

Committee on the Application of Standards

Date: 24 April 2026

► Written information provided by Myanmar on the implementation of the recommendations of the Commission of Inquiry

Myanmar has been implementing the labour-related recommendations of the ILO Commission of Inquiry on Myanmar regarding the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Forced Labour Convention, 1930 (No. 29), in accordance with existing domestic laws, rules, notifications and directives, by setting up policies, and conducting in line with the procedures, and will keep on implementing measures that will benefit workers. Myanmar has been regularly providing updated information on the implementation of the Commission of Inquiry's recommendations to the Director-General of the ILO prior to meetings of the ILO Governing Body.

Regarding the following recommendations of the ILO Commission of Inquiry related to Convention No. 87:

Immediately cease all forms of violence, including gender-based violence, torture and other inhumane treatment against trade union leaders and members and other persons in relation to the exercise of legitimate workers' or employers' activities, including ethnic, religious and other minorities; this includes, in particular, violence perpetrated in the context of the suppression of peaceful public protests and demonstrations, at the time of arrests, during detention, as well as military attacks against civilian infrastructure, which all together create a climate of violence and terror that undermines the effective exercise of freedom of association;

Unconditionally and without delay release all trade unionists arrested, sentenced and detained in relation to the exercise of their civil liberties and legitimate trade union activities, including those that have been arrested, sentenced and detained for having expressed opinions critical of the military authorities, or for having participated in, or organized, peaceful protests or otherwise peacefully demonstrated opposition to the military authorities following the coup d'état;

and

Withdraw all criminal charges pending against trade unionists and others peacefully exercising their civil liberties in relation to legitimate trade union activities, and immediately stop all forms of intimidation, threats, stigmatization, harassment and surveillance of trade unionists and their families, as well as attacks against and destruction of trade union premises and property,

Myanmar clarifies that, in taking legal action against those who violate existing domestic laws, there have been no cases in which labour union leaders or members of labour organizations were punished for their labour-related activities; rather, legal action was taken only for violations of domestic laws. The accused persons also have the right to defend themselves and the right to appeal in accordance with the law. The Government of Myanmar has, from time to time, carried out measures such as sentence reductions, withdrawal of ongoing cases, and the granting of pardons. This includes pardons granted to Thet Hnin Aung, General Secretary of the Myanmar Industry Crafts and Services Trade Union Federation (MICS-TUsF), Myo Myo Aye, Director of the Solidarity Trade Union of Myanmar (STUM), and Naing Lin Aung, who had been consistently mentioned in reports of the ILO; this information has already been communicated to the ILO.

Thet Hnin Aung (MICS-TUsF), Thet Htar Swe and Myo Myo Aye (STUM) were released on 20 October 2025. Naing Lin Aung was also released on 26 November 2025, and 9 members of STUM, including Thin Htet San, were released on 19 February 2026. Therefore, all individuals mentioned in the ILO reports, for whom verifiable information was available, have been released.

Thet Hnin Aung was sentenced to seven years imprisonment on 15 November 2023 under section 52(a) of the Counter-Terrorism Law. However, he was subsequently granted a pardon, and was released on 20 October 2025. It is understood that he is now abroad following his release, according to the ILO Director-General's report to the 356th Session of the Governing Body. This clearly demonstrates that Thet Hnin Aung has left the country of his own free will, and that there is no intimidation or surveillance against labour union leaders and members.

The case against STUM leader, Myo Myo Aye (also known as Myo Aye), under sections 40 and 41 of the Registration of Association Law, was being tried by the Shwepyithar Township Court. The case was withdrawn on 19 October 2025 under section 494 of the Code of Criminal Procedure, according to Letter No. 102(2)/8/Council of the Office of the National Defence and Security Council.

Regarding the case filed against Myo Myo Aye (Myo Aye) at the Hlawga Police Station under section 66(d) of the Telecommunications Law, the Ministry of Home Affairs communicated with the Shwepyithar Township Law Office on 19 February 2026 to seek legal advice on closing the case, as a letter was received from the plaintiff consenting to settle the matter and withdraw the case.

The Government of Myanmar has carefully and thoroughly reviewed the cases of individuals identified and submitted by the Commission of Inquiry, the Committee on Freedom of Association, and the Governing Body. Consequently, these cases were re-examined, and actions were taken to grant pardons or to withdraw charges. Accordingly, all cases of individuals for whom the ILO provided verifiable information, have already been reviewed, and appropriate measures – such as granting amnesty or withdrawing the charges – have been taken.

In addition, Myanmar wishes to provide an update on the pardons granted in 2026. In accordance with Order No. 8/2026 dated 2 March 2026 issued by the National Defence and Security Council, a total of 7,337 male and female prisoners serving their sentences under sections 50(j) and 52(a) of the Counter-Terrorism Law were granted pardons under section 401(1) of the Code of Criminal Procedure.

Under Order No. 9/2026 of the National Defence and Security Council dated 2 March 2026, a total of 9,532 cases under trial involving 12,487 accused persons – who had been charged

under sections 50(j) and 52(a) of the Counter-Terrorism Law, as well as under section 512 of the Code of Criminal Procedure for evading arrest – have been closed, and the charges against them have been withdrawn.

According to Letter No. 102(6)/8/Council (2026) of the National Defence and Security Council dated 2 March 2026, a total of 1,423 cases currently under police investigation involving 1,800 persons charged under sections 50(j) and 52(a) of the Counter-Terrorism Law were closed in accordance with legal procedures.

The President of the Government of Myanmar emphasized in his inaugural speech delivered on 10 April 2026 that the Government will consider and implement appropriate amnesties and pardons to contribute to the nation's peace and development. Accordingly, on 17 April 2026, in commemoration of the Myanmar New Year, on humanitarian and compassionate grounds, the President's Office issued Order No. 42/2026 granting a pardon to U Win Myint, who had been serving a sentence at Taungoo Prison. Furthermore, 4,335 prisoners were granted pardons across various prisons. Death sentences were also commuted to life imprisonment; life imprisonment and indefinite imprisonment were reduced to 40 years; sentences exceeding 40 years were reduced to 40 years; and shorter terms were reduced by one sixth of the remaining sentence. In addition, 179 foreign nationals were pardoned and will be deported to their home countries. These measures were issued under section 204(a) of the State Constitution and section 401(1) of the Code of Criminal Procedure. Therefore, a total of 11,635 prisoners were granted pardons in 2026.

Regarding the Commission of Inquiry's recommendation to:

revoke any military orders or other measures, including those of a legislative nature, decreed since February 2021 and identified as restricting freedom of association and the basic civil liberties of trade unionists; and fully restore the protection of the basic civil liberties necessary for the exercise of freedom of association that have been suspended or restricted, including freedom from arbitrary arrest and detention, the right to a fair trial by an independent and impartial tribunal, freedom of assembly, opinion and expression and the protection of private property,

Myanmar reaffirms that it has not undertaken any measures that hinder or restrict the freedom of association of workers. Furthermore, no existing laws have been amended, nor have any new laws been enacted to curtail such rights. By the nature of legislation, amendments may be made as and when necessary to better align with the prevailing requirements of the time.

Regarding the recommendation to:

cease all disproportionate or arbitrary punitive measures against those peacefully exercising their civil liberties in calling for the return to democratic rule in which their freedom of association rights could be fully exercised,

the Ministry of Labour allows employers and workers to form and operate organizations freely in accordance with the Labour Organization Law (2011). As of 31 March 2026, recognition certificates have been issued to a total of 3,133 organizations, including 2,909 basic labour organizations, 161 township-level labour organizations, 26 regional/state-level labour organizations, 9 labour federations, 1 labour confederation, 27 basic employers' organizations, 1 township-level employers' organization, and 1 employers' federation.

Regarding the recommendation to:

revoke the withdrawal of citizenship and return travel documents to the trade union leaders and members concerned without delay,

29 members of the Executive Committee of the Confederation of Trade Unions Myanmar (CTUM), including Pyi Thit Nyunt Wai (also known as Maung Maung) were prosecuted under section 124-A of the Penal Code. Among the 29 CTUM executive members, only the citizenship of Pyi Thit Nyunt Wai (Maung Maung) was revoked on 7 March 2022.

Daw Myint Hnin Thet, a member of the CTUM, stated that she wished to live peacefully in accordance with the law, and the case filed against her was withdrawn under section 494(a) of the Code of Criminal Procedure on 10 June 2025. After the case was withdrawn, she was re-elected as Joint Secretary of the current CTUM Executive Committee and continues to carry out labour-related activities. While proceedings were under way to close the case filed against the Vice Chairman of the CTUM, U Than Swe, he passed away on 3 June 2025. Consequently, the case was closed on 3 June 2025.

Myanmar has taken the matters raised by the ILO seriously and has carefully considered them in a manner that does not harm national security, public stability, and the rule of law. Similarly, individuals who wish to participate constructively in nation-building and who have engaged with the Government have been allowed to take part. Those who have entered within the legal framework and those who have been granted amnesty are now able to enjoy their fundamental rights.

Regarding the recommendations to:

stop any form of interference in the establishment, administration and functioning of trade unions at all levels, including interference in the election of trade union leadership, labour dispute resolution, conduct of collective action and administrative dissolution or suspension of trade unions

and

refrain from taking any action and measures or issuing statements that condone, facilitate or encourage union-busting, interference and other abuses of trade union rights by private and public employers,

the Ministry of Labour only cancels labour organizations when they apply for dissolution, and such applications are reviewed and approved in accordance with the Labour Organization Law (2011) and its Rules. No labour organization has been dissolved without such an application. From 2024 to March 2026, 8 labour organizations applied for dissolution, while 95 new organizations were issued certificates of recognition. Employers and workers have the right to form and dissolve organizations freely as they wish. Labour disputes and collective labour demands are being resolved through regional/state coordination bodies and township coordination committees. During 2025, a total of 166 labour disputes were settled, and from January to March 2026, 26 labour disputes were resolved. Similarly, 78 cases of collective labour demands were resolved in 2025, and from January to March 2026, 25 cases were also resolved. As a result, workers have been able to return to their workplaces peacefully. In the Yangon Region and Mandalay Region, where many factories and workshops are located, awareness-raising sessions have been conducted to enable workers to better understand the provisions of Conventions Nos 29 and 87 and to resolve labour disputes through workplace coordination committees (WCC). A total of 47 such awareness-raising sessions have been conducted for 3,766 workers from various factories and workplaces.

Workers may freely report and lodge complaints with the relevant departments so that violations of their rights under labour laws can be addressed in accordance with the applicable labour laws. In addition, if collective demands of workers occur in factories and workplaces, regional, state or township coordination teams – comprising responsible officials from labour departments under the Ministry of Labour – conduct on-site coordination and resolution.

Accordingly, 18 cases of labour-related collective demands were successfully resolved during January and February 2026.

Regarding the resolution of labour disputes, from January 2025 to February 2026, township-level conciliation bodies successfully resolved 183 labour disputes. Arbitration bodies decided 16 disputes, and the Arbitration Council decided 9 cases.

Regarding the recommendation of the ILO Commission of Inquiry related to Convention No. 29 to:

act to end the exaction of all forms of forced or compulsory labour, as defined by the Convention, by the army and its associated armed forces and groups, including any forced labour exacted from ethnic, religious or other minorities; and to end any forced recruitment into the military, including the forced recruitment of children,

to prevent forced labour, the Factories and General Labour Laws Inspection Department (FGLLID) verifies overtime requests based on operational requirements and worker consent. The Department ensures overtime wages for hours worked in excess of the specified daily or weekly hours are paid in accordance with laws, rules, and directives. The Department also takes legal action against unlawful overtime practices when it is found either through field inspections or as a result of complaints.

In February 2026, 624,241 workers from 1,174 factories and workplaces received overtime wages totalling 54,770.82 million kyats for the overtime work they had performed.

The Ministry of Labour has been addressing pending cases transferred by the ILO Yangon Office to the National Complaints Mechanism (NCM). Out of 387 pending cases, a total of 60 cases, including 2 cases reported as closed by the ILO Yangon Office, have been resolved and closed. Among the remaining cases, 233 cases lacked sufficient supporting information and evidence. Therefore, the Ministry of Labour requested the ILO Liaison Officer (via letters dated 18 March 2025, 18 November 2025 and 26 February 2026) to provide the necessary documentation. However, no response has been received to date.

When a member of the Myanmar Armed Forces is found to have committed a crime or has been accused of an offence, including the recruitment of underage children or other instances of forced labour, action is taken in accordance with military and civilian legal procedures. From 1 January 2025 to 28 February 2026, there were reportedly no cases of wrongful recruitment within the military and, therefore, no disciplinary actions were taken. Additionally, there is no forced recruitment or conscription from ethnic, religious, or minority groups. Myanmar maintains regular contact with the ILO Liaison Office and expresses its readiness to investigate cases related to forced labour if specific and accurate information is provided. However, it cannot verify vague accusations, particularly those made by opposing groups, without any concrete facts.

Regarding the recommendation to:

cease any action interfering with the freedom of businesses to open and close their establishments, contrary to the Convention,

a factory or workshop owner is required to notify the Director General of the FGLLID at least 15 days in advance before commencing operations, and at least one month in advance before closing the workplace in accordance with the Factories Act (1951). It is stated that actions are being carried out in compliance with this law. While there is no interference with the freedom of businesses to open and close their establishments, Myanmar does not have additional information to provide. If the ILO received such allegations with verifiable facts, Myanmar stands ready to look into them.

Regarding the recommendation to:

cease with immediate effect the exaction of prison labour as a consequence of a criminal conviction imposed since 1 February 2021 through proceedings manifestly lacking independence, impartiality and due process guarantees,

section 53 of the Penal Code provides that punishments imposed on offenders may include rigorous imprisonment and simple imprisonment. The Prison Department under the Ministry of Home Affairs does not force those prisoners who have been sentenced to simple imprisonment by various relevant courts.

Prisoners who have been sentenced to rigorous imprisonment by various relevant courts will be examined by a medical officer and determined to work based on their health and fitness.

Prisoners are assigned work that does not exceed eight hours per day in accordance with the laws and procedures. Prisoners are allowed to rest fully during their break times, and work assignments are managed fairly. On Sundays and public holidays, arrangements are made for access to libraries, as well as opportunities to watch television and videos for recreation. Arrangements are also made for sports and physical activities. Prisoners are provided with full rations in accordance with prescribed standards, and relevant officials have been issued instructions to ensure compliance with these measures.

The Myanmar National Human Rights Commission (MNHRC) and the International Committee of the Red Cross (ICRC) have conducted prison visits. The Prisons Department has been reviewing and implementing the recommendations in accordance with established procedures. There are no forced labour complaints arising from the prison visits. In 2025, the ICRC visited a total of 13 prisons and 2 detention centres, including Patheingyi Prison, Tharaywady Central Prison, Kengtung Prison, Taunggyi Detention Center, Sittwe Prison, Yamethin Prison, Hpa-an Prison, Myitkyina Prison, Kyaikmaraw Central Prison, Magway Central Prison, Daik Oo Central Prison, Nay Pyi Taw Detention Center, Nyaungshwe Prison, Mandalay Central Prison and Insein Central Prison. The MNHRC visited a total of 9 prisons, 1 detention centre, and 11 camps in 2025, including Taunggyi Tan Camp, Aung Chan Tha Camp, Htonebo (1)/Htonebo (2)/Htonebo (Women) Camp, 24 Mile Camp, Taung Lay Lone Camp, Belin (1)/Belin (2) Camp, Kintha (1)/Kintha (2) Camp, Taunggyi Detention Center, Mandalay Central Prison, Kyaikmaraw Central Prison, Hpyapone Prison, Nyaungshwe Prison, Dawei Prison, Patheingyi Prison, Yamethin Prison, Kengtung Prison and Taungoo Prison. The Prison Department has been implementing follow-up actions based on the recommendations.

Myanmar further provides the following additional information on its cooperation with the ILO, the invitation for an ILO high-level visit, and its views on the proposed monitoring mechanism.

Regarding cooperation with the ILO, although Myanmar does not currently have an active agreement with the Organization, it has granted entry visas to ILO international staff, including the ILO Liaison Officer, and has permitted the continued operation of the ILO Liaison Office. The Ministry of Labour has been coordinating with relevant ministries to facilitate requests of the ILO Office regarding the import, sale, purchase and exchange of the ILO Office's vehicles and equipment, including tax exemptions. For example, in October 2025, when eight types of office equipment were imported, coordination was carried out with the relevant ministries to facilitate tax exemptions and ensure a smooth process.

In relation to the earthquake that struck Myanmar on 28 March 2025, the Ministry of Labour has coordinated with relevant ministries, committees and regional governments to facilitate the withdrawal and use of supplementary funds transferred by ILO headquarters.

These include US\$495,000 deposited into the ILO Yangon Office's account at CB Bank, as well as an additional US\$150,000. Although Myanmar is currently facing significant challenges and difficulties in international financial transfers and its participation in ILO meetings has been denied, it continues to make its annual financial contributions to the ILO. Regarding visa approvals, 13 ILO international staff members were granted entry visas in 2025. Additionally, permission was granted for 2 ILO international staff members visiting under the Ship to Shore Rights project to travel within the Bago Region to meet with migrant workers on 18 March 2026.

Concerning the proposed high-level ILO delegation visit, the Ministry of Labour requested relevant information from the ILO Liaison Office in Yangon on 22 December 2025. A coordination meeting between the ILO Liaison Officer and a delegation led by the Deputy Director General from the Ministry was held on 6 January 2026 to discuss the proposed visit. Discussion on the modalities of the visit is under way.

In connection with the scope of the monitoring mechanism proposed by the ILO, such as documenting "fundamental rights' violations", and paying attention to the areas of "related civil liberties," is far beyond the purview of Conventions Nos 29 and 87. This clearly demonstrates the politicized nature of the proposed monitoring mechanism under the pretext of the two ILO Conventions. While Myanmar has already been placed under different monitoring mechanisms established by the UN Human Rights Council and, in the context of the liquidity crisis and the UN80 Initiative, it is not rational to establish another unwarranted duplicate UN mechanism against Myanmar. Myanmar consistently opposes country-specific mandates established by the UN Human Rights Council and does not cooperate with such mechanisms.

The ILO's intention to provide so-called "direct support to Myanmar employers, workers, and their organizations" is contrary to the tripartite nature of the ILO. In addition, the Memorandum of Understanding on the Decent Work Country Programme, which provides the basis for the host country's consent to the ILO's activities, has expired. The unilateral nature of the proposed monitoring mechanism, action plan, and ongoing one-sided activities may force Myanmar to review its engagement with the ILO.