

CMS/EC/rb
Brussels, 1st March 2024

To: President of the European Council

To: Permanent Representations to the EU

Cc.: European External Action Service

& ASEAN Delegation to the European Parliament

Concern: Forced military conscription in Myanmar: strong EU action demanded

Dear President,

Dear members of the Permanent Representations to the EU,

On 10 February, the military junta of Myanmar announced that they will begin mandatory military conscription. We, ETUC and all European Industry Federations (EIFs), completely oppose this shocking announcement and on behalf of workers and trade unions in Myanmar and their international trade union representation, we call on the EU Member States to agree on urgent EU action as soon as possible.

This announcement further endangers the lives of workers and citizens in Myanmar who have already been living under the military junta's reign of terror for over three years. Reports from the field are alarming. Already young workers living in hostels near the industrial zones, or in family houses in the big cities and in villages are in danger of being kidnapped or arrested by the military and the militias in all villages and towns. In total more than 13 million young people are at risk of being taken away by the SAC local authorities to be used as porters or in the frontline of the fighting against the democratic forces fighting for democracy and human rights.

With reports that the junta will use employee data to identify targeted individuals, men aged 18 – 35 years and women aged 18-27 years, urgent action is needed to stop employees' data being used and moreover for the whole process to be stopped and for democracy to be restored to Myanmar.

This new announcement is further proof that the international response to date has been far from sufficient and that the military junta will continue its abuse of workers and citizens without fear of real repercussions. This desperate situation needs to end and we call on the EU to stop the military junta's abuse of workers and citizens which amounts to forced labour.

Forced military conscription in Myanmar is forced labour

The ILO Convention No. 29 protects civilians from mandatory military conscription that allows to impose work that is not of a purely military nature (Article 2(2)(a)). Further, the Convention prohibits attempts to disguise the use of conscripted civilians for work of a non-military character as work required “in cases of emergency”. Such work is only allowed in cases of genuine, sudden, unforeseen emergencies calling for instant action, where the duration, the extent of compulsory service as well as the purpose for which it is used are strictly limited (2012 ILO General Survey, para 280).

A large-scale and systematic practice of imposing compulsory labour on the population for a prolonged period of time within the framework of the national service programme, and allowing for the use of conscripts for work in a vaguely formulated, undefined “states of emergency” (Article 21(a) of the 2010 People’s Military Service Law) goes well beyond the exceptions provided for in the Convention.

We recall that the 2023 ILO Commission of Inquiry concluded that the 2010 Peoples’ Military Service Law is not compatible with Myanmar’s obligations under Convention No. 29. (page 11 and paras 614-617).

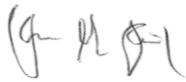
Urgent EU action is needed

As such, we ask for all EU Member States to universally oppose this recent act by the military junta and to take urgent action with the aim of targeting the regime, including:

- An immediate public reaction from the European Council and the EEAS opposing this announcement in the strongest of terms.
- For the EU to impose as soon as possible further sanctions including as a priority sanctions on the banking and insurance sector, on jet fuel, on **junta state and region chief ministers**, directors of business owned by senior junta members and their families and directors of military controlled businesses which have not yet been included among the sanctioned persons list, and companies such as **Shwe Byain Phyu Group of Companies** that imports and distribute petroleum, including on behalf of MEHL and **Myanma Five Star Line Company Limited a shipping company**.
- For the withdrawal of Myanmar’s trade preferences under the EU’s Everything But Arms System given the serious violations of human rights, as it was decided for Cambodia.
- For EU brands and factories still operating in the country to not collude with the regime, to protect the identity of their employee and refrain from sharing information obtained through the SMART ID scheme. Furthermore, EU brands must insist that their suppliers do not impose overtime during the current situation to mitigate the risk of employees being kidnapped or forcibly taken by the military troops on their way home late at night with reports of these instances being reported on the ground.

We urge EU Member States to stand up for the people in Myanmar who have already been subjected to three horrendous years of abuse by the military junta.

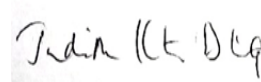
Yours sincerely,



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