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The important role of Action Labor Rights (ALR) in assisting workers and unions as well as upholding freedom of association in Myanmar

Myanmar has only allowed workers to legally form and join unions since 2012. Given this, Myanmar workers have had to build their unions from zero in the face of increasing resistance from many employers using “union-avoidance” tactics, which commonly include terminating union leaders and members as well as various forms of intimidation to suppress freedom of association (FOA) through fear. Moreover, although recent labor law reforms improved labor rights on paper in Myanmar, these laws are flawed in significant aspects and fall well short of international labor standards. Enforcement of labor laws is also problematic due to Myanmar’s weak rule of law and corruption. Working conditions are terrible in numerous Myanmar garment factories, including many in the supply chains of prominent European brands. Garment workers universally work 6 days a week for 10-12 hours a day. Health and safety measures are often inadequate and workers’ labor is maximized by restricting their rest periods and toilet breaks to an absolute minimum. Despite one of the lowest minimum wages in the world, wage theft in various forms is common. Even legally entitled paid leave and holidays are often not respected. Following the lifting of Western sanctions a few years ago, it was this environment that has attracted hundreds of multi-national garment and other manufacturers to Myanmar, many seeking to maximize profits through the exploitation of cheap labor and avoidance of worker rights. It is well-documented that international brands’ codes of conduct and CSR programs do not adequately address the shortfalls related to worker rights as described here.

The increasing hostility of employers, the frequent lack of labor law enforcement from the government, and the fact that union federations are at an early stage of development means that the role of labor rights NGOs, including Action Labor Rights (ALR), is critically important to advancing and upholding freedom of association in Myanmar. Factory-level unions frequently form due to widespread labor law violations and worker discontent but many are destroyed by their employer within their initial year of existence. Some factory-level unions decide to affiliate to one of Myanmar’s fledgling union federations, which have only existed for a few years and lack the power of union federations in more developed countries. Other factory-level unions decide that existing federations do not meet their expectations and choose instead to join loose networks for mutual support, some of which are looking to form new union federations. As workers wish to freely choose their associations, many which have not affiliated to union federations see a need to seek advice and assistance from labor NGOs, including ALR. It should also be noted that most Myanmar garment workers are aged 18-26 and know little or nothing about trade unions given the country’s isolation under a military regime for 50 years prior to 2012. In addition to union federations, ALR and other labor NGOs offer much-needed education, advice and help in navigating the many challenges workers face in forming and building their unions, especially when facing a hostile employer.



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The Solidarity Center has worked closely with all union federations and labor NGOs within Myanmar's garment sector, including ALR. The Solidarity Center recognizes each of the federations and NGOs, including ALR, as playing a constructive and critically important role in helping empower workers to exercise their internationally recognized rights. It is well understood that international labor rights entitle workers and unions to freely choose legal counsel or advocates, including labor NGOs such as ALR, to help represent their issues. ALR has been active in this role as there have been numerous unions and workers seeking to form unions that have requested their assistance. Given this, the Solidarity Center urges all parties to recognize ALR's status as a valid advocate and representative for the workers at Roo Hsing, particularly given the brazen destruction of their union at the hands of the employer. ALR has a clear mandate from the Roo Hsing union leaders – who were illegally fired by the employer for exercising their FOA rights – to assist in representing their issues to the factory employer, and the international brands sourcing from the factory given their binding commitments to FOA.

The Solidarity Center is a U.S.-registered non-profit organization affiliated with the American Federation of Labor–Congress of Industrialized Organizations (AFL-CIO), which is the largest trade union federation in the United States representing 13 million workers. Our mission is to support international labor rights globally primarily through assistance to trade unions and labor NGOs. The Solidarity Center implements programs in 60 countries with offices in 30 countries, including Myanmar. Funding for our programs in Myanmar comes from the U.S. Department of State and the National Endowment for Democracy funded by the United States Congress.