



SIXTH ITEM ON THE AGENDA

Measures, including action under article 33 of the Constitution of the International Labour Organization, to secure compliance by the Government of Myanmar with the recommendations of the Commission of Inquiry established to examine the observance of the Forced Labour Convention, 1930 (No. 29)

Addendum

In order to facilitate the discussion on this item, the Officers of the Governing Body requested the Office to prepare the text of a self-contained resolution that could be addressed to the Conference within the framework of the point for decision proposed in paragraph 21(b) of document GB.277/6, as follows:

The Governing Body of the ILO,

Recalling the discussions held at the 273rd, 274th and 276th Sessions of the Governing Body on the implementation of the recommendations of the Commission of Inquiry established under article 26 of the Constitution of the ILO to examine the observance by Myanmar of the Forced Labour Convention, 1930 (No. 29),

Noting that the Government of Myanmar has so far not complied with the recommendations of the Commission of Inquiry, despite the disapproval that the gravity of the Government's failure to act must inspire in everyone's conscience and the imperative need to put an end to this situation by every appropriate means as soon as possible,

Noting the provisions of article 33 of the Constitution of the ILO;

Recommends to the International Labour Conference, meeting at its 88th Session (May-June 2000), that it adopt measures including some or all of the following:

- (a) to decide that the question of the implementation of the Commission of Inquiry's recommendations and of the application of Convention No. 29 by Myanmar should be discussed at future sessions of the International Labour Conference, at a sitting of the Committee on the Application of Standards

specially set aside for the purpose, so long as this Member has not been shown to have fulfilled its obligations.

- (b) to recommend to the Organization's constituents as a whole – governments, employers and workers – that they: (i) review, in the light of the conclusions of the Commission of Inquiry, the relations that they may have with the member State concerned and take appropriate measures to ensure that the said Member cannot take advantage of such relations to perpetuate or extend the system of forced or compulsory labour referred to by the Commission of Inquiry, and to contribute as far as possible to the implementation of its recommendations; and (ii) report back in due course and at appropriate intervals to the Governing Body.
- (c) as regards international organizations, to invite the Director-General: (i) to inform the international organizations referred to in article 12, paragraph 1, of the Constitution of the Member's failure to comply; (ii) to call on the relevant bodies of these organizations to reconsider, within their terms of reference and in the light of the conclusions of the Commission of Inquiry, any cooperation they may be engaged in with the Member concerned and, if appropriate, to cease as soon as possible any activity that could have the effect of directly or indirectly abetting the practice of forced or compulsory labour.
- (d) regarding the United Nations specifically, to invite the Director-General to request the Economic and Social Council (ECOSOC) to place an item on the agenda of its July 2000 session concerning the failure of Myanmar to implement the recommendations contained in the report of the Commission of Inquiry and seeking the adoption of recommendations directed by ECOSOC or by the General Assembly, or by both, to governments and to other specialized agencies and including requests similar to those proposed in paragraphs (b) and (c) above.
- (e) to invite the Director-General to submit to the Governing Body, in the appropriate manner and at suitable intervals, a periodic report on the outcome of the measures set out in paragraphs (c) and (d) above, and to inform the international organizations concerned of any developments in the implementation by Myanmar of the recommendations of the Commission of Inquiry.

Geneva, 27 March 2000.