

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

In 2021, Burma is receiving an assessment of no advancement. On February 1, 2021, Burma's military launched a coup and seized control of the state from the democratically elected civilian government. The return of a military regime and the resulting instability severely impacted the ability of Burma to fully engage in addressing the worst forms of child labor throughout the country. Burma is assessed as having made no advancement because it demonstrated a practice of being complicit in the use of forced child labor in more than isolated incidents. The national military continued to force civilians, including children, to work in non-combat roles as porters, cleaners, cooks, and agricultural laborers in conflict areas, including Rakhine, during the reporting period. While Burma took at least one step to address child labor—the drafting of a hazardous work list for children—the list was not published during the reporting period. Children in Burma are subjected to the worst forms of child labor, including in the forced recruitment of children for use in armed conflict and in commercial sexual exploitation, sometimes as a result of human trafficking. The vulnerability of Rohingya children to the worst forms of child labor remained high as many continued to be denied access to education and livelihoods because of restrictions on their movements imposed by the regime. Penalties for recruitment and use of children by the military, or for the military's use of civilian populations for forced labor, are also not sufficient for the seriousness of the crime. In addition, the regime did not publicly release information on its labor law enforcement efforts.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Burma are subjected to the worst forms of child labor, including in the forced recruitment of children for use in armed conflict and in 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

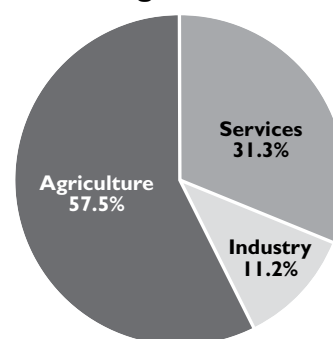
Children	Age	Percent
Working (% and population)	5 to 14	0.4 (39,370)
Attending School (%)*	5 to 14	95.3
Combining Work and School (%)	7 to 14	0.1
Primary Completion Rate (%)		95.4

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2022. (3)

Source for all other data: International Labor Organization's analysis of statistics from Labour Force Survey (LFS), 2019. (4)

* School attendance is dramatically lower post-COVID-19 pandemic and after the February 1, 2021 coup. Exact percentages are unknown, as many parents refuse to enroll their children in regime-controlled schools and many teachers joined the Civil Disobedience Movement and refuse to teach in schools controlled by the regime. (5)

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



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

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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 (1,2,4,6)
	Fishing and processing fish and seafood (1,2,4,6-8)
	Forestry, including on teak plantations (4,8-10)
Industry	Producing garments (11)
	Construction and carrying stones (2,4,9,12,13)
	Quarrying and mining, including for jade and rubies (2,4,7,9,14,15)
Services	Domestic work (2,4,7,9,12,16)
	Working in teashops and restaurants, including waiting tables and washing dishes (2,4,9,12)
	Vending, including in fish markets, collecting garbage and recyclables, and working in transportation (6,9,17)
Categorical Worst Forms of Child Labor‡	Forced recruitment of children by state and non-state armed groups for use in armed conflict (1,2,12,18-20)
	Forced labor in agriculture, including harvesting bamboo and producing beans, rice, rubber, sugarcane, and teak (1,2,10)
	Forced labor in manufacturing bricks and construction (10,21)
	Forced labor in domestic work, teashops, and begging (2,7,9,16,22)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2,7,9,20)

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

The military staged a coup on February 1, 2021, which resulted in limited oversight and reporting on child labor issues in Burma during the reporting year. (1) The regime banned most trade unions and failed to conduct regular labor inspections. (1,23) In addition, the Myanmar Police Force Anti-Trafficking in Persons Division largely ceased its enforcement work after February 1, which collectively contributed to underreporting of child trafficking and forced labor. (1)

The national military's "self-reliance" policy, which requires military forces to provide their own food and labor from local communities, has led to some units, reportedly including the Border Guard Police, to use civilians, including children, to porter goods, cook, and clean barracks in conflict areas. (2,20,21,24) In 2021, research indicated that children continued to be used by the national military in non-combat roles. (1,2,8,19,24,25) After the coup, the military often forced civilians, reportedly including children, to work in non-combatant roles as porters, cleaners, and cooks in both conflict and non-conflict areas. While clearing Yangon and other major urban areas of protests in March and April, for instance, the military and police often forced civilians—sometimes at gunpoint and with threat of detention—to remove barricades and other defensive barriers erected in neighborhoods. (1) Local media reported in December 2021 that the military had begun to force military members' children, some as young as age 12, to participate in mandatory military training, including training with weapons. (1)

After the coup, the military and the regime's Ministry of Defense ceased cooperation with the UN Country Task Force for Monitoring and Reporting (UNCTFMR) on activities to end child use and recruitment. In the UN Annual Report on Children and Armed Conflict, the UN Secretary General on June 21 re-listed the Myanmar military as an entity that recruits child soldiers, alongside seven ethnic armed groups in Myanmar, including the Karen National Liberation Army, United Wa State Army, Democratic Karen Benevolent Army (DKBA), Kachin Independence Army, Karenni Army, Karen National Liberation Army Peace Council, and the Restoration Council of Shan State/Shan State Army. (1,18,24-26) In the past, civilian brokers with military connections have sometimes facilitated entry of underage recruits into the military, in some instances bypassing standard age verification procedures by producing sophisticated counterfeit identity documents. (2,7,20,24) There were reports of 719 cases of use and recruitment of children for combat and non-combat roles by other armed actors in Burma in 2021, including by the military, ethnic armed organizations, and pro-democracy people's defense force groups. (1,25) However, according to UNCTFMR, the vast majority of reported cases of underage military recruitment for combat roles occurred in previous years and not in 2021. (1) The DKBA signed a joint action plan to end recruitment and use of children in armed conflict with the UN CTFMR in November 2020. (27) Efforts to enforce the joint action plan ceased after the military coup. (10)

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Moreover, in early 2022, the ILO established a new Commission of Inquiry on Burma due to escalation of large-scale lethal violence against civilians, including children. (28) Research showed that in December 2021 at least 35 people in Kayah State, 2 of whom were Save the Children staff, were killed and their bodies torched. UNICEF also reported that three children were abducted from their homes in Kayah State, and their bodies and another child's body were later found in a toilet pit of an IDP camp. (28)

Child victims, particularly girls, are trafficked both domestically and to other countries for commercial sexual exploitation. (1,25,29) Research found that Burmese girls were trafficked to Burma's border with China for the purpose of commercial sexual exploitation. (1,20,24)

The Ministry of Labor, Immigration, and Population (MOLIP) collected data for a survey in 2019 to help develop and establish a database that accurately reflects the current size and composition of the labor force in Burma—including information on child labor—but it has yet to be published. (9,30,31)

Since August 2017, an estimated 884,000 people, primarily from the Rohingya minority, have fled from Burma to Bangladesh following acts of violence and ethnic cleansing perpetuated by the military in northern Rakhine State. (21,32-37) As a result, over 450,000 Rohingya refugees are children who live in refugee camps in Bangladesh at sites in which they lack access to education, making them vulnerable to the worst forms of child labor. (7,9,33,37-41) Rohingya girls are trafficked from refugee camps, in some cases being promised jobs in domestic work, for commercial sexual exploitation in Bangladesh, India, and Nepal. (16,21,42) Research also found that increasing numbers of children, particularly girls, are leaving camps for refugee and internally displaced people (IDP) to immigrate to countries such as Malaysia for marriages, but often find themselves in situations of forced labor, including domestic work, sometimes as a result of human trafficking. (16,20,35,43,44) Rohingya children recruited to work outside 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. (43)

Approximately 130,000 Rohingya were forced to reside in IDP camps in Rakhine State after being internally displaced by ethnic violence within the State. Rohingya children residing in IDP camps are at an increased risk of the worst forms of child labor, including forced labor and sex trafficking, due to lack of schools particularly in IDP camps, movement restrictions, discriminatory policies and practices, and school closures due to ongoing violence, especially in Muslim villages. (2,20,24,33,35,45,46)

Rohingya children throughout Rakhine State continue to 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. (47) Local officials and school authorities typically ban Rohingya children from attending government schools with ethnic Rakhine children. (47,48) In addition, Burmese law guarantees education only for Burmese citizens, and citizenship rates in Rohingya communities are extremely low. (45) 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. (9,19,49) Since 2018, the government has forced over 13,000 Rohingya to accept National Verification Cards (NVC) in Rakhine State, including over 500 children; the NVC is required to begin the process of applying for citizenship and requires Rohingya to accept a concession of foreignness. Of the few Rohingya who do obtain citizenship, they are rarely granted full citizenship; they are instead relegated to naturalized citizenship and are not afforded full rights like those granted to full citizens. (19,21,24,45,50)

Furthermore, schools in Rohingya villages impacted by the violence that occurred in 2017 have not reopened, and it is expected that dozens of schools for ethnic Rakhine children will remain closed due to continued fighting between the national military and non-state armed groups in the area. (45)

In addition to Rakhine State, children throughout Burma face barriers to education, such as costs associated with travel to schools located long distances away (especially when located in a different township than their own), a

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lack of schools and teachers, and expenses that include uniforms, books, transportation, and "extra fees" charged by teachers and schools. This leads many children to discontinue their studies after primary school, increasing their vulnerability to the worst forms of child labor. (1,12,16,24,51,52) Refugee children and children from ethnic communities who speak different languages often face barriers in schools because the curriculum is taught in Burmese, despite there being no law explicitly requiring Burmese language instruction. (1,16,24,51) When the regime mandated that school re-open in November 2021, it was reported that both students and teachers largely refused to attend. (1)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Burma has ratified all 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 regime has 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 criminally prohibiting child trafficking 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	Yes	14	Chapter XIV, Section 48(b) of the Child Rights Law; Section 75 of the Factories Act; Article 14 of the Shops and Establishments Law (53-55)
Minimum Age for Hazardous Work	Yes	18	Chapter 1, Sections 3(b) and 3(t)(4), Chapter XIV, Section 48(a), and Chapter XXVII, Section 103(a)(3) of the Child Rights Law (55)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Sections 25 and 29 of the Factories Act; Article 14(d) of the Shops and Establishments Law; Rule 146 of the 2018 Mining Rules (53,54,56)
Prohibition of Forced Labor	Yes		Chapter 1, Section 3(t) and Chapter XXVII, Section 103(a)(2) of the Child Rights Law; 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 Tracts Administrative Law (55,57-59)
Prohibition of Child Trafficking	No		Chapter 1, Section 3(s)-(t) and Chapters XVII, Sections 103 and 106, and XVIII, Section 66 of the Child Rights Law; Sections 3, 24, and 29 of the Anti-Trafficking in Persons Law; Sections 372 and 366(a) of the Penal Code (55,57,58)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Chapter 1, Section 3(t)(2), Chapter XVIII, Section 66, and Chapter XXVII, Section 105(b) of the Child Rights Law; Sections 372 and 373 of the Penal Code (55,58)
Prohibition of Using Children in Illicit Activities	No		Chapter 1, Section 3(t)(3) and Chapter XIV, Section 48(a) of the Child Rights Law; Sections 20(a) and 22(c) of the Narcotics and Psychotropic Substances Law (55,60)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Chapter XVII, Section 63(a-b) of the Child Rights Law; the 1974 Regulation for Persons Subject to the Defense Services Act (War Office Council Instruction 13/73) (55)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Chapter XVII, Section 64(a-b) and Chapter XXVII, Section 104(b) of the Child Rights Law (55)
Compulsory Education Age	No	10‡	Chapter XIV, Section 48(b) of the Child Rights Law; Section 4(j) of the National Education Law (55,61)
Free Public Education	Yes		Chapter XIII, Section 46(b) of the Child Rights Law; Section 4(j) of the National Education Law (55,61)

* Country has no conscription

‡ Age calculated based on available information (62,63)

According to the Defense Services Act, persons under the age of 18 are prohibited from joining the armed forces. The regime has not taken actions to enforce this law during the reporting period. (1)

MOLIP has prepared a draft hazardous work list and worked to finalize the implementing regulation for the Child Rights Law (2019), but the regime has yet to release it. (1,9,20,49,51,55,64) In addition, two 2019 draft laws dealing with child labor issues in domestic work and the Occupational Safety and Health Bill, which seeks to expand the legal jurisdiction of the labor inspectorate to include additional industries, remained pending in 2021. (7,9,16,30,65-67)

Furthermore, the draft anti-trafficking in persons law, which will remove the requirement to demonstrate force, fraud, or coercion to constitute a child trafficking offense and allow for assets and proceeds found during trafficking in persons cases to be seized, was still awaiting approval. (2,7,20,51,68)

Burmese education law and policies provide that school is required for children through age 10; however, the minimum age for work is 14. (63,64) This does not meet international standards because the compulsory schooling age is lower than the minimum work age.

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor — Factories and General Labor Laws Inspection Department (FGLLID)*	During the reporting year, the Ministry of Labor, Immigration, and Population was broken up and the Ministry of Labor is now a standalone ministry. (1,10) Inspects factories, shops, and establishments for child labor law violations. (53,54) Only mandated to inspect for child labor in manufacturing establishments and factories as laid out in the Factories Law (1951) and the Shops and Establishment Law (2016). This leaves certain sectors, including agriculture, construction, mining, and fishing in which child labor is reported to occur, outside of the purview of the FGLLID. (20,24,51)
Ministry of Home Affairs (MOHA) – Myanmar Police Force (MPF), Anti-Trafficking in Persons Division (ATIPD)	Investigates trafficking in persons crimes and engages in human trafficking prevention efforts through its 60 regional Anti-Trafficking Task Force police units. (7,20,51,69) Oversees nine specialized Child Protection Units in Rangoon, Mandalay, and Nay Pyi Daw to address child exploitation cases, including child trafficking, and uses formal written procedures with questions to screen victims. (20,25,69) Staffed by 476 personnel and operates nine 24/7 hotlines dedicated to reporting human trafficking cases. (7,10,20) During the reporting period, only a handful of cases were reported and the status of these cases is unknown. Information on trafficking in persons crimes is underreported as a result of the military coup. (10)

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Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
Ministry of Defense— Committee for the Prevention of Military Recruitment of Underage Children	Sanctions perpetrators that recruit or use children in the armed forces. (51,70)
Ministry of Legal Affairs	Previously named the Union Attorney General's Office. (1) Responsible for prosecuting trafficking in persons (TIP) crimes. TIP Coordinators act as district-level TIP focal points, helping to build prosecutorial expertise, collect and report data, support coordination between prosecutors and police, create focused TIP training opportunities, and improve TIP prosecution records throughout the country. (20,51) During the reporting period, the Ministry of Legal Affairs did not publish comprehensive data on trafficking in persons prosecutions. (10)

* Agency responsible for child labor enforcement was created during the reporting period.

The Myanmar Police Force (MPF) remained hampered by personnel turnover, resource constraints, and limited training, which resulted in areas of the country continuing to lack sufficient coverage. (2,7,9,20) Non-specialized police were sometimes unaware of how to pursue human trafficking investigations without the assistance of the Anti-Trafficking in Persons Division's (ATIPD) Anti-Trafficking Task Force units, possibly resulting in some human trafficking victims being turned away when attempting to report their cases. (2,20)

Labor Law Enforcement

Research did not find information on whether labor law enforcement agencies in Burma took actions to address child labor.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (51)	Unknown (1)
Number of Labor Inspectors	180 (51)	Unknown (1)
Mechanism to Assess Civil Penalties	Yes (53,54)	Yes (53,54)
Initial Training for New Labor Inspectors	No (51)	Unknown (1)
Training on New Laws Related to Child Labor	N/A (51)	Unknown (1)
Refresher Courses Provided	No (51)	Unknown (1)
Number of Labor Inspections Conducted	1,100 (51)	Unknown (1)
Number Conducted at Worksite	1,100 (51)	Unknown (1)
Number of Child Labor Violations Found	0 (51)	Unknown (1)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (51)	Unknown (1)
Number of Child Labor Penalties Imposed that Were Collected	N/A (51)	Unknown (1)
Routine Inspections Conducted	Yes (51)	Unknown (1)
Routine Inspections Targeted	No (51)	Unknown (1)
Unannounced Inspections Permitted	Yes (53,54)	Yes (53,54)
Unannounced Inspections Conducted	Yes (51)	Unknown (1)
Complaint Mechanism Exists	Yes (51)	Unknown (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (51)	Unknown (1)

In the post-coup environment, the regime did not release information on labor law enforcement for the reporting period. (1) The regime also has no functional complaint mechanisms for people to report use and recruitment of child soldiers or forced labor. (25)

In 2021, it was reported that the number of inspectors decreased during the reporting period as many inspectors joined the pro-democracy Civil Disobedience Movement and refused to work for the regime. (1,10) In addition, trainings for labor inspectors were halted and the number of labor inspections conducted declined sharply due to pandemic-related restrictions on movement put in place by the regime. Due to these restrictions, labor inspections were geographically limited to Burma's major urban centers, including Yangon, Mandalay, and Nay Pyi Taw. (5,51)

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It was reported that the Ministry of Labor no longer conducts regular inspections, and when inspections do occur, the inspectors regularly side with management or the regime in disputes. (1) Despite labor inspectors having the authority to conduct unannounced inspections, these do not occur regularly; when they do occur, factory owners are often given advanced notice, and labor inspectors often neglect to speak with workers. (9,21,51) In addition, only the Ministry of Labor has the power to pursue legal actions and impose penalties. And even on the rare occasion that penalties are imposed, they are too low to act as a disincentive for most medium to large enterprises. (1)

The regime did not provide any information on labor law enforcement efforts during the reporting year. (1)

Research found that funding for the labor inspectorate is insufficient to cover transportation and equipment for labor inspectors, which discourages inspections of remote establishments. Furthermore, when a complaint is filed by a worker, inspections often are not conducted in a timely manner. (9,51) Due to capacity and resource constraints, the Factories and General Labor Laws Inspection Department (FGLLID) has limited data on its own labor market, including the number of factories, and a lack of basic resources such as furniture for labor inspector offices. (9)

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 554 inspectors. (51,71-73)

Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Burma took limited actions to address the worst forms of child labor (Table 7). However, gaps exist within the authority of the MPF that may hinder adequate criminal law enforcement, including failure to investigate or prosecute officials who accept bribes.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (51)	Unknown (1)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (51)	Unknown (1)
Refresher Courses Provided	Yes (51)	Unknown (1)
Number of Investigations	Unknown (51)	5 (1)
Number of Violations Found	39 (51)	5 (1)
Number of Prosecutions Initiated	Unknown (51)	5 (1)
Number of Convictions	Unknown (51)	Unknown (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (51)	Unknown (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (51)	Unknown (1)

In 2021, the ATIPD reported five cases involving child labor. One investigation involved the forced labor of a 16-year-old boy on a fishing vessel. (1) The four other cases involved child trafficking with indicators of sex or labor exploitation. Two of the cases involved forced prostitution and two cases involved forced marriage to men in China. (1) All five cases were referred to the Ministry of Legal Affairs for prosecution, but the status of each trial is unknown. (1)

While the government continued training its personnel on age verification at recruitment centers, insufficient access to identity documents and security issues continued to present challenges to the full prevention of the recruitment of children. (21) While the national military has taken action against national military officials for these crimes, the penalties imposed on members of the military for recruiting and using child soldiers are not commensurate with the seriousness of these crimes. (2,8,21) 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, which mandates prison sentences. (2,9,21,24)

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Research noted that some regime authorities and regime law enforcement officers allegedly participated in, facilitated, or profited from human trafficking. This included police officers and other regime officials accepting bribes, and in some cases, individuals claiming to have ties to high-level officials purportedly pressuring victims not to take legal action against their traffickers. (2,20)

The regime did not provide information on training for new criminal investigators or on the number of convictions and penalties imposed related to child labor during the reporting period. (1)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including lack of coordination among agencies.

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

Coordinating Body	Role & Description
National Committee for the Rights of the Child	Institutes policies, guidelines, and measures needed to implement the Child Rights Law of 2019. (55) Chaired by the Minister of Social Welfare, Relief, and Resettlement. Creates and oversees Local Committees for the Rights of the Child, which are mandated to submit progress reports on functions and duties concerning the implementation of the Child Rights Law. (55) In March 2021, the regime reconstituted the 40-member committee, though any substantive activities are unknown. (1)
Child Soldiers: UNCTFMR; Committee for the Prevention of Grave Violations Against Children in ACs; and National Committee on Implementation of Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in AC	UN Country Task Force on Monitoring and Reporting (UNCTFMR) on Grave Violations Against Children: Coordinates with the government to end and prevent the recruitment and use of children in Burma's armed forces. (74) Operates a hotline for reporting cases of child soldiering. (20,25) Co-chaired by the UN and UNICEF, members include Save the Children, World Vision, and relevant UN agencies, such as 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. (9,74-76) Research was unable to determine whether this task force was active during the reporting period after the coup. (1,25) Committee for the Prevention of Grave Violations Against Children in Armed Conflicts (ACs): Formed in January 2019 and addresses issues directed at the national military within the annual UN Report on Children and Armed Conflict Annex related to the killing, maiming, and sexual assault of children in armed conflicts. (7,30) Members include 13 ministries. Established a complaint mechanism for Burmese citizens to report potential cases of any of the UN-defined "six grave violations" against children in armed conflict that are now prohibited under the 2019 Child Rights Law. (51) Research was unable to determine whether this committee was active during the reporting period. (1) National Committee on Implementation of Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict: Created by the civilian government in November 2020. (10) Implements legal and management measures to prevent the use and recruitment of children under the age of 18 by the military and builds awareness of this issue among the general population. (77) Chaired by the Minister for Social Welfare, Relief and Rehabilitation. (20,77) Has 16 members, including the Ministry of Defense, MOHA, Ministry of Health, Ministry of Information, and the Ministry of Legal Affairs. (20,77) Research was unable to determine whether this committee was active during the reporting period. (1)
Child Labor Coordination: National Committee on Child Labor Eradication; and Technical Working Group on Child Labor, and Forced Labor Committee	National Committee on Child Labor Eradication: Oversees the implementation of the Myanmar Child Labor Eradication Project. (12,15,78) Chaired by the Vice Chairman of State Administration Council and consists of 39 members including representatives from 13 government ministries, the chief ministers of 10 states, the mayors of Rangoon and Mandalay, unions, and employer and civil society organizations. (9,10,78) Held meetings during the reporting year during which the committee considered the report on child labor in 2020 and reviewed the national action policy and plan for eliminating child labor, but did not include international and labor representation in meetings. (1,10,79,80) 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 the Ministry of Labor, Immigration, and Population (MOLIP), consists of stakeholders from eight government ministries, employers, and civil society organizations. (8,81) Research was unable to determine whether this committee was active during the reporting period. (1) Forced Labor Committee did not meet during the reporting year. (1)

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

Coordinating Body	Role & Description
Central Body for the Suppression of Trafficking in Persons	Coordinates efforts to address trafficking in persons. Chaired by the Minister of MOHA and previously included six government agencies and several NGOs. (5,7,20,51,70) Creates, implements, and maintains an annual work plan to make progress toward goals established in the Third 5-year National Plan of Action to Counter Trafficking in Persons (NPA). (7,20,82) Includes three working groups: (1) Prevention of Trafficking in Persons and Protection of Trafficked Victims, headed by the Deputy Minister of MOHA; (2) Legal Framework and Prosecuting Measures, headed by the Deputy Attorney General; and (3) Repatriation and Rehabilitation of Trafficked Victims, headed by the Deputy Minister of the Ministry of Social Welfare, Relief and Rehabilitation. (7,20) Research was unable to determine whether this committee was active during the reporting period. (1)
Township Committees of the Rights of the Child	Coordinate local child welfare and protection activities. Led by the Township Administrator and consist of government agencies, including the Department of Social Welfare, police, and NGOs. (12,62) Research was unable to determine whether these committees were active during the reporting period.

Research indicates that the regime government continues to be hampered by limited interministerial coordination, including communication, across all ministries. (7)

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
Myanmar Child Labor Eradication Project	Established a national plan of action to eliminate child labor, including hazardous child labor. (12) Ended in 2021. (10) Research was unable to determine specific activities undertaken during the reporting period to implement this policy.
Children in Armed Conflict: Joint Action Plan with the UN to Prevent the Recruitment and Use of Children for Military Purposes; and National Action Plan on Preventing Grievous Injuries and Sexual Abuse of Children in Armed Conflicts (2020–2021)	<p>Joint Action Plan with the UN to Prevent the Recruitment and Use of Children for Military Purposes aims to end all recruitment and use of children in Burma's 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 UNCTFMR. (83) There are two action plans in Burma under implementation: Tatmadaw Kyi as of June 2012 and Democratic Karen Benevolent Army as of November 2020. (84)</p> <p>National Action Plan on Preventing Grievous Injuries and Sexual Abuse of Children in Armed Conflicts (2020–2021) is chaired by the Director-General of the Department of Rehabilitation, and a representative from the Department of Defense is the Deputy Chair. Responsible for verifying and monitoring that official government actions taken on complaints are handled according to official guidance. (20) Coordinated with government ministries and civil society organizations to establish annual work plans, and developed appropriate capacity building and awareness-raising campaigns related to prevention of the six grave violations against children in armed conflict. Issued annual report. (20)</p>
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. (85) Action Plan Item 4.3.6 specifically addresses eliminating child labor through education. (9,85) Research was unable to determine specific activities undertaken during the reporting period to implement this policy.
Myanmar Decent Work Country Program (2018–2021)	Seeks to strengthen protections against child labor and forced labor by building on existing ILO programs in Burma and continuing engagement between ILO and the government. (36,86) During the reporting period, the regime Ministry of Labor threatened to halt this program after ILO refused to accredit the regime at an annual ILO meeting. (10) Research was unable to determine specific activities undertaken during the reporting period to implement this policy.
Third 5-Year National Plan of Action (NPA) to Combat Trafficking in Persons (2017–2021)	Aims to effectively eliminate internal and cross-border trafficking in persons and to anticipate and forestall new forms of trafficking. (7,83) Third iteration of the NPA. Implemented by the Central Body for Suppression of Trafficking in Persons. (7,20) Employs three strategies, including: (1) prevent and suppress trafficking in persons; (2) protect all victims, in particular women and children; and (3) prevent forced labor of children, including in the recruitment of children into the armed forces, and prevent the sexual exploitation of children. (7,83) Research was unable to determine specific activities undertaken during the reporting period.

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Although the government had previously adopted a policy to end the national military's recruitment and use of child soldiers and a policy on hazardous child labor, research found no evidence of a policy on other worst forms of child labor, including armed conflict by non-state armed groups, forced child labor, or commercial sexual exploitation of children.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of programs to address all worst forms of child labor.

Table 10. Key Social Programs to Address Child Labor

Program	Description
National Complaints Mechanism for Forced Labor (NCM)	Joint government-ILO program that gives citizens a permanent mechanism to lodge complaints of forced labor and seek remedies from the government; established in February 2020. (1,20,87) Includes the ability to report cases of child labor and child soldier recruitment. (51,88) After the coup, ceased updating statistics about number of complaints received. (1)
Department of Social Welfare	Responsible for the care of child labor survivors. (1) Leads efforts on repatriation, reintegration, and rehabilitation of TIP victims, and continued to lack a sufficient number of case managers to cover the entire country. There continued to be instances of delays in offering case management services, and the Department of Rehabilitation lacked sufficient human resources to provide reintegration support. (7,9,20) However, research has not found whether these resources are used by the regime. (1)
Hotlines	UNICEF and World Vision-operated hotlines for reporting suspected cases of child recruitment or use of children by Burma's military, which remain active. (89) UNICEF and World Vision reported that the number of calls received declined during the reporting period. (10)
USDOL-Funded Projects	Aim to increase awareness and knowledge of child labor; improve the legal and institutional environment to contribute to the elimination of child labor; improve availability and use of occupational safety and health data, and increase youth knowledge and awareness of the hazards and risks of child labor. Includes: the Myanmar Program on the Elimination of Child Labour (My-PEC) Project (2013–2022), a \$7.75 million global project implemented by ILO, which concludes in December 2022; SafeYouth@Work Project: Building a Generation of Safe and Healthy Workers, a global project implemented by the ILO; and Measurement, Awareness-Raising, and Policy Engagement (MAPI6) Project on Child Labor and Forced Labor, a global project implemented by ILO. (1,9,90-92) For additional information, please see the USDOL website.

In 2021, in addition to the My-PEC program, funded by the U.S. Department of Labor; there were two other ILO Myanmar projects: Achieving Reduction of Child Labor in Support of Education: Program to reduce the worst forms of child labor in agriculture, funded by the Government of Japan, and the Asian Regional Child Labor Program (ARC), funded by the Foreign, Commonwealth and Development Office of the UK government. (93,94) The My-PEC project, while not working directly with the government after the military coup, continues to raise awareness of child labor; build capacity of civil society organizations and worker and employer organizations, and provide school and livelihood support through its current end date of December 2022. (90)

Although the government has a permanent National Complaints Mechanism (NCM) for Forced Labor, research found that there was no mechanism in place for the ILO to follow up on cases it referred to the NCM. (7,9,20,30,34,88,95) Additionally, research was unable to determine whether the mechanism was being adequately implemented due to the government's failure to communicate important developments to applicable stakeholders related to the NCM, including the publishing of NCM data online through MOLIP's website. (20,77,88) In addition, research found that even though the Ministry of Social Welfare, Relief and Rehabilitation has implemented a standard operating procedure for victim support and rehabilitation that includes rehabilitation and reintegration of former child soldiers, due to a lack of resources and understanding of victim reintegration and the decentralization of responsibility to state and regional authorities, the protection of victims and the ability to adequately prevent forced labor remain unaddressed. (24,51,88)

During the reporting year, the IOM continued to train local TIP services providers on the National Standard Operating Procedures (NSOP) on Return/Repatriation, Reintegration and Rehabilitation of Victims of Trafficking, training 70 community-based services providers on NSOP procedures. (1) Overall, the government lacks

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sufficient social programs to adequately address the worst forms of child labor, including forced child labor and the commercial sexual exploitation of children. (1)

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	Finalize and publish the implementing regulations for the Child Rights Law and release a comprehensive hazardous work list that includes types of hazardous work prohibited for children, including all sectors and activities in which children engage in hazardous work.	2019 – 2021
	Finalize and implement the draft law on domestic work and the Occupational Safety and Health Bill.	2016 – 2021
	Finalize, enact, and implement the draft anti-trafficking in persons bill and ensure that the law does not require a demonstration of force, fraud, or coercion to constitute a child trafficking offense.	2020 – 2021
	Ensure that the law provides criminal penalties for the use, procuring, and offering of children under age 18 for illicit activities, including in the production and trafficking of drugs.	2016 – 2021
	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 – 2021
Enforcement	Ensure that the Factories and General Labor Laws Inspection Department's mandate allows for inspections to occur in all sectors in which child labor is known to occur, including agriculture, mining, and fishing.	2019 – 2021
	Ensure that labor inspections occur outside of the main urban centers.	2020 – 2021
	Establish a complaint mechanism for the public to report use and recruitment of child soldiers and forced labor.	2021
	Ensure all labor inspectors receive training related to the enforcement of child labor laws.	2020 – 2021
	Ensure that the Ministry of Social Welfare, Relief and Resettlement has sufficient resources to provide services to victims of the worst forms of child labor, including reintegration support at the Department of Rehabilitation and an increase in the number of case managers at the Department of Social Welfare.	2016 – 2021
	Ensure that prior notice of unannounced inspections is not given to factory owners, that inspectors conduct thorough inspections that include talking with workers, that inspections are provided in a timely manner, and that labor laws are consistently enforced when a violation is found.	2019 – 2021
	Ensure that the Factories and General Labor Laws Inspection Department has sufficient funding to cover transportation costs to remote areas, equipment for labor inspector offices, including furniture, and for maintaining up-to-date data on the labor market.	2019 – 2021
	Allow ILO to operate according to its mandate and increase the number of labor inspectors to meet the ILO's technical advice.	2016 – 2021
	Publish data related to labor law enforcement, including labor inspectorate funding, number of labor inspectors, training for new labor inspectors, number of labor inspections conducted, number of child labor violations found, routine inspections conducted, and whether a complaint mechanism and reciprocal referral mechanism exist.	2016 – 2021
	Establish a permanent referral mechanism between the labor inspectorate and social services, and ensure that targeted routine inspections occur, and that initial and refresher training courses are offered for labor inspectors.	2016 – 2021
	Continue to improve military oversight and monitoring of recruitment procedures to prevent the recruitment of children as front-line combatants by the national military and non-state armed groups in conflict areas.	2017 – 2021
	Ensure that there are appropriate penalties for the recruitment and use of children in the military for the seriousness of the crime.	2017 – 2021
	Publish data related to criminal law enforcement, including information on training for new criminal investigators, as well as the number of convictions and penalties imposed related to child labor.	2016 – 2021
	Ensure that law enforcement officers, including non-specialized police units, receive training on how to pursue trafficking in persons cases to ease reliance on specialized police units, including the Anti-Trafficking in Persons Division.	2019 – 2021
	Ensure Department of Rehabilitation staff and police officers are properly trained on the National Standard Operating Procedures on Return/Repatriation, Reintegration and Rehabilitation guidelines so they can properly screen and identify victims of human trafficking.	2020 – 2021

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Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Investigate and prosecute regime authorities and law enforcement officers alleged to have participated in, facilitated, or profited from human trafficking, including those accepting bribes and pressuring victims not to seek legal redress against their perpetrators.	2020 – 2021
	Enforce child labor laws to prevent the practice use by the military of the “self-reliance” policy that compels the forced labor of civilians, including children.	2016–2021
Coordination	Ensure frequent and regular coordination, including communication, across all government ministries related to the worst forms of child labor.	2019 – 2021
	Ensure that all coordinating bodies are active and able to carry out their intended mandates, including the National Committee on Child Labor Eradication, UN Country Task Force on Monitoring and Reporting on Grave Violations Against Children, Committee for the Prevention of Grave Violations Against Children in Armed Conflicts, National Committee on Child Labor Eradication, Central Body for the Suppression of Trafficking in Persons, and the Township Committees of the Rights of the Child,	2020 – 2021
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, such as armed conflict by non-state armed groups, forced child labor, and commercial sexual exploitation.	2016 – 2021
	Ensure that activities are undertaken to implement all policies, including the Myanmar Child Labor Eradication Project, Joint Action Plan with the UN to Prevent the Recruitment and Use of Children for Military Purposes, Myanmar Sustainable Development Plan, Myanmar Decent Work Country Program, and the Third 5-Year National Plan of Action to Combat Trafficking in Persons, and that data on these activities are published.	2020 – 2021
Social Programs	Publish results from the 2019 survey data collected by the Ministry of Labor, Immigration, and Population, and statistics about the number of complaints received, including information related to child labor.	2020 – 2021
	Remove all restrictions on Rohingya access to education in Rakhine State, including a lack of schools, school closures in conflict areas, movement restrictions, and discriminatory policies and practices, including segregated schools.	2017 – 2021
	Allow Rohingya children to attend school, regardless of citizenship status, to decrease their vulnerability to the worst forms of child labor.	2019 – 2021
	Develop and implement education programs that reduce physical barriers for children who live long distances from schools, eliminate prohibitive expenses for attending school, and accommodate children who face language barriers, including those from ethnic communities.	2016 – 2021
	Develop and implement a program that ensures the safe return of Rohingya refugees, including children, to the Rakhine State.	2018 – 2021
	Establish a system to allow for ILO follow-up on cases referred to the National Complaints Mechanism for Forced Labor; address the issue of decentralization of responsibility, and ensure that the government communicates important developments to all stakeholders in a timely fashion.	2020 – 2021
	Develop and implement programs to address all worst forms of child labor, including forced child labor, and the commercial sexual exploitation of children.	2016 – 2021
	Provide sufficient resources to improve victim assistance and reintegration services to victims of forced labor.	2020 – 2021
	Publish activities undertaken to implement the UNICEF and World Vision-operated hotlines for reporting suspected cases of child recruitment or use of children in armed conflict.	2020 – 2021

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