



Reports of the Selection Committee

Second report

Further review of remaining measures previously adopted by the International Labour Conference under article 33 of the ILO Constitution to secure compliance by Myanmar with the recommendations of the Commission of Inquiry

The Selection Committee held its second and third sittings on Monday, 10 June and Friday, 14 June 2013 to address the additional item placed on the agenda by the Governing Body: *Further review of remaining measures previously adopted by the International Labour Conference under article 33 of the ILO Constitution to secure compliance by Myanmar with the recommendations of the Commission of Inquiry*. The Office had prepared for the Committee's consideration a report¹ providing an update on the situation in Myanmar as well as an overview of ILO technical cooperation activities in Myanmar, and the support of member States for an extended technical cooperation programme in the country. In its paragraphs 51 and 52, the report contained a draft decision point and, in its Appendix I, a draft *resolution concerning remaining measures on the subject of Myanmar adopted under article 33 of the ILO Constitution*, to assist the Committee in its work.

There were two changes in the composition of the Committee as compared to that established by the Conference at its opening sitting. Ms J. Lambert (Australia) replaced Mr F. Welzijn (Suriname) as deputy Employer member of the Committee. Mr T. Sakurada (Japan) replaced Mr M.Z. Awan (Pakistan) as regular Worker member of the Committee. The Conference, at its opening sitting, had taken the steps to allow all delegates to the Conference the right to speak and participate in the work of the Selection Committee when considering this agenda item.

The representative of the Secretary-General (Deputy Director-General for Management and Reform (DDG/MR)) recalled that the purpose of the discussion was to consider whether the provisions of paragraph 1(a) and (b) of the *resolution concerning the measures recommended by the Governing Body under article 33 of the ILO Constitution on the subject of Myanmar, 2000* (the "2000 resolution") should be continued, suspended

¹ *Provisional Record* No. 2-2, 102nd Session of the Conference, 2013.

or discontinued. Those measures related to the practice of forced labour in Myanmar, which was the focus of both the present discussion and the report.

The Ambassador of Myanmar thanked the representative of the Secretary-General and the ILO Liaison Officer in Myanmar for their friendship, goodwill and cooperation in collaborative efforts to eliminate forced labour and promote and protect labour rights in Myanmar. The Government of Myanmar had made concerted efforts in compliance with the Commission of Inquiry's recommendations. In response to the first recommendation of the Commission of Inquiry, the Ward or Village Tract Administration Law, enacted in February 2012, captured the spirit of Convention No. 29 and criminalized the use of forced labour. In line with the second recommendation, the President of Myanmar, on the occasion of May Day (Workers' Day) in 2012, called for the elimination of all forms of forced labour. Responding to the third recommendation, a complaints mechanism to address forced labour had been running smoothly since its inception in 2000, and the ILO Liaison Officer's reports on the subject reflected its effective implementation.

In order to systematically and effectively eliminate the practice of forced labour in the country, a joint action plan was being implemented as a follow-up to the Memorandum of Understanding (MOU) signed in March 2012. The progress achieved in its implementation was so encouraging that the envisaged goal of eliminating the practice of forced labour could be reached even before 2015. Punitive measures were being taken against perpetrators of forced labour, and in response to the forced labour complaints filed with the complaints mechanism, over 200 cases had been settled since 2007. Penalties ranging from administrative measures to imprisonment were imposed on the perpetrators, including military personnel. Action was also taken under the penal code against them.

As under-age recruitment was a form of forced labour, an action plan to prevent the recruitment and use of under-age soldiers was being implemented pursuant to an MOU signed between Myanmar and the United Nations in June 2012. Procedures to implement the action plan were fully in place. A task force comprising relevant government officials, UNICEF and NGOs such as Save the Children, was meeting regularly. They were undertaking a midterm review of the progress and remaining challenges.

Extensive awareness-raising activities had also been carried out in the whole country through workshops, seminars and joint presentations. Almost 2 million copies of advocacy brochures in seven ethnic languages were being distributed. The contents of the brochures had also been broadcast nationwide and published in national newspapers.

In terms of the promotion and protection of labour rights, a total of 602 workers' and employers' organizations had been formed under the Labour Organization Law, which came into force in March 2012. The numerical growth of these organizations was reflected in the fact that there were 25 in June 2012, 288 in October 2012, and 455 in March 2013.

The Workers' delegate to the Conference and two advisers were elected during the Forum of Labour Organization Leaders in April 2013. Representatives from over 500 labour organizations had taken part in the Forum and election process, which was conducted in a transparent and inclusive manner. The election process was conducted in the presence of government officials, representatives from the Union of Myanmar Federation of Chambers of Commerce and Industry (UMFCCI), political parties, ILO, ITUC, international NGOs and the Deputy Director-General of the ILO.

The legal framework to promote and protect labour rights in Myanmar had been reinforced through a number of recently enacted laws, including the Minimum Wages Law. Other pending bills addressed employment and skills development, alien workers and occupational safety and health. The Government was also considering ratifying the Worst

Forms of Child Labour Convention, 1999 (No. 182). Myanmar had ratified the 1986 Instrument of Amendment to the Constitution of the ILO in February 2013.

Workers were the most valuable assets in society, and the new Government was prioritizing job creation and income generation. It could not achieve this task alone, and needed assistance from the international community and from the ILO in particular. So long as the restrictions remained in place, Myanmar would not be able to see an adequate flow of foreign direct investment into the country, and the workers would be the ones who would continue to suffer. The Ambassador stressed the urgency of discontinuing the remaining measures in paragraph 1(a) and (b) of the 2000 resolution, and thanked the Government of Australia for the amendments it had submitted in this sense.

The Employer spokesperson (Chairperson of the Employers' group of the Conference) wished to emphasize two concrete points. First, it was clear there had been progress. Second, progress did not mean finished business. These were the two limits which should guide the Committee's work at this stage and moving forward. Following clear resistance from Myanmar, which gave rise to the exceptional 2000 resolution and the application of article 33 of the ILO Constitution, a space for cooperation and collaboration had developed. It was not just a question of ratifying Conventions and enacting legislation, however. Standards needed to be clearly applied and implemented in the country.

Two aspects of the process needed to be monitored: the elimination of all forms of forced labour, including forced child labour, and the handling of complaints in an appropriate manner. Outstanding cases needed to be concluded and perpetrators sanctioned. The impunity which had characterized forced labour in Myanmar had quite clearly been reviewed by Myanmar and its authorities. At the same time, no form of forced labour practices should be allowed to persist, and not even one pending case should remain. The Employers' group had discussed this matter in-depth. Certain questions remained, including the degree of application by the military authorities; the situation of child soldiers must change; the situation of rural properties raised questions not only concerning forced labour but also rights of ownership. The Committee needed to ensure that the situation was fully aligned with the fundamental and basic rights and spirit of the ILO. The cooperation initiated between the ILO and Myanmar should be extended in all areas to facilitate the process of change. The group supported the draft resolution and was in favour of discontinuing the measures in paragraph 1(a) and (b) of the 2000 resolution.

An Employer member from Myanmar appreciated the strong support for the changes under way in her country. The Myanmar Chamber of Commerce and Industry and employers' organizations had cooperated and coordinated closely with partners in Government, labour organizations, NGOs, members of Parliament and the ILO to raise awareness of labour standards throughout the country in order to build better industrial relations and create better workplaces. Despite the significant progress made in law and practice, challenges remained; but these could be overcome by working together and through social dialogue. She called on the Selection Committee to discontinue the remaining two measures under the 2000 resolution.

The Worker Vice-Chairperson welcomed the steps taken by the Government towards eliminating forced labour in compliance with the recommendations of the Commission of Inquiry, and acknowledged the important role played by the ILO. The Workers' group believed that the time had come to discontinue the remaining measures in the 2000 resolution, while noting that the Commission of Inquiry's recommendations had yet to be fully implemented. The Government should do this without delay.

While the Villages Act and the Towns Act had been amended in line with Convention No. 29, the Constitution still had not. The one-year maximum penal sanctions were not sufficiently dissuasive or effective to prevent the use of forced labour. The Government

should adopt stronger sanctions against forced labour which, in 2012, persisted in Arakan, Chin, Kachin, Karen and Shan States, including for portering, road construction and repair, military camp construction, fence building and food production. Forced labour was most prevalent in conflict areas but there was compelling evidence of its exaction also in Karen State.

Impunity remained high for those who exacted forced labour, while penal sanctions had not been strictly enforced against military or civilian perpetrators. The recent prosecutions of 329 persons and imprisonment of 11 persons were welcome, but perpetrators must face criminal responsibility. It was of concern that most penalties had been administrative in nature and many offenders went unpunished.

The implementation, since the adoption, in 2012, of the joint strategy of the ILO and the Government, of numerous awareness-raising activities and the monitoring of the application of the law was welcome. However, he requested additional information regarding the other types of activity under the joint strategy. An example was progress on section 4(B): Forced labour directly or indirectly associated with energy projects. Earlier this year, the state-owned Myanmar Oil and Gas Enterprise (MOGE) had announced that it was accepting foreign bids for 18 onshore oil blocks. This was of serious concern: the ILO would need to help develop a strong, independent public inspection service to ensure general respect for workers' rights and, in particular, that forced labour did not occur during onshore oil and gas exploration and project development. The role of unions in this sector would also be critical. Regarding section 4(K): Forced labour imposed through land acquisition/confiscation activity, he noted the remark of the UN Special Rapporteur on Myanmar, that increased privatizations and foreign investment in Myanmar would probably be accompanied by an increase in land confiscations, development-induced displacement and other violations of economic, social and cultural rights. The ILO must work to ensure that forced labour and other labours rights violations were not associated with these and other projects. He regretted that the social partners, particularly trade unions, had, so far, had little role in the implementation and oversight of the joint strategy, and hoped that the necessary funds for its implementation had been secured. Additional information was requested from the Office in this regard.

He underscored the importance of reporting on the impact of foreign investment on decent working conditions in Myanmar. With the removal of long-standing trade and investment sanctions, interest in investment opportunities had dramatically increased. Myanmar was seen as the world's next low-cost manufacturing hub, with among the lowest wages in Asia, competing with other low-cost countries like Bangladesh. It was also rich in natural resources. Myanmar needed responsible investment if it were to contribute to broadly shared economic development. The report of the Liaison Office to the November 2012 Governing Body had contained scant information on this issue: the ILO should provide more detailed reporting. The ILO should bring together unions and employers to discuss the establishment of mature industrial relations at the national and sectoral levels.

The reporting on the project on freedom of association in 2012 was positive but concerns remained in respect of cases of employer harassment of union leaders and workers' organizations. He regretted that efforts to establish legal tools to prevent and punish anti-union discrimination had not yet succeeded. Further concerns persisted around the trade union registration process, particularly for federations and confederations. It was unfortunate that the Federation of Trade Unions – Myanmar (FTUM) had still not been registered: the Government should amend the law to put it in conformity with the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). Further ILO technical assistance on freedom of association was considered necessary, including involvement of the FTUM leadership and members in the trade union development efforts in Myanmar. Current legislation, although a marked improvement, still impeded the full

exercise of fundamental labour rights. The Government should revise the legislation in line with the fundamental Conventions and Recommendations of the ILO supervisory bodies and to ensure the functioning of a strong and independent judiciary.

The group supported discontinuing measure 1(b) of the 2000 resolution and, if the Committee was in entire agreement, the group also supported discontinuing paragraph 1(a) of the resolution. Regarding the remaining text of the draft decision, in paragraph 52 of the report, the Governing Body needed to keep the situation in Myanmar under review until the full elimination of forced or compulsory labour in the country. Regular monitoring by the Governing Body was especially critical if the special sittings at the Conference Committee on the Application of Standards were discontinued. The Liaison Office must provide detailed information to the Governing Body so that it could make an informed assessment on the implementation of the joint strategy. The review of the situation in Myanmar under point (d) of the draft resolution should take place annually at the March session of the Governing Body.

The Workers' group endorsed the suggestion that Members and international organizations support the efforts of the ILO and the Government to eliminate forced labour and further social justice in Myanmar. The freedom of association project required resources to this end. The review of the labour laws should be initiated and more work was required to examine the impact of foreign direct investment on decent working conditions in the country. He requested that his observations be reflected in the revised draft resolution.

A Government representative of Viet Nam, speaking on behalf of the Association of Southeast Asian Nations (ASEAN), welcomed the positive developments in Myanmar since the 101st Session of the Conference. The momentum must now be maintained. The members of ASEAN called on the international community to support and encourage the Government in its efforts. ASEAN noted the technical assistance provided by the ILO to promote labour rights and decent work and recognized the implementation of the action plans for the elimination of forced labour and the prevention of under-age recruitment. In light of these developments, ASEAN supported discontinuing the remaining restrictions on Myanmar forthwith.

A Government representative of China recognized the strong cooperation between the Government of Myanmar and the ILO. It had resulted in the promulgation of relevant laws and regulations, and the severe punishment of forced labour perpetrators. The Government had demonstrated its commitment to eliminate forced labour and had implemented the recommendations of the Commission of Inquiry. Therefore, China supported discontinuing all restrictions against Myanmar.

A Government representative of Australia welcomed the continued progress by the Government of Myanmar towards the application of Convention No. 29, and acknowledged the efforts of the ILO Liaison Office to deliver tangible results. In light of the positive developments noted by the Office, his Government supported discontinuing the remaining measures under the 2000 resolution. This would provide the country with greater certainty regarding its full and ongoing access to ILO resources, and would assist it in fulfilling its commitments under the MOU on forced labour. The Government of Australia supported the review of the situation in Myanmar by the Governing Body, to ensure that progress in implementation of the action plans was sustained. It had submitted proposed amendments to the decision points and draft resolution, seeking consistency in language and clarification regarding the review by the Governing Body, for consideration by the Committee. Australia looked forward to working with Myanmar as it progressed in its economic, political and social development.

A Government representative of the Russian Federation recognized the progress made by Myanmar towards democracy. He gave credit to both the ILO and the Government for the progress achieved, and praised the work of the Liaison Office in Yangon. He endorsed the positive assessment made, supported discontinuing all remaining measures under the 2000 resolution and encouraged further support to Myanmar.

*A representative of the European Union (EU), speaking on behalf of the EU and also for countries aligning themselves with the statement,*² supported the process of reform in Myanmar. In April 2013 the EU had lifted all sanctions, apart from the arms embargo. The EU would continue to monitor the situation closely and respond positively to progress towards further reforms, democracy and respect for human rights. He welcomed progress in implementing the recommendations of the Commission of Inquiry and the action plan on forced labour. There were, however, some exceptions in Kachin and Rakhine States, and the Government should undertake more work in respect of military adherence to the law. He also noted the recommendation contained in the draft resolution that remaining measures should be either suspended or discontinued, and that the Governing Body should continue to receive reports on ILO activities, on the operation of new labour legislation, freedom of association, the impact of foreign direct investment on decent working conditions and on forced labour, including the complaints mechanism. He looked forward to further discussions on this subject.

A Government representative of Japan appreciated the progress made in eliminating forced labour in Myanmar, and the reform process under way in the country. He was in favour of discontinuing the measures contained in the 2000 resolution. Japan was committed to supporting technical cooperation activities in Myanmar.

A Government representative of the United States recalled that the 2000 resolution had stipulated that the measures it introduced should continue until the recommendations of the 1998 Commission of Inquiry were met. This meant that Myanmar's legislation should be in line with Convention No. 29; that forced labour must be eradicated and that penalties imposed for perpetrators of forced labour must be enforced. These goals had not been perfectly achieved but there had been progress. The adoption of the Ward and Village Tract Administration Law, which defined forced labour in accordance with Convention No. 29; the Government's cooperation with the ILO in respect of the complaints mechanism; the growing number of prosecutions of perpetrators of forced labour; and the actions taking place to encourage the elimination of forced labour under the 2012 MOU were all positive elements. However, continued forced labour in conflict areas, including Kachin State and Rakhine State; reports of abuses in areas of property rights in rural areas and the lack of conformity of the 2008 Constitution with Convention No. 29 were of concern. The Government should continue its efforts to eliminate forced labour and develop a strong and sustainable institutional capacity to enforce labour laws. He supported discontinuing the remaining 2000 resolution and approved the measures in paragraph 52 of the report. The ILO should continue to use the Commission of Inquiry's recommendations as benchmarks for monitoring progress toward elimination of forced labour in Myanmar. Finally, he shared with participants the commitment of the President of the United States to assisting the efforts being made in Myanmar.

A Government representative of India appreciated the efforts made by the Government of Myanmar in moving toward elimination of forced labour, particularly those made since the 2012 Conference, to comply with the recommendations of the Commission of Inquiry. Other positive signs included the visit of the Director-General to Myanmar; the

² Croatia, The former Yugoslav Republic of Macedonia, Montenegro, Iceland, Serbia, Albania and Ukraine.

establishment of a joint action plan to eliminate forced labour; the organization of a forum of leaders of workers' organizations in April 2013; progress towards ratification of other ILO standards including the Worst Forms of Child Labour Convention, 1999 (No. 182); and other signs of socio-economic reform. Dialogue and cooperation among member States could help resolve outstanding issues. He supported discontinuing the remaining 2000 resolution measures.

A Government representative of Canada noted positive progress towards human rights and democracy in the country. He listed signs of progress, including the release of some political prisoners, registrations of trade unions, legislative amendments to address forced labour, increased prosecution of perpetrators of forced labour, and the collaboration with the ILO on creation of an action plan to eliminate forced labour in the country. Although notable progress had been achieved on forced labour, work remained to be done, with persistent concerns regarding the exaction of forced labour in conflict areas. A mechanism for monitoring progress should remain available at the Conference or Governing Body, as suggested in paragraph (d) of the draft resolution.

A Government representative of the Bolivarian Republic of Venezuela congratulated the Government of Myanmar on the notable advances made in its commitment to eliminate forced labour in the country by 2015. He supported discontinuing the remaining 2000 resolution measures and the draft resolution.

A Government representative of Thailand endorsed the ASEAN statement, adding that the ongoing efforts by the Government of Myanmar had shown seriousness of purpose. The ILO and the international community should respond to the positive developments and discontinue the remaining measures under the 2000 resolution. He approved the draft resolution and pledged the support of his country to assist Myanmar through technical cooperation and capacity building for the promotion of workers' rights.

A Government representative of Indonesia endorsed the ASEAN statement. She noted progress on labour issues in Myanmar, mentioning specifically the encouraging steps being taken toward ensuring freedom of association. In order to keep the momentum going, the ILO, relevant international organizations and other countries should continue to support Myanmar through technical cooperation and capacity building. The Conference should discontinue the remaining restrictions on Myanmar.

A Government representative of Cambodia endorsed the ASEAN statement. He noted with pleasure the progress being made toward democratic, social and economic reform in Myanmar, particularly in the Government's wish to ratify Convention No. 182 and its progress in the area of freedom of association. He hoped that the Government would continue to engage with the ILO to further promote labour rights in the country. Given the state of progress, the Conference should discontinue the remaining 2000 resolution measures.

A Government representative of Switzerland encouraged the ILO to continue its engagement in the process of ending forced labour in Myanmar. The ILO and the World Bank, working together, could help raise awareness of forced labour issues. She approved ILO plans for technical cooperation in Myanmar and added that Switzerland was engaged already in numerous projects, including the support of small and medium enterprises, particularly in tourism and textiles. She supported discontinuing the remaining 2000 resolution measures. Switzerland hoped that Myanmar would have fully eliminated forced labour by 2015 at the latest. Lastly, she endorsed the EU statement.

A Government representative of the Republic of Korea welcomed the positive developments in Myanmar and supported discontinuing the remaining 2000 resolution restrictions against the country.

A Government representative of Cuba noted numerous signs of constructive developments in the elimination of forced labour in Myanmar, including the signing of a joint plan of action with the ILO. She supported discontinuing the remaining measures against Myanmar. Myanmar should take this opportunity to change relevant legislation and practices to achieve full elimination of forced labour in the country.

A Government representative of New Zealand acknowledged the progress being made in Myanmar toward the elimination of forced labour and improvement of human rights within a broader context of political and economic reform. She supported the work being done by the Government of Myanmar with the ILO and appreciated the work of the ILO Liaison Officer and his Office in facilitating such activities. Sufficient progress had been made to warrant discontinuing the remaining 2000 resolution measures. The Government of New Zealand was committed to the reform process in Myanmar and to assisting the Government of Myanmar through bilateral channels and with the ILO. She supported the current efforts to review legislation and reconciliation within conflict areas.

A Worker delegate from Myanmar informed the Committee of her democratic election to represent the workers and farmers of Myanmar at the 102nd Session of the Conference. She stated that progress was being made in respect of forced labour and child labour and added that long-term progress would require all stakeholders engaged in the political, social and economic process to work together. Given the concrete actions taken by the Government of Myanmar, the remaining restrictions should be discontinued. Doing so would improve the lives of the workers in the country.

The Employer spokesperson reiterated his support for discontinuing the remaining restrictions against Myanmar and was pleased that the Government representatives and the Workers' group had expressed a similar opinion. He requested the Government of Myanmar to continue its engagement with the ILO until the very last worker should be freed from forced labour in Myanmar.

The Worker Vice-Chairperson agreed with other delegates that much progress had been made. Nevertheless, concerns remained in the areas of forced labour and of social dialogue. He shared the hope that the ILO could continue its role in promoting social dialogue to allow a true application in Myanmar of Convention No. 87 and of the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

At its third sitting, on Friday, 14 June 2013, the Selection Committee examined the draft report of its first sitting and a draft resolution³ which incorporated the amendments received within the time limit set by the Chairperson at the second sitting.

The representative of the Secretary-General introduced the draft resolution, explaining that amendments to the original draft provided by the Office had been received from the Government of Australia, the Government of Ireland, on behalf of the EU Member States, and from the Workers' group. The Office, working with the Officers of the Committee, had consolidated the texts to reflect the content and spirit of the amendments, and had shared the amended version with the Regional Coordinators. The consolidated text had been made available to all groups in their meetings prior to the third sitting of the Selection Committee.

A Government representative of Australia supported the draft resolution, which he felt was a good reflection of the discussions that had taken place. He submitted a further amendment to paragraph (d) of the consolidated text to enhance clarity, as follows:

³ Respectively, documents C.P./D.2 and C.P./D.3.

(d) “invites the Governing Body to review the situation in Myanmar on issues relating to ILO activities, including freedom of association and the impact of foreign investment on decent working conditions in the country, and in this regard, request the Director-General to submit a report at the March Governing Body sessions until the elimination of forced labour;”.

The Governments of China, Indonesia, Japan and Myanmar supported the resolution as amended.

The Worker Vice-Chairperson suggested a sub-amendment: to insert a comma after “freedom of association”, with the intention of ensuring that the report to the Governing Body covered all issues related to ILO activities, and was not limited to the two fields mentioned specifically.

The Selection Committee unanimously adopted the draft resolution concerning remaining measures on the subject of Myanmar adopted under article 33 of the ILO Constitution, as amended, and approved the draft report of its second sitting. It delegated to its Officers the authority to approve the paragraphs reporting on its third sitting.

The Committee favourably noted the progress made by Myanmar in creating freedom of association at both legislative and implementation levels, and the reports provided to the Committee on ILO activities in Myanmar. The Committee recommended that the Governing Body: encourage the Government of Myanmar and social partners to continue promoting, respecting and realizing freedom of association and collective bargaining as fundamental principles and rights at work; call upon Members and international organizations to support freedom of association in Myanmar, including by making available necessary financial resources to the ILO freedom of association project, and call upon foreign investors active in Myanmar to ensure that their investments contribute to decent work and development of sustainable enterprises in Myanmar.

A Government representative of Myanmar was pleased to join the unanimous support for the resolution, notwithstanding some reservations regarding its wording. The speaker had been in the Governing Body room at the moment of the initiation of the process in respect of his country in 1999. He had now seen the story out. Thanking all Governments, Employers and Workers for their cooperation, he pledged that Myanmar would continue to work with the international community, and in particular the ILO, to eliminate forced labour and to promote labour rights in the country.

Geneva, 14 June 2013

(Signed) R. Sukayri (Hashemite Kingdom of Jordan)
Chairperson

H. Matsui (Japan)
Employer Vice-Chairperson

L. Cortebееck (Belgium)
Worker Vice-Chairperson

Resolution concerning remaining measures on the subject of Myanmar adopted under article 33 of the ILO Constitution

The General Conference of the International Labour Organization, meeting in Geneva at its 102nd Session, 2013,

Taking note of the resolution concerning the measures recommended by the Governing Body under article 33 of the ILO Constitution on the subject of Myanmar, adopted by the International Labour Conference at its 88th Session (May–June 2000) with a view to securing compliance by Myanmar with the recommendations of the Commission of Inquiry that had been established to examine the observance by Myanmar of its obligation in respect of the Forced Labour Convention, 1930 (No. 29) (the “2000 resolution”),

Taking note of the suspension for one year of the recommendation contained in paragraph 1(b) of the 2000 resolution with immediate effect pursuant to the resolution concerning the measures on the subject of Myanmar adopted under article 33 of the ILO Constitution, adopted by the International Labour Conference at its 101st Session (May–June 2012) (the “2012 resolution”),

Taking note of the information provided to the Conference by the International Labour Office, the Governing Body and the Government of the Republic of the Union of Myanmar,

Encouraged with the progress made by Myanmar in compliance with the Forced Labour Convention, 1930 (No. 29), while noting that more remains to be done,

Considering that maintaining the remaining measures would no longer be necessary for the implementation of the recommendations of the Commission of Inquiry;

(a) decides that the measure enunciated in paragraph 1(a) of the 2000 resolution is discontinued;

(b) decides also that the measure enunciated in paragraph 1(b) of the 2000 resolution is discontinued;

(c) requests the Office and the Government to continue their commitment to the application of the 2007 Supplementary Understanding, the March 2012 MOU and associated action plans for the elimination of all forms of forced labour by 2015, in coordination with the social partners in Myanmar;

(d) invites the Governing Body to review the situation in Myanmar on issues relating to ILO activities, including freedom of association, and the impact of foreign investment on decent working conditions in the country, and in this regard, request the Director-General to submit a report at the March Governing Body sessions until the elimination of forced labour;

(e) calls upon Members, including employers’ and workers’ organizations, and international organizations to support the efforts of the Government, with the assistance of the ILO, to eliminate forced labour in Myanmar and to further social justice in the country, including by making available necessary financial resources;

(f) requests again Members, including employers' and workers' organizations, and international organizations to continue to follow closely the situation and share with the ILO any information on the occurrence of forced labour in Myanmar.

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