



REPORT: MAPPING OF POLICIES, PROGRAMMES  
AND INSTITUTIONS RELATED TO CHILD  
LABOUR IN MYANMAR



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# 1. Acronyms

BBO – Border Based Organization

CBO – Community Based Organization

CRC – Convention on the Rights of the Child

GORUM – Government of the Republic of the Union of Myanmar

ILO – International Labour Organization

MOLESS – Ministry of Labour, Employment and Social Security

MoSWRR – Ministry of Social Welfare, Relief and Resettlement

My-PEC – Myanmar Programme on the Elimination of Child Labour

NTWG-CL – National Technical Working Group on Child Labour

NGO – Non-Government Organization

STC – Save the Children

TCRC – Township Child Rights Committee

RMO – Ratana Metta Organization

C182 – ILO Convention 182 on the Worst Forms of Child Labour

WFCL – Worst Forms of Child Labour

UNICEF – United Nations Children’s Fund

## 2. Executive Summary

In October 2014 the ILO, through its Myanmar Programme on the Elimination of Child Labour (My-PEC), hired a consultant to undertake mapping of policies, programmes and institutions that are relevant to child labour elimination in the country.

The consultant carried out the work over a 15-day period in October and November 2014. The methodology for the mapping included key informant interviews, desk review and request for documentation from relevant stakeholders.

A plethora of conflicting provisions exist in national law relating to both the definition of a child as well as that of child labour. By far, the most widely known pieces of legislation among policy-makers and non-government organizations (NGOs) are the 1951 Factories Act and the 1993 Child Law. However, no informant could point to examples where either law had successfully been used to prosecute an employer or owner who was utilising child labour or promulgating worst forms of child labour. Despite gaps in Myanmar's international human rights obligations, there is an opportunity to utilise Myanmar's strong commitment on anti-trafficking to create momentum to prevent and eliminate child labour. Ongoing advocacy around Myanmar's obligations under both the Convention on the Rights of the Child (CRC) (ratified in 1991) as well as the recently ratified ILO Convention 182 on the Worst Forms of Child Labour (C182) (ratified on December 18 2013 to come into force in December 2014) is needed to ensure that decision-makers understand the obligations set out in the conventions and that their provisions are reflected in national law.

Informant interviews revealed a lack of leadership at the national level concerning child labour that points simultaneously to a shortage of capacity to engage on the issue, as well as minimal understanding about what currently exists in national law and international conventions.

All informants interviewed in both government and non-government indicated that capacity development was needed across all levels from decision-maker to community level, though to different degrees. At the decision-makers level, awareness raising around rights and obligations would be sufficient whereas at the township and village level, more extensive capacity development would be needed both in terms of national legislation and C182.

The mapping highlighted the importance of ILO's provision of technical guidance during the re-drafting process of key laws, including the Factories Act (1951) and the Child Law (1993). The window of opportunity to influence national policy and legislation may not be open for long, particularly as Myanmar prepares for an election later in 2015, and both the key informant interviews and literature reviewed pointed to the urgent need for technical capacity during the legal drafting processes.

The report highlights several programmes that ILO may be interested in developing linkages with, those large-scale programmes which have extensive reach and budget and therefore offer a significant opportunity to mainstream child labour issues. A regional approach to implementation is critical to maximise existing capacities within each State/Division. In the Dry zone, for example, it would make sense to partner with rural development actors whereas in Kachin, there are more child protection actors present.

While ILO's focus is rightfully on tackling child labour through the labour mechanisms, the report notes that capacity within workers and employers organisations pose a significant challenge in building capacity on child labour issues. The non-government actors interviewed during the mapping therefore highlighted the importance of attempting to work with those groups already working with victims of child labour – the child protection actors. The interactions between existing co-ordination structures concerning child rights in Myanmar is weak and the mapping highlighted the potential for

greater synergies to be created, where possible, between the child protection, children in armed conflict, anti-trafficking and child labour agendas. This might be a long-term goal, but it will ensure that key decision-makers are able to fully engage in these issues and that realistic efforts to mainstream child rights into sector plans (many of them due to be redrafted in 2015) might be considered by key ministries.

The recommendations arising from this report were submitted to ILO separately in an earlier draft.

### 3. Background

Despite recent steps by the Government of the Union of Myanmar (GORUM) to reform legislation and work collaboratively with the international community on labour issues, child labour remains widespread across much of Myanmar. Exact prevalence is unknown, however conservative estimates put the rate at 18 per cent among poor children<sup>1</sup>.

Across the country, children are working in factories, teashops, agriculture, manual labour or other areas that are hazardous to their mental, moral and physical development. Recruitment of child soldiers and trafficking of children, as well as exploitation of vulnerable children are also critical hazards. Low enrolment rates in school, poverty and vulnerability to shocks make rural children especially susceptible<sup>2</sup>, though the exact reasons behind the extent of child labour in Myanmar are diverse and complex.

The Myanmar National Plan of Action for Children, 2006–2015 notes that the issue is ‘not common in Myanmar as compared to other developing countries’, a position which indicates the baseline attitude of stakeholders about child labour, a cultural acceptance of child labour and the sensitivity of addressing at all levels of Government. A recent report from the Committee on the Rights of the Child says:

“Asked about data on child labour, the delegation responded that there had been isolated incidents at the local level and that in terms of child labour and nationality, the lack of capacity building in Myanmar accounted for almost every problem”<sup>3</sup>.

Until now, national efforts to eliminate or support victims of child labour have been focused within the frameworks of labour inspection, child protection, social protection or rural development – with many organizations not choosing to overtly focus on child labour nor advertise that they are doing so.

In December 2013 the GORUM signed Convention 182 on the Elimination of Worst Forms of Child Labour (C182), signalling their willingness to take action. GORUM, with ILO support, set up a National Technical Working Group on Child Labour (NTWG-CL) with a view to establishing a comprehensive and collaborative response.

In October 2014, ILO hired a consultant to undertake mapping of policies, programmes and institutions that are relevant to the child labour agenda in Myanmar. The mapping forms part of the

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<sup>1</sup> Women and Child Rights Project, Children For Hire: A Portrait of Child Labour in Mon areas, 2013. Human Rights Foundation of Monland-Burma (HURFOM)

<sup>2</sup> US Dept. of State, Report on Labour Practices In Burma, 2000

<sup>3</sup> NGO Group for the CRC, State Party Examination of Myanmar’s Fourth Periodic Report, 59<sup>th</sup> Session of the Committee on the Rights of the Child, 2012

four-year ILO/IPEC Myanmar Programme on the Elimination of Child Labour (My-PEC), funded by the US Department of Labour (USDOL). My-PEC aims to address child labour in Myanmar by establishing a comprehensive, inclusive and efficient multi-stakeholder response to reducing child labour in Myanmar.

The objectives of the consultancy were:

- To map policies, programmes and institutions of relevance to the child labour agenda in Myanmar in fields such as labour, enforcement, education, employment, agriculture, health, justice as well as child and social protection, identifying the mandates and tasks of each agency and identifying the geographical coverage/presence.
- To provide ILO with recommendations and follow up actions related to: capacity strengthening; linkages with other existing programmes; and the integration/mainstreaming of child labour into sector plans.

This report outlines the findings of the mapping process, which was undertaken in October and November 2014 over a period of 15 days.

### 3.1 Objectives and alignment with programme outcomes

ILO has outlined five expected outcomes from the My-PEC :

1. Expanded knowledge base on child labour in Myanmar;
2. Increased awareness and knowledge about child labour;
3. Improved legislation and strengthened national and local capacity to address child labour in compliance with international standards;
4. Improved capacity of national and local Government, workers' and employers' organizations, civil society, and other key actors to coordinate, network and advocate for the elimination of child labour; and
5. Reduced child labour in pilot target communities.

The mapping undertaken specifically supports outcomes three and four.

The findings outlined in this report will feed into the planned technical and institutional assessment of key agencies responsible for the application and enforcement of labour and child labour standards and a legal review of the Laws and Regulations in order to identify and address legal and regulatory gaps in the areas of child labour.

### 3.2 Methodology

The consultant used the following method to undertake the mapping and develop the recommendations:

#### *a. Desk Review*

- i. Review of Programme documentation provided by ILO
- ii. Web crawling using combinations of key words 'child labour/labor', 'Myanmar', 'child labour programs', 'child labour policies', 'child labour law', 'Southeast Asia child labour', 'organizations', 'institutions', 'programmes' as well as sector specific words 'agricultural programs', 'social protection programs', 'health', 'education' 'enforcement', 'labour/labor' and 'justice'.
- iii. Searches of relevant social science and law journals and databases including MIMU, JSTOR and Blackwell Synergy, using the above key words.

- iv. Searches of known institutional websites to collate program reports and research (e.g. UNICEF, Save the Children, World Vision, US Department of Labour, MIMU).
- b. **Interview with key informants** - key personnel working on child labour issues (namely those who are part of the NTWG-CL) in Myanmar across GORUM and non-government institutions in Yangon and Nay Pyi Taw.
- c. **Collation of key programme data** as provided by key organizations identified in the desk review (as requested via email see Annex A).
- d. **Analysis of data** in relation to My-PEC outcomes to inform recommendations and suggested actions.

### 3.3 Constraints

The timeframe of the consultancy meant that gathering in-depth Programme data down to all 325 townships, across all the sectors identified in the Terms of Reference (social protection, education, vocational training, rural development, labour, justice, child protection) was difficult. Instead, the report discusses and analyses country-wide trends. It was not possible to interview all members of the NTWG-CL, nor was it possible in the timeframe to gather all the possible programme documentation necessary for ILO to make decisions on implementation in certain geographic areas. The resulting findings do, however, offer tangible next steps in terms of capacity development of international and national institutions.

While at the institutional and programme level, the mapping identified key stakeholders and projects across the range of sectors identified in the terms of reference, the laws and policies identified were those most related to child labour.

## 4. Laws and Policies

The mapping identified 14 international conventions and protocols that are relevant to the child labour agenda, 20 national laws, 4 national plans or strategies and several bilateral agreements.

### 4.1 International Conventions and Protocols

Table 1 shows the conventions that are related to child rights, child labour, human rights and sectors related to child labour that Myanmar is signatory to.



Table 1 – Relevant Conventions – Myanmar human rights obligations

Convention Protocol Name	Date Signed	Date Ratification/Ascension
Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (C182)	18-Dec-13	18 December 2013 (Enters into force in December 2014)
Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others	14-Mar-56	
Slavery Convention	29-Apr-57	
<i>Protocol amending the Slavery Convention</i>	14-Mar-56	29-Apr-57
UN Convention Against Organized Transnational Crime		30-Mar-04
Protocol Against the Smuggling of Migrants by Land, Sea and Air		30-Mar-04
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children		30-Mar-05
Geneva Conventions (I-IV)		25-Aug-92
Convention on the Rights of the Child (CRC)		15-Jul-91
<i>Optional Protocol to the Convention on the Rights of the Child on the sale of children child prostitution and child pornography</i>		16-Jan-12
Convention Concerning Forced and Compulsory Labour		4-Mar-55
Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)		22-Jul-97
Convention on the Rights of People with Disabilities (CRPD)		7-Dec-11
<i>Optional Protocol the CRPD</i>		12-Jan-12

Myanmar became signatory, importantly, to the Convention on the Rights of the Child (CRC) in 1991 and the Optional Protocol to the Convention on the Rights of the Child on the sale of children child prostitution and child pornography in 2012.

However, in its 2012 Report the Committee on the Rights of the Child stated that ‘regarding the implementation of the Convention, the Committee felt that it was treated more as a recommendation rather than as legally binding and asked what the legal status of the Convention was in comparison to domestic legislation’<sup>4</sup>.

While Myanmar has not ratified the ILO Minimum Age Convention (No. 138), the GORUM did ratify ILO Convention 182 on Worst Forms of Child Labour in 2013, which comes into effect in December 2014. Myanmar has also ratified the Convention Concerning Forced and Compulsory Labour (in 1955). Despite the ratification of ILO Convention 182, the Government has not signed the Optional Protocol to the CRC on the involvement of children in hostilities and recruitment of underage soldiers – on both the Government and ethnic armed groups side remain an ongoing problem – as well as constituting one of the worst forms of child labour as outlined in C182. It is important to note Myanmar’s strong commitment to anti-trafficking, as reflected by the signature/ratification of UN Convention Against Organized Transnational Crime (and Optional Protocols), Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others and the Slavery Convention. Myanmar has also signed bilateral agreements with Thailand and China on anti-trafficking. There may be an opportunity through advocacy to highlight Myanmar’s progress on anti-trafficking as a way of encouraging further attention on child labour, particularly with the support of ASEAN countries and regional stakeholders. Interviews with Government officials also highlighted the possible linkages between the Government’s anti-trafficking activities and the My-PEC.

<sup>4</sup> NGO Group for the CRC, State Party Examination of Myanmar’s Fourth Periodic Report, 59<sup>th</sup> Session of the Committee on the Rights of the Child, 2012

Key informant interviews across GORUM demonstrated that there are varying levels of understanding among policy and decision makers about C182 and the CRC Articles related to the economic exploitation of children. The disconnect between international standards and Myanmar national law was noted on several occasions, although all informants agreed that bringing existing and future legislation in line with international standards should be a priority. Several informants expressed a lack of understanding concerning what exactly C182 meant for the Government, which is symptomatic of a broader need for capacity development on international laws/standards and their application at national level. Although ILO has an intention within the My-PEC to encourage mainstreaming of child labour issues into sector plans, the interviews demonstrated considerable effort will be required to first raise awareness among key decision-makers before mainstreaming might be effective. Continuing to promote the importance of ratifying C138 would enable ILO, through My-PEC and other forums, the opportunity to comprehensively engage with the Government as it amends its national legislation – and to build capacity and awareness of international child labour standards.

All informants agreed that capacity building on C182 should be prioritised at national-level among relevant Ministries (Director-level and below) with special efforts being made to educate Director-General level representatives in a way that is sensitive to their existing commitments and time pressures. It is important that efforts build on existing programmes which are, for example, building awareness on the CRC and other international conventions – given the plethora of capacity building activities already targeting Government Ministry staff. All Ministries interviewed expressed interest in receiving training on C182 for their staff, except for the Supreme Court, who noted that their judges already receive training from ILO on labour issues. The Anti-Trafficking Unit noted that it would be particularly beneficial for capacity building for their investigation group. Informants also expressed a need for capacity building around child labour as stipulated in C182 for INGOs, CBOs, employers, communities and police. The importance of building capacity of Township Child Rights Committees (TCRC) in regards to C182 was also stressed several times during interviews.

## 4.2 National Laws

The mapping identified 20 relevant National (Union-level) laws governing labour rights, children's rights, social security, worker's rights, social protection and welfare.

Table 2 – Relevant laws (directly related to My-PEC)

Name of Law	Date	Date Revised
Trade Unions Act	1926	Repealed 11 Oct 2012
Oilfields (Workers and Welfare) Act	1951	
Labour Organization Law	2011	
Child Law	1993	Currently under revision
Shops and Establishments Act	1951	
Factories Act	1951	Currently under revision
Law Defining the Fundamental Rights and Responsibilities of the People's Workers	1964	Repealed 2011
Agricultural Labourers' Minimum Wages Act	1948	
Workmen's Compensation Act	1923	2005
Payment of Wages Act	1936	
Employment Restriction Act	1959	
Employment and Training Act	1950	
Myanmar Defence Services Act and the War Office Council Directive	1974	
Constitution of Myanmar	2008	Currently under revision
Minimum Wages Act	1949	
Settlement of Labour Disputes Law	2012	
Leave and Holidays Act	1951	
Employment and Skill Development Law	30-Aug-13	
Early Childhood Care and Development Law	2014	
Penal Code	1 May 1861	

There is inconsistency in Myanmar's national laws when it comes to defining minimum age, child labour and hazardous work. The 1993 Child Law, by far the most comprehensive and widely known piece of legislation concerning child rights, states that children are defined as those under 16 with youth being defined as 16-18. This directly contradicts the swathe of outdated labour laws. For example, the 1951 Oilfields Act states that 13-15 year olds can work four hours per day and that 15-17 year olds can work with a certificate of fitness. The Defence Services Act defines children as under 18 (and stipulates that under-18s cannot be recruited into the armed forces) whereas the Leave and Holidays Act talks about children under the age of 15 and their leave entitlements. The 1951 Shops and Establishments Act states that employment of children younger than 13 year is prohibited, though children aged 13-15 are permitted to work up to four hours a day if they have a certificate of fitness. The Factories Act states that children under 13 cannot work more than four hours a day between the hours of 6am and 6pm. In theory, the certificate of fitness offers some safeguard against exploitation and abuse, however, as a recent report examining child labour in Mon State notes, there is a great discrepancy between what is written in the law and actual practice.

‘According to the Factories and Oilfields Acts (in fact, the only two laws that currently limit working hours for children), a “certificate of fitness” provided by a physician authorizes 15 to 17-year-olds to perform adult duties and work adult hours, and permits children between 13 and 15 to work up to four hours a day. Notably, not a single child interviewed for this report had heard of this certificate or encountered an employer who requested it, and many children described being allowed to do the same jobs as adults, although for significantly less pay’<sup>5</sup>.

<sup>5</sup> Women and Child Rights Project, Children For Hire: A Portrait of Child Labour in Mon areas, 2013. Human Rights Foundation of Monland-Burma (HURFOM)

### **Box 1 - The Legislative Process in Myanmar – My-PEC opportunities for policy reform in partnership with the Union Attorney General’s Office**

The Union Attorney General’s office is responsible for tendering legal advice to Union-level Government Departments/Ministries. As part of this role, they are required to:

- Provide legal advice to the President’s office regarding whether Myanmar should/can sign international conventions
- Vet draft laws and policies based on existing laws, the Constitution and international standards.

The process is currently as follows:

- Ministry/President requests advice from Union Attorney General’s (UAG) office regarding possible signature to international convention
- UAG provides advice to Ministry/President regarding current status of laws/constitution
- Ministry drafts law
- UAG provides comments on draft law
- Draft law submitted to Pyidaungsu Hluttaw – who assigns to either Pyithu Hluttaw or Amyotha Hluttaw. Law is debated in Hluttaw, UAG is invited to attend. Upon majority across both chambers, the legislation is enacted as Law.
- Once enacted, Laws can be repealed or amended.

Given the enormous resource constraints on the UAG, ILO could provide support during the vetting and drafting process specifically with regards to the Factories Act and other outdated labour laws. UAG expressed interest in receiving capacity strengthening, particularly concerning C182.

All informants interviewed indicated that awareness of labour laws is low not only amongst Government but among police, law offices, township administrations, communities, employers and families. With regards to enforcement of the law, both the Anti-Human Trafficking Unit and the Supreme Court noted that prosecution – both under labour laws and the Child Law – was virtually impossible given the limited knowledge of both employers and employees of child rights and what actually constitutes child labour. When asked, national and international NGO’s working with street and working children could not say that they had directly witnessed any prosecution of employers/owners in regards to child labour. Urgent revision of existing labour laws is necessary, using the provisions set out in the revised Child Law, as well as Convention 182 to guide any specific provisions on child labour.

‘Also, the Committee wanted to know whether labour inspection took place and which institution was in charge for that. The delegation said that the Ministry of Labour was amending the labour laws to bring them in line with the ILO Convention. The government was working with NGOs in order to establish minimum standards for working children, including rest-time and the obligation to attend school. Children could only work once they were 13 years old, and for not more than five hours per day’<sup>6</sup>.

Section 374 of the Myanmar Penal Code (written in the 1860’s) criminalises forced labour, stating that “compelling any person to labour against the person’s will is a criminal offence which could

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<sup>6</sup> NGO Group for the CRC, State Party Examination of Myanmar’s Fourth Periodic Report, 59<sup>th</sup> Session of the Committee on the Rights of the Child, 2012

result in imprisonment for up to 12 months, or a fine, or both”. Further research on any cases that have been pursued against employers with regards to child labour in Myanmar would be warranted to examine the existing pathways for justice for victims and to feed into further legislative review.

Of all the informants interviewed, there was a high degree of awareness about the 1993 Child Law (currently under revision), though much less about the relevant labour laws. Article 24 of the Child Law states that any child possesses ‘the right to work of his own volition and the right to hours of employment, rest and leisure and other reliefs prescribe by the law’. The Law also states that children cannot earn a livelihood from hazardous work such as begging, sex work or any other work which affects ‘their life or moral character’.

#### *Other relevant laws*

The mapping also identified several other laws which ILO may wish to be aware of as they indirectly relate to the My-PEC and either the prevention of child labour or enforcement of relevant laws.

Table 3 – Relevant laws (indirectly related to My-PEC)

<b>Name of Law</b>	<b>Date</b>
Anti-Trafficking in Persons Law	2005
Border Law	1993
Myanmar Maternal and Child Welfare Association Law	9-Nov-90
Narcotic Drugs and Psychotropic Law	1993
Education Law	2014
Social Security Act	1954
Social Security Law	2012

#### *Current policies and other minimum standards identified*

The mapping also identified several other documents/policies/standards which have been drafted that may be relevant to the child labour agenda. Many of the draft Action Plans are due to be re-drafted in 2015 – this offers ILO an opportunity to encourage consideration of child labour issues amongst relevant Ministries, particularly by awareness raising of key decision-makers through the NTWG-CL and increased ILO participation in relevant child protection co-ordination mechanisms.

Table 4 – Current policies and other minimum standards

<b>Name of Policy/Plan/Standard</b>	<b>Date</b>	<b>Ministry</b>
Education for All National Action Plan	2003-2015	Ministry of Education
Rural Development Plan	2011-2015	Ministry of Rural Development
National Border Area Development Plan	2011-2015/16	Ministry of Border Affairs
National Strategic Plan of Action For Children	2006-2015	Ministry of Social Welfare, Relief and Resettlement
Minimum Standards on Children in Residential Care	2012	Ministry of Social Welfare, Relief and Resettlement
Myanmar Second Five-Year National Plan of Action to Combat Human Trafficking	2012-2016	Ministry of Home Affairs

## 5. Institutions

The mapping identified 12 relevant Ministries who have an interest in, or contribute to, eliminating child labour. The primary, secondary and tertiary Ministries that My-PEC should aim to collaborate with and possible areas of collaboration are outlined below.

### 5.1 Government Ministries

Table 5– Ministries that ILO should engage with through My-PEC

Name of Ministry	Main Responsibility	Relevant Departments	Importance	Possible areas of collaboration
Ministry of Labour, Employment and Social Security	Labour inspection, labour law enforcement, social security	Factories and General Labour Laws Inspection; Social Security Board	High	<ul style="list-style-type: none"> <li>- Reform of labour laws</li> <li>- Awareness raising among employers</li> <li>- Capacity building for labour inspectors</li> </ul>
Ministry of Social Welfare, Relief and Resettlement	Child protection, child welfare	Social Welfare Department	High	<ul style="list-style-type: none"> <li>- Awareness raising/capacity building for TCRC and MSWRR social workers</li> <li>- Child protection/victim support</li> <li>- Reform of Child Law</li> </ul>
Ministry of Education	Education – primary and secondary	Planning Department	High	<ul style="list-style-type: none"> <li>- Curriculum reform (primary) for awareness raising</li> <li>- Comprehensive sector review costing</li> <li>- Comprehensive free primary education programme</li> <li>- Teacher training</li> </ul>
Ministry of Border Affairs	Education, transport, livelihood, development in border areas	Progress of Border Areas and National Races Department	High	<ul style="list-style-type: none"> <li>- Livelihood opportunities for girls programme</li> <li>- Child protection program/awareness raising through training of township and village level committee</li> <li>- Vocational training</li> <li>- Education programme</li> </ul>
Ministry of Home Affairs	Anti human trafficking	Anti-Human Trafficking Police Office	High	<ul style="list-style-type: none"> <li>- Capacity building on C182 for investigation teams</li> <li>- Information sharing/resource sharing on at-risk populations</li> </ul>
Ministry of Health	Maternal and child health, birth certificates	Child Health Department	Medium	<ul style="list-style-type: none"> <li>- Ensuring children have documentation (birth certificates)</li> <li>- Referral mechanisms for at-risk children</li> <li>- Parental education and child health services including for vulnerable children</li> </ul>
Ministry of Livestock, Fisheries and Rural Development	Rural development	Rural Development Department	Medium	<ul style="list-style-type: none"> <li>- Awareness raising among employers</li> <li>- Training of regional officers and extension workers</li> </ul>
Ministry of Immigration	NRC card administration	Immigration and National Registration Department	Medium	<ul style="list-style-type: none"> <li>- Capacity building of immigration officers around child labour</li> <li>- Awareness raising among employers of importance of checking NRC status</li> </ul>
Union Attorney General's Office	Law vetting	Law Vetting Department	Medium	<ul style="list-style-type: none"> <li>- Capacity building of UAG in regards to C138, C182 and International Labour Standards</li> <li>- Support in amending/reviewing Child Law and relevant Labour Laws</li> </ul>
Supreme Court	Law enforcement	Research Department	Low	<ul style="list-style-type: none"> <li>- Training of Law Offices (public prosecutors)</li> <li>- Research on successful convictions/pathways of prosecution for child labour crimes</li> </ul>
Ministry of Science and Technology	Vocational training	Development of Vocational Training Department	Low	<ul style="list-style-type: none"> <li>- Capacity development for vocational training teachers (15 new technical high schools opening)</li> <li>- trainings for vulnerable students including curriculum development</li> <li>- Promotion of skilled workers among employers</li> </ul>
Ministry of Information	Information dissemination	Press release Department	Low	<ul style="list-style-type: none"> <li>- Awareness raising on child labour issues</li> </ul>
City Development Committees	Referral of street children	Yangon, Mandalay, Nay Piy Taw	Low	<ul style="list-style-type: none"> <li>- Identification/support for vulnerable children and referral mechanisms</li> </ul>

It is clear that in addition to the inconsistencies identified in the law, there remains much confusion in Nay Pyi Taw level about exactly who has responsibility for child labour as a thematic issue. The lack of clear ‘ownership’ demonstrates the need for awareness raising and capacity building around the multi-causal nature of child labour and the complexity of addressing it.

Fig. 1– Overlapping Ministerial responsibilities



The key informant interviews did not yield much discussion of capacity at sub-national level, though it is clear that few Ministries have capacity to implement programming at township, let alone village-level. MoSWRR is piloting a new case management system which would see, for the first time, presence at township and village level, however informants interviewed noted that the pilots would only take place in around 20 townships and there had already been delays. Several informants mentioned that the current Township Child Right’s Committees (TCRC’s) – as stipulated in the Child Law – are key structures that require strengthening in efforts to eliminate child labour. Others argued that TCRC’s were not effective and an entirely new child protection structure, which could be responsive at a minimum to the worst forms of child labour, was needed.

Many of the Ministries that do not have capacity at township or village level mentioned that they worked almost exclusively through Township Administration structures or CBOs/NGOs, therefore targeting those avenues may be a logical place to start once select areas have been identified for direct implementation/pilot programs as part of the My-PEC .

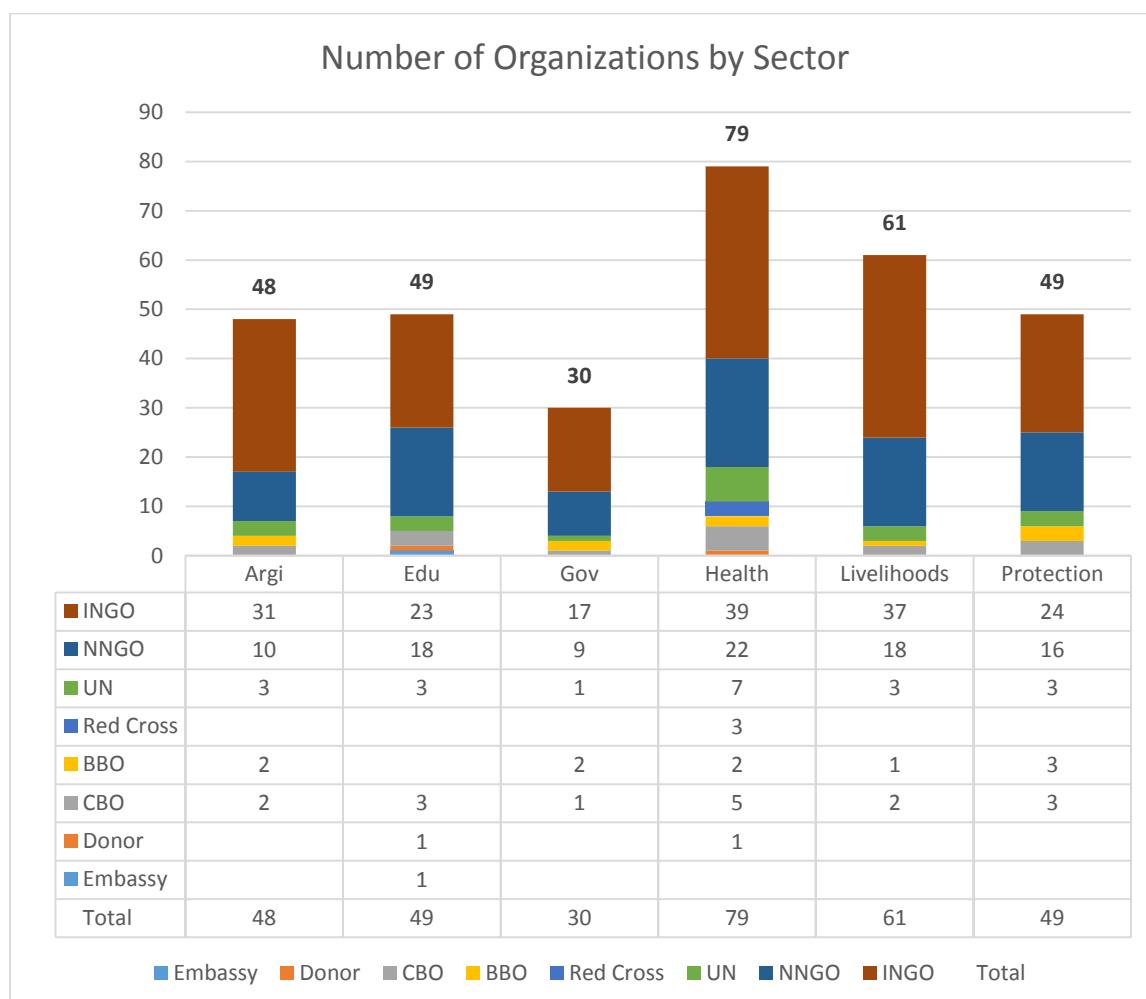
## 5.2 International Organizations

For the purposes of this report, international organizations include both multilaterals and the international NGOs. The Red Cross movement, while international, will be considered as a national organization (the Myanmar Red Cross Society).

### 5.2.1 Country-wide data

Recent MIMU data (April 2014) shows that health, education and livelihoods are the major sectors in terms of both funding availability and number of programmes being implemented across the country. There are a large number of protection programmes also being implemented, however, the majority of these are present in conflict-affected areas as could be expected. The large financial investments, and staff resources being dedicated to health, education and livelihoods offers the My-PEC a good opportunity to build awareness around child labour issues by targeting capacity development of INGO and local NGO/CBO staff. INGO's and local NGO's represent the largest proportion of implementing agencies in the sectors that are relevant to child labour elimination.

Table 6: Number of organizations by sector



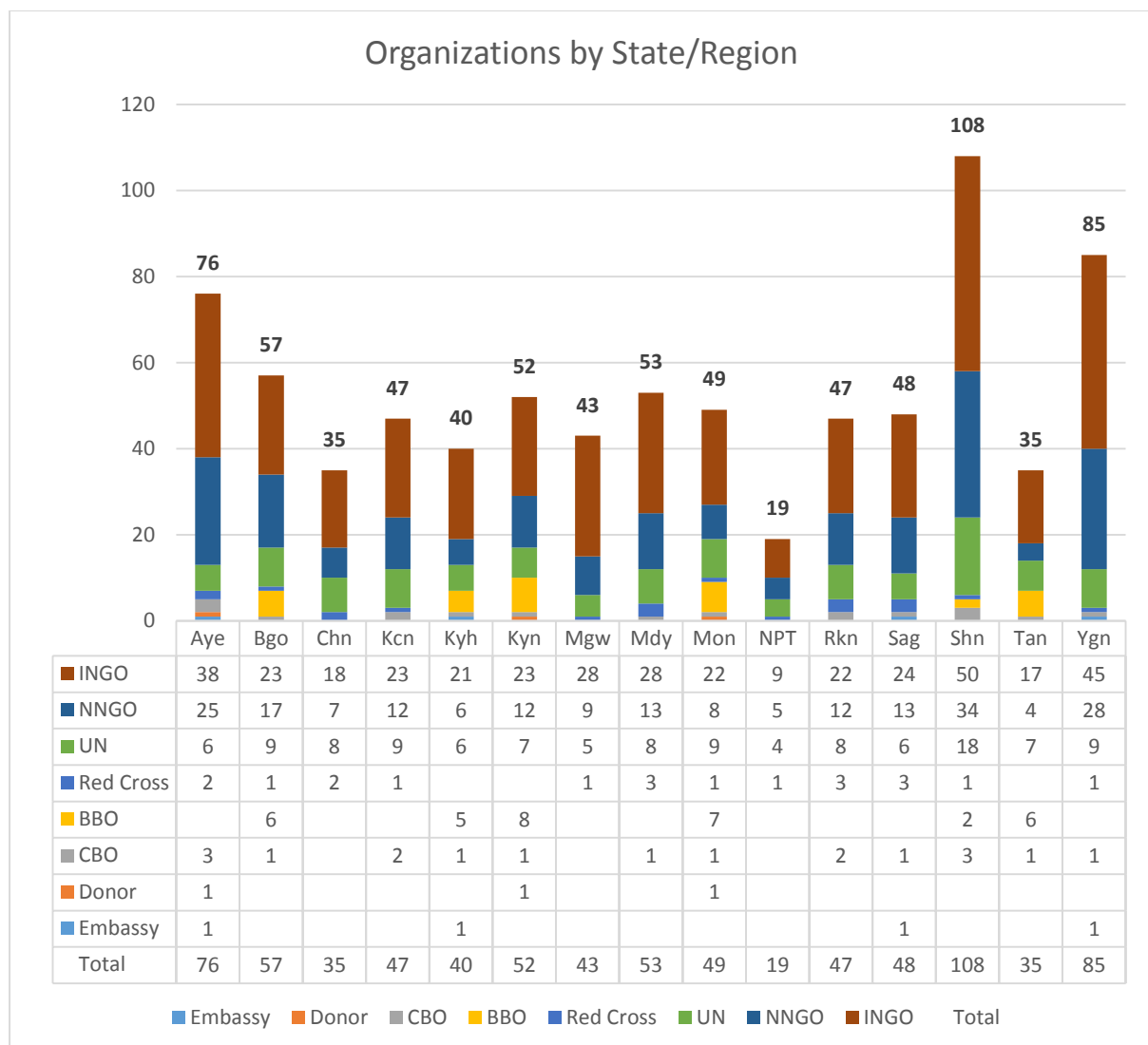
In terms of geographical coverage, recent MIMU data indicates that Shan State, Ayerawaddy Region, Yangon Region, Mandalay Region and Kayin State have the highest coverage of programmes. Those with least coverage are Chin State and Tanintharyi Region. The informants interviewed highlighted the need for a regional or township, rather than national, approach to addressing child labour. For



example, some townships (e.g. Tamwe in Yangon) have very strong existing child protection committees, informed and functioning enforcement and the coverage of CBOs to effectively (at least in theory) start to prevent or tackle child labour. Other townships and even regions, e.g. within Chin State, do not have any existing capacity – in short, pilot projects that may work in some areas may not work in others. ILO should therefore ensure that its pilot projects match the existing capacity within the regions they choose to work.

The data also indicates that by far the largest proportion of implementing capacity remains within INGOs and NGOs. These partners should be favoured in any pilot projects, and those working specifically on child protection issues should be targeted as a first step in capacity development. Key informants agreed that ILO has a key role to play in capacity development, awareness raising and supporting government (e.g. at the policy level) whereas they had the expertise on the ground to implement new or adapt existing programmes aimed at preventing or addressing child labour.

Table 7: Number of organizations by State/Region April 2014



The table below demonstrates the coverage of projects by sector across each State/Division. The data demonstrates that different regions/States have different existing capacities. For example, in the Ayeyarwady it might be appropriate to partner with rural development/agricultural partners whereas in Mandalay it would be more appropriate to partner with health and protection actors.

Table 8: Sectors by State/Region April 2014

	Agriculture	Education	Governance	Health	Livelihoods	Protection
<b>Ayeyarwaddy</b>	20	20	9	30	16	20
<b>Bago</b>	4	10	9	24	7	18
<b>Chin</b>	10	7	2	11	9	8
<b>Kachin</b>	5	8	8	15	7	16
<b>Kayah</b>	6	7	7	11	7	14
<b>Kayin</b>	7	13	6	25	11	14
<b>Magway</b>	11	8	11	19	11	9
<b>Mandalay</b>	6	11	8	29	12	12
<b>Mon</b>	9	9	9	22	8	17
<b>NPT</b>		4	8	8	2	4
<b>Rakhine</b>	8	9	3	16	12	13
<b>Sagaing</b>	7	14	5	17	5	11
<b>Shan</b>	18	20	6	45	14	30
<b>Tanintharyi</b>	3	6	19	14	6	14
<b>Yangon</b>	9	20	8	37	21	27

### 5.2.2 Relevant international organizations for My-PEC

The mapping identified an initial list of 35 relevant international organizations working on child rights issues, or in the sectors identified in the terms of reference. Of the 35 identified, 28 have offices in Myanmar. The table below includes those that are recommended for initial discussion with ILO as part of the My-PEC.

Working with key agencies through the NTWG-CL is key, however engaging a broader set of stakeholders, particularly around advocacy, will ensure that child labour issues are, over time, mainstreamed into broader development and relief efforts and that constructive pressure is applied to the Government to meet its international conventions under CRC and C182.

The national NGOs that were interviewed highlighted the enormous capacity that was required to participate actively in the various working groups – an observation echoed by Ministries at national-level. Consideration of developing synergies with existing working and coordination groups both in Yangon and at field level should therefore be considered as part of My-PEC’s ongoing strategy.

The mapping and interviews also highlighted the lack of any clear knowledge management strategy in regards to child labour in Myanmar. Reports, programming and evaluations were sparse and – given the turnover in staff in most international organizations – institutional knowledge rested with one or two key staff members. ILO should consider establishing a knowledge management capacity. This may exist outside of ILO but perhaps sitting within the NTWG-CL Secretariat to gather, document and house relevant documentation on child labour issues (it is noted that there is a Committee that will be set up under the NTWG-CL but it needs to be clear who is responsible for maintaining the database

of materials). This would not only support greater sharing between stakeholders (a number of Ministries identified knowledge sharing as a critical issue) but would ensure the longevity of the knowledge accumulated and activities implemented under the My-PEC .

Key informants within international organizations all agreed that capacity building around C182 would be useful, however, noted that staff were already busy and it should be streamlined with existing efforts.

Name	Main Mandate	Main Sector	Geographic coverage	Possible areas of collaboration
UNICEF	UNICEF has been operating in Myanmar since 1996 with a focus on protecting children's rights.	Child rights	Country-wide	Revision of Child Law, technical support to MSWRR, child protection capacity development for national CBOs, reunification of children.
Save the Children	Save the Children has worked in Myanmar since 1995 focusing on helping Burmese girls and boys living in poverty	Health, child protection	Country-wide	New case management system programme – amending templates and tools to support the identification and assistance for children experiencing worst forms of child labour, awareness raising by capacity building relevant STC staff, support to STC partner CBOs.
World Vision	World Vision has been working on Myanmar issues for 25 years with a focus on child wellbeing.	Child rights	Rakhine, Sagaing, Mon, Kayin, Mandalay, Yangon	Capacity development of WVI staff working on anti-trafficking, support for street and working children, awareness raising for Area Development Program staff, identifying areas of synergy through their children in armed conflict programme.
Terre Des Homme (NL)	TDH aims to protect children and stop child exploitation – TDH improves their protection through training and mentoring of state social workers.	Child rights, child protection	90 townships across 14 States/divisions	Capacity development for local partners, identification of victims of WFCL and support, advocacy on CRC, training of social workers.
AFXB	Supporting Myanmar children since 1992 with a focus on assisting vulnerable orphans and preventing trafficking.	Child protection	Unknown	Capacity development for local partners and staff, vocational training and identification of at-risk populations
UNESCO	UNESCO has been working in Myanmar since 1996 on education reform, vocational training and heritage preservation.	Education, Heritage, vocational training	Country-wide	Drafting of TVET law, working with employers connected with vocational training schools/colleges to raise awareness
ActionAid	Operating since 1999, ActionAid works for a world free of poverty and injustice.	Women's rights, food and land rights	Kachin, Kayah, Rakhine	Awareness raising through ActionAid's support to local organizations through intensive training and deployment of 'change-makers' (youth leaders) in target communities
Christian Aid	Working since 1980 to empower poor and marginalised communities	Integrated development	Kachin, Shan, Kayah, Kayin, Bago, Mon and Thanintharyi	Capacity development for local partners and staff – programs in livelihoods, health, and resilience.
UN-ACT	UN-ACT was established in 2014 to ensure a coordinated approach to more strategically and effectively combat trafficking in persons in the Greater Mekong Sub-region (GMS) and beyond.	Anti-trafficking	Country-wide	Identification and research on at-risk communities, collaboration on training of enforcement agencies on child protection/anti-trafficking and child labour issues.
IOM	IOM has been working in Myanmar since 2005 on migrant rights and migrant health.	Migration	Country-wide	Awareness raising on vulnerability through IOM's health programme, collaboration on anti-trafficking programme.
Plan	Plan is a child-focused organization with programmes in early childhood care and development; maternal and neonatal health with an emphasis on nutrition; water,	Child protection	Ayeyarwady, Sagaing, Rakhine and Mandalay	Capacity development of staff and partners on child labour issues, mainstreaming of child labour issues into early childhood care (parental education) programmes.

	sanitation and hygiene; disaster risk management; and child protection			
CARE	Care has worked in Myanmar since 1995 with the aim to improve the living standards of rural communities	HIV/AIDS prevention and care	Care has offices in 10 out of the 14 States and Divisions.	Capacity development for staff and partners on child labour issues, partnering on Care's 'ensuring access to employment' programme.
World Concern	World Concern has been operating in Myanmar since 1995 and aims to	Organization and Community Development	Yangon, Ayerawaddy, Dry Zone, and Mandalay	Capacity development for staff and partners on child labour issues.
UNHCR	UNHCR main protection activities are protection monitoring and reporting, as well as advocacy with local and union governments on issues related to displacement and statelessness.	Human rights/protection	Hpa-an, Myitkina, Sittwe, Yangon Bhamo, Buthidaung, Hakha, Loikaw, Maungdaw, Mawlamyine, Myeik, Taungoo	Awareness raising for staff and partners, protection assessments, legal training for Government staff on international human rights law and national laws.
Norwegian Refugee Council (NRC)	NRC has been operating in Myanmar since 2008 with a focus on non-formal education and vocational training opportunities.	Education, vocational training	Mon, Kayah, Shan and Kayin	Capacity development of staff, partnering through NRC's Programme on Vocational and Lifeskills Education.

Table 9– International Organizations (Multilaterals and international non-government organizations) that My-PEC has the opportunity to engage with and possible areas of collaboration.

The mapping also identified other international organizations that are not working directly on child labour or child labour-related issues that ILO My-PEC may wish to involve in the process during the implementation phase including:

1. Asian Development Bank (civil society development)
2. World Bank (infrastructure)
3. Myanmar Education Consortium (education)
4. Burnet Institute (health)
5. Community Partners International (health)
6. Mercy Corps (livelihoods and various)
7. Voluntary Services International (various)
8. Nippon Foundation (donor – various)

The mapping highlighted several gaps in knowledge concerning child labour issues, not least the issue of which organizations are equipped to advise emerging companies and private sector on child labour laws. International NGOs interviewed as part of this mapping highlighted the lack of clear guidance on how to deal with corporate clients who wish to ‘do something’ in the child labour field in the form of small grants, CSR etc. It is important, therefore, for ILO to play an active role in disseminating widely quality capacity building and key resources to assist those organizations who receive requests for advice or funding for direct implementation in an informal or more ad hoc manner.

**Box 3: International Advocacy and Child Rights Organizations – an opportunity to influence policy**

The mapping also identified several international organizations who are engaging in advocacy and/or child rights, with specific focuses on forced and child labour. There were also several agencies involved in child sponsorship. There is an opportunity within the My-PEC for ILO to engage with these agencies through the dissemination, for example, of key advocacy messages which may support My-PEC’s objectives around creating an enabling environment for an effective response to child labour. The organizations identified included:

- Child’s Dream Organization
- Child Labour Coalition
- Walk Free Foundation
- NGO Group for the CRC
- Burma Partnership
- World Education
- Child Soldiers International
- ChildFund Myanmar
- Human Rights Watch

### 5.3 National Organizations

National NGOs and CBOs play an integral role in both awareness raising among communities about child labour and implementation of programmes aimed at preventing or supporting victims of child labour. Capacity strengthening of NGOs and CBOs should be prioritised – particularly those staff who are already actively dealing with child labour issues e.g. forced labour inspectors, social workers and township community organisers. Specific training in Myanmar language should be tailored to ensure

the concepts outlined in C182 are effectively applied to the local context. The mapping identified 23 local organizations that are relevant to either child labour or the sectors outlined in the Terms of Reference.

Those most applicable to the My-PEC are outlined below.

Table 10: local organizations (NNGOs and CBOs) relevant to the My-PEC agenda

Name of Organization	Main Mandates	Geographic coverage	Relevant Programmes and opportunities for collaboration with My-PEC
Myanmar Red Cross Society (MCRS)	MCRS is committed to improving the health and well-being of vulnerable people	Country-wide	<ul style="list-style-type: none"> <li>• Health and nutrition</li> <li>• Restoring family links</li> <li>• Child protection</li> </ul>
Ratana Metta Organization (RMO)	RMO's vision is for all mankind live a better standard of living and enjoy life in a healthy and non-discriminated society.	Delta, dryzone, Bago, Yangon, Taunggyi, Mytkina	<ul style="list-style-type: none"> <li>• Vocational training</li> <li>• Child Protection (drop in centers, case management)</li> <li>• Livelihoods</li> </ul>
Karuna Myanmar Social Services (KMSS)/ Catholic Bishop's Conference of Myanmar (CBCM)	To develop communities towards being holistic, self reliant and mature. Focus on livelihoods, DRR, social protection and health.	16 dioceses across all States and regions.	<ul style="list-style-type: none"> <li>• Social protection (microfinance)</li> <li>• Education in rural areas (Pathein)</li> <li>• Early childhood development and education</li> </ul>
Myanmar Professional Social Workers Association (MPSWA)	MPSWA aims to help people in need by prioritising activities in the areas of Social Work, Protection, Human Rights and Development	Country-wide	<ul style="list-style-type: none"> <li>• Training of social workers</li> <li>• Child protection</li> </ul>
Yangon Kayin Women's Baptist Association (YKWBA)	Composed mainly of women it is responsible for the welfare and development of all the women of the areas under its influence.	Yangon, Kayin, Bago	<ul style="list-style-type: none"> <li>• Child protection</li> <li>• Vocational training</li> <li>• Livelihoods</li> </ul>
Child Focused Network	Promoting well-being of people of Myanmar in future through enhance social change by supporting protective environment for children of today	Country-wide	<ul style="list-style-type: none"> <li>• Advocacy</li> <li>• Awareness-raising</li> </ul>
Metta	Metta is a national Non-Governmental Organization, assisting communities in Myanmar recover from the impact of decades of conflict.	Kachin	<ul style="list-style-type: none"> <li>• Livelihoods</li> <li>• Social services</li> <li>• Education</li> </ul>
Human Rights Foundation of Monland-Burma (HURFOM)	Monitoring the human rights situation in Mon territory and other areas southern part of Burma.	Mon	<ul style="list-style-type: none"> <li>• Research on child labour</li> <li>• Advocacy and awareness raising</li> </ul>
Agency for the Education of Poor Rural Youth	Holistic development of the poor families in rural and urban areas through rendering good education to the new generations and implementing rural development.	Yangon region	<ul style="list-style-type: none"> <li>• Rural Development</li> <li>• Vocational training</li> </ul>
MyME	To give working children opportunities for non-formal education.	Yangon	<ul style="list-style-type: none"> <li>• Mobile education for teashop children in Yangon</li> <li>• Awareness raising around child labour</li> </ul>



The mapping also identified other local NGOs/CBOs that are not working directly on child labour or child labour-related issues that ILO My-PEC may wish to involve in the process during the implementation phase including:

- Paung Ku (civil society development)
- Thingaha (gender)
- Thabyay Education Foundation (education)
- Chin Human Rights Organization (human rights)
- Agency for Basic Community Development (livelihoods)
- Better Life Organization (social services)
- Child Focused Network (child rights)
- Myanmar Institute for Integrative Development (livelihoods)
- Swanyee Development Foundation (various)
- Ratna Mahal Education Care Group (various)
- Equality Myanmar (human rights)

#### **Box 4: Workers and Employers Organizations**

There is an important opportunity for the ILO My-PEC to link in with current efforts aimed at strengthening workers and employers organizations.

The Union of Myanmar Federation of Chambers of Commerce and Industry (UMFCCI) aims to build its capacity concerning the representation of and support to Employers organizations – currently it is more focused on its role as peak body of the Chambers of Commerce across the States and Regions. UMFCCI noted that ILO already had plans to exchange staff between the two organizations – an opportunity which will also benefit the My-PEC. While UMFCCI has the existing infrastructure, administrative and staff capacity to be an effective representative of employer’s organizations, the key informant interviews highlighted the lack of awareness and tools with regards to actively representing and supporting employers, for example, through legal awareness training. Study tours abroad as well as technical support is needed before UMFCCI can truly act as a co-ordinating body for employers, however, building capacity of its own staff around C182 and national laws may be a first and important step.

Conversely the worker’s organizations – namely Federation of Trade Unions Myanmar (FTUM) and other organizations identified to sit on the NTW-CL have extensive organising power and possess strong capacity to act as an intermediary on behalf of ILO. FTUM also has the capacity to implement pilot projects, as demonstrated by its recent partnership with CARE Myanmar on awareness raising in the industrial zone. FUTM will shortly partner with ILO, MOLES, the US Government, Ministry of Education and Yangon Division on a pilot entitled ‘Education for under aged children working in Hlaingtharyar industrial zone’. Lessons can be learned from the extensive experience garnered by workers’ organizations in pursuing labour rights and ILO should ensure that their active participation in the NTWG-CL and the pilot programmes is encouraged.

Both the workers and employers organizations highlighted the need for capacity building for Government, however, noted that there was insufficient capacity to really engage on the child labour agenda at Union level.

## 6. Programmes

The mapping identified some key current large-scale programmes that ILO might consider useful in to discuss whether there is possibilities to adapt or build capacity within the established programming networks. This is not a comprehensive list, but does demonstrate the large partners and programs within key sectors. The table below shows the programmes identified and the key partners involved.

Table 11 – key programmes that ILO could engage with through My-PEC

Sector	Organization/s	Programme Name	Geographic coverage	Beneficiary #	Links with My-PEC
Child Protection	STC, UNICEF, RMO	Case Management Project	Unknown	> 20 townships	- Could utilise the opportunity to pilot new questionnaires/referral pathways for WFCL
Child protection	UNICEF, STC, MSWRR	Strengthening the capacity of MSW to scale up child protection	22 Townships	22 Townships	- Opportunity to build the capacity of MSWRR in regards to child labour
Child protection	World Vision and partners	Children Affected by Armed Conflict (and Country Task Force on Monitoring and Reporting (CTFMR)	National	Unknown	- important to link to policy discussion on children in armed conflict given it is considered WFCL
Anti-trafficking	UNACT	Coordinated Mekong Ministerial Initiative against Trafficking, (COMMIT)	National	Unknown	- good opportunity to raise awareness at Ministerial/Parliamentary levels highlighting shared vulnerabilities between trafficking and child labour
Vocational training	MST with policy support from UNESCO	Establishment of vocational training schools and colleges	National	15 townships in rural areas (Ayeawaddy detla)	- ILO could work closely with UNESCO and the Department of Technical and Vocational Training within the Ministry to develop lessons learned from vocational training schools/colleges
Livelihoods	UNDP	Sustainable microfinance to improve livelihoods of the poor	14 townships in dryzone inc. Magway	14 townships	- opportunity to train implementation staff working on rural development issues to raise awareness within a large program
Livelihoods	ActionAid	Civil society led community based livelihood resources development	Aunglan, Magway, Pakokku, Saytoketaya, Taungoo	5 townships	- capacity development of local partners on child labour issues through ActionAid's existing network.
Livelihoods	Mercy Corps	Building community resilience for food security	Dry Zone, Hilly Region, Coastal Region	Unknown	- program includes distribution of cash to poor and vulnerable families – an opportunity for wide-scale data collection on prevalence of child labour
Livelihoods	PACT	Sustainable microfinance in the delta	Bogalay, Mawlamyaingyun, Pyarpon		
Financial inclusion	World Bank	Financial Inclusion for National Development	National	Unknown	- opportunity to link with large-scale financial inclusion program including through awareness raising

Vocational training	NRC	Vocational and Life skills Education (VLE) for IDP and returnee refugee youth	Kayin State and Thanintharyi Region	1000 across 7 townships	- provides important case study in non-formal vocational training for vulnerable youth
Education	JICA, MoE	Project for Curriculum Reform at Primary Level of Basic Education in Myanmar	National	Unknown	- pathway for developing educative tools around what constitutes child labour
Education	MoE and multiple partners	Compulsory primary education	National	5.2 million in 2013-14	- combined awareness raising on the importance of education as a preventative factor in child labour
Education	MoE with World Bank	National school stipends program	National	11,000 in 2013-14	- incentivises families to send children to school – could be used as a case study in research on child labour prevention
Law	UNHCR and PEACE	Legal awareness training	Select government ministries	Unknown	- important opportunity to tie with existing efforts to build national capacity on legal awareness at Nay Piy Taw level

## 7. Conclusion

The mapping reinforced the importance of the My-PEC Programme and suggested interventions, highlighting in particular the urgent need for capacity building around C182 and child labour prevention more broadly. The mapping of policies and laws highlighted the need for legislative change to both update Myanmar's now outdated labour laws and bring the laws in line with international standards, including those that Myanmar has ratified. ILO's efforts to provide technical support in the re-drafting of key laws, including the 1951 Factories Act, is timely and appropriate.

The mapping suggested areas for collaboration and existing opportunities for the ILO My-PEC Programme with both government and non-government actors – the key informant interviews all noting the need for capacity development on child labour issues across staff and decision-makers. The mapping found limited programmes focused directly on prevention of child labour, further reinforcing the need for ILO My-PEC to both pilot interventions in chosen areas as well as integrate the child labour agenda into existing efforts.

There was, overall, limited information gathered through the mapping on organisations and programmes focused on the labour agenda more broadly in Myanmar. The research that My-PEC will undertake, therefore, is vital to both building institutional knowledge of the issues in Myanmar and sharing that knowledge as an awareness raising exercise, particularly among decision-makers.

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## Annexes

### A. List of key informants interviewed

	<b>Name</b>	<b>Title</b>	<b>Organization/Ministry</b>	
1.	Daw Htwe Htwe Thein	Vice President	FTUM	Non- Government
2.	Ms Teona Aslanishvili	Child Protection Specialist	UNICEF	UN
3.	Dr. Thet Thet Khine	Central Executive Committee Member	UMFCCI	Non- Government
4.	Daw Nan Si Paung	Vice President	Ratana Metta Organization	Non- Government
5.	Ms Laura Payne	Advisor, Child Protection	Save the Children	Non- Government
6.	Daw Si Si Myint	Manager, Protection	World Vision	Non- Government
7.	Dr Swe Swe Aung	Director	Union of Attorney General	Government
8.	Dr Mi Mi Kin	Director	Department of Science and Technology, Ministry of Science and Technology	Government
9.	U Aung Kyaw Moe	Director	Department of Social Welfare (Child Welfare), Ministry of Social Welfare	Government
10.	U Pan Khine Than	Director	Supreme Court	Government
11.	U Tin Chel	Director	Immigration and Population	Government
12.	Un Khin Mg Hla	Pol Ltd Colonel	Anti Human Trafficking Police Taskforce, Ministry of Home Affairs	Government
13.	Dr Myint Myint Than	Director	Department of Health, Ministry of Health	Government
14.	U Kjaw Moe Hlaing	Director	Rural Development Department, Ministry of Rural Development	Government
15.	U San Wai	Director	Border Area and National Races Department	Government
16.	U Ko Lay Win	Director	Education, Planning and Training Department	Government

## B. Sample key informant interview questionnaires

### **My-PEC: Mapping of Policies, Programmes and Institutions Related to Child Labour in Myanmar**

#### **Annex A: Interview Questionnaire for Key Stakeholders (Government)**

**Name of interviewee:**

**Position:**

**Department:**

**Date of interview:**

**Time of interview:**

**Interview conducted via:**

*Introductory script:*

Dear \_\_\_\_\_. Many thanks for making the time to speak with us today. I am a consultant working with the International Labour Organization (ILO) on the four-year ILO/IPEC Myanmar Programme on the Elimination of Child Labour (My-PEC), which is funded by the US Department of Labour. As one of the first steps in the Programme, ILO is undertaking a mapping exercise of all the existing laws, policies, programmes and institutions related to child labour issues. The focus is not only on specific policies and programmes that address child labour directly, but those which indirectly support either the prevention or enforcement of child labour for example rural development, education, social protection. This research will help ILO, together with the NTWG-CL, to establish linkages with existing programs and prioritise areas for capacity strengthening during the next phase of the programme. Myanmar has already made a great step forward in ratifying C182 – we want to understand further what existing activities are underway in the area of child labour so that ILO can then examine where there may be gaps or opportunities for further work. By understanding the policy, legal and programmatic framework, it will be possible to design more effective capacity strengthening activities. All the information gathered here will be used by ILO for Programme purposes only and will not be shared any wider. I have a series of questions – which should take around 40 minutes – but feel free to share any additional information you think is important as we go along. Once again, thank you for making the time today.

1. What is your Department's role in regards to child labour?
2. What are the main policies/laws that you are aware of in Myanmar that concern child labour?
3. What are some of the other policies/laws that indirectly relate to child labour?
4. What is the status of these policies/laws – are some being amended/drafted?
5. Which policies/laws do you think are most important in regards to meeting Myanmar's obligations under C182 and working towards the prevention of child labour?



6. Which policies/laws do you think are needed going forward to improve efforts against child labour?
7. As Myanmar works toward meeting international standards on child labour, are there efforts to examine what other ASEAN countries have done? If so, are there regional policies/laws which have been examined?
8. Who are the key Departments/institutions/INGOs/NGOs/CBOs that you work with on the issue?
9. Are there key people who are experts on this issue in Myanmar that we should speak with?
10. Are you aware of any key programs which are addressing child labour within/outside of government? If so, what are they and where are they focused?
11. Is there an area of child labour that is most important to address first? E.g. recruitment of child soldiers? Industrial child labour?
12. What are some of the key issues which perpetuate child labour in Myanmar?
13. What do you feel is needed in terms of capacity building for Government institutions working on child labour?

**My-PEC: Mapping of Policies, Programmes and Institutions Related to Child Labour in  
Myanmar**  
**Annex B: Interview Questionnaire for Key Stakeholders (Non-Government)**

**Name of interviewee:**

**Position:**

**Organization:**

**Date of interview:**

**Time of interview:**

**Interview conducted via:**

1. What is your organization's focus in Myanmar? What are your main aims?
2. How long have you been operational in Myanmar?
3. Which areas of work do you work in?
4. Where do you have offices?
5. How many staff do you have?
6. Do you have a programmatic focus or are you also involved in policy/advocacy?
7. If you are working on policy issues, what are the main policies/laws that you are aware of in relation to child labour?
8. Do you have a direct or indirect focus on child labour issues?
9. Is there commitment at the leadership level to address/prevent child labour issues?
10. Do you have a child labour policy?
11. Do you have a strategy to address child labour issues in Myanmar? Do you have a strategy to prevent child labour in your programs?
12. How do you ensure programming effectively targets those most vulnerable to child labour?
13. Do you have any programs which – either directly or indirectly – address child labour?
14. What is the budget of these programs?
15. If so, can you share any documentation which outlines the geographic focus, beneficiary numbers and program objectives?

16. Do you collect disaggregated baseline data as part of your programming?
17. What do you see as some of the challenges to implementing child labour programs here?
18. What are some of the gaps in programming?
19. Which other organizations/institutions do you work with?
20. Is there anyone that you would recommend speaking to gather more information?
21. What are some of the capacity strengthening needs that you have identified in relation to child labour prevention and enforcement among your staff?
22. Do you feel there is a widespread support for ending child labour among your staff?
23. What about the capacity strengthening needs of government/other agencies?