

COUNTRY BASELINE UNDER THE ILO DECLARATION ANNUAL REVIEW

Myanmar - 2021

*THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY
LABOUR Protocol of 2014 P029 to the Forced Labour Convention*

REPORTING

Fulfilment of Government's reporting obligations

p29 Fulfilment of Government's reporting obligations

Yes

Involvement of Employers' and Workers' organizations in the reporting process

91. When preparing its report, did the Government consult? [10.1]

c) The competent authorities

92. To which employers organizations was the report sent? [12] Please provide the list

The Republic of the Union of Myanmar
Federation of Chambers of Commerce and Industry (UMFCCI)

93. To which workers organizations was the report sent? [13] Please provide the list

Confederation on Trade Unions of Myanmar(CTUM) Agriculture and Famer Federation of Myanmar(Food-Allied Workers) (AFFM-IUF) Myanmar Industries Craft and Services Trade Unions Federation(MICS-TUsF)

OBSERVATIONS BY THE SOCIAL PARTNERS

Employers' organizations

83. Have employers and or workers organizations been consulted in the

Yes

development and implementation of adopted measures? [6.1]	
95. Did employers organizations comment on the report? [11a]	No
Workers' organizations	
83. Have employers and or workers organizations been consulted in the development and implementation of adopted measures? [6.1]	Yes
96. Did workers organizations comment on the report? [11b]	No
EFFORTS AND PROGRESS MADE IN REALIZING MEASURES TARGETED BY THE PROTOCOL	
Ratification	
Ratification intention	
61. If you have ratified Convention No. 29 but not the 2014 Protocol to Convention No. 29, what are the prospects for ratification of the Protocol?	Unlikely
62. What, if any, are the impediments to the ratification of the 2014 Protocol to Convention No. 29?	We need to take time to study the protocol.
Existence of a policy and or plan of action for the suppression of forced or compulsory labour	
63. Is there a national policy and plan of action aimed at realizing the principle of effective and sustained suppression of all forms of forced or compulsory labour	Yes

<p>through prevention, victim protection and access to remedies? [1.1]</p>	
<p>65. Please also indicate the manner in which employers' and workers' organizations have been consulted. [1.3]</p>	<p>Representatives of Workers and Employers together with the Government participated as members to the National Committee on Elimination of Forced Labour for implementing National Complaint Mechanism led by the Union Minister for Labour.</p>
<p>67. Does the Government wish to receive ILO assistance in developing a national policy and/or plan of action in this regard? [1.4b]</p>	<p>Yes</p>
<p>68. Is there a national policy and plan of action setting out measures and specific action for combatting trafficking in persons for the purposes of forced or compulsory labour? [1.5]</p>	<p>Yes</p>
<p>69. Please describe these measures. [1.5]</p>	<p>Third Five Year National Plan of Action to Combat Trafficking in Persons(2017-2021) Action Plan for the Elimination of Forced Labour (2019-2021) Myanmar National Action Plan on Elimination of Child Labour(2019-2023)</p>
<p>70. Does the Government collect and analyse statistical data and other information on the nature and extent of forced or compulsory labour? [1.6]</p>	<p>Yes</p>
<p>71. Please describe these data. [1.6.1]</p>	<p>There are 76 complaints to the National Complaint Mechanism which has been functioning since 3rd February 2020 and those complaints can be classified as Underage recruitment, Forced Labour recruitment, Forced Labour(Military), Complaints regarding Labour Affairs, Complaints regarding Land, Forced Labour (Civil), Trafficking in Person.</p>

Measures taken or envisaged for systematic and coordinated action

64. Please describe the measures envisaged, the established objectives and the authorities responsible for the implementation, coordination and assessment of these measures. Please provide any relevant URL(s) [1.2]

National Committee on Elimination of Forced Labour for implementing National Complaint Mechanism led by the Union Minister for Labour is responsible for the implementation, coordination and assessment to eliminate all form of forced or compulsory labour.

Measures taken or envisaged to prevent forms of forced labour

74. Have measures been taken or are measures envisaged for the prevention of all forms of forced or compulsory labour? [2.1]

Yes

75. If so, please indicate the type of measures, [2.2]

a) Information, education and awareness raising targeting especially people in vulnerable situation and employers,b) Strengthening and broadening of the coverage of legislation, particularly labour law,c) Regulation and supervision of the labour recruitment and placement process,f) Promotion of safe and regular migration,g) Education/vocational training,i) Promotion of freedom of association and collective bargaining to enable at-risk workers to join workers' organizations,j) Basic social security guarantees

Measures taken or envisaged to protect victims of forced labour

76. Have measures been taken or are measures envisaged for the identification, release, protection, recovery and rehabilitation of victims of all forms of forced or compulsory labour? [3.1]

Yes

77. If so, please indicate the type of measures [3.2]

b) Legal protection of victims,e) Measures for the rehabilitation and social and

	<p>professional reintegration of victims,f) Protection of privacy and identity,i) Specific measures for migrants</p>
<p>Measures taken or envisaged to facilitate access to remedies</p>	
<p>78. Have measures been taken or are measures envisaged to provide victims of all forms of forced or compulsory labour with access to remedies? [4.1]</p>	<p>Yes</p>
<p>79. If so, please indicate the type of measures, [4.2]</p>	<p>d) Development of forced labour indicators,f) Capacity building and enhanced resources for the competent authorities, such as labour inspection, law enforcement, prosecution services and judges,g) Provision for authorities not to prosecute victims for acts which they have been compelled to commit,h) Provision of penalties such as the confiscation of assets and criminal liability of legal persons</p>
<p>Cooperation with other Member States, international / regional organizations or NGOs</p>	
<p>81. Does the Government cooperate with other member States, international and regional organizations, or non-governmental organizations to achieve the effective and sustained suppression of forced or compulsory labour? [5.1]</p>	<p>Yes</p>
<p>82. Please briefly describe the modalities of this cooperation. [5.2]</p>	<p>Cooperation by receiving technical assistance.</p>
<p>Special initiatives or Progress</p>	
<p>85. Please describe any significant changes which have taken place since your last report (for example, changes in the legislative and institutional framework, launching of major</p>	<p>64 military officers, 319 other ranks involved in cases of underage recruitment and forced labour were punished under Military Discipline till June 2021.</p>

programmes, new data, changes in the number of persons in forced labour who have been identified, released and protected, penalties imposed on perpetrators). [7]

CHALLENGES IN REALIZING MEASURES TARGETED BY THE PROTOCOL

86. What are the main obstacles encountered by your country with regard to realizing the principle of effective and sustained suppression of all forms of forced labour through prevention, victim protection and access to remedies? [8]

c) Social values, cultural traditions,d) Social and economic circumstances,g) Lack of resources in the institutional framework,k) Lack of resources in employers organizations,l) Lack of resources in workers organizations

TECHNICAL COOPERATION NEEDS

Request

87. Does your Government think that it should establish technical cooperation activities with the ILO or pursue those that already exist for the prevention and effective suppression of forced or compulsory labour, victim protection and access to remedies? [9.1]

Yes

88. If so, please indicate the needs in this area by level of importance (not important, less important, important, most important) [9.2]

b) Awareness-raising and mobilization activities => Important

c) Collection and analysis of data and information => Important

d) Guidance on the development of the national policy and plan of action => Important

e) Strengthening the legal framework => Important

f) Capacity building for the competent authorities => Important

g) Inter-institutional coordination => Important

h) Promotion of fair recruitment and placement practices => Important

i) Promotion of fair migration policies => Important

j) Vocational training, job-creation and income-generation programmes for at-risk populations => Important

k) Basic social security guarantees => Important

l) Guidance on supporting due diligence => Important

m) Capacity building for employers' and workers' organizations => Important

n) Promotion of freedom of association and collective bargaining to enable at-risk workers to join workers' organizations => Important

o) Exchange of experiences between countries or regions; international cooperation => Important

p) Other => Important