

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

In 2018, Burma is receiving an assessment of no advancement. Although, Burma made some efforts to eliminate the worst forms of child labor, government officials were complicit in the use of forced child labor. The government extended the Supplementary Understanding with the ILO to continue the forced labor complaint mechanism through 2018. During the June 2018 Union Peace Conference, the government also committed to the elimination of six grave violations against children, including the recruitment and use of children as soldiers. The government also established a mechanism to coordinate efforts to address child labor. Despite these initiatives, Burma is receiving an assessment of no advancement because, in previous years, it forcibly recruited children into its national armed forces, and there is a lack of evidence that it has fully ceased this practice and that these children have been released from the armed forces. The government’s “self-reliance” policy has created an ongoing risk of forced labor in conflict areas as the national armed forces continues to coerce civilians, including children, to work as porters, cleaners, and cooks in conflict areas. In addition, several of the armed ethnic groups recruited and used children, including as combatants in armed conflict. Children in Burma engage in other worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Government policies increased children’s vulnerability to the worst forms of child labor by denying Rohingya children, displaced by conflict, access to education because of government restrictions on their movements. The penalties imposed for recruiting and using children in the military are not sufficient for the seriousness of the crime. In addition, the government did not publish information on criminal law enforcement efforts to investigate, prosecute, and convict cases involving the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Burma engage in the worst forms of child labor, including forced labor in armed conflict and commercial sexual exploitation, sometimes as a result of human trafficking. (1,2) Table I provides key indicators on children’s work and education in Burma.

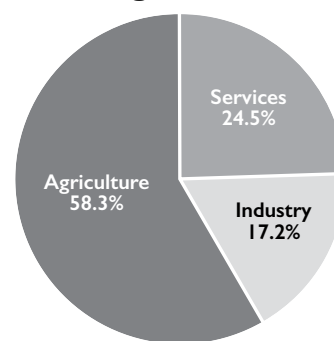
Table I. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	3.3 (312,151)
Attending School (%)	5 to 14	86.0
Combining Work and School (%)	7 to 14	
Primary Completion Rate (%)		96.4

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (3)

Source for all other data: International Labor Organization’s analysis of statistics from Report on Child Labor in Myanmar, 2015. (4)

Figure I. Working Children by Sector, Ages 5-14



Burma

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including rubber, sugarcane, beans and pulses, rice, betel nut, and bamboo (2,4-9)
	Fishing and processing fish and seafood (4-6,10)
	Forestry, including on teak plantations (4,11)
Industry	Producing garments (12-17)
	Construction and carrying stones (2,4,12,13,18-20)
	Food processing (12,13)
	Brickmaking (21)
	Quarrying and mining, including for jade and rubies (1,4,22-24)
Services	Domestic work (2,4,25-27)
	Working in teashops and restaurants, including waiting tables and washing dishes (2,4,12,20,28)
	Vending, including in fish markets, collecting garbage and recyclables, and working in transportation (5,13,20,29)
Categorical Worst Forms of Child Labor‡	Forced recruitment of children by state and non-state armed groups for use in armed conflict (1,2,30)
	Forced labor in agriculture, including harvesting bamboo and producing beans, rice, rubber, sugarcane, and teak (1,7,11,31)
	Forced labor in manufacturing bricks and construction (1,21)
	Forced labor in domestic work, teashops, and begging (1,26,27)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,8)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

At least 174 unverified cases of recruitment into Tatmadaw ranks were under review at the end of 2018. (30) In previous years, the Tatmadaw used force and coercion to recruit children. (32,33) Civilian brokers with military connections facilitate the entry into the military of underage recruits, in some instances bypassing standard age verification procedures. Individuals recruited as children have been to the front lines of armed conflict as combatants, and there have been reports that some military officers employ children to serve as messengers or domestic workers. (1,30) The Tatmadaw’s “self-reliance” policy has led to some units using children to porter goods, cook, and clean barracks in conflict areas. (1) During the reporting period, there were at least two documented cases of children working in these types of support roles. (1,30) In addition, the Border Guard Police use children for unpaid labor. (30,34) Children were also recruited and used in armed conflict by non-state armed groups, including the Karen National Liberation Army, the Kachin Independence Army, the Karenni Army, the Shan State Army-South, the United Wa State Army, the Ta’ang National Liberation Army in Kachin, Kayin, and Shan states, and in other unidentified armed groups. (1,30)

Between August 2017 and August 2018, over 700,000 people, primarily from the Rohingya minority, fled from Burma to Bangladesh following acts of violence and ethnic cleansing perpetuated by the military in northern Rakhine State. (1,35-37) While the displacement of Rohingya people abated in 2018, conditions in Rakhine State were not conducive to the safe and voluntary return of refugees in Bangladesh. (37) As a result, an estimated 350,000 Rohingya children live in refugee camps in Bangladesh, at sites in which they are vulnerable to the worst forms of child labor. (37,38) Rohingya girls are trafficked from refugee camps for commercial sexual exploitation in Bangladesh, India, and Nepal. In some cases, girls are promised jobs in domestic service but are instead forced into commercial sexual exploitation. (39,40) There are also reports that some girls are forced into domestic service, sometimes as a result of human trafficking, and are abused by their employers. (35,41,42) Rohingya children recruited to work outside of the refugee camps, such as in shops, fishing, and transportation, are reported to be underpaid or unpaid, unable to communicate with their families, and subjected to excessive working hours. (35)

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR




Rohingya children internally displaced in northern Rakhine State by the ethnic violence are at increased risk to the worst forms of child labor due to a lack of access to education. During the reporting period, approximately 129,000 of these children were forced to reside in internally displaced persons (IDP) camps in central Rakhine State. (37) Government restrictions on the movement of Rohingya in these IDP camps limit children’s access to education, among other basic services. (37) Furthermore, schools in Rohingya villages in Maungdaw, Rathedaung, and Buthidaung townships where the 2017 ethnic cleansing occurred have not re-opened, while schools for ethnic Rakhine children have re-opened. (43)

Rohingya children throughout Rakhine State face severe restrictions on attending school due to discriminatory government policies and practices adopted following the 2012 riots and violent clashes between ethnic Rakhine and Rohingya communities. (44) Local officials and school authorities typically ban Rohingya children from attending government schools with ethnic Rakhine children. (44,45) The government also imposed severe travel restrictions on Rohingya, making it difficult for children to access schools outside of their IDP camps, villages, or townships. (37,46-48) These restrictions particularly impact Rohingya children ages 10 to 17 because they must travel to attend middle school and high school. (45-48) Many Rohingya children also lack the documentation that is required to attend middle schools and high schools in Rakhine State because the government denies them citizenship or officials refuse to register their household residency. (49,50) Rohingya children’s access to primary school in their villages is limited due to a lack of schools, particularly in IDP camps, and teacher absence in Muslim villages due to security concerns. (51,52) In addition to Rakhine State, children throughout Burma face barriers to education, such as long distances to schools and expenses that include uniforms, books, transportation, and “extra fees” charged by teachers and schools. (2,13,24,53)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Burma has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Burma’s legal framework to adequately protect children from the worst forms of child labor, including establishing a minimum age for work consistent with international standards and comprehensively identifying the types of hazardous work prohibited for children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	14	Section 75 of the Factories Act; Article 14 of the Shops and Establishments Law (54,55)
Minimum Age for Hazardous Work	No	16	Article 15(d) of the Shops and Establishments Law; Sections 25 and 29 of the Factories Act; Rule 146 of the 2018 Mining Rules; Section 65(a) of the Child Law (54-57)

Burma

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

Table 4. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Sections 25 and 29 of the Factories Act; Article 15(d) of the Shops and Establishments Law (54,55)
Prohibition of Forced Labor	Yes		Sections 3 and 24 of the Anti-Trafficking in Persons Law; Sections 370–371 and 374 of the Penal Code; Section 27(a) of the Ward or Village Tracks Administrative Law (58-60)
Prohibition of Child Trafficking	No		Sections 3 and 24 of the Anti-Trafficking in Persons Law; Sections 372 and 366(a) of the Penal Code (58,59)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 372–373 of the Penal Code; Section 66(f) of the Child Law (56,59)
Prohibition of Using Children in Illicit Activities	No		Sections 20(a) and 22(c) of the Narcotics and Psychotropic Substances Law; Sections 65(b)–(c) and 66(c) of the Child Law (56,61)
Prohibition of Military Recruitment			
Minimum Age for Voluntary State Military Recruitment	Yes	18	The 1974 Regulation for Persons Subject to the Defense Service Act (War Office Council Instruction 13/73) (62)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	No	10‡	Section 20(b)(i) of the Child Law; Section 4(j) of the National Education Law (56,63)
Free Public Education	Yes		Section 20(a)(ii) of the Child Law; Section 4(j) of the National Education Law (56,63)

* No conscription (64)

‡ Age calculated based on available information (56,65)

If passed, the Child Rights Law would extend hazardous protections for children up to age 18; however, it remained under discussion in the Parliament in 2018. (2) In May 2018, a draft hazardous work list was approved following a national consultation. However, the list has not been published and will not have the force of law until the Child Rights Law is approved. (66)

In certain sectors, age 14 has been established as the minimum age for work; however, there is no minimum age for work for all sectors in which children are employed, including agriculture and informal work. Some sector-specific laws identify activities that are prohibited for children under age 18. (55,57) The general minimum age of 16 for hazardous work, established in the Child Law, is also not in compliance with international standards. (56)

The legal framework does not sufficiently prohibit commercial sexual exploitation of children, as there are no criminal prohibitions of the procurement and offering of children for the production of pornography or for pornographic performances, and Burma's Anti-Trafficking in Persons Law requires a demonstration of force, fraud, or coercion to constitute a child trafficking offense. (56,58,59) In addition, the legal framework does not sufficiently prohibit the use of children in illicit activities, as the use of children ages 16 and 17 for the production and trafficking of drugs is not criminally prohibited. (56,61) The legal framework also does not prohibit non-state armed groups from recruiting children for use in armed conflict. (67)

Children in Burma are required to attend school only up to age 10. This standard leaves children ages 10 through 13 vulnerable to child labor since they are not required to attend school but are not legally permitted to work. (56,65)

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within operations of the law enforcement agencies that may hinder adequate child labor enforcement.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Immigration, and Population's (MOLIP) Factories and General Labor Laws Inspection Department (FGLLID)	Inspects factories, shops, and establishments for child labor law violations. (54,55)
Myanmar Police Force's Anti-Trafficking in Persons Division (ATIPD)	Investigates trafficking in persons crimes and engages in human trafficking prevention efforts through its 32 regional Anti-Trafficking Task Forces. Oversees Child Protection. Operates Task Force units in Rangoon, Mandalay, and Naypyidaw. (68)
Ministry of Defense's Committee for the Prevention of Military Recruitment of Underage Children	Sanctions perpetrators that recruit or use children in the armed forces. (69)
Department of Social Welfare, Relief, and Resettlement	Investigates cases in which children need protection. (56) Provides social services for children rescued from human trafficking and those affected by conflict in Rakhine, Shan, and Kachin states. (68)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Burma took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor, Immigration, and Population that may hinder adequate child labor law enforcement, including the lack of publicly available enforcement information and an inadequate number of labor inspectors.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown	Unknown (2)
Number of Labor Inspectors	170 (70)	163 (71)
Inspectorate Authorized to Assess Penalties	Yes (24)	Yes (24)
Initial Training for New Labor Inspectors	Yes (24)	Yes (2)
Training on New Laws Related to Child Labor	Yes (24)	N/A
Refresher Courses Provided	Yes (24)	Yes (71)
Number of Labor Inspections Conducted	Unknown (72)	45,641 (71)
Number Conducted at Worksite	Unknown (72)	Unknown
Number of Child Labor Violations Found	0 (24)	6 (71)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	Unknown (71)
Number of Child Labor Penalties Imposed that Were Collected	N/A	Unknown
Routine Inspections Conducted	Yes (24)	Yes (71)
Routine Inspections Targeted	No (24)	Yes (71)
Unannounced Inspections Permitted	Yes (24)	Yes (2)
Unannounced Inspections Conducted	Unknown	Yes (2)
Complaint Mechanism Exists	Yes (24)	Yes (24)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (24)	No (2)

The number of labor inspectors is likely insufficient for the size of Burma's workforce, which includes approximately 22 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Burma would employ about 558 inspectors. (64,73,74)

Burma

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

In 2018, the Lower House of Burma’s Parliament approved the new Occupational Safety and Health Bill, which expands the legal jurisdiction of the labor inspectorate to include additional industries, including agriculture and construction. In March 2019, the bill was adopted by the Upper House and signed into law by the President. (66,75,76)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Burma took actions to combat the worst forms of child labor (Table 7). However, gaps exist within the Burmese military’s practices that may hinder adequate criminal law enforcement, including the lack of publicly available data on enforcement efforts.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown	Unknown (2)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Unknown (2)
Refresher Courses Provided	Unknown	Unknown (2)
Number of Investigations	Unknown	Unknown (2)
Number of Violations Found	Unknown	Unknown (2)
Number of Prosecutions Initiated	Unknown	Unknown (2)
Number of Convictions	Unknown	Unknown (2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (70)	Yes (70)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (77)	Unknown (2)

As of September 2018, the government released 75 children and young people who had been recruited into the military. (78) While the government continued training its personnel on age verification at recruitment centers, the military’s oversight and monitoring of recruitment procedures were still insufficient to fully prevent the recruitment of children. (1,68) The penalties imposed for recruiting and using child soldiers are not commensurate with the seriousness of these crimes. (1,33) In past years, most of these cases reportedly culminated in reprimands, demotions, relocations, fines, or decreases in pensions, penalties significantly less than those prescribed by criminal law. (79)

During the reporting period, the government sentenced a man to 20 years for forcing a child to work on a chicken farm without pay and prosecuted 3 cases involving child trafficking. The Myanmar Police Force’s Anti-Trafficking in Persons Division (ATIPD) also rescued 31 child trafficking victims. (68) In addition, the ATIPD increased its staff, bringing the total number of officers to 490, and conducted awareness-raising programs in IDP camps in Rakhine and Kachin states, where children and adults are particularly vulnerable to human trafficking. (68)

The Department of Social Welfare, Relief, and Resettlement continued to lack sufficient staff and resources to provide adequate services for victims. However, in 2018, it did establish a Department of Rehabilitation to coordinate rehabilitation services for human trafficking victims. (68)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
UN Country Task Force on Monitoring and Reporting (CTFMR) on Grave Violations Against Children	Coordinates with the government to end and prevent the recruitment and use of children in Burma’s armed forces. (78) Co-chaired by the UN and UNICEF, members include Save the Children, World Vision, and relevant UN agencies, such as the ILO. Mandated by UN Security Council Resolution 1612 in response to children in Burma being subjected to grave violations, including the recruitment and use of children as soldiers. (78)

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor (Cont.)

Coordinating Body	Role & Description
Technical Working Group on Child Labor	Coordinates the implementation of ILO Convention 182, including drafting the list of hazardous work prohibited for children, developing a national plan of action against child labor, and establishing a mechanism for identifying, monitoring, and referring child labor cases. Chaired by MOLIP, consists of stakeholders from eight government ministries, employers, and civil society organizations. (80,81) The group held quarterly plenary sessions during the reporting period. (82)
Myanmar National Committee on Child Labour Eradication*	Oversees the implementation of the Myanmar Child Labour Eradication Project, which was approved by the committee in December 2018. (2,24,83) Chaired by the Vice President and consists of 13 government ministries, including MOLIP, chief ministers of 10 states, mayors of Rangoon and Mandalay, and employer and civil society organizations. (83) Officially launched on February 5, 2018. (84)
Central Body for the Suppression of Trafficking in Persons	Coordinates efforts to address trafficking in persons. Chaired by the Minister of Home Affairs and includes six government agencies and several non-governmental stakeholders. (69) In 2018, organized anti-trafficking in persons awareness-raising activities, which included participatory events, distribution of informational pamphlets, and placement of billboards and posters in areas with high risk of recruitment. (68)
Township Committees of the Rights of the Child	Coordinates local child welfare and protection activities. Led by the Township Administrator and consists of government agencies, including the Department of Social Welfare, police, and NGOs. (2,56) As of 2018, established in 318 of 330 townships in Burma. (85)

*Mechanism to coordinate efforts to address child labor was created during the reporting period.

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including the adoption of policies that address all relevant worst forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
Joint Action Plan with the UN to Prevent the Recruitment and Use of Children for Military Purposes	Aims to end all government recruitment and use of children in its armed forces. Seeks to ensure the release of children under age 18 from the armed forces and facilitate their reintegration into families and communities through the CTFMR. Resulted in the release of 924 children and young people since the start of the policy in 2012, including the release of 75 children and young people in 2018. (78)
Myanmar Child Labour Eradication Project†	Establishes a national plan of action to eliminate child labor, including hazardous child labor. (2)
Myanmar Sustainable Development Plan (2018–2030)†	Sets out a strategy to expand the social safety net and social protection services, including the introduction of measures to keep children enrolled in schools and out of child labor. (86)
Myanmar Decent Work Country Programme (2018–2021)†	Seeks to strengthen protections against child labor and forced labor by building on existing ILO-programs in Burma and continuing engagement between the ILO and the government. (87)

† Policy was approved during the reporting period.

During the July 2018 session of the Union Peace Conference between the government, national armed forces, and non-state armed groups, the parties committed to eliminating the six grave violations against children, including the recruitment and use of children as soldiers, in accordance with UNCRC. (78,88)

Although the government has adopted a policy to end the military's recruitment and use of child soldiers and hazardous child labor, research found no evidence of a policy on other worst forms of child labor, including forced child labor or commercial sexual exploitation of children.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address all worst forms of child labor.

Burma

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

Table 10. Key Social Programs to Address Child Labor

Program	Description
Forced Labor Complaint Mechanism	Joint government-ILO program that gives citizens a mechanism to lodge complaints of forced labor and seek remedies from the government. (89) On January 22, 2018, the ILO and the Government of Burma signed an extension to the Supplementary Understanding on Complaints Mechanism, which was in effect until December 31, 2018. (66) During the reporting period, 115 cases of child soldiers were received through the complaint mechanism; most of the complaints reported were from people who are no longer children. (90) In addition, 42 cases were referred to CTFMR in 2018. (66)
Hotlines	UNICEF and World Vision-operated hotlines for reporting suspected cases of child recruitment or use by Burma's military. (91) In 2018, 44 tips were received and 5 cases of child soldier recruitment were confirmed, resulting in the release of the victims. (90)
Myanmar Programme on the Elimination of Child Labour (My-PEC) Project (2014–2019)	\$6.25 million, USDOL-funded project implemented by the ILO to expand the knowledge base on child labor in Burma, increase awareness and knowledge of child labor, improve laws to meet international standards, and build the capacity of stakeholders to address child labor. (82,92) In 2018, trained 78 social partners to advocate against child labor; published and provided training materials on child labor to labor inspectors, members of parliament, employer organizations, workers organizations, and civil society organizations; provided education services to 359 children, livelihood services and skills training to 196 households, and occupational safety and health training to 156 employers and local authorities. (66,84) Additional information is available on the USDOL website.
SafeYouth@Work Project: Building a Generation of Safe and Healthy Workers (2014–2019)	USDOL-funded global project implemented by the ILO, with Burma as one of the three pilot countries. In Burma, focused on young workers ages 15 to 24 in the construction and agricultural sectors. Sought to improve availability and use of occupational safety and health (OSH) data, improve regulations and programs on OSH, build the capacity of the government and social partners to promote and enforce compliance with OSH laws and regulations, and increase youth knowledge and awareness of hazards and risks. (93) In 2018, participated in the development of Burma's first OSH questionnaire to be included in the Labor Force Survey that will be administered to over 15,000 households by MOLIP. Assisted in the development of the data collector's manual and provided training for data collectors. (94) Additional information is available on the USDOL website.

Overall, the government lacks sufficient social programs to adequately address the worst forms of child labor, including the recruitment of children by state and non-state armed forces, forced child labor, and the commercial sexual exploitation of children.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Burma (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on Armed Conflict.	2016 – 2018
	Establish a minimum age of at least 14 years for work for all sectors.	2016 – 2018
	Establish a minimum age of 18 for hazardous work.	2017 – 2018
	Ensure that the types of hazardous work prohibited for children are comprehensive by including all sectors and activities in which children engage in hazardous work.	2016 – 2018
	Prohibit all forms of child commercial sexual exploitation, including procuring and offering of children for the production of pornography or pornographic performances.	2016 – 2018
	Ensure that the law does not require a demonstration of force, fraud, or coercion to constitute a child trafficking offense.	2017 – 2018
	Criminally prohibit the use of children in the production and trafficking of drugs.	2016 – 2018
	Criminally prohibit the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Ensure that the age up to which education is compulsory is the same as the minimum age for work, as established by international standards.	2016 – 2018
Enforcement	Ensure that conditions are safe in Rakhine State for the voluntary return of Rohingya refugees, including children in Bangladesh.	2018
	Publish information related to labor law enforcement, including the amount of funding for the labor inspectorate, the number of inspections conducted at worksites, the number of penalties issued for child labor violations, and the number of penalties collected for child labor violations.	2016 – 2018

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Enforcement	Establish a referral mechanism between the labor inspectorate and social services.	2016 – 2018
	Increase the number of labor inspectors to meet the ILO's technical advice.	2016 – 2018
	Publish data on training for investigators and the number of investigations, prosecutions, and convictions for violations related to the worst forms of child labor.	2016 – 2018
	Cease the military's continued use of children in its armed forces, including for forced labor in conflict areas.	2016 – 2018
	Improve military oversight and monitoring of recruitment procedures to prevent the recruitment of children.	2017 – 2018
	Ensure that the penalties for the recruitment and use of children in the military are appropriate for the seriousness of the crime.	2017 – 2018
	Ensure that the Department of Social Welfare, Relief, and Resettlement has sufficient resources to provide services to victims of the worst forms of child labor.	2016 – 2018
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, such as armed conflict by state and non-state armed groups, hazardous work, forced child labor, and commercial sexual exploitation.	2016 – 2018
Social Programs	Remove all restrictions on Rohingya access to education, including school segregation, travel restrictions, and barriers to enroll in school.	2017 – 2018
	Develop and implement education programs that reduce physical barriers for children who live long distances from schools and eliminate prohibitive expenses for attending school.	2016 – 2018
	Develop and implement programs to address all worst forms of child labor, including the recruitment of children by state and non-state armed groups, forced child labor, and the commercial sexual exploitation of children.	2016 – 2018

REFERENCES

- U.S. Department of State. 2018 Trafficking in Persons Report: Burma. Washington DC, June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/burma/>
- U.S. Embassy- Rangoon. Reporting. January 18, 2019.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO and Government of Burma. Report on Child Labour in Myanmar-2015. 2016. http://www.mol.gov.mm/en/wp-content/uploads/downloads/2017/03/MMR-CL-Child-labour-in-Myanmar-IB-edit-final-version_21.11.2.pdf.
- ILO. Agricultural Sub-sector Child Labor Survey: Children working in the cultivation and processing of Inland Fishing Stocks, Sugarcane, and Beans and Pulses in Myanmar. April 27, 2017. <http://www.ilo.org/ipecinfo/product/download.do?type=document&id=29335>.
- ILO. My-PEC Report: Opportunities to leverage income generation in marginalized villages: Labutta and Ye Townships. July 2016. Source on file.
- Karen Human Rights Group. Surviving in Shadow: Widespread Militarization and the Systematic Use of Forced Labour in the Campaign for Control of Thaton District. January 2006. <http://khrhg.org/sites/default/files/khrhg0601.pdf>.
- ILO-IPEC. Project Updates: Myanmar Programme on the Elimination of Child Labour (My-PEC). November 2015-January 2016. <http://www.ilo.org/ipecinfo/product/download.do?type=document&id=28578>.
- Women and Child Rights Project. Children for Hire: A Portrait of Child Labor in Mon Areas. November 2013. <http://www.rehmonnya.org/reports/childrenforhire.pdf>.
- Zaw, Hnin Yadana, and Soe Zeya Tun. As economy booms, children toil in Myanmar. Reuters, April 19, 2016. <http://www.reuters.com/article/us-myanmar-children-labour-idUSKCN0XG01F>.
- International Committee of Free Trade Unions. Report for ILO Committee of Experts on the Application of Conventions and Recommendations: Burma: Forced Labour Convention, 1930 (No. 29). 2004. Source on file.
- ILO-IPEC. Knowledge, Attitudes and Practices (KAP) Study on Child Labour in Yangon, Ayeyarwady Region and Mon State. Geneva, 2015. http://themimu.info/sites/themimu.info/files/documents/Report_Knowledge_attitudes_and_practices_study_on_child_labour_in_Yangon_Ayeyarwady_Region_and_Mon_State_ILO_2015.pdf.
- ILO-IPEC. Rapid Assessment on Child Labour in Hlaing Thar Yar Industrial Zone in Yangon, Myanmar. Geneva. 2015. <http://www.ilo.org/ipecinfo/product/download.do?type=document&id=27439>.
- Butler, Sarah. H&M factories in Myanmar employed 14-year old workers. The Guardian, August 21, 2016. <https://www.theguardian.com/business/2016/aug/21/hm-factories-myanmar-employed-14-year-old-workers>.
- Action Labor Rights. Under Pressure: A Study of Labour Conditions in Garment Factories in Myanmar which are wholly Korean owned or in a Joint Venture with Korean Companies. March 2016. <http://www.cleanclothes.org/resources/national-cccs/under-pressure>.
- Theuws, Martje, and Pauline Overeem. The Myanmar Dilemma: Can the garment industry deliver decent jobs for workers in Myanmar? Centre for Research on Multinational Corporations. SOMO, February 2017. <https://www.somo.nl/the-myanmar-dilemma/>.
- BSR. Child Labor in Myanmar's Garment Sector: Challenges and Recommendations. May 2016. https://www.bsr.org/reports/BSR_Child_Labor_Myanmar_Garment_Sector_2016.pdf.
- Peel, Michael. Telenor uncovers child labour among Myanmar. Financial Times, August 19, 2014. <https://www.ft.com/content/9eac10b0-27a5-11e4-ae44-00144feabdc0>.
- Trautwein, Catherine. Telenor works to address its child labour troubles. May 22, 2015. <http://www.mmtimes.com/index.php/business/technology/14622-telenor-works-to-address-its-child-labour-troubles.html>.

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

- 20 DVBT.V. To the end of the world Pt 1: Burma's child labourers. March 14, 2016.
<https://www.youtube.com/watch?v=d0IHtg2kUjw>.
- 21 Htwe, Zaw Zaw. Child workers, labour rights violations alleged at brickyard. Myanmar Times, December 16, 2016.
<http://www.mmtimes.com/index.php/national-news/24245-child-workers-labour-rights-violations-alleged-at-brickyard.html>.
- 22 Human Rights Watch. Burma's Gem Trade and Human Rights Abuses. July 29, 2008.
<https://www.hrw.org/print/234933>.
- 23 Myanmar Centre for Responsible Business. Children's Rights and Business in Myanmar. April 2017: Briefing Paper.
https://www.humanrights.dk/sites/humanrights.dk/files/media/dokumenter/udgivelses/hrd_2017/briefing-paper-childrens-rights-and-business-in-myanmar_003.pdf.
- 24 U.S. Embassy- Rangoon. Reporting. February 14, 2018.
- 25 Agence France Presse. Beaten and Burnt: Myanmar's invisible child servants. Manila Times, September 22, 2016.
<http://www.manilatimes.net/beatenandburntmyanmarsinvisiblechildservants/287246/>.
- 26 Aung, Ei Cherry. Isolated and lacking labor rights, Myanmar's housemaids toil in silence. Reuters, July 4, 2016.
<http://www.reuters.com/article/us-myanmar-rights-housemaids-idUSKCN0ZL005>.
- 27 ILO Committee of Experts. Direct Request concerning Worst Forms of Child Labour Convention, adopted 2018 (No. 182) Myanmar (ratification: 2013). Accessed March 5, 2019.
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:3956517
- 28 Telenor. Roundtable discussion on tackling child labor in Myanmar. July 13, 2016. Source on file.
- 29 Human Rights Now. Child Labour in the Myanmar Fishing Sector. October 2018.
http://hrn.or.jp/eng/wp-content/uploads/2018/10/HRN_Child_Labour_in_the_Myanmar_Fishing_Sector_2018.pdf.
- 30 UN. Reporting. New York, 2018. Source on file.
- 31 Earth Rights International. We are Not Free to Work for Ourselves. 2002. Source on file.
- 32 UN Security Council. Report of the Secretary-General on children and armed conflict in Myanmar. December 22, 2017: S/2017/1099.
http://www.un.org/ga/search/view_doc.asp?symbol=S/2017/1099&Lang=E&Area=UNDOC.
- 33 ILO Committee of Experts. Observation concerning Worst Forms of Child Labour Convention, adopted 2018 (No. 182) Myanmar (ratification: 2013). Accessed March 6, 2019.
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:3956513
- 34 U.S. Department of State. 2019 Trafficking in Persons Report: Burma. Washington DC, June 20, 2019.
<https://www.state.gov/reports/2019-trafficking-in-persons-report-2/burma/>
- 35 IOM. IOM Bangladesh: Rohingya Refugee Crisis Response Situation Overview of Human Trafficking. October 2018.
https://www.iom.int/sites/default/files/situation_reports/file/bangladesh_sr_201810.pdf.
- 36 IOM. Thousands at Risk of Trafficking Amid Rohingya Refugee Crisis. July 31, 2018.
<https://www.iom.int/news/thousands-risk-trafficking-amid-rohingya-refugee-crisis-iom>.
- 37 UN Security Council. Report of the Secretary-General on children and armed conflict in Myanmar. October 29, 2018: S/2018/956.
<https://documents-dds-ny.un.org/doc/UNDOC/GEN/N18/346/32/pdf/N1834632.pdf?OpenElement>.
- 38 UNICEF. Rohingya Crisis. August 23, 2018.
https://www.unicef.org/emergencies/bangladesh_100945.html.
- 39 BBC. The Rohingya children trafficked for sex. March 20, 2018.
<https://www.bbc.com/news/world-asia-43469043>.
- 40 U.S. Department of State. 2018 Trafficking in Persons Report: Bangladesh. Washington, DC, June 28, 2018.
<https://www.state.gov/reports/2018-trafficking-in-persons-report/bangladesh/>
- 41 Doherty, Ben. Displaced Rohingya Children Left in Limbo by Refugee Crisis. January 31, 2018.
<https://www.theguardian.com/world/2018/feb/01/devoid-of-hope-displaced-rohingya-children-are-vulnerable-to-trafficking-and-radicalisation>.
- 42 Yu, Sylvia. Trafficking Crisis Looms For Rohingya Refugees In Bangladesh. National Observer, December 1, 2017.
<https://www.nationalobserver.com/2017/12/01/news/trafficking-crisis-looms-rohingya-refugees-bangladesh>.
- 43 Phyu, Ei Shwe. Over 100,000 students still missing school in Rakhine. Myanmar Times, January 16, 2018.
<https://www.mmtimes.com/news/over-100000-students-still-missing-school-rakhine.html>.
- 44 Amnesty International. "Caged without a roof": Apartheid in Myanmar's Rakhine State. 2017.
<https://www.amnesty.org/download/Documents/ASA1674842017ENGLISH.PDF>.
- 45 UNICEF. Lives on Hold: Making sure no child is left behind in Myanmar. May 2017.
https://www.unicef.org/publications/files/UNICEF_Lives_on_Hold_Myanmar.pdf.
- 46 Carroll, Joshua. Myanmar's Rohingya deprived of education. Al Jazeera, August 4, 2014.
<https://www.aljazeera.com/indepth/features/2014/08/myanmar-rohingya-deprived-education-201484105134827695.html>.
- 47 Nicosia, Sal. Exodus Worsens Education for Rohingya Children. VOA News, October 2, 2017.
<https://www.voanews.com/a/rohingya-children-education-/4052917.html>.
- 48 Save the Children International and UNICEF. Child Protection Knowledge, Attitudes, and Practices Study. August 2014.
http://themimu.info/sites/themimu.info/files/documents/Report_CP_Knowledge_Attitude_Practice_Survey_Rakhine_2014.pdf.
- 49 UNHCR Myanmar. Study on Community Perceptions of Citizenship, Documentation and Rights in Rakhine State. August 2016.
http://themimu.info/sites/themimu.info/files/assessment_file_attachments/Community_Perceptions_FINAL.PDF.
- 50 Fortify Rights. Policies of Persecution: Ending Abusive State Policies Against Rohingya Muslims in Myanmar. February 2014.
http://www.fortifyrights.org/downloads/Policies_of_Persecution_Feb_25_Fortify_Rights.pdf.
- 51 Plan International Myanmar. Joint Education Sector Needs Assessment, North Rakhine State, Myanmar. November 2015.
http://www.reachresourcecentre.info/system/files/resource-documents/reach_report_rakhine_joint_education_needs_assessment_november_2015.pdf.
- 52 Kaufman, Katrina. Myanmar: Rohingya Children Losing Future Without Education. February 23, 2016.
<http://www.voanews.com/a/myanmar-rohingya-children-losing-future-without-education/3203595.html>.
- 53 Women and Child Rights Project, and Human Rights Foundation of Monland. Inaccessible and Under-Resourced: Concerns Over Education in Rural Mon Communities. June 2015.
<http://www.rehmonnya.org/reports/Final-Edition.pdf>.
- 54 Government of Burma. The Factories Act, Act 64 of 1951. Enacted: 1951; Amended: January 20, 2016.
http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/88477/123120/F1558150740/MMR88477_Eng_2016.pdf.
- 55 Government of Burma. The Shops and Establishments Law. Enacted: 2015.
http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/101962/123121/F1897640234/MMR101962_Eng.pdf.

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

- 56 Government of Burma. The Child Law, No. 9/93. Enacted: July 14, 1993. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/72890/74311/F1884014594/MMR72890.pdf>.
- 57 Myanmar Centre for Responsible Business. Main Laws Applicable to the Mining Sector in Myanmar. May 23, 2018. Source on file.
- 58 Government of Burma. The Anti Trafficking in Persons Law. Enacted: September 13, 2005. <http://un-act.org/publication/view/myanmars-anti-trafficking-in-persons-law-2005/>.
- 59 Government of Burma. Penal Code. Enacted: 1861. https://www.google.com/url?sa=t&rc=1&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0ahUKewji2_yl6YLRahWBQyYKHx8xCIAQFggaMAA&url=http://www.burmalibrary.org/docs6/MYANMAR_PENAL_CODE-corr.1.pdf&usq=AFQjCNE5rfjSa4oUShcco2axdT1OdJRhpg&sig2=SRsVA1IGQ.
- 60 Government of Burma. The Ward or Village Track Administration Law. Enacted: 2012. <http://www.myanmar-law-library.org/law-library/laws-and-regulations/laws/myanmar-laws-1988-until-now/union-solidarity-and-development-party-laws-2012-2016/myanmar-laws-2012/pyidaungsu-hluttaw-law-no-1-2012-ward-or-village-administration-law-burmese.html>.
- 61 Government of Burma. Narcotic Drugs and Psychotropic Substances Law. Enacted: January 25, 1993. <http://www.asianlii.org/mm/legis/laws/ndapsllaorcln193893/>.
- 62 U.S. Embassy- Rangoon official. Email communication to USDOL official. June 2, 2017.
- 63 Government of Burma. National Education Law, Law No. 41. Enacted: 2014. http://www.burmalibrary.org/docs20/2014-09-30-National_Education_Law-41-en.pdf.
- 64 CIA. The World Factbook. Accessed January 19, 2017. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 65 Government of Burma. Education System in Myanmar: Self-Evaluation and Future Plans. Ministry of Education, <http://www.myanmar-education.edu.mm/dhel/education-system-in-myanmar/education-structure/>.
- 66 ILO. Myanmar Programme on the Elimination of Child Labour (My-PEC) Project: Technical Progress Report. September 30, 2018. Source on file.
- 67 U.S. Embassy- Rangoon official. Email communication to USDOL official. February 24, 2017.
- 68 U.S. Embassy- Rangoon. Reporting. February 15, 2019.
- 69 U.S. Embassy- Rangoon. Reporting. February 13, 2017.
- 70 U.S. Embassy- Rangoon official. Email communication to USDOL official. June 5, 2019.
- 71 U.S. State Department official. Email communication to USDOL official. February 22, 2019.
- 72 U.S. Embassy- Rangoon. Email communication to USDOL official. February 23, 2018.
- 73 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York, 2017. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 74 ILO. Strategies and Practice for Labour Inspection. Geneva: Committee on Employment and Social Policy, November 2006. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- 75 Government of Burma. Occupational Safety and Health Law (Draft). 2017. Source on file.
- 76 Chau, Thompson. New labour law paves way for worker safety standards. The Myanmar Times. March 25, 2019. <https://www.mmtimes.com/news/new-labour-law-paves-way-worker-safety-standards.html>
- 77 Child Protection Unit, and Yangon Police’s Anti-Trafficking Unit. Communication to USDOL Official. September 14, 2016.
- 78 UNICEF. Seventy-five children and young people released by the Myanmar Armed Forces. September 3, 2018. <https://www.unicef.org/eap/press-releases/seventy-five-children-and-young-people-released-myanmar-armed-forces>.
- 79 U.S. Embassy- Rangoon official. Email communication to USDOL official. May 31, 2018.
- 80 ILO-IPEC. Project Updates: Myanmar Programme on the Elimination of Child Labour (My-PEC). April 2014-June 2015. <http://www.ilo.org/ipecinfo/product/download.do?type=document&id=27055>.
- 81 ILO. Background Report for the National Action Plan on Child Labour in Myanmar: An overview of issues to be considered in the development of the NAP. April 27, 2017. http://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_29337/lang--en/index.htm.
- 82 ILO. Myanmar Programme on the Elimination of Child Labour (My-PEC) Project. October 25, 2017: Technical Progress Report. Source on file.
- 83 U.S. Embassy- Rangoon. Email communication to USDOL official. June 1, 2018.
- 84 ILO. Myanmar Programme on the Elimination of Child Labour (My-PEC) Project: Technical Progress Report. March 31, 2018. Source on file.
- 85 ILO. Email communication with USDOL official. April 22, 2019
- 86 Government of Burma. Myanmar Sustainable Development Plan (2018–2030). http://themimu.info/sites/themimu.info/files/documents/Core_Doc_Myanmar_Sustainable_Development_Plan_2018_-_2030_Aug2018.pdf.
- 87 ILO. Decent Country Work Programme 2018–2021. https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-yangon/documents/publication/wcms_645042.pdf.
- 88 Global New Light Of Myanmar. 14 points signed as Part II of Union Accord. July 17, 2018. <http://www.globalnewlightofmyanmar.com/14-points-signed-as-part-ii-of-union-accord/>.
- 89 ILO. Forced Labour Complaint Mechanism. Accessed February 9, 2017. <http://ilo.org/yangon/complaints/lang--en/index.htm>.
- 90 U.S. Embassy- Rangoon. Reporting. December 26, 2018.
- 91 UNICEF. Forty-six (46) children released by Myanmar army. Rangoon, March 12, 2016. https://www.unicef.org/myanmar/media_25304.html.
- 92 ILO. Myanmar Programme on the Elimination of Child Labour (My-PEC) Project. Accessed February 9, 2016. http://www.ilo.org/ipec/projects/global/WCMS_356062/lang--en/index.htm.
- 93 ILO. SafeYouth@Work Project: Building a Generation of Safe and Healthy Workers. Accessed February 9, 2017. http://www.ilo.org/safework/projects/WCMS_516592/lang--en/index.htm.
- 94 ILO. SafeYouth@Work Project: Building a Generation of Safe and Healthy Workers: Technical Progress Review. January 30, 2019. Source on file.