



## RESPONSES TO INFORMATION REQUESTS (RIRs)

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13 February 2008

### MMR102758.E

Myanmar (Burma): Whether a mechanical engineer working on ships, mainly commercial ships that go abroad, would be screened for political views before being allowed to work on the ships  
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

The Executive Director of Canadian Friends of Burma (CFOB), formerly a citizen of Myanmar (Burma), stated in a telephone interview conducted by the Research Directorate that a mechanical engineer working on ships would be considered a seafarer (CFOB 28 Jan. 2008). CFOB is an Ottawa-based non-governmental organization (NGO) that supports the Myanmar (Burma) pro-democracy movement and maintains links with exiles from the country (CFOB n.d.).

According to the *Annual Survey of Violations of Trade Union Rights*, there are no unions dedicated to protecting workers' rights operating within Myanmar (Burma), but the government of Myanmar (Burma) requires that all seafarers join the Myanmar Overseas Seafarers' Association (MOSA) (ITUC 2007). The *Annual Survey* is published by the International Trade Union Confederation (ITUC), an international organization that seeks to promote and defend "workers' rights and interests" (ITUC n.d.).

According to the ITUC, MOSA is an organization that seeks to "control Burmese seafarers" (ITUC 2007). A senior government official commented on the Myanmar government's expectations of the members of MOSA in a speech delivered at the opening of the Myanmar Maritime University (*New Light of Myanmar* 19 May 2002). Of note is that marine engineering is among the subjects taught at the Myanmar Maritime University (Myanmar n.d.).

In the speech, then Lieutenant-General Khin Nyunt said, "all seafarers serving under this association must unite with one accord and refrain by their words and actions from harming the State and the people" (ibid.; ITUC 2007).

The ITUC states that a seafarer must join MOSA before the "regime controlled" Seaman's Employment Control Division (SECD) will consider issuing the individual a seafarers' book - documentation that is required to work on foreign ships (ITUC 2007). The seafarer must also pay an application fee (ibid.). The ITUC further states that seafarers' contracts to work on foreign ships are subject to approval by the SECD (ibid.). Anyone who wishes to work as a seafarer must also attend lectures in which they are instructed not to contact organizations such as the Seafarers' Union of Burma (SUB), a union operating in exile that "seeks to protect the rights of Burmese seafarers" (ibid.). Seafarers are also prohibited from complaining about poor working conditions (ibid.).

The CFOB Executive Director stated that being able to work as a seafarer is a significant opportunity in Myanmar (Burma) (28 Jan 2008). He stated that anyone who had a history of political dissent is generally disadvantaged in Myanmar (Burma) and would therefore be unlikely to gain access to such an opportunity (CFOB 28 Jan 2008). However, he stated that corruption is common in Myanmar (Burma) and that it is possible even for critics of the regime to use bribery to circumnavigate government restrictions (ibid.). In a 6 February

2008 telephone interview conducted by the Research Directorate, the Asia Regional Officer for the International Centre for Human Rights and Democratic Development (Rights & Democracy) corroborated the opinion that even a citizen who had engaged in political dissent could pay bribes to obtain the documents required to work as a seafarer. Rights & Democracy is a non-partisan Canadian organization that encourages and supports "the universal values of human rights and the promotion of democratic institutions and practices around the world" (Rights & Democracy n.d.)

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

#### References

Canadian Friends of Burma (CFOB). 28 January 2008. Telephone interview with the Executive Director conducted by the Research Directorate.

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International Trade Union Confederation (ITUC). 2007. "Burma." *Annual Survey of Violations of Trade Union Rights*. <<http://survey07.ituc-csi.org/getcountry.php?IDCountry=MMR&IDLang=EN>> [Accessed 23 Jan. 2008]

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Myanmar. N.d. Ministry of Transport. "Programs." <[www.mot.gov.mm/mmu/programs.html](http://www.mot.gov.mm/mmu/programs.html)> [Accessed 4 Feb. 2008]

*The New Light of Myanmar*. 19 May 2002. "Secretary-1 Addresses Opening of Myanmar Overseas Seafarers' Association." <<http://www.myanmar.gov.mm/NLM-2002/enlm/May19.htm>> [Accessed 4 Feb. 2008]

#### Additional Sources Consulted

**Oral sources:** Representatives from the All Burma Students Democratic Front (ABSDF), Irish Centre for Human Rights, *Irrawaddy*, the Open Society Institute (OSI) and the United States (US) Campaign for Burma were unable to respond to requests for information within the time constraints of this Response.

**Internet sites, including:** All Burma Students Democratic Front (ABSDF), Amnesty International (AI), Asian Human Rights Commission (AHRC), British Broadcasting Corporation (BBC), BurmaNet News, Democratic Voice of Burma (DVB), Freedom House, International Labour Organization (ILO), *Irrawaddy*, Mizzima, Radio Free Asia, Seafarers' Union of Burma (SUB), United States (US) Campaign for Burma.

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