



MYANMAR INDUSTRIES CRAFT & SERVICES
TRADE UNION FEDERATION

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မြန်မာနိုင်ငံတော်မူလက်မှုနှင့် ဝန်ဆောင်မှုလုပ်ငန်းပေါင်းစုံအလုပ်သမားသမဂ္ဂများအဖွဲ့ချုပ်

Urgent Appeal

Dear Brothers and Sisters

MICS TUsF (Myanmar Industry Craft Service- Trade Unions Federation), a national federation with 9000 members, released this appeal calling for your solidarity support for protection of rights to freedom of association and assembly in Myanmar. Right on the international human rights day, December 10, 2018 the chief police officer from Pyi Gyi Ta Kun township, Mandalay region filed a case against MICS-TUsF for violating article 20 of The Right to Peaceful Assembly and Peaceful Procession Act.

On December 9, 2018, led by MICS-TUsF, 300 workers from 20 factories in Mandalay Industrial Zone staged a peaceful demonstration decrying rampant unfair dismissal of trade union leaders in Mandalay region. In this rally, MICS demanded the government to take action against unfair dismissal of union leaders. It also demanded the government to take up factories' inspection assuring the companies' compliance to the labour law. "The government must ratify ILO Convention 98, eradicate corruption, appoint a new labour minister in the region and amend the labour law to ensure the protection of the rights to trade unions.

Within 2018, MICS TUsF recorded that at least there have been 12 cases of unfair dismissal of 155 members and leaders;

- On August 8, 2018 6 union leaders from Myanmar May Kaung Food Factory were dismissed. The case, at present, is still at the township conciliation body (TCB). The employer has failed to show up in mediation.
- U Zaw Htoo, union secretary of Two Rhinos Cement Union was dismissed. The union president, U Mut was dismissed in August and U Min Din, a union executive committee was dismissed in December 2018. Within 8 months, Two Rhino Cement has dismissed at least 20 union members.
- On July 23, 2018 Daw Tin Tin Htay, a union member from Power Battery Factory was dismissed
- On March 9, 2018 the secretary of Ve Ve Soft Drink basic union was dismissed
- On August 24, 2018, 3 union leaders and 9 union members at Tharabar Gate Hotel, Bagan were unfairly dismissed. The township level union, HLOB launched a peaceful strike on October 12. After 60 days of strike, Nyaung U police station officer, Kyaw Myint Ngwe, General Administrator and U Aung Ko Win deployed 100 people to crack down the strike on December 11 at 0100 AM. There have no been actions taken up by the Labour Minister and Mandalay regional government in responding to this crackdown.



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- On September 18, 2018 41 workers at SSA No 1 Factory were dismissed for trying to set up a union. On March 3, 2018 17 workers from Mya Shwe War Tun Wood were dismissed for demanding benefits as stipulated by the labour law
- In March 2008, 17 workers from Lu Mike Gyi Factory in Ta Dar Oo township were dismissed for demanding annual leave, holiday, and enforcement of the minimum wage
- On December 5, 2018, MIKKO Coffee factory dismissed a union leader Daw Htay Mar and 4 other workers who for trying to set up a union with the reason. The workers at MIKKO Coffee set up a union to demand the employer to allow the workers to use the rest room facilities during working hours.
- In September 2018, 11 workers from Poppy-2 snack factory were dismissed for demanding rights to leaves, and not working on public holidays. The employer argued that the dismissal was due to the factory closure. Two month after the dismissal, the factory was re-opened with new workers employed
- November 6, 2018 22 workers from EAC 66 Warehouse were dismissed for setting up a union. According to the employer, the dismissal was due to the company's downsizing policy.

The cases above exclude other cases handled by other federation and workers rights groups in Mandalay. Thus, the actual number of union busting and retaliation is higher than stated in this appeal. It is obvious that the dismissal has targeted the union leaders and members. Mandalay regional government has failed showing their commitment in ensuring the protection of rights to unionize. As a country that has ratified ILO Convention 87, Myanmar government still needs to put more effort in ensuring the workers' rights to unionise.

December 10, 2018 the chief police officer from Pyi Gyi Ta Kun township, Set Hmu police station named Nay Myo Aung filed a case against MICS-TUsF for the violating article 20 of The Right to Peaceful Assembly and Peaceful Procession Act. The article 20 of the act stated that "The crime against which an action is taken by this law is a crime actionable by the police."

In this case, the police has deemed MICS TUsF violated the article 20 for holding the poster of the State Councilor, Daw Aung San Su Kyi and the late General Aung San. The workers held those two posters to show their faith in Myanmar government to restore and protect the workers rights in the country.

On 11 December, the police deemed MICS violated the article 20. However, they said that the reason was no longer because of the poster Daw Aung San Su Kyi and the late General Aung San. It is because MICS members holding a banner on Tharabar Gate Hotel strike. According to the Peaceful Assembly and Peaceful Procession Act, the groups planning demonstration must report to the police beforehand the lists of slogans and posters that they would address in the



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rally. The police argued some banners including Tharabar Gate Hotel banner were not reported beforehand.

MICS-TUsF demands the government to appoint a labour minister in Mandalay region to take actions in resolving the industrial disputes. We demand the police to drop the case of MICS-TUsF violating the article 20 of of The Right to Peaceful Assembly and Peaceful Procession Act. Myanmar government must guarantee the protection of rights to freedom of association, assembly and bargaining by respecting ILO convention 87 and immediately ratifying ILO Convention 98.

We appeal for your organization solidarity support for our struggle for protection of rights to freedom of association, assembly and bargaining in Myanmar. We request you kindly write a letter to the Minister of Labour, Immigration and Population, and State Councilor, Daw Aung San Su Kyi to take immediate measure upon this matter. Please kindly send your protest letters and solidarity support for MICS-TUsF to these following address:

The State Counsellor
Her Excellency Aung San Suu Kyi
State Counsellor Office
Office Building (8), Naypyitaw, Myanmar

Ministry of Labour, Immigration and Population
Deputy Director General
His Excellency U Aung Htay Win
Office Building (48), Nay Pyi Taw, Myanmar
Ph: +9959 67431356 / 067 - 431011
Email: dopinformaton@gmail.com

Please kindly send the copy of your letter to us

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