban and rural areas.
- ▶ Introduce a non-contributory cash benefit for poor and disadvantaged children in the immediate term, and expanded to cover all children in the long run.
- ▶ Explore ways to implement an integrated and decentralized social service system comprised of well-trained social workers.

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