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2023 Findings on the Worst Forms of Child Labor: Burma

No Advancement – Efforts Made But Complicit in Forced Child Labor

In 2023, Burma is receiving an assessment of no advancement. Despite initiatives to address child labor, Burma is assessed as having made no advancement because it demonstrated complicity in the use of forced child labor. Burma's military continued to force civilians, including children, to work in non-combat roles as porters, cleaners, cooks, and agricultural laborers in conflict areas. Otherwise, Burma re-formed its National Committee on the Elimination of Child Labor, which aims to promote awareness of child labor, build capacity to address child labor, designate child labor-related responsibilities to agencies, and design and implement action plans to eliminate child labor. However, Burma's policies and practices continued to limit children's access to education, as schools do not provide classes in many ethnic languages, including Rohingya. Further, Rohingya children were denied national identity cards required to register for school, and state-imposed movement restrictions prevent Rohingya children from attending school. Burma also has not published a list of hazardous work activities prohibited for children, as required by the Child Rights Law. In addition, it is unknown whether labor or criminal law enforcement agencies took actions to address child labor during the reporting period.

I. Prevalence and Sectoral Distribution of Child Labor

Statistics on Children's Work and Education

Children	Age	Percent of Population
Working	5 to 14	0.4% (39,370)
Hazardous Work by Children	15 to 17	Unavailable
Attending School	5 to 14	95.3%
Combining Work and School	7 to 14	0.1%

Working Children by Sector, Ages 5-14

Sector/Industry	Percent of Population
Agriculture	57.5%

Sector/Industry	Percent of Population
Industry	11.2%
Services	31.3%

Overview of Children's Work by Sector and Activity

Children in Burma are subjected to the worst forms of child labor, including in the forced recruitment of children for use in armed conflict by armed groups, and in commercial sexual exploitation, sometimes as a result of human trafficking.

Sector/Industry	Activity
Agriculture	Fishing and farming, including rubber, sugarcane, beans (green, soy, yellow), rice, and bamboo. Forestry, including on teak plantations.
Industry	Construction, brickmaking, producing garments, and quarrying and mining goods, including jade and rubies.
Services	Domestic work, collecting garbage and recyclables, repairing and washing cars, and vending, including selling fish and shrimp. Working in teashops, restaurants, karaoke bars, and massage parlors.
Categorical Worst Forms of Child Labor‡	Forced recruitment of children by state and non-state armed groups for use in armed conflict. Forcible recruitment by the military for non-combat roles such as portering, cooking, farming, construction, and camp maintenance. Forced labor in agriculture, including in the farming of beans (green, soy, yellow), bamboo, rice, rubber, and sugarcane. Forced labor in brick manufacturing, in teashops, domestic work, construction, fishing, begging, and in forestry, including on teak plantations. Commercial sexual exploitation, sometimes as a result of human trafficking.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

In 2023, the national military's continued self-reliance policy, which requires military forces to provide their own food and labor from local communities, led some units to force children and other civilians to work in non-combat roles, including portering, cooking, camp maintenance, farming, and other activities. During the reporting period, more than 1,000 children were recruited and used by armed forces including border guards, ethnic armed groups, and people's defense forces. In addition, civilian brokers with military connections sometimes altered birthdates on identity

documents to facilitate the entry of underage recruits into the military, and family members, including children of military personnel, have been forced to receive military training.

Children at Higher Risk

Since the military perpetuated widespread ethnic cleansing of Rohingya people in northern Rakhine State in August 2017, over 742,000 Rohingya—half of whom are children—have fled from Burma to Bangladesh, making them vulnerable to the worst forms of child labor. Rohingya children residing in camps for refugees and internally displaced persons (IDPs) are at an increased risk of the worst forms of child labor, including forced labor and sex trafficking, due to lack of schools, discriminatory policies and practices, and school closures as a consequence of ongoing violence, especially in Muslim villages. In addition, regime movement restrictions prohibit Rohingya children from leaving their villages, many of which do not have local schools, rendering them more vulnerable to child labor. Children, particularly girls, leave refugee camps to immigrate to countries such as Malaysia for marriages, but often find themselves in situations of forced labor, including in domestic work—a sector for which the regime has yet to pass a law regulating child labor. Children of other ethnic groups who are also IDPs suffer many of the same problems.

Barriers to Education Access

More than half of Burma's children are out of school. During the reporting period, the military regime issued a new private education law requiring that teachers and schools register under a new body established under the State Administration Council; failure to do so will result in fines or imprisonment. The law will close schools found to be in violation of official policy, including those with curricula involving political matters, leaving children in these schools without access to education. Additionally, armed groups continue to occupy and attack schools, making students and teachers afraid to attend. Other barriers to education in the country include costs associated with travel to schools located long distances away, a lack of schools and teachers, extra fees charged by teachers and schools, and prohibitive expenses for uniforms, books, transportation. Refugee children and children from ethnic communities who speak different languages also face barriers to education because ethnic languages are prohibited from being spoken in schools and the curriculum is only taught in Burmese. Moreover, although Burmese law guarantees education for all children, in practice, only children with national identification cards are allowed to attend school, and Rohingya are often denied nationality identity cards due to discriminatory regime policies.

II. Legal Framework for Child Labor

Laws and Regulations on Child Labor

Burma has ratified all key international conventions concerning child labor. However, Burma's laws do not meet international standards on the identification of hazardous occupations or activities prohibited for children, the prohibition of using children in illicit activities, and the compulsory education age.

Standard	Age	Meets International Standards	Legislation
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Standard	Age	Meets International Standards	Legislation
Minimum Age for Work	14	✓	Chapter XIV, Section 48(b) of the Child Rights Law; Section 75 of the Factories Act; Article 14 of the Shops and Establishments Law
Minimum Age for Hazardous Work	18	✓	Chapter 1, Sections 3(b) and 3(t)(4), Chapter XIV, Section 48(a), and Chapter XXVII, Section 103(a)(3) of the Child Rights Law
Identification of Hazardous Occupations or Activities Prohibited for Children		✗	Sections 25 and 29 of the Factories Act; Article 14(d) of the Shops and Establishments Law; Rule 146 of the 2018 Mining Rules
Prohibition of Slavery, Debt Bondage, and Forced Labor		✓	Chapter I, Section 3(t) and Chapter XXVII, Sections 103(a)(2) and 106 of the Child Rights Law; Sections 3(c) and 25 of the Anti-Trafficking in Persons Law; Sections 370, 371, and 374 of the Penal Code; Section 27(a) of the Ward or Village Tracks Administrative Law
Prohibition of Child Trafficking		✓	Chapter I, Section 3(s)–(t) and Chapters XVII, Sections 103 and 106, and XVIII, Section 66 of the Child Rights Law; Sections 3, 25, 26, and 35 of the Anti-Trafficking in Persons Law; Sections 372 and 366(a) of the Penal Code
Prohibition of Commercial Sexual Exploitation of Children		✓	Sections 3, 66, and 105(b) of the Child Rights Law; Sections 372 and 373 of the Penal Code
Prohibition of Using Children in Illicit Activities		✗	Chapter 1, Section 3(t)(3) and Chapter XIV, Section 48(a) of the Child Rights Law; Sections 20(a) and 22(c) of the Narcotics and Psychotropic Substances Law
Minimum Age for Voluntary State Military Recruitment	18	✓	Chapter XVII, Section 63(a–b) of the Child Rights Law; Part I of People's Military Service Law; 1974 Regulation for Persons Subject to the Defense Services Act (War Office Council Instruction 13/73)

Standard	Age	Meets International Standards	Legislation
Prohibition of Compulsory Recruitment of Children by (State) Military		✓	Chapter XVII, Section 63(a) of the Child Rights Law; Part 1 Section 2(b) of the People's Military Service Law
Prohibition of Military Recruitment by Non-state Armed Groups		✓	Law Chapter XVII, Section 64(a-b) and Chapter XXVII, Section 104(b) of the Child Rights Law
Compulsory Education Age	10‡	✗	Chapter XIV, Section 48(b) of the Child Rights Law; Section 4(j) of the National Education Law
Free Public Education		✓	Chapter XIII, Section 46(b) of the Child Rights Law; Articles 14(a) and 16(a) of the National Education Law

‡ Age calculated based on available information

Although Burmese law prohibits persons under the age of 18 from joining the armed forces, reports indicate the regime does not take action to enforce this. In addition, Burma has penalties for perpetrators who use children in the production or trafficking of drugs; however, the law defines children as those under age 16, while international standards regarding illicit activities define children as those below the age of 18. Moreover, although Burma's Child Rights Law mandates the creation of a hazardous work list, Burma has not published a hazardous work list. Additionally, school is only required for children through age 10; however, the minimum age for work is age 14. This does not meet international standards because the compulsory schooling age does not meet the minimum age for work of 14, rendering children between the ages of 10 and 14 vulnerable to the worst forms of child labor.

III. Enforcement of Laws on Child Labor

Agencies Responsible for Child Labor Law Enforcement

Enforcement agencies in Burma took no documented actions to address child labor in 2023.

Organization/Agency | Role & Activities

Organization/Agency | Role & Activities

Ministry of Labor — Factories and General Labor Laws Inspection Department (FGLLID): Only mandated to inspect for child labor in manufacturing establishments and factories as laid out in the Factories Law (1951) and the Shops and Establishment Law (2016). Certain sectors in which child labor is reported to occur—including agriculture, construction, mining, and fishing—are outside the purview of the FGLLID and are, therefore, not subject to inspections. The regime did not provide information on whether the Ministry or its inspectorate were active during the reporting period. Reports indicate that training for labor inspectors is insufficient, and there is a lack of funding to cover transportation and equipment for labor inspections. When labor inspections do occur, they are generally limited to Burma's major urban centers, leaving children in remote rural areas unprotected.

Ministry of Home Affairs – Myanmar Police Force, Anti-Trafficking in Persons Division (ATIPD): Investigates human trafficking crimes and engages in prevention efforts through its 32 regional Anti-Trafficking Task Force police units. Also oversees three specialized Child Protection Units in Rangoon, Mandalay, and Nay Pyi Daw to address child exploitation cases, including child trafficking, and uses formal written procedures to screen victims. ATIPD is mandated to operate nine 24/7 hotlines for reporting human trafficking cases. In 2023, the ATIPD no longer performed trafficking in persons victim identification procedures as required under the 2022 Anti-Trafficking in Persons Law. Children identified in the worst forms of child labor were detained and arrested by police, rather than being referred to appropriate victim support services during the reporting period.

Enforcement Mechanisms and Efforts

Overview of Enforcement Efforts	2023
Has a Labor Inspectorate	Yes
Able to Assess Civil Penalties	Yes
Routinely Conducted Worksite Inspections	Unknown
Unannounced Inspections Permitted	Yes
Has a Complaint Mechanism	Unknown

Overview of Enforcement Efforts	2023
Imposed Penalties for Child Labor Violations	Unknown
Conducted Criminal Investigations for Worst Forms of Child Labor Crimes	Unknown
Imposed Penalties for Worst Forms of Child Labor Crimes	Unknown

It is **unknown** how many labor inspectors conducted worksite inspections, or whether child labor violations were found. It is also **unknown** whether investigations into suspected cases of the worst forms of child labor were conducted, prosecutions were initiated, or perpetrators were convicted.

IV. Coordination, Policies, and Programs

Key Mechanism to Coordinate Government Efforts on Child Labor

Burma established a mechanism to coordinate its efforts to address child labor. However, there is a lack of coordination across government agencies.

Coordinating Body | Role & Activities

National Committee on the Elimination of Child Labor: Oversees 36 committees at the local level that work to address child labor issues. Chaired by the State Administration Council Member Union Minister for Home Affairs. After a period of inactivity, the Committee was re-formed and held a meeting during the reporting period, though the regime did not report any specific outcomes of the meeting. Despite this effort, research indicates that the regime continues to be hampered by limited interministerial coordination to address child labor issues.

Key Policies Related to Child Labor

Burma established policies related to child labor. However, these policies do not cover all worst forms of child labor in the country, including child soldiering, forced child labor, and the commercial sexual exploitation of children.

Policy | Description & Activities

Policy | Description & Activities

Myanmar National Action Plan on Elimination of Child Labor (2019–2023): Established in partnership with the ILO to eliminate child labor, including its worst forms. Reports indicate that the Action Plan ended with many tasks related to child labor ongoing, though specific activities were not reported.

Myanmar Sustainable Development Plan (2018–2030): Sets out a strategy to expand social protection services, including by keeping children enrolled in schools and out of child labor. In particular, Action Plan Item 4.3.6 specifically addresses eliminating child labor by preventing school dropouts. Research was unable to determine whether activities were undertaken to implement the plan in 2023.

5-Year National Plan of Action to Combat Trafficking in Persons (2022–2027): Implemented by the Central Body for Suppression of Trafficking in Persons and aims to eliminate internal and cross-border trafficking in persons and to prevent new forms of trafficking. The regime has not published this plan, and as a result, research was unable to determine its contents, scope, and objectives. Moreover, research was unable to determine whether activities were undertaken to implement the plan in 2023.

Key Social Programs to Address Child Labor

Burma participated in programs that include the goal of eliminating or preventing child labor. However, these social programs are insufficient to address forced child labor and the commercial sexual exploitation of children.

Program | Description & Activities

NGO-Operated Hotlines: United Nations Children's Fund (UNICEF) and World Vision-operated hotlines for reporting suspected cases of child recruitment or use of children by Burma's military. Although research found that the hotline was operational, it is unknown how many calls were received in 2023.

National Complaints Mechanism for Forced Labor (NCM): Program established by the regime and the ILO which gives citizens a mechanism to lodge complaints and seek remedy. Includes the ability to report cases of child labor and child soldier recruitment. Research was unable to determine whether the NCM was active in 2023.

For information about USDOL's projects to address child labor around the world, visit <https://www.dol.gov/agencies/ilab/ilab-project-page-search>

V. Suggested Government Actions to Eliminate Child Labor

Suggested Government Actions to Eliminate Child Labor

The suggested government actions below would close gaps USDOL has identified in Burma's implementation of its international commitments to eliminate the worst forms of child labor.

Area	Suggested Action
Legal Framework	Determine by national law or regulation the types of hazardous work prohibited for children as required by the Child Rights Law.
	Provide criminal penalties for the use, procuring, and offering of children under age 18 for illicit activities, including in the production and trafficking of drugs.
	Increase the compulsory education age from age 10 to age 14 to align with the minimum age for work.
Enforcement	Provide adequate funding and equipment to the labor inspectorate and employ at least 565 labor inspectors to ensure adequate coverage of the labor force of approximately 22.6 million people.
	Conduct labor inspections outside of the main urban centers and extend the labor inspectorate’s mandate to all sectors in which child labor is known to occur, including in agriculture, mining, construction, and fishing.
	Provide adequate training to labor inspectors and criminal investigators on child labor, including processes to refer survivors to the Department of Social Welfare for social services.
	Cease the practice of giving factory owners prior notice of unannounced inspections, and interview workers during labor inspections.
	Publish data related to labor law and criminal law enforcement.

Area	Suggested Action
	Ensure that penalties for labor law violations are severe enough to deter violations, that regime officials complicit in the recruitment of children in armed conflict are held accountable for their actions, and that the penalties imposed for the recruitment and use of children in the military are commensurate with the seriousness of these crimes.
	Cease the practice of arresting and detaining victims of the worst forms of child labor and ensure that they are referred to the appropriate social services.
	Ensure that the National Complaints Mechanism for Forced Labor is active and able to receive reports of child soldiering, and improve military recruitment procedures to prevent the recruitment of children by the national military.
	Provide the police with an adequate number of officers to investigate alleged child labor crimes, including in rural areas, and perform victim identification as required under the 2022 Anti-Trafficking in Persons Law.
Coordination	Ensure frequent and regular coordination, including communication, across all government ministries that oversee issues related to the worst forms of child labor.
	Remedy the backlog of child soldier cases in the Committee on Prevention of Recruitment of Child Soldiers.
Government Policies	Adopt a policy that addresses all worst forms of child labor, including forced child labor and the commercial sexual exploitation of children.
	Implement the Myanmar Sustainable Development Plan, the Five-Year National Plan of Action to Combat Trafficking in Persons, and the Myanmar National Action Plan on Elimination of Child Labor, and publish results from activities implemented on an annual basis.
Social Programs	Implement a program to ensure the safe return of Rohingya refugees, including children, to Rakhine State, and remove barriers to education access for Rohingya children, such as citizenship requirements for them to attend schools.
	Remove barriers to education access by withdrawing military regime personnel and members of non-state armed groups from occupied schools, building schools in rural areas, eliminating indirect school costs, and accommodating children who experience language barriers.

Area	Suggested Action
	Develop and implement programs to address all worst forms of child labor, including forced child labor and the commercial sexual exploitation of children.
	Ensure that the Ministry of Social Welfare, Relief and Resettlement has sufficient resources and personnel to provide services to victims of the worst forms of child labor, including reintegration support at the Department of Rehabilitation.

VI. Worker Rights Spotlight

Burma places restrictions on freedom of association, such as requiring prior approval for union registration and limiting unions' political activities. In addition, union leaders and members have faced retaliation, harassment, and violence for their activities, which can deter workers from reporting labor abuses, including child labor.

References

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