



Governing Body

328th Session, Geneva, 27 October–10 November 2016

GB.328/INS/9

Institutional Section

INS

Date: 18 October 2016

Original: English

NINTH ITEM ON THE AGENDA

Follow-up to the resolution concerning remaining measures on the subject of Myanmar adopted by the Conference at its 102nd Session (2013)

Purpose of the document

This document provides an update on the development of a framework for future ILO engagement in Myanmar, as required by the decision of the Governing Body at its 326th Session (March 2016). See the draft decision in paragraph 41.

Relevant strategic objective: Promote and realize standards and fundamental principles and rights at work.

Policy implications: None.

Legal implications: None.

Financial implications: None.

Follow-up action required: Ongoing application of the ILO programme of work.

Author unit: Liaison Officer in Myanmar.

Related documents: Resolution concerning remaining measures on the subject of Myanmar adopted under article 33 of the ILO Constitution, adopted by the Conference at its 102nd Session (2013).

1. At its 326th Session (March 2016), having considered the report submitted by the Director-General,¹ the Governing Body noted the situation as concerns the transition of power in Myanmar following the general elections of November 2015 and requested the Director-General to:
 - (a) present a framework for future ILO engagement with Myanmar, including the elimination of forced labour and the promotion of freedom of association, to the 328th Session (November 2016) of the Governing Body; and
 - (b) take the necessary action to ensure the continued operation of the Supplementary Understanding and the Memorandum of Understanding and its associated Action Plan in the interim period.
2. This report provides an overview of the current situation in Myanmar and the progress in the elimination of forced labour and promotion of freedom of association, and presents a framework for future ILO engagement in Myanmar developed in consultation with the Government of Myanmar and its social partners.

Overview of developments in Myanmar

3. The new Government led by the National League for Democracy assumed office on 1 April 2016. U Htin Kyaw was elected President, with Daw Aung San Suu Kyi taking on a newly created role as State Counsellor, as well as being appointed Minister for the President's Office and Minister of Foreign Affairs. The Government was restructured to create a streamlined cabinet of 21 ministries, with a combined Ministry of Labour, Immigration and Population headed by U Thein Swe. Under the Constitution, the military (Tatmadaw) retains the Ministries of Defence, Border Affairs and Home Affairs, which includes the General Administration Department that administers local affairs, each of which plays an important role with respect to eliminating forced labour.
4. During this period, the Government's priority focus was on initiating a new phase of the peace process to settle the country's long-standing ethnic armed conflicts. This culminated in the launch of the Union Peace Conference – 21st Century Panglong in Nay Pyi Taw on 31 August 2016, which included the participation of the military, eight ethnic armed organizations which are signatories to the Nationwide Ceasefire Agreement, and seven ethnic armed organizations which are not.
5. Meanwhile, each ministry embarked on a 100-day programme of initiatives, reporting publicly on progress in August 2016. In relation to labour issues, the plan of the Ministry of Labour, Immigration and Population included the conclusion of bilateral agreements on migration, the opening of further migrant resource centres, the convening of a national skills forum and the preparation of an occupational safety and health law. The parliament has meanwhile embarked on a review of more than 140 laws, some of which are important to freedom of association and the labour market.
6. On 29 July 2016, the Government presented a 12-point summary of its economic priorities; a comprehensive and detailed economic plan is still awaited. The points included: creating employment opportunities, including for migrant workers returning home; developing human capital and improving and expanding vocational education and training; and promoting small and medium-sized enterprises.

¹ GB.326/INS/10.

7. On 29 August 2016, the Ministry of Labour, Immigration and Population released the results of the Labour Force Survey² undertaken in 2015 with technical support from the ILO, which included child labour and the school-to-work transition. The Labour Force Survey complements the data gathered for the 2014 national census and provides the first comprehensive picture of the labour market in more than 30 years. The survey recorded an overall unemployment rate of only 0.8 per cent, but an aggregate measure of labour underutilization of 6.9 per cent. Women's participation in the labour force (51.6 per cent) remains significantly lower than men's (80.1 per cent), and women's average daily wages are approximately 25 per cent below men's. With respect to child labour, 5.1 per cent of children are engaged in hazardous forms of child labour and 4.2 per cent in other forms. The Labour Force Survey will help to inform the Government's policies and planning, including a proposed new National Action Plan for the elimination of the worst forms of child labour.

Progress in the elimination of forced labour

8. Since 2007, a Supplementary Understanding between the Government of Myanmar and the ILO has been extended annually, and has put in place a complaints mechanism to address cases of forced labour. In March 2012, the Government of Myanmar and the ILO also concluded a Memorandum of Understanding on a Joint Strategy for the Elimination of Forced Labour by 2015 that provided the basis for seven interrelated action plans with a target date of the end of 2015. In discussions on 27 September 2016 the Government agreed, in principle, to extend the Supplementary Understanding through until December 2017, and to revise and update the action plans. At the time of writing, signature of the Supplementary Understanding extension is pending.
9. Notwithstanding the Government's commitments and previous efforts to end forced labour, the ILO has continued to receive complaints of forced labour at a similar rate to the past. During the first eight months of 2016, the ILO Liaison Office received on average 48 complaints per month. This compares with an average of 38 complaints per month in 2015, and 59 complaints per month in 2014. It is important to stress, however, that this may reflect increased public awareness and confidence in reporting cases, whereas the use of forced labour – at least in its traditional form by the military and public authorities – has continued to decrease.
10. Since the Governing Body meeting in March 2016, the ILO Liaison Officer has received 176 complaints under the ILO's mandate, of which 159 related to underage recruitment, 14 involved forced labour and three involved trafficking for forced labour. The working groups to follow up and resolve complaints, however, are not currently operative.
11. In relation to underage recruitment, the ILO has observed a decrease in the number of children newly recruited by the military, with only four cases in 2016. Underage recruits have also continued to be discharged through the ILO complaints mechanism and under the Joint Action Plan on Underage Recruitment between the Government and the United Nations Country Task Force on Monitoring and Reporting (CTFMR). The ILO is a member of the CTFMR and facilitates many CTFMR cases through its complaints mechanism. On 9 September 2016, 56 children and young people were formally discharged from the ranks of the Tatmadaw at a ceremony in Yangon involving senior military and government officials, including a number related to cases identified through the ILO complaints mechanism. However, the ILO has continued to receive a high level of complaints from

² See www.ilo.org/yangon/whatwedo/publications/WCMS_516117/lang--en/index.htm.

persons who were underage when recruited and have either remained in service against their will or have run away from the military and are considered to be absent without leave.

12. Complaints continue to be received in respect of the use of forced labour in various forms by township authorities, particularly in rural areas, although the number has reduced. There are also continued complaints concerning the use by the Tatmadaw of civilians as porters in conflict areas. In one such case in Rakhine State, which is currently under assessment by the ILO, the complainant, U Khaing Myo Htun, has been arrested and charged with making a false public statement so as to bring the Tatmadaw into disrepute. The Ministry of Labour, Immigration and Population has committed to follow up on these cases.
13. Following the issuance of both military orders and administrative instructions, there have been no formally reported cases of the use of civilians for sentry duty since 2012, however, allegations have been received from conflict areas such as Kachin, Shan, Sagaing and Rakhine. Similarly, since the issuance of a military instruction banning the use of forced labour for maintenance and construction activities, the number of complaints has fallen; however, the ILO continues to receive reports on forced labour for camp construction in Karen and Rakhine States and Sagaing Region.
14. It is hoped that developments in the peace process will bring further improvements, both in terms of a reduced number of cases of forced labour, as well as increased public awareness and confidence in conflict-affected areas. The Nationwide Ceasefire Agreement, signed on 15 October 2015 between the Tatmadaw and eight ethnic armed organizations, includes commitments to prevent forced labour of civilians and recruitment of children. Furthermore, during the first Union Peace Conference – 21st Century Panglong in Nay Pyi Taw in August 2016, several speakers highlighted the issue of forced labour.
15. The ILO will continue its advocacy with ethnic armed organizations to secure their commitment to end forced labour and underage recruitment. Declarations of commitment to address forced labour have been received from two major non-state armed groups, and the ILO is consulting further with government agencies on the development of action plans targeting both the unanswered allegations currently before the ILO supervisory mechanism and the ongoing elimination of forced labour practices in those areas currently not under direct government control.
16. Complaints also continue to be received which allege that farmers who refuse to undertake forced labour are punished by losing their land and therefore their livelihood. While investigations have been undertaken and in many cases forced labour has been proven, the farmers concerned continue to be punished owing to the local authorities' refusal to register them formally as the legitimate occupants of the land, leaving them vulnerable. The Ministry of Labour, Immigration and Population has committed to follow up such cases through a newly established committee on land issues. The ILO has also assessed one complaint relating to the contracting out of prison labour to private interests, in violation of the ILO Forced Labour Convention, 1930 (No. 29). An ILO study³ published in December 2015 also highlighted the broader dimensions of the use of forced labour in the private sphere in the context of internal migration.
17. Against this backdrop, the Government has agreed, in principle, to the further extension of the Supplementary Understanding through to December 2017 which is expected to be signed shortly, as well as the updating of the Memorandum of Understanding as the basis for a revitalized and strengthened action plan. The Government also confirmed that the complaints mechanism will remain operative during the period from 1 April 2016 until

³ See www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-yangon/documents/publication/wcms_440076.pdf.

signature of the Supplementary Understanding extension takes place. The ILO has also encouraged the Government to re-establish the high-level and technical-level working groups, comprising representatives of the relevant ministries and the Tatmadaw, to handle complaints and coordinate the programme. The Government has indicated that a Joint Committee with the ILO on workers affairs, including the elimination of forced labour, will be established by November 2016.

18. Priority in the next phase should be given to a number of gaps and outstanding areas from the previous action plans, in particular continued training of relevant government personnel for the effective application of the law. This would include ministry officials, police, public prosecutors, judges, township administrators (local authorities) and commissioned and non-commissioned officers of the Tatmadaw. Public awareness-raising activities will also be intensified, including through agreement on the installation of billboards for display in all townships throughout the country, supported by the Government of the Netherlands.
19. It is envisaged that the revised Memorandum of Understanding and Action Plan will place greater emphasis on national ownership and capacitating local and national mechanisms to prevent and address forced labour, with a view to achieving greater sustainability. Through appropriate awareness raising and training, it is expected that many matters currently resulting in formal complaints will be able to be resolved through normal dialogue between people and their local authorities. The ultimate objective should be for forced labour cases to be resolved at the lowest possible level, with serious cases being dealt with by a rejuvenated justice system in which the general public has increased trust and respect. In this regard, the Government has indicated a desire to adopt a more decentralized approach, with greater authority and responsibility being placed on state and regional governments in the application of action plans and compliance with the law for the elimination of forced labour. The Government has also proposed increasing the efforts of the social partners in tackling forced labour in the private sector.

Progress in the promotion of freedom of association

20. The labour market environment in Myanmar continues to evolve as new laws and institutions are tested in practice, employers' and workers' organizations become more active, and a culture of industrial relations and social dialogue develops.
21. Since the Labour Organization Law entered into force in 2012, the number of registered labour organizations has grown steadily. As of 29 August 2016, there were 2,113 basic labour organizations, 122 township labour organizations, 15 state/regional organizations, eight labour federations and one confederation. By contrast, there were still only 28 basic employers' organizations, one township employers' organization and one employers' federation (maritime) registered under the law. There is a tripartite consensus that the Labour Organization Law places considerable restrictions on the formation of labour organizations and employers' organizations, and that this should be amended as a matter of priority. Anti-union discrimination, in particular dismissals and blacklisting of union leaders, are posing a serious threat to the formation of, and participation in, labour organizations.
22. Nonetheless, according to the recent Labour Force Survey, both awareness and membership of labour organizations or employers' organizations still remains very low at the national level: only 0.1 per cent of employers are members of employers' organizations and 0.4 per cent of workers are members of labour organizations, while only 2.4 per cent of employers and 4.1 per cent of workers are aware of their rights to form and join organizations of employers or workers.

23. Labour disputes in Myanmar are heavily focused in industrial areas and in the garment sector. Detailed strike statistics are currently unavailable, but ILO research suggests that labour disputes are concentrated mainly in Yangon, particularly in the garment and footwear industries. In 2014, more than 56 per cent of labour disputes in Myanmar took place in the garment sector. This is almost three times as many as in the next most-affected industrial sector, consumer products, with 19 per cent of strikes.
24. Anecdotally, it appears that both the number and duration of strikes have recently been increasing. Disputes seem mainly to stem from a general lack of understanding of labour laws and the basic principles of employment and industrial relations, poor human resource management at the workplace, a legal framework that is contradictory, vague and not necessarily fit for purpose, as well as ineffective workplace dispute prevention and resolution systems. Strikes are mainly called in relation to demands to increase wages or reduce working hours, or are due to failure on the part of employers to comply with the decisions and agreements that have been reached in the small number of cases handled through conciliation or arbitration, though there are a small number of these cases. Another important trigger for strike action is the dismissal of labour organization leaders and members due to union activities. The Peaceful Assembly and Peaceful Processions Act, under which peaceful labour demonstrators have been arrested, is currently undergoing further revision.
25. The ILO has engaged in capacity-building work with employers' and workers' organizations through a number of projects. A Norwegian-funded Promoting Freedom of Association and Social Dialogue in Myanmar project was completed in January 2016. Building on the success of the initial phase, which aimed at introducing concepts and engaging with very basic awareness-raising and enterprise-level capacity building as well as at providing support to the tripartite constituents, the second phase of the project continued to help the new labour organizations and employers at the enterprise and factory level to effectively engage in social dialogue, including collective bargaining and dispute settlement.
26. The project achieved a number of key results. Among others, the number of participants in the awareness-raising and capacity-building trainings offered reached over 8,000 by the end of the project. Participation of women in those trainings, which was initially seen as a major challenge, increased from 22 per cent in year one, to nearly 35 per cent in the second part of the project. Several important milestones were also achieved, including the recognition, and eventual registration, of several nation-level trade union federations and one confederation, as well as one confederation of employers' organizations, and the first tripartite discussions on labour law reform, which would have been considered impossible just a few years ago.
27. An employer-specific capacity-building programme was also launched in 2015 with technical backstopping by the Bureau for Employers' Activities (ACT/EMP). This has included helping the main employers' representative, the Republic of the Union of Myanmar Federation of Chambers of Commerce and Industry (UMFCCI), to establish a new department to address labour and employment matters. In conjunction with the UMFCCI, the ILO has been involved in labour law awareness-raising activities for over 1,000 enterprises nationwide, with additional training development and implementation already starting. The ILO will also support the employers in conducting an enterprise survey to help formulate evidence-based policy positions on a minimum wage and other areas. Employers will also be supported through the development of a reference guide on policy recommendations for labour law reform that can be utilized by employers during the reform process.

- 28.** A new project has just been developed in partnership with the Swedish International Development Cooperation Agency (SIDA) and the H&M enterprise which will aim to promote good industrial relations practice at the enterprise level. The Improving Labour Relations for Decent Work and Sustainable Development in the Myanmar Garment Industry project (the ILO–H&M Project) aims to improve labour relations, social dialogue and gender equality in the garment industry.
- 29.** The ILO’s activities to promote freedom of association and social dialogue will be further strengthened through its Labour Market Governance Project, which comprises a holistic legislative and institutional programme of legal and institutional reforms for improved labour market governance. The project is founded upon the recognition that legislative amendments and institutional capacity building are complimentary and essential for improving overall labour market governance, which requires both enabling laws and sound industrial relations practice.
- 30.** Through a labour law reform and institutional capacity-building initiative agreed in 2014 among the Governments of Myanmar, Denmark, Japan and the United States, the European Union and the ILO, a full review of all existing labour law is currently being undertaken under a three-phased approach.
- 31.** Currently labour law reform is focusing on industrial relations legislation, namely the Labour Organization Law, the Settlement of Labour Disputes Law, and the Employment and Skills Development Law. Key priorities for reform identified by the social partners include: the criteria and process for registering workers’ and employers’ organizations; provisions to promote collective bargaining and prohibit anti-union discrimination; the role of Workplace Coordinating Committees in collective bargaining and dispute settlement; the lack of capacity and trust in dispute settlement bodies; lengthy legal procedures for dispute settlement; and weak or ineffective penalties not promoting compliance or respect for rule of law.
- 32.** The reform process has been consultative, and a series of bipartite and tripartite discussions have taken place with technical assistance from the ILO, where priority issues were identified and discussed, and amendments proposed. Many more of such consultations are planned. The ILO has also been working with the parliament to brief new parliamentarians on international labour standards and the ILO’s perspectives on the labour law and industrial relations reform.
- 33.** This process is also contributing to the institutionalization of the National Tripartite Dialogue Forum as the principal national mechanism for social dialogue. The fifth meeting of the Forum was held on 28 September 2016 with ILO secretarial support, where a range of labour law reform priorities, new initiatives to promote occupational safety and health, and current industrial relations challenges were discussed.
- 34.** The labour law reform process has also been extended to include a wider range of stakeholders beyond the traditional tripartite partners, through an annual Stakeholder Forum on Labour Law Reform and Institutional Capacity Building. This provides a venue for the Government of Myanmar, together with its social partners, to engage with international investors, development partners and civil society representatives on its ongoing reform efforts, and to foster constructive relationships among domestic and international stakeholders. A second Stakeholder Forum was held on 29–30 September 2016, attracting 200 national and international participants.

Framework for future ILO engagement in Myanmar

35. Following a process of consultations with the Government and employers' and workers' organizations, the ILO is pleased to present a proposed Framework of Engagement for its future work in Myanmar, as requested by the Governing Body. The Framework was considered and endorsed at the fifth National Tripartite Dialogue Forum on 28 September 2016 and will now be subject to further consultation within the Government. The full text of the Framework is appended.
36. The Framework is intended to cover the interim period of 2016–17, during which steps can be taken towards establishing an ILO country office and developing a Decent Work Country Programme, underpinned by tripartite consensus and aimed at tackling the decent work and employment challenges facing the country. During this period, the ILO will continue its support to the constituents through its ongoing and planned technical support, projects and activities, covering a range of priority areas as outlined in the Framework.
37. The Framework will ensure: (1) alignment with the Government's overall economic and social policy objectives and the United Nations Sustainable Development Goals; (2) conformity with international labour standards, in particular the fundamental principles and rights at work; (3) ongoing consultation with the Government, social partners and other stakeholders; and (4) flexibility for adaptation to the inevitable ongoing change.
38. The Framework is built around four pillars of engagement, which place particular emphasis on continued efforts to eliminate forced labour and promote freedom of association as priorities identified by the Governing Body in March 2016. These pillars are:
 - (a) **Strong commitment to the elimination of forced labour** in support of peace and development, including through the extension of the Supplementary Understanding until December 2017 and the continued operation of the Forced Labour Complaints Mechanism, as well as the implementation of an updated phase of the Action Plan to Eliminate Forced Labour to address gaps and outstanding areas of work, strengthen accountability and ensure sustainability. Efforts will be made to extend the commitment to end forced labour at the state and regional levels. The ILO will also work to support the peace process through advocacy with ethnic armed organizations and the implementation of community-led, employment-intensive projects in the ceasefire areas and, where possible, other areas affected by armed conflict.
 - (b) **Strengthened freedom of association and improved labour market governance** in support of democratization and the rule of law through: increased capacity building of workers' and employers' organizations and labour administration institutions; support for the ongoing labour law reform process through technical cooperation and advice on laws and policies; and the strengthening and institutionalization of social dialogue mechanisms, in particular the National Tripartite Dialogue Forum.
 - (c) **Enhanced decent employment opportunities** in support of the Government's economic and social priorities and the Sustainable Development Goals. This will include support for coherent labour market policies that encourage job creation and productivity growth; strengthening labour market information systems; promoting the development of micro-, small and medium-sized enterprises and labour-market responsive systems for skills development and technical and vocational education and training; promoting a preventive occupational safety and health culture in target economic sectors; and a comprehensive and inclusive social protection floor. The ILO will also continue to support awareness-raising and research activities to promote strategies for corporate social responsibility and responsible business practices.

- (d) **Targeted interventions to address workplace discrimination and realize decent work for specific groups**, including support for the development and implementation of a National Action Plan on the Worst Forms of Child Labour; promotion of safer migration; and increased awareness and capacities to address workplace discrimination and ensure decent work for women, persons with disabilities and other target groups.
39. The Framework will be guided on a cross-cutting basis by international labour standards, tripartism and social dialogue, and the promotion of gender equality.
40. The projects and activities under the Framework will be developed and managed in consultation with the Government and social partners, and managed by ILO–Yangon with technical support from the Regional Office for Asia and the Pacific, particularly the Bangkok-based Decent Work Team, and departments within the Policy Portfolio.

Conclusions

41. The election of the new Government and momentum in the peace process has created a new environment for the ILO's work in Myanmar. While priority attention will continue to be given to the elimination of forced labour and child labour and the promotion of freedom of association, ILO work will also focus on employment opportunities, labour law reform and sound labour market governance, and non-discrimination. The proposed new Framework for Engagement will provide the basis for the development of a Decent Work Country Programme and the progressive normalization of the ILO's work in the country. The transition to an ILO country office and Decent Work Country Programme will continue to be underpinned by the Supplementary Understanding, the MoU and the associated Action Plan on forced labour to ensure there is no protection gap while new and sustainable national mechanisms are put in place for the future.

Draft decision

42. *The Governing Body:*

- (a) *welcomes the renewed commitment made by the Government of Myanmar to the elimination of forced labour through the extension of the Supplementary Understanding and the Memorandum of Understanding until December 2017 and a updated further phase of the Action Plan, including increased efforts at the state and regional level (to be confirmed);*
- (b) *welcomes the steps taken by the Government to reform labour laws, promote freedom of association and institutionalize social dialogue;*
- (c) *endorses the proposed Framework for ILO Engagement in Myanmar 2016–17 developed in consultation with the Government and social partners;*
- (d) *requests the Director-General to pursue discussions on the establishment of an ILO country office in Myanmar and the development of a Decent Work Country Programme; and*
- (e) *requests the Director-General to report to the 331st Session (November 2017) of the Governing Body on the progress made in implementing the Framework of Engagement.*

Appendix

Proposed Framework for ILO Engagement in Myanmar

The following Framework of Engagement builds upon the momentum established in recent years under the interim framework for cooperation endorsed by the Governing Body in November 2012. This was based on the strategy paper “Decent Work – a tool for economic development and poverty reduction”, which was discussed and agreed with the tripartite constituents during a National Tripartite Consultation held on 9 October 2012.

In March 2016, the ILO Governing Body requested the Director-General to “present a framework for future ILO engagement with Myanmar, including the elimination of forced labour and the promotion of freedom of association” to its 328th Session in November 2016. It is indeed timely and appropriate to review and update the programming framework in the light of the priorities of the new Government of Myanmar and its social partners and developments in the peace process. The Framework of Engagement places particular emphasis on continued efforts for the elimination of forced labour and the strengthening of freedom of association as key objectives.

The new Framework of Engagement is intended to set long-term objectives that will guide the ILO’s programming during an interim period of 2016–17. During this interim period, work will be undertaken towards developing a Decent Work Country Programme, underpinned by a tripartite consensus and aimed at tackling the decent work and employment challenges facing the country. During this period, the ILO will continue its support to the constituents through its ongoing and planned technical support, projects and activities covering a range of priority areas as outlined in the Framework.

The Framework has been developed through a process of consultation with the Government and employers’ and workers’ organizations, and was considered and endorsed at the fifth National Tripartite Dialogue Forum (NTDF) on 28 September 2016.

Basic principles

The Framework is based on the following principles:

- (1) alignment with the Government’s overall economic and social policy objectives and the Sustainable Development Goals;
- (2) guided by international labour standards, in particular the fundamental principles and rights at work, as well as other relevant Conventions and Recommendations;
- (3) developed in consultation with the Government, social partners and other stakeholders;
- (4) allowing for flexibility for adaption to inevitable ongoing change.

Pillars of engagement

The four pillars of the Framework are as follows:

- (1) **Strong commitment to the elimination of forced labour in support of peace and development**
 - (a) extension of the Supplementary Understanding until December 2017 and re-establishment of the high-level working group and technical working group to enable the continued operations of the Forced Labour Complaints Mechanism. The high-level working group will discuss and resolve issues and mobilize commitment at the state and regional level, while the technical working group will be responsible for joint investigations, mediation of local forced labour disputes,

referring difficult cases with recommendations to the high-level working group for decision, and coordination among relevant parties to the conflict;

- (b) renewed and stronger public outreach, including through the media, to increase public awareness of forced labour, its prohibition in national law and the commitment of the Government to its elimination;
 - (c) extension of the Memorandum of Understanding and implementation of a new and updated phase of the Strategic Action Plan on the Elimination of Forced Labour to address gaps and outstanding areas of work, strengthen accountability and ensure sustainability;
 - (d) commitment to end forced labour at Union, state and regional level with local strategies and action plans at all levels, including continued advocacy with ethnic armed organizations;
 - (e) reinforcement of commitments in ceasefire agreements and international humanitarian law to end forced labour through the implementation of community-led, employment-intensive projects in the ceasefire areas and, where possible, other areas affected by armed conflict;
 - (f) increased mobilization of the role of the government labour inspectorate system and employers' and workers' organizations in the elimination of forced labour in the private sector.
- (2) **Strengthened freedom of association and improved labour market governance in support of democratization and the rule of law**
- (a) increased capacity building of employers' and workers' organizations to promote productivity-enhancing labour market policies and sound industrial relations within different sectors, including industrial, commercial, service and agricultural, and at the national, enterprise, regional and state levels;
 - (b) support to the ongoing labour law reform process through technical cooperation and advice on laws and policies and their implementation;
 - (c) capacity building of relevant ministries, Parliament, labour administration institutions and employers' and workers' organizations in developing a labour law framework and its application;
 - (d) strengthening and institutionalization of social dialogue mechanisms, in particular the National Tripartite Dialogue Forum, as the main tripartite oversight committee on labour market issues, and enhancing their contribution to national planning processes;
 - (e) enhanced publication and dissemination of labour laws, regulations and directives in English and local languages;
 - (f) gap analysis and awareness raising of relevant ILO Conventions, with a view to possible ratification and/or incorporation into national laws.
- (3) **Enhanced decent employment opportunities through a comprehensive set of initiatives in support of the Government's economic and social priorities and the Sustainable Development Goals**
- (a) support to coherent labour market and employment policies that encourage job creation and productivity growth, including through strengthening labour market information systems; research on employment dimensions of trade and regional integration and establishing closer links between labour market issues and macro-level issues through inter-ministerial coordination and participation of social partners in macro-level policy discussions;

- (b) support to a better enabling environment for micro-, small and medium-sized enterprises (MSMEs), including through policy advocacy to integrate MSME issues in the labour law reform process;
 - (c) training and technical support to MSMEs for sustainability and growth of businesses that create jobs and decent work;
 - (d) promotion of labour-market responsive systems for skills development and technical and vocational education and training (TVET) and extend TVET opportunities, including in disadvantaged regions;
 - (e) increased awareness and capacities to promote a preventive occupational safety and health culture in target economic sectors, including garments, agriculture and construction;
 - (f) promotion of policy discussions and capacity building for a comprehensive and inclusive social protection floor and extension of social security coverage to excluded groups, and development of capacities within the Social Security Board to undertake pension reform;
 - (g) support to awareness raising and research activities to promote strategies for corporate social responsibility and responsible business practices.
- (4) **Targeted interventions to address workplace discrimination and realize decent work for specific groups**
- (a) prevention and elimination of child labour through support to the development and implementation of a National Action Plan on the Worst Forms of Forced Labour including Child Labour, and continued awareness raising and capacity development of the main stakeholders for mainstreaming of child labour concerns to national and local programmes and policies;
 - (b) promotion of safer migration through policies and programmes aiming to protect both the internal and overseas migrants and promote their successful reintegration;
 - (c) promotion of safe employment opportunities for women and youth through vocational counselling, promotion of occupational safety and health and facilitating access to skills training and information for jobs;
 - (d) increased awareness and capacities to address workplace discrimination and ensure decent work for women, persons with disabilities and other target groups.

Cross-cutting issues

International labour standards

The Framework will be guided by international labour standards, in particular the fundamental principles and rights at work, as well as other relevant Conventions and Recommendations. The Framework will support the Government in fulfilling its obligations under ratified Conventions, as well as acceding to new Conventions, to lay the foundation for decent work.

Tripartism and social dialogue

Activities under the Framework will be designed to support tripartite approaches and the strengthening of social dialogue. Customized capacity building will be provided to the social partners to engage effectively in social dialogue and policy discussions.

Promoting gender equality

The Framework will promote equal access to women and men in all initiatives and have proactive interventions which strengthen the role of women in society and the labour market. It will strongly monitor equal participation and also use qualitative indicators to ensure that the needs of women are effectively addressed. It will be ensured that all tools, training materials, research and approaches mainstream gender and equality issues.

Management and resources

The projects and activities developed under the Framework will be developed and managed in consultation with the Ministry of Labour, Immigration and Population, relevant line ministries and the social partners by ILO–Yangon with technical support from the Regional Office for Asia and the Pacific, particularly the Bangkok-based Decent Work Team, and across the Organization. Detailed resource requirements will be identified as the basis for ongoing resource mobilization efforts with the ILO’s donors. The sequencing and scope of interventions will be tailored to the resources available but will still be consistent and coherent with the overall Framework.