



International
Labour
Organization

Government of Myanmar - ILO Complaint Mechanism

**Working together to eliminate forced labour and
underage recruitment**



Decent Work for All

ASIAN DECENT WORK DECADE 2006-2015

What about Underage Recruitment ?

- **Underage recruitment is forced labour**
- **It makes no difference if the child volunteers or the parents agree**
- **Government of Myanmar has decided that the minimum age is 18 years**



Addressing the Problem



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- **Education – Awareness raising and training**
- **Prevention – Recruitment procedures**
- **Discipline – Strict application of the law**



Awareness Raising / Training



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- **Joint Government – ILO seminars**
- **At State, Division and Township levels**
- **Important that authorities (military and civilian) understand the law and their rights and responsibilities under the law**



Prevention



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Putting into place systems and procedures to prevent underage recruitment

At recruitment centre

- **Need to view official proof of age documentation before confirming recruitment**
- **Placing copy of that documentation on the file as a protection to yourself**
- **Any parental contacts / concerns / information inquiries on their missing child must be taken seriously and acted upon immediately**
- **Any assertion that a child is underage should be immediately referred to a senior officer for action**



Prevention



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Putting into place systems and procedures to prevent underage recruitment

At the training camp

- **Official proof of age documentation should be verified on arrival**
- **Any parental contacts / concerns / information inquiries on their missing child must be taken seriously and acted upon immediately**
- **Any assertion that a child is underage should immediately referred to a senior officer for action**



Prevention



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Putting into place systems and procedures to prevent underage recruitment

At the Regiment

- **Someone serving who was recruited under the age of 18 is an underage recruit**
- **Proof of age documentation should be obtained in any cases where the age is in question**
- **Any parental contacts / concerns / information inquiries on their missing child must be taken seriously and acted upon immediately**
- **Any assertion that a child is underage should immediately referred to a senior officer for action**



Discipline

- **Forced recruitment is forced labour - Military instruction 1/131/ye 1 (ka) dated 2 Oct 1997**
- **Myanmar Law - Recruitment of children under 18 into the military is illegal – Directive of the Defence Services Council No. 13/73**
- **UN Security Resolution 1612 places international obligation on the government and non-state armed groups to report on the status of children in armed conflicts**



Government - ILO complaint mechanism



- Residents of Myanmar have the right to complain if they or their family are subjected to forced labour including underage recruitment
- They can raise the matter with the appropriate authorities (in the case of underage recruit / child soldier this is the military) or the ILO as they see fit
- It is the responsibility of the military / ILO to receive a complaint and work to resolve it



The process



- **At all times the situation of the child should be the priority concern – the ‘best interest of the child’ principle applies**
- **If there is any doubt as to the child’s age, he should be with his parents /guardians while the age verification takes place**
- **On receipt of the complaint an investigation is initiated without delay towards**
 - **The underage recruits discharge**
 - **Appropriate disciplinary action for breach of the law and military regulation**



ILO – Supplementary Understanding (SU)



Section II, Article 9

- Complaint submitted under the SU shall not be a ground for any form of judicial or retaliatory actions against complainant(s), their representative(s) or any other relevant persons involved in a complaint, at any time either during the implementation of the arrangements in the present Understanding or after its expiration, whether or not the complaint is upheld





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Thank you

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