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## **303rd Session of the Governing Body of the International Labour Office (November 2008)**

EIGHTH ITEM ON THE AGENDA

### **GB.303/8**

#### **Conclusions concerning Myanmar**

The Governing Body discussed the reports submitted by the Office and considered the statement made by Ambassador Wunna Maung Lwin of the Government of the Union of Myanmar. Taking all of the discussion into account, the Governing Body concludes as follows:

1. The Governing Body stresses once again the urgency of giving full effect to the recommendations of the Commission of Inquiry and to the subsequent decisions of the International Labour Conference. These continue to be the focus for the ILO's work for the eradication of forced labour in Myanmar.
2. Whilst recognizing a certain degree of cooperation to make the complaints mechanism under the Supplementary Understanding function, the Governing Body continues to be concerned at the slow pace of progress and remains convinced that much more needs to be done as a matter of urgency.
3. The Governing Body underlines the urgent need to raise the awareness of both the military and civil authorities as well as the general public concerning Myanmar's legislation on the prohibition of forced labour and the rights contained in the Supplementary Understanding. Translations of the relevant texts must be distributed throughout the country without any further delay and a clearly worded explanatory brochure must be produced. Those guilty of exacting forced labour, including under-age recruitment into the military, must be prosecuted and meaningfully punished, and victims must be entitled to reparation.
4. The Liaison Officer must be able to carry out his functions effectively throughout the country. People must have access to the ILO unhindered and without fear of reprisals.
5. The Governing Body expresses its condemnation of the severe prison sentences given to Su Su Nway and U Thet Way, which will further discourage the people of Myanmar from exercising their right to complain about the use of forced labour. It calls for an urgent review of their sentences and for their immediate release. The harassment and detention of persons exercising their rights under the Supplementary Understanding must cease. The Governing Body also calls for the release of all those who have been imprisoned for their pursuit of their fundamental rights including the right to freedom of association as underlined by the conclusions of the Committee on Freedom of Association.
6. The Governing Body again expressed its concern that an authoritative statement has not been made at the highest level that forced labour, including under-age recruitment, is prohibited and those using it will be prosecuted and meaningfully punished. It urges the Government to issue such a statement without further delay.

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7. The Governing Body notes with appreciation the progress made on the post-cyclone relief work that has been started in line with its discussion at its 302nd Session in June 2008, and encourages the Office to continue its efforts within the framework of its mandate. This should include working to ensure that the Government's policy framework respects core labour standards and does not result in forced labour.
  8. The Governing Body further notes that a framework in which the aims of the Supplementary Understanding can be guaranteed efficiently in the future has to be negotiated before the next Governing Body session and requests the Office and the Government to take all the necessary steps towards that end, including a work programme. The Office should continue to engage the tripartite constituents on an ongoing basis in this process, in consultation with the Officers of the Governing Body.