

# Consultancy to support the Development of the NAP on Child Labour in Myanmar

FINAL DRAFT

## Report on National Consultation Workshop to develop the NAP framework, Nay Pyi Taw, 13-17 March 2017

Submitted by Birgitte Krogh-Poulsen, Poulsen Consulting to ILO-MyPEC, Yangon, 203.04.2017 (final draft)

### Scope and purpose of the consultations and the workshop

The national consultation workshop was the culmination of the consultation process to develop the NAP framework, which started in September 2016 with the scoping mission and consultation workshop (see separate report). During the initial consultation workshop it was decided to widen the reach of the national consultations in Myanmar to adequately include regional stakeholders and ensure that their priorities are reflected in the NAP.

Following endorsement of the workplan for the consultations by the TWG-CL, the FGLLID, with support from MyPEC, led the extended consultation process, organising consultations for lower and upper Myanmar, for youth and for business in close collaboration with other government ministries and with civil society organisations. Separate reports are available of all these consultations (annex 1) Throughout this process the FGLLID has taken the lead and the TWG-CL has overseen the process, including the establishment of a drafting team with representation from MOLIP, MOE, MOHA (Anti-Trafficking), Ministry of Information and DSW.

### Summary of workshop proceedings

On 13-17 March, FGLLID with the TWG-CL and support from MyPEC hosted the national consultation workshop to develop the framework for the NAP. The workshop was opened by the Union Minister for Labour, who stressed the importance of working together and integrate and mainstream responses to child labour in the existing policy and programmatic framework on Myanmar.

The workshop brought together close to 100 participants from Government departments, workers' and employers' organisations, Parliament, NGOs and CBOs, international development partners and media. A detailed workshop report is produced by the MOLIP team and this report contains only a summary of the main outcomes of the workshop. The workshop programme is attached to this report.

During the first two days of the workshop, participants shared experience and information on on-going interventions in Myanmar, learned about good practices and experiences from NAPs against child labour in other parts of Asia (focussing particularly on Indonesia and the Philippines), analysed the causes and consequences of the most common forms of child labour in Myanmar and developed a catalogue of ideas for interventions that might work to tackle child labour in Myanmar. Possible linkages with SDG 8.7 were also discussed.

Day 3 and 4 of the workshop were dedicated to a strategic planning exercise, aiming to develop an overall framework for the NAP which the drafting team can un-pack further and develop into a fully-fledged draft NAP. The workshop successfully achieved its goal to develop a framework, containing the long-term objectives, specific immediate objectives and tentative outcomes, outputs, key activities and timelines. Furthermore, the workshop developed proposals for implementing partners, coordinating partners and resource estimates. The resource estimates were developed following a discussion of capacity and capacity gaps. In addition, the workshop also developed a tentative monitoring framework for the NAP, defining proposed impact indicators, means of verification and frequency of measurement.

The overall goal of the NAP is now defined as:

“By 2030 all boys and girls in Myanmar are effectively prevented and protected from child labour, especially in its worst forms.”

In order to fit with Government planning cycles, the target year may need to be revised to 2033.

Participants discussed the accelerated time frame for elimination of the WFCL stipulated in SDG Target 8.7 (2025) and decided not to apply this time frame to the overall NAP as it was seen as unrealistic. Designing an achievable, implementable NAP was repeatedly stressed as high priority by stakeholders. Participants also agreed on three consecutive 5 years NAP until 2033.

There was agreement, however, that immediate attention to the WFCL was critical and therefore, the elimination of the WFCL was included as an immediate objective along with five other immediate objectives as follows:

By 2023, Myanmar has a strong basic data collection mechanism

By 2023, awareness on child labour is increased.

By 2023, children and young people have improved access to quality education and TVET.

By 2023, Myanmar has an updated and coherent legal and regulatory framework that is implemented and enforced.

By 2023, children found in WFCL are withdrawn and provided support

By 2023, children and families have improved livelihood opportunities

Under these immediate objectives, a number of proposed outputs and activities were identified. These will need to be refined and further unpacked by the drafting team. The proposed activities etc. have all been recorded by the MOLIP and MyPEC support teams and are available, along with this report and other support material for the drafting committee.

During the workshop, a number of overall strategies emerged as key to tackling child labour in Myanmar. These strategies apply to both national, regional and local level interventions, but the exact balance will need to be defined. The strategic elements were summed up and validated by workshop participants at the end of the workshop as follows:

Preventing child labour (education & TVET, social protection, health, livelihoods, awareness, knowledge, safe migration, peace building etc.)

Withdrawal of children from WFCL (referral for services: psycho-social support, social protection, law enforcement, alternatives (education, TVET, livelihoods) etc.)

Protection of young workers (OSH, alternative education, TVET, job placements etc.)

Mainstreaming and links with existing programmes (NESP, DWCP, child protection and social work, child soldiers, forced labour, migration, agriculture, local economic development, social protection, health etc.)

Regional and state perspectives and prioritizing conflict affected and disaster prone areas

Gender equality

Respect for children's dignity and rights, best interest of the child

Attention to informal sector child labour

Multi-partner action and coordination (governments, social partners, CSOs, media etc.)

These strategies are all in line with the recommendations from the October 2016 background study for the NAP and with the recommendations that were formulated during the regional consultations and the youth and business consultations preceding this workshop.

Hence, the NAP framework developed during the workshop can be characterized as robust and can be used as the basis for drafting the full NAP document.

## Way forward

On 17 March, the drafting team met with the Director General FGLLID, U Win Shein, the MyPEC team and the consultant to agree on the way forward.

The consultant shared a draft outline for the NAP document. The draft is generic and will need to be revised and adjusted by the drafting team. It was agreed that:

ILO will provide copies of NAPs from other countries for inspiration

ILO will also provide copies of all notes, flip charts etc. generated during the workshop to the FGLLID for use by the drafting team

Drafting team members (and other TWG CL member participating in the workshop) will submit summaries, including the list of proposed immediate objectives, to their home ministries to generate support for mainstreaming child labour within ongoing programmes – reporting back on this by the 23<sup>rd</sup> March 2017

The Director FGLLID will lead the drafting team in the drafting process

The ILO will continue to provide technical advice throughout the drafting process

Workers' and employers' representatives could be approached for co-option into the drafting team

First draft NAP document to be produced between 23<sup>rd</sup> and 30<sup>th</sup> March 2017 and shared with ILO

The AP will be drafted in Myanmar language and ILO will translate the draft into English for technical supporters to review and provide feedback

After translation, the draft will be shared with Bharati Pflug and Birgitte Poulsen for review and comments. Comments will be shared with FGLLID by end-April

Drafting team will reconvene in 1<sup>st</sup> or 2<sup>nd</sup> week of May to revise draft

Upon completion, the draft NAP will be submitted to Cabinet by the Union Minister. The Cabinet meetings take place approximately every two weeks.

The NAP will need to be approved by Cabinet by September in order to ensure integration of NAP activities with next year's budget.

Ministry of information already has an approved budget line that may be used for awareness raising activities, for example to commemorate WDAFL in June

This tentative schedule will be revised as appropriate and the need for additional technical support from the ILO will be assessed along the way in order to ensure that the drafting team receives the support required to produce a high-quality NAP on time.

BKP, 03.04.2017

## Annex 1, Consolidated outputs, NAP consultations



### **Outputs from Consultation workshops for the development of Myanmar National Action Plan on Child Labour.**

#### **Introduction:**

Child Labor is a global issue associated with, among others, widespread poverty, lack of education, economic development and basic human rights. Worldwide, about one-tenth of the total child population, approximately 168 million children aged 5-17 years was involved in child labor in 2012, according to the Global Child Labor Trends 2008-2012 report of the International Program on the Elimination of Child Labor. The Asia – Pacific region has the most child laborers aged 5-17 (77.7 million) among the different regions.

According to the 2015 Labour Force Survey-Child Labour-School-to-Work-Transition Survey (LFS-CL-STWTS), more than 1 million children are engaged in child labour in Myanmar, with more than half of them in hazardous work. Child workers aged 15-17 years constitute 75 percent of all working children, with 54 percent boys and 46 percent girls

The promotion of the ratification and implementation of the fundamental conventions on child labour (i.e. ILO C.138 and C.182) is a high priority for the International Labour Organization (ILO). While the Government of the Republic of the Union of Myanmar has ratified ILO C.182 on December 2013 as a starting point for addressing the issues covered by those standards.

The International Labour Organization (ILO), is providing assistance to the Government of Myanmar in formulating a comprehensive *National Action Plan on the Elimination of the Worst Forms of Child Labour* (NAP). This activity will contribute to the national efforts and the goals of the ILO's Global Action Plan against the worst forms of child labour (WFCL), within the framework of the ILO Convention on the Worst Forms of Child Labour (No. 182). This NAP will target the worst forms of child labour (WFCL) as a priority, while aiming at the elimination of all child labour in the long term.

On August 30<sup>th</sup> the process for the development of the National Action Plan on Child Labour was started. Initial consultations with stakeholders in Myanmar were carried out in early September as part of a scoping exercise to determine the key priorities for the forthcoming NAP and discuss and decide on the consultation and drafting process to be carried out in order to produce an achievable and sustainable National Action Plan (NAP) on elimination of child labour in Myanmar, relevant to the context.

**Participants agreed to employ a bottom-up approach to consultations and carry out regional consultations prior to the national workshop.** Participants understand that this process will be more time demanding and vastly more challenging, especially in non-government controlled areas. There was, however, general agreement among national partners that the wider consultation process will provide a more robust NAP. Hence, consultations would include not only national level government agencies, workers and employers' representatives and other CSOs, but also their representatives at state/regional level. In addition, the process will seek inputs from private sector/international business partners, from policy makers and from children and young people. Based on the discussion in the workshop, a tentative work plan for the development of the NAP was drawn up and shared among stakeholders.

In addition to agreement on the process, workshop participants **also agreed that the NAP must be linked to the existing national development framework**, including to its time lines. Hence it was agreed that the NAP timeframes will be aligned with the wider development framework.

It was **agreed furthermore, that MOLIP (through the FFGLID) leads the NAP formulation process** with the support of the ILO. In the non-state controlled areas, NGOs were able to assist with consultations. The consultation process was organised through the TWG-CL.

From the period of November 2016 through March 2017, the following consultations workshops were held by the MOLIP with the support of the ILO:

Upper Myanmar Consultations (18 November 2016, Mandalay)

Lower Myanmar Consultations (9 December 2016, Yangon)

Youth Consultations (14 February 2017, Mandalay)

Industrial Zone Consultations (21 February 2017, Yangon)

Invited participants were from all the regions from Myanmar, Government officials (National and Sub National Levels), Workers and Employers Organizations and Community Based Organizations

Additionally, as part of MyPEC capacity building activities, the project has included sessions on the NAP when working with CBOs in different region of Myanmar (Kayah, Shan, Kachin).

The findings presented here is the consolidation of the outputs from these consultations.

**Upper Myanmar Consultation for the NAP on Child Labour – Mandalay 18 November 2016**

State/Region	Forms of CL that need immediate attention	Root Causes	Priority Action	How should it be reflected in the NAP	Remarks
<b>Shan State</b>	Working in Thailand with adult migrant workers Restaurant Teashop car workshop Sold as bride for forced marriage to China Trafficking	Lack of employment opportunities, Education Want money quickly Help children of migrant workers from tropical region because of drought. Lack of awareness, Little livelihood.	Awareness raising, increase job opportunities, better marketing of local product (ensure it reaches better market), formal school, NFE, TVET Law enforcement Implementation of free compulsory education	National Level - Handle by government, formal education, NFE, TVET, Law punishment, create job opportunities. State level, awareness raising, Implement activities as the same with national level	
<b>Kayah State</b>	Low living standard of family and Poverty. Migrant family with many children, internally displaced person to refugee camp.	Mainly rely on upland cultivation – little resource available Most of labour force from other regions (migrant workers - construction).	Awareness raising to parents. Access to education Perception of law enforcement by the people Extend TVET School. Create job	Both National and State Level	



		Internally displaced	opportunities for parents and education (NFE) for children from IDP camps within country		
<b>Chin State</b>	Culture practices/Traditional acceptance and discrimination of girl in education Food security.	Difficulties in transportation (road infrastructure) and natural disaster Little natural resources available	Infrastructure, transportation Better response mechanisms to natural disasters Compulsory education up to 8 standards Awareness raising on human rights, value of education and child labour up to village level	Both National and State Level	
<b>Mandalay Region</b>	Street vendor ( children) Begging (disable children), teashop, restaurant, karaoke, sex worker, shops and store Construction Fishing and Agriculture Domestic worker Collection plastic Children working in railway station, bus station and jetty.	Poverty Domestic Violence Limited knowledge Orphan Migrant Natural disaster	Awareness raising to parents, guardians, employers, instructor, wards and village authority Take action with existing law Vocational training to (GOs, INGO, NGO, LNCO, CSO) Provide effective NFPE, NFME (IE) and Compulsory	National and Regional Level	

			<p>Education up to middle school  Establish M&amp;E working group  Job Opportunity for the family  Children friendly and happy school environment</p>		
<b>Nay Pyi Taw</b>	<p>8-14 years child labour working in teashop and restaurants  Working hours and wages are not faired.  More girls working than boy</p>	<p>Poverty  Gender Inequality  Many children want to work  Early drop out by parents  Wages for girl is lower than boy</p>	<p>Implement Compulsory and free education  Awareness raising to employer on labour law/ better enforcement and sanction  Awareness raising to parents, women empowerment</p>	National Level and Regional Level	
<b>Magway</b>	<p>Increased child labour in petroleum production.  Increased child labour in restaurants and teashop  Increased child labour in agriculture</p>	<p>Lack of job opportunities  Family economy is poor and income is low.  Culture practices  Low productions in agriculture due to</p>	<p>Government should revise specific petroleum law – particularly mechanism to check license issuance process  Create job</p>	National and State level	

		climate changes (drought/Natural Disasters)	opportunities by government and private Strengthen TVET Awareness raising Government primary school and NFE in every villages. Provide good transportation		
<b>Sagaing</b>	Children working in restaurant Teashops domestic work gold mine Gems selling drugs Agriculture	Poverty limited knowledge of parents no quality education business exploitation by employer migration of parents gender discrimination children want to get money	Income generating activity for family awareness raising for parents TVET specific law for child labour Better law enforcement education for migrant children Awareness raising for children, awareness raising for parents on gender.`	Teashop, restaurants, domestic work, drug ( for national) Gold and gems mine and agriculture for state level	
<b>Kachin</b>	Illicit activity such as drug trafficking, Children involved in Jade, gold, amber mining	Lack of Family livelihood Education Weak Law	Advocacy and awareness raising Establishment of a Monitoring group	Both National and State Level (most at national level only drug trafficking and M&E group should	

	<p>Child Labour in Agriculture  Child Labour in Road construction</p>	<p>enforcement  Environmental condition,  Migrant worker  Limited knowledge on laws (child rights, labour law)  Lack knowledge on agriculture techniques  No active CSO for child labour  Security (conflicts)</p>	<p>(M&amp;E)  State level data collection on child labour  Promotion of NFE under 14  TVET for above 14 years old  Referral to vocational training centre  SME development  Creation of job opportunities and linkage with local employer organization  Allocation and Management of natural resources at State level</p>	<p>be set at the state level)</p>	
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**Lower Myanmar Consultation for the NAP on Child Labour – Yangon 9 December 2016**

<b>State/ Region</b>	<b>Forms of CL that need immediate attention</b>	<b>Root Causes</b>	<b>Priority Action</b>	<b>How Should it be reflected in the NAP</b>	<b>Remarks</b>
<b>Rakhine State</b>	Construction, Teashop and Restaurant, Fishery, Agriculture and Livestock	Poverty lack job opportunity very few income low education most adult are working outside the region conflict in the state ( few adult workers and many child worker)	Create job opportunities Improve TVET Strengthen education system raise awareness on child labour	National level	Collaboration with NGOs/ INGOs/ CSO/ State Government
<b>Yangon</b>	Teashops and Restaurants, Begging, construction, Car repair	Poverty ( lack of economic opportunities), Migrant ( Natural disaster, conflict area, low wages for children),	Suitable TVET for the region, MOBA open TVET training in Yangon, Upgrade TVET for region. Upgrade NFE (employer, labour,		Collaboration with INGO/ NGO (eg. Green foundation)

		<p>Lack of awareness/knowledge on impact of CL</p> <p>No value to education</p>	<p>government)</p> <p>Increase safe work and human resources,</p> <p>Cash for work in disaster affected area</p> <p>Complaints mechanism centre</p> <p>Complaints mechanism centre for migrant,</p> <p>built resource centres,</p> <p>Create happy working place.</p> <p>Effective law enforcement (penalties and sanctions)</p>		
<b>Bago</b>	<p>Shopkeeper or shop helper</p> <p>Agriculture and Livestock</p>	<p>Poverty</p> <p>Family livelihood</p> <p>Not enough income</p> <p>Families have many children</p> <p>Single father or mother (family health)</p> <p>Weak Family management ( Poor financial literacy)</p> <p>Household violence</p> <p>Lack of adult worker</p> <p>Cheap labour</p> <p>Parents have little education and give little value to education</p>	<p>Create job opportunities for parents</p> <p>Strengthen agriculture technique</p> <p>awareness raising (parents and guardians)</p> <p>Awareness raising on laws (fair wages)</p> <p>Raise awareness - Health (reproduction)</p> <p>Financial Management training (families)</p> <p>Establish Community learning centre</p> <p>Provide NFE, TVET,</p>	<p>Regional Level</p> <p>Township and</p> <p>Regional Level</p>	<p>Coordination with all government organization, INGOs, CBOS</p>

			Basic Literacy, Fair wages		
<b>Mon</b>	Restaurants, Fishery, Construction	Difficulties in livelihood (high poverty) Parents practice/ traditionally (like working with parents, education is not a priority) Lack of job opportunities Lack of skills and technical knowledge Difficult access to market Very low wages because the needs of market (cheap labour) Better law enforcement (Need to take action with the law when the employers do not apply the law) Natural disaster (for agriculture place)	Create job opportunities relevant or suitable with the state Skills training and improved technology Improve access to market Support TVET Raise awareness for guardians/ parents (focus on traditions and social norms promoting CL) Strengthen labour inspection and enforcement (legal actions) Guarantee compulsory free education until secondary level NFE for child labour	Start with State level, Region ,Township level  Finally National level	
<b>Tanintharyi Division</b>	Tea-shops Restaurants Domestic Work	Poverty (lack of livelihood) Parents are uneducated (little	Support income generating activities NFE, compulsory education and TVET	National level for family income	Raise awareness on Parents. relevant

		<p>value is given to education Lack job opportunities</p>	<p>(including seed money for entrepreneurship) Vocational training for family to get higher income (there is no industry in the region) Better access to loans Awareness raising for parents and guardians</p>		NGOs
<b>Kayin State</b>	<p>Quarrying Construction (mostly Road) Rubber plantation</p>	<p>Parents are poor and with little education (no value to education). Conflict Migration (no adults left in villages) Low wages cheap labour</p>	<p>Awareness raising for parents and guardians Raise awareness of parents and give TVET to children and create job opportunities (ensure linkage with private sector) NFE Quality and Compulsory education (support children to remain at school) Strengthen awareness and enforcement of the law Fair wages</p>	<p>National level for (compulsory education, TVET, employer apply the law (working hours))  Regional level</p>	
<b>Ayeyarwaddy</b>	<p>Fishery, Restaurants Agriculture</p>	<p>Low educated parents Traditional and social norms Geography situation (Disaster) Poverty</p>	<p>Raise awareness for parents Information and media TVET Strengthened law enforcement</p>	National level	



		High demographic (many children per HHs)			
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**Youth Consultation for the NAP on Child Labour – Mandalay 14 February 2017**

<b>State/ Region</b>	<b>Forms of CL that need immediate attention</b>	<b>Root Causes</b>	<b>Priority Action</b>	<b>How should it be reflected in the NAP</b>	<b>Remarks</b>
<b>Yangon Magway Mon</b>	Child Sex Worker Restaurant and Tea Shop child worker Hard Labour Child Beggar	Poverty Education System Lack of Job Opportunity Disaster / Conflict Trafficking Migration Belief & Traditional	Counselling (psycho social support including Compulsory Education System to high school level Awareness Raising Vocational Training Taking action against perpetrator Ratify ILO convention	National Level	

			138 Social Security		
<b>Mandalay Bago Rakhine</b>	Fishery Factory Migrant Worker Drug and Gambling Begging Children	Survival Difficulty Lack of Job Opportunity Traditional Job Education System Environment Influent Natural Disaster Lack of Guidance Role of Law	Awareness Rising Government Intervention Job Opportunity Good Transportation Improve Education System Economic Development Rehabilitation Cooperation and Networking	National Level	
<b>Kayin Sagaing Ayeyarwaddy</b>	Migration Construction site Factory	Lack of employment Opportunity Disaster Lack of knowledge Education System Lack of livelihood opportunity	Awareness Raising Compulsory and free education system Creation of livelihood Opportunity Vocational Training	National Level	
<b>Kayah Kachin Shan</b>	Sexual Slavery Working at Tea shop Drug using and carry Child soldier Children in Agriculture	Poverty & Lack of knowledge Belief and Superstitious Lack of Job Opportunity Lack of Law Enforcement Heavy Family members Easy access job in tea shop	Awareness Raising Creating Job Opportunity Counselling Free & strengthen Education Improve transportation Private & Govt interventions Effective Management Human Resources	National Level	

		Corruption Difficult transportation Value on Education			
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**Industrial Zone Consultation for the NAP on Child Labour – Yangon 21 February 2017- Inya Lake Hotel, Yangon**

<b>State/ Region</b>	<b>Forms of CL that need immediate attention</b>	<b>Root Causes</b>	<b>Priority Action</b>	<b>How Should it be reflected in the NAP</b>	<b>Remarks</b>
Karen State	Teashop, sawmill, Rubber plantation, Restaurant at border area Migrant	Poverty, low daily income, Lack of Job Opportunity	Vocational training Strengthen Rural Development Program Provision of agriculture	National level	

		Lack of knowledge and education	technology Awareness Raising Economic Development for Rural Area		
Ayeyarwaddy	Car workshop within industrial zone Fishing Agriculture Children in Garment Factory	Poverty, Parents are lack of knowledge because of unqualified education Weakness of law enforcement Lack of job opportunity	Free education should be primary education to secondary education. Law enforcement for workers Create job opportunities for the workers	Regional level	
Yangon	Carry Heavy Load at terminal station, and market Construction/ factory sector Agriculture/ Livestock Restaurant and teashop Street Vendor Beggar	Wrong Mind-set Poverty Low education Lack of Knowledge Low IQ system	OSH law enforcement Awareness Raising Education / vocational provision by employer TVET opportunity Effective in applying the law Create Apprenticeship programme	National level	Raise awareness to the community about the law through TV, Billboard, and flyers.
Mandalay	Construction Restaurant/ teashop/ KTV Car workshop and other services Food manufacturing	Low education Cheap labour and scarce of adult labour Low income (not cover the expenses) Poverty Limited job and employment	To promote free and compulsory education until secondary education level Train for talent worker Create job opportunity Promote technical support On job and apprenticeship program	National level Regional level Industrial level	Short term and long term plan for child labour

		opportunity Worker Shortage			
Bago	Slipper Making Street Vendor Cigar or cheroot production Car workshop Plywood factory	Poverty Demand and supply	Awareness Raising OSH training Vocational Training	Regional level	