

4 October 2005

Dear Sirs,

## Burma

In November 2000, the International Labour Organisation (ILO), the specialised agency of the United Nations for social matters, determined that no progress had been made in the process of ending the widespread use of forced labour in Burma (the country renamed Myanmar by its military junta). This conclusion led to the decision by the ILO Governing Body to fully implement the ILO resolution on Burma adopted at the International Labour Conference in June 2000.

The resolution, which had the overwhelming support of governments, employers and workers' organisations, and which aimed at ending forced labour in Burma as soon as possible, *"recommends to the Organisation's constituents as a whole - governments, employers and workers - that they: (i) review, in the light of the conclusions of the Commission of Inquiry, the relations that they may have with [Burma] and take appropriate measures to ensure that [Burma] cannot take advantage of such relations to perpetuate or extend the system of forced or compulsory labour (...) and to contribute as far as possible to the implementation of its recommendations; and (ii) report back in due course and at appropriate intervals to the Governing Body"*.

Global Unions, including the ICFTU, the Global Union Federations and the Trade Union Advisory Committee to the OECD (TUAC), has been campaigning for several years for the full respect of human and workers' rights in Burma. Full details of these organisations are attached. The information that we provided was instrumental in leading to the ILO decision. We have also continuously provided the ILO with new evidence on forced labour in the years following the November 2000 decision, most recently on 31 August 2005, when the ICFTU sent over 1,600 pages of new evidence to the ILO Committee of Experts on the Application of Conventions and Recommendations. This evidence clearly indicates that forced labour persists on a large scale and that the authorities in Burma are still not genuinely committed to ending the violation of the most fundamental rights of their citizens. This has also largely been confirmed, time and time again, by the findings of reports from different human rights' organisations as well as UN agencies.

Based on the evidence available, the international trade union movement firmly believes that it is impossible to conduct any trade or other economic activity with Burma without providing direct support, mostly financial, to the military junta. The top military hierarchy is directly responsible for the massive use of forced labour. This has also been clearly established by the ILO Commission of Inquiry. Any commercial or economic links with Burma therefore help the junta "to perpetuate or extend the system of forced or compulsory labour".

Subsequently to the ILO Commission of Inquiry, the international trade union movement adopted a policy which, among other things, states that *"national and multinational companies trading with and/or investing in Burma should withdraw as a*

*matter of urgency and bans on imports from and exports to Burma should be introduced immediately. The union movement at every level must initiate early discussion with such companies. Failure of companies to comply will mean public exposure by the international trade union movement and the promotion of other action, as appropriate, including consumer pressure and boycotts."*

We have found reliable information that your company either operates in Burma, has business relations with the country, has been in direct contact with the officials of the regime, or promotes or advertises tourism in that country. If this information is inaccurate, or if you have already decided to break those links, it would be helpful if you would let us know.

We are currently maintaining a list of over 436 companies that have the same status. This list can be found on our web-site: <http://www.global-unions.org/burma>. Prior to adding your company to this list, we wanted to have the opportunity to engage in a dialogue with your company, as we have done with every other company of which we discovered a link to Burma. We would appreciate a response to this communication as soon as possible, in particular as relates to the nature and scope of your company's present or planned activities in or in connection with Burma, including any trade, export, import or investment links which your company may be engaged in or planning to have with private or public Burmese companies, enterprises, organisations or institutions.

Finally, you may wish to note that, earlier this year, the Committee on the Application of Standards of the International Labour Conference (which is the annual gathering of ILO constituents: governments, employers' and workers' representatives), reconfirmed its earlier decisions during its Special Session on Burma, held on 4 June 2005. At that time, the Conference Committee "*confirmed the conclusions of the Governing Body at its March 2005 session that the "wait-and-see" attitude that prevailed among most members since 2001 had lost its raison d'être and could not continue. The Committee's general view was that Governments, Employers and Workers, as well as other international organizations, should now activate and intensify the review of their relations with Myanmar that they were called upon to make under the 2000 resolution, and to urgently take the appropriate actions, including as regards foreign direct investment in all its various forms, relations with State- or military-owned enterprises in Myanmar. In accordance with the conclusions of the Governing Body in March, the present conclusions should be transmitted to all those to whom the 2000 resolution was addressed. The results of such reviews should be fully reported to the Director-General so that the Governing Body could have a complete picture in November.*"

The ILO Governing Body will thus re-examine this issue at its forthcoming Session (Geneva, 2-18 November 2005). The international trade union movement will at that time report all available information concerning these issues, including any new elements pertaining to commercial, investment or other economic activities of foreign companies carried out in or with Burma, including production, sourcing and sales in, from or to that country.

Any information that you could provide us with regarding your company's Burma-related activities would therefore be highly appreciated.

We are, of course, in touch over these issues with our national affiliated organisations, and intend to make sure that they are fully informed of our communications

with companies on this issue. We would very much appreciate it if you could respond to this communication by 28 October 2005.

Thank you for your consideration.

Guy Ryder - ICFTU General Secretary

Fred van Leeuwen, EI General Secretary and Chair of the GUF General Conference

John Evans - Secretary General - TUAC