



Developments concerning the question of the observance by the Government of Myanmar of the Forced Labour Convention, 1930 (No. 29)

Addendum

1. Since document GB.280/6 was finalized, the Office has received a number of additional communications from member States, national employers' and workers' organizations, an international organization, and a non-governmental organization. To enable the Governing Body to get as complete a picture as possible, these communications are summarized below.
2. The Government of *Canada* indicated that copies of the Conference resolution had been sent to Canadian provincial and territorial governments and to national workers' and employers' organizations. The Government had also sent a letter to major Canadian business associations informing them of the Conference resolution and Canadian policies with respect to Myanmar. In 1988 Canada suspended diplomatic and commercial relations with Myanmar, along with support for Canadian firms doing business in the country, including export programmes and commercial promotion. Support for multilateral assistance through international financial institutions was also withdrawn, and bilateral aid was suspended. In August 1997, the Canadian Government had announced selective economic measures against Myanmar, which remain in force. These include withdrawal of trade preferences and the introduction of export controls that effectively limit exports to those of a humanitarian nature. The Government also issued a statement urging the Canadian business community to refrain from entering into further investment agreements or commercial ventures in Myanmar until improvements were evident.
3. The Government of *Japan* communicated the following points via its Permanent Mission. The relationship between Japan and Myanmar did not contain any element that contributed directly or indirectly to forced labour in Myanmar, nor did any development assistance do so. Japan hoped that an early solution would be attained on the question of forced labour in Myanmar, and that a constructive dialogue towards that objective between the Government of Myanmar and the ILO would start soon.
4. The Government of *New Zealand* indicated that it had recently reviewed the country's bilateral relationship with Myanmar and no element of that relationship had been identified that would perpetuate or extend the system of forced labour in Myanmar. The Government intended to keep the relationship under review. It had forwarded copies of the Conference

resolution to the New Zealand Council of Trade Unions and the New Zealand Employers' Federation.

5. The Government of *Portugal* indicated that its trade with Myanmar took place within the framework of the WTO and the EU. It was difficult within the framework of the WTO to take measures against another member State for violations of fundamental worker rights. The EU had suspended Myanmar from its system of trade preferences because of the forced labour situation. The EU continued to observe the situation in Myanmar with concern, and would discuss the question of forced labour in Myanmar and the Conference resolution at a meeting of the EU Council in March.
6. The Government of *Belgium* indicated that although its bilateral relations with Myanmar were extremely limited, it had invited ministers of departments having relations with the country to examine measures that could be taken in support of the ILO action and to prevent these relations being used to maintain the system of forced labour. The possibilities for economic sanctions were limited because bilateral trade was minor, and also because trade policy was mainly handled at the EU level. In July last year, the Government of Belgium had communicated to the president of an oil company its strong reservations regarding the policy followed by that company, which pursued its goals without taking account of the situation in Myanmar. For ethical reasons, the Government had ended a contract for the supply of fuel with the same company. It had also introduced an ethical clause preventing suppliers to the Belgian State from carrying out activities in countries that were guilty of certain human rights violations, although the introduction of this clause had yet to be approved by the European Commission. The Government gave its assurances that during its next term as president of the EU, later this year, the EU's position would be carefully examined in the light of the situation on the ground in Myanmar.
7. The Government of *Kuwait* stated that it had no direct or indirect cooperation with the Government of Myanmar, and indicated that it had communicated the Conference resolution to its employers' and workers' organizations. The Government of the *Seychelles* indicated that it was studying the situation and would revert in due course.
8. The Dutch trade union federation *Federatie Nederlandse Vakbeweging* (FNV) indicated that it had no relations with the regime in Myanmar. It had requested the Dutch Government to provide it with information on Dutch companies with trading interests in Myanmar, on the total value of trade between the two countries, as well as details of imports which may have been made with the use of forced labour. Further action would be taken on the basis of an analysis of this information, as soon as it is received. The federation had also requested the Dutch Government to develop concrete proposals for a review of its own and/or EU relations with Myanmar on the occasion of the next EU discussion round on these relations. It had asked the Dutch Government to inform it of such proposals, with whom it would discuss them if appropriate.
9. The *Fiji Trades Union Congress* indicated that it supported the ICFTU position, but did not have any further information to provide at this stage.
10. The *All Pakistan Federation of Trade Unions* indicated that it had urged the Government of Pakistan to implement the spirit of the Conference resolution, and had circulated the resolution widely to the news media in order to inform public opinion about the situation in Myanmar.
11. The *Swedish Employers' Confederation* indicated that the content and implications of the Conference resolution had been discussed at a meeting of the South-East Asia advisory board of the International Council of Swedish Industry. The Confederation's full

membership of 45,000 companies had been informed via its newsletter of its support for the Conference resolution, and companies that had any commercial relations with Myanmar were asked to review these relations. The International Council of Swedish Industry had communicated the content of the Conference resolution to relevant associations of companies.

12. The *United Nations Industrial Development Organization* indicated that in reference to its activities in Myanmar it was not aware of any non-compliance with the Conference resolution.
13. The non-governmental organization *Images Asia*, which had provided a representative to testify before the Commission of Inquiry at its formal hearing of witnesses and which had cooperated closely with the Commission's visit to the region in 1998, transmitted a report dated 3 March 2001 on forced labour in the Rakhine state of Myanmar. The report referred to the situation in northern Rakhine state in December 2000. The report indicated that orders to stop the use of forced labour had been transmitted by the Government of Myanmar to the civilian authorities in the state, and village leaders had been requested to organize mass public meetings to announce the change in policy. Such information had also been placed on official notice boards, and it had been declared that neither civilian nor military authorities were entitled to demand compulsory labour, and that in case of non-compliance complaints should be filed with the Court, which would take appropriate action. The report claimed, however, that the Myanmar military, especially local battalions, were showing no willingness to implement these instructions. The military was continuing to requisition labour under threat of "dire consequences". As a result, while there had been a temporary reduction in labour demands in some areas, this was only slight, and there were allegations that it had been accompanied by an increase in extortion and arbitrary taxation.

Geneva, 22 March 2001.