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Statement

by

H.E. Mr. Htin Lynn

Ambassador and Permanent Representative of Myanmar

at the 331st Session of the Governing Body of ILO

Agenda Item: INS 11 – “Follow-up to the resolution concerning

remaining measures on the subject of Myanmar adopted by the

Conference at its 102nd Session (2013)”

Geneva, 9 November 2017

Mr. Chairman,

Distinguished Delegates and Social Partners,

1. At the outset, I would like to congratulate you, Mr. Chairman, on your assumption of office as Chair of the ILO Governing Body since June 2017. We have benefitted from your rich experience and vast wisdom for many years. I am confident that, under your able leadership, our deliberations on a wide range of important issues at the current session will produce fruitful outcomes.

Mr. Chairman,

2. Since the new democratic Government took office in April last year, the cooperation between Myanmar and the ILO is presented with a new conducive environment for better cooperation. This new environment enables Myanmar and the ILO to make considerable progress in four pillars of the Framework ILO engagement in Myanmar endorsed by the Governing Body in November 2016. While peace and national reconciliation is the highest priority of the new Government for its immediate agenda, the socio-economic welfare of the people, particularly of workers is also receiving full attention.

3. Our President U Htin Kyaw in his message on the occasion of International Worker's Day this year, recognizes the pivotal role of the workers in the country's overall development. As such, the Government, based on the principle of social justice, is working together with social partners and other relevant organizations for enhancing the tripartite efforts. He has also highlighted the importance of striking a balance and promoting harmony in relation between employers and workers which constitutes a driving force for the country development.

4. He has also underlined some of our national efforts, including reforming labour laws, upgrading the skills, establishing the Labor Exchange Offices for registration of workers, opening Myanmar Migrant Workers' reporting counters at the Yangon international airport, implementing the Myanmar Programme on the Elimination of Child Labour 2014-2017 and providing social protection and health care with the cooperation of ILO and development partners.

Mr. Chairman,

5. Myanmar has made significant progress for the elimination of forced labour. It has been carrying out reforms of the labour laws and as part of the reform programme. A total of 12 domestic laws have been amended or enacted since 2012.

6. The practice of forced labour in my country has been substantially decreased over the years. It is an outcome of joint efforts made by the Government, all stakeholders in the country and the ILO office. Promoting public awareness is instrumental to this progress. To date, 150 billboards are up across the country. The Ministry of Labour, Immigration and Populations with the expertise from the ILO Liaison Office was able to successfully conduct 140 talks and trainings on forced labour elimination throughout the country since 2012.

7. Myanmar is also fully committed to resolving the issue of underage recruitment. Action has been taken against perpetrators under the section 374 of the Penal Code and the Section 65 of the Defense Services Act, 1959. A total of 87 military officials and 342 other ranks were penalized until August 2017.

8. While fighting against impunity, advocacy is further pursued actively. The Tamataw (Military), on its part, has been conducting numerous seminars and trainings on elimination of forced labour and underage recruitment in most of their establishments. There have been 8,998 seminars and talks for the military officials, other ranks and cadets including their family members from 2012 to 2017.

9. The National Tripartite Dialogue Forum in Myanmar is functioning well and gaining momentum. The Technical Working Group held substantive discussions on Labour Organizations Law, the Employment and Skills Development Law and the Settlement of Labour Dispute Law: the three prioritized laws for amendments.

10. The September meeting of the Forum has decided to further amend the the Law amending *the 2012 Settlement of Labour Disputes law* within 4-month time. The Technical Working Group on Labour Law Reform will continue to reflect on the draft text. As legally required, a motion to amend the 2012 Settlement of Labour Disputes law for the second time has been submitted on 1st November 2017 to the *Ayothar Hluttaw* (House of Nationalites) for endorsement.

11. With regard to the Employment and Skill Development Law, 21-point new terms and conditions of employment contracts was already agreed in July by Tripartite Mechanism and made known to all establishments with more than 5 workers, to follow.

12. The number of registered labour organizations at different levels is growing in Myanmar. Paragraph 19 of document GB.331/INS/11 reflects this trend adequately. [To date, 2477 basic labour organizations, 141 township

labour organizations, 21 State/region labour organization, 8 labour federations, 27 basic employers organizations, one township employer organization and one employers federation have been formed systematically and independently under the labour organization law, 2011.]

Mr. Chairman,

13. The cooperation between Myanmar and the ILO is intensifying in many areas including occupational safety and health system. Technical and financial assistance of ILO has been instrumental to establish a data base on Labour Force, Child Labour and School to Work Transition in 2015. This survey is a prerequisite for policy and planning in Myanmar. At the same time, we need ILO assistance to launch another survey on Manpower Demand to assess labour demand market in the country.

14. Myanmar is one of the beneficiary countries of the ILO Global Flagship programme for social protection floors. As part of our National Social Protection Strategic Plan, the Government has launched in February this year maternal and child cash transfer programmes in Chin State, Rakhine State and the Naga Self-administered zone. For the first time in Myanmar history, the Government is providing a monthly social pension of 10,000 kyats for persons 90 year old and over.

Mr. Chairman,

15. As in most of the developing countries, many children in Myanmar have to help their parents for the family's daily subsistence. However, we are trying to reverse this trend by creating a national committee to draw up a national strategy and action plan for elimination of child workers. Under the current

programme of elimination of child workers, a list of Hazardous workplaces and activities is already developed.

16. To increase legal protection, a draft law amended in line with the Minimum Age Convention, 1973 (No.138) is with the Parliament for its scrutiny and endorsement.

Mr. Chairman,

17. My Government's commitment and efforts in the interest of our people including our social partners is unequivocal. Progress made within the Framework for ILO Engagement in Myanmar is evident as capsulated in many parts of the document GB.331/INS/11. At the same time, challenges remain and more needs to be done by Myanmar and ILO in close partnership. It should be bear in mind that Myanmar is a newly born infant democracy with delicate historical, social and political fabric. Colonial legacy left in our legal framework and practice is also a challenge yet to overcome.

Mr Chairman,

18. The renewing the Memorandum of Understanding and associated Action Plan between Myanmar and ILO is the highest priority for the Government of Myanmar in our cooperation with ILO. All stakeholders are working together until this morning to make progress on this important commitment. However, more time is needed to make final adjustments on the Action Plan to address the concern of important stakeholders and to add more clarity on a few wordings in the text. I am confident that we would be able to conclude the Action Plan and the MoU as soon as possible.

Mr. Chairman,

19. Myanmar has been high on ILO's agenda for too long. Throughout these years, significant progress has been achieved that has led to lifting remaining restrictions by ILO in 2013. The joint efforts have been continuing since then. I believe that time has now come for Myanmar and the ILO for a more comprehensive level of cooperation. We look forward to early launching of Decent Work Country Programme and establishment of a country Office to run that programme. To this end, Myanmar is committed to finalizing the MoU and Action Plan as soon as possible.

20. Before concluding, I would like to express our thanks to Director-General Mr. Guy Ryder, Deputy Director-General Mr. Greg Vines for their sincere efforts to bridge difference between ILO and Myanmar. My sincere appreciations also go to the Liaison Officer Mr. Rory Mungoven for his dedication and hard work in discharging his mandate.

Thank you.
