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His Excellency Dato Lim Jock Hoi
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Sharan Burrow

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HTUR

15 September 2021

CTUM accreditation challenge - 14th ASEAN Forum on Migrant Labour

Dear Secretary-General,

The International Trade Union Confederation (ITUC), representing 200 million members globally, and the ITUC-Asia Pacific join the ASEAN Trade Union Council (ATUC) to strongly condemn the objection by the military junta in Myanmar to the participation of the Confederation of Trade Unions Myanmar (CTUM) and the nomination of Mr Maung Maung, CTUM president and ATUC vice president, as the ATUC representative to the 14th ASEAN Forum on Migrant Labour (AFML) meeting held on 6 and 8 September 2021 and hosted by Brunei Darussalam. We express our grave concern about these incidents, which violate the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), ratified by the government of Myanmar in 1955.

Myanmar's objection to CTUM's participation

The nomination of CTUM as the workers' representative for Myanmar in the AFML lies in the hands of the ILO Governing Body (GB) Workers' Group. This practice has been applied in all the previous AFML meetings, with no interruption.

We were appalled to learn on 3 September that the military junta in Myanmar objected to the participation of CTUM in the 14th AFML three days before its opening and nominated the Myanmar Seafarers' Federation (MSF) instead. We deplore this substitution, as this disrespected the ILO GB nomination of CTUM and the MSF hardly qualifies as a representative union in Myanmar. The ILO GB nomination procedures and processes should continue to be upheld by ASEAN.

We are partner organisations with the CTUM, representing the voice of working people in Myanmar and defending their rights. The CTUM is an affiliate of the International Trade Union Confederation and its regional body, ITUC-AP (Asia Pacific), as well as the ATUC. CTUM is not a terrorist organisation, but a legitimate workers' organisation established in accordance with the principles of ILO Conventions 87 and 98. We fully support the CTUM actions confronting the domestic challenges in Myanmar – challenges which have upended the lives, livelihoods and future of workers and their dependents.

We also call your attention to the misinformation from the ASEAN Committee on Migrant Workers (ACMW) Myanmar representative on the second day of the 14th AFML, saying in the Zoom chat box that the ILO had accepted the nomination of MSF. The ILO in fact corrected this outright misrepresentation in the same chat box.

Myanmar's objection to the ATUC representative

The ILO GB Workers' Group nominated the ATUC as a regional organisation of trade unions in ASEAN to participate in the 14th AFML. As customary, the ATUC general secretary attends the annual AFML. However, the general secretary could not participate in the two-day meeting due to health reasons.

The ATUC general secretary, on 6 September in the workers' group meeting before the 14th AFML started, delegated his authority to Mr Maung Maung, CTUM president and one of the vice presidents of ATUC, to represent ATUC in the meeting.

We were informed that ACMW Myanmar had rejected the nomination of Mr Maung Maung as ATUC representative on the grounds that (1) his name "is not included in the three current vice presidents" and (2) he has a pending criminal case in Myanmar for "impeding and hindering the State Administrative Mechanism" and advised that the ATUC name another representative to the 14th AFML.

Mr Maung Maung is serving as holdover ATUC vice president following the departure of the Konfederacao Sindicato De Timor-Lest (KSTL) general secretary. This information is not on the ATUC website because the website has not been fully updated, as it is under reconstruction. Regardless, the nomination of an ATUC representative in the AFML lies in the hands of ATUC and deserves respect.

We view with utmost concern that an ACMW representative did not accept the participation of the duly nominated ATUC representative. We cannot comprehend the attempt to override the decision of an independent sub-regional labour organisation. Such an attempt is clearly not consistent with ILO principles.

In view of this, the ATUC decided not to participate in the second day of the 14th AFML sessions.

Over the years, through good coordination and continued social dialogue among tripartite partners and civil society organisations, the AFML has built a more resilient, protective migration regime in the ASEAN community. The cancellation of CTUM's participation and the rejection of the ATUC representative stain this achievement and hamper the social dialogue mechanism set up to take collective action on migration.

We urge the Member States of ASEAN and its Secretariat to put a measure in place to prevent any similar incidents in the future and call for an urgent meeting between the ATUC and SLOM to discuss this matter further.

Yours sincerely,



Sharan Burrow
General Secretary
ITUC



Shoya Yoshida
General Secretary
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