

Update from the UN Independent International Fact-Finding Mission on Myanmar on its report on “The economic interests of Myanmar’s military”

The Mission noted in the report’s executive summary, “this report does not provide an exhaustive list of all businesses, individuals and States that provide economic benefit to the Tatmadaw and its senior generals.” It represents what was possible in the limited time and resources available to the Mission. The Mission is pleased to provide this update based on information received as a result of the report’s release on 5 August 2019. None of the information received (see below) requires the Mission to change or alter any of the main findings or recommendations of its report.

Responses to the report

The Mission has received several responses to the requests it made to businesses and governments where open source or other information indicated they were conducting business with or in Myanmar. These responses are valuable to the Missions work.

The responses from those who consented to have them made public are located here:

<https://www.ohchr.org/EN/HRBodies/HRC/MyanmarFFM/Pages/EconomicInterestsMyanmarMilitary.aspx>

Duplications

The Mission now has information that the formal and official records that it relied on in compiling its list of subsidiary companies of the military-owned Myanmar Economic Holdings Limited contained inconsistent and incorrect spellings. This is particularly relevant to *Annex II(B)(i) Alleged subsidiaries of MEHL* and *Annex III - Extractive industries in Kachin and Shan States*, as well as the corresponding information in *Infographic 3 - Alleged Subsidiaries and Affiliates of MEHL and MEC by Industry*. As a result, the Mission has been made aware of potential duplications due to the names being spelt in different ways. It has now re-assessed that it can identify 45 subsidiaries of MEHL. The total number of MEHL and MEC owned subsidiaries that the Mission identified is therefore 106. The apparent duplicates in *Annex II(B)(i)* that the Mission is aware of are entry numbers 11, 13, 18, 21, 42, 43, 45, 47, 52, 55, 56, 57, and 58. The Mission also has on file additional spellings of other businesses. Please contact the Mission at myanmarffm@ohchr.org prior to the 42nd session of the Human Rights Council if clarification is required.

Updates

The Mission advises the following updates based on new information that it received after it released the report on 5 August. The Mission will provide additional updates as required. As noted above, none of the updates requires the Mission to change or alter any of the main findings or recommendations of its report.

- Paragraph 52: The Mission has received information that General Khin Maung Soe is not a director of MEC. The Mission is unable to verify whether he plays any other role in MEC. This update also applies to paragraph 98, *Figure 1: Governance Structure of MEHL and MEC*, and *Annex II(A) - Governance structure of MEHL and MEC*. The Mission also notes that 15th Light Infantry Division is more accurately referred to as the 15th Military Operations Command, or MOC-15.
- Paragraph 53: The Mission has received information that Myanmar’s Companies Law does not require public reporting.

- Paragraph 69: The Mission has received information that raises issues about links between Aung Pyae Soe and MyTel and Aung Myint Moh Mint Insurance. On the basis of this, the Mission is now unable to conclude that these links exist. This update does not affect the reference to Aung Pyae Soe in entry number 30 in *Annex IV - List of donors and details of donations solicited by the Tatmadaw in September 2017*.
- Paragraph 91: The Mission received information that “Season Star” is more accurately known as “Seasun Star”.
- Paragraph 96 should refer to Mandalay “region” rather than Mandalay “State”.
- Paragraphs 165, 175-176 and *Annex VI(A) - Enterprises and States that transfer conventional arms and related items to the Tatmadaw*: The Mission has received credible information that the Austria-based company Schiebel has now supplied the Camcopter S-100 unmanned aerial vehicles to Myanmar.
- *Annex IV - List of donors and details of donations solicited by the Tatmadaw in September 2017* and *Annex V(B) - Foreign companies with contractual or commercial ties to MEHL and MEC*: NORINCO should be listed as beneficial owner, rather than owner.
- *Annex V(A) - Joint venture partners* and the *Infographic 4 - Foreign Companies in Joint Ventures with MEHL and MEC*: “Japan Tobacco International (JTI) Company” is listed as domiciled in Japan, whereas its headquarters are in Switzerland.
- *Annex V(B) - Foreign companies with contractual or commercial ties to MEHL and MEC*: Sinminn Cement (entry number 38) is listed as domiciled in France and Switzerland. This was a clerical error. Sinminn Cement has links to Lafarge (now LafargeHolcim), which is domiciled in France/Switzerland.
- The reference to “40/L.19” in paragraphs 20 and 39 should be “A/HRC/40/29”. (Link available here.)

A version of the report that provides notification of these and any other updates will be available as Conference Room Paper HRC/42/CRP.3 at the 42nd session of the Human Rights Council.

The Mission thanks those who brought these issues to its attention and welcomes further updates or information from businesses and governments.

9 August 2019