TO BE SENT TO PENSION FUNDS

We are [sender insert name/background of organisation etc.]

We are writing to you in solidarity with the people of Myanmar and unions there who continue to suffer under the brutal military that attempted to illegally seized power from the elected government in February 2021.

Since the junta launched this attack on the people of Myanmar, senior military members have been placed under some form of sanctions, as have many state owned and crony companies. However, companies from various countries continue to do business with the junta and its associated, some of which are publicly traded on global stock exchanges.

In June this year, the International Labor Organization invoked Article 33 of its constitution against the military junta in Myanmar. This is the highest sanction in the ILO and has only been invoked three times in the organization’s history. It calls for governments, companies, and unions to make sure they are not enabling junta repression, including by reviewing their investments. Investments must in no way enable, facilitate or prolong the violations of workers’ rights in respect of freedom of association and forced labour.[[1]](#footnote-1)

In line with Article 33, we are therefore writing to you today to ask if you have any exposure to the following companies (including any subsidiaries or affiliates), or any others who may be directly or indirectly providing the military junta with funds, arms, equipment, technology or aviation fuel:

* **POSCO Holdings Inc. (KRX: 005490) and POSCO International Corp (KRX: 047050):** TheKorean listed conglomeratePOSCO is a longstanding business partner of the Myanmar military. Its subsidiary, POSCO International, also listed in Korea, has operated the Shwe Gas Project since signing a production sharing contract with the former military junta in 2000. Shwe Gas is one of the largest sources of foreign revenue for the junta, which it uses to procure weapons with which to perpetrate its atrocity crimes. POSCO International has been implicated in the illegal export of arms to Myanmar, and has invested in a property on land rented from the US-sanctioned Office of the Quartermaster General of the Myanmar army. Another POSCO subsidiary is involved in a joint venture with the sanctioned military-owned holding company, Myanma Economic Holdings Limited.[[2]](#footnote-2)
* **GAIL (India) Ltd (NSE: GAIL):** GAIL is an Indian partially state-owned publicly listed company that is part of the Shwe Gas project with POSCO International and the sanctioned junta-controlled enterprise Myanma Oil and Gas Enterprise (MOGE). In 2023, GAIL was placed on the exclusion list of Norway’s sovereign wealth fund following a recommendation from its Ethics Council, which stated GAIL’s activities in Myanmar “provides the armed forces with substantial revenue streams that can finance military operations and abuses.”[[3]](#footnote-3)
* **Oil and Natural Gas Corporation Ltd (ONGC) (NSE: ONGC)** ONGC is a partially state-owned publicly listed company in India that is involved in six projects in Myanmar. This includes a stake in the Shwe Gas project with POSCO International and MOGE.[[4]](#footnote-4)
* **KDDI Corp (TYO: 9433):** The Tokyo-listed company KDDI is a joint operator of the telecoms network Myanma Posts and Telecommunications (MPT), which is now controlled by the military junta. MPT has implemented sophisticated surveillance and censorship technology provided by Chinese company Geedge Networks that is used in the junta’s attacks against the people and puts trade unionists at grave risk.[[5]](#footnote-5) In 2023, KDDI was placed on the exclusion list of Norway’s sovereign wealth fund following a recommendation from its Ethics Council, which stated that “as long as KDDI’s partnership with MPT persists, the risk of the company contributing to the violation of the rights of individuals in situations of war or conflict will remain at an unacceptable level”.[[6]](#footnote-6)
* **Sumitomo Corp (TYO: 8053):** The Tokyo-listed company Sumitomo Corp is also a joint operator of MPT, together with KDDI, implementing surveillance and censorship for the junta. Sumitomo Corp was also placed on the exclusion list of Norway’s sovereign wealth fund following a recommendation from its Ethics Council over its continued role in MPT.[[7]](#footnote-7)
* **PTT PLC (BKK: PTT) and PTT Exploration PCL (BKK: PTTEP):** Partially state-owned publicly listed Thai oil giant PTT Exploration and Production (PTTEP) operates two major offshore gas projects and associated pipelines in partnership with junta-controlled Myanma Oil and Gas Enterprise. When other companies divested from Myanmar following the junta’s attempt to seize power, PTTEP increased its shareholding in these projects. PTTEP’s parent company, PTT, is the main buyer of gas from PTTEP’s offshore gas fields, which finances junta atrocities.[[8]](#footnote-8)
* **Sinotruk (Hong Kong) Ltd (HKG: 3808):** China National Heavy Duty Truck Group (Sinotruk) is a Chinese state-owned company. A range of Sinotruk vehicles are used extensively by the Myanmar military, and have been actively deployed against the Myanmar public, including in demonstrations against the junta’s illegitimate power seizure. Sinotruk (Hong Kong) is its publicly listed subsidiary in Hong Kong.[[9]](#footnote-9)
* **AviChina Industry & Technology Co Ltd (HKG: 2357):** Aviation Industry Corporation of China (AVIC) is a key supplier of aircraft to the Myanmar military, which are used in its commission of international crimes. AviChina is one of its publicly listed subsidiaries in Hong Kong and is a holding company that invests in other AVIC companies supplying the Myanmar military.[[10]](#footnote-10)
* **Bharat Electronics Ltd (NSE: BEL):** Bharat Electronics Limited (BEL) is an Indian partially state-owned publicly listed arms company that maintains an office in Myanmar and has supplied a wide range of equipment to various branches of the Myanmar military since its illegal seizure of power in 2021. This includes radar and surveillance equipment and a remote-controlled weapons station. In January 2023, Norway’s sovereign wealth fund excluded BEL because of its supply of material to the Myanmar military. The Swedish National Pension Funds Council on Ethics also recommend exclusion of BEL in 2024.[[11]](#footnote-11)

We are calling on you to confirm if you have any exposure, both directly and indirectly to any of these companies in your investment portfolios.

If there is exposure, we demand that you use your leverage to pressure the concerned actor(s) cut all ties to the illegitimate junta. If they are non-responsive, it is incumbent upon you to take steps to divest from these holdings in order to ensure that pension holdings of xxx are not used to fuel atrocity crimes.

International investors, including pension funds and their asset managers holding shares in companies, have a responsibility under the OECD Guidelines and United Nations Guiding Principles on Business and Human Rights to use their leverage to convince investee companies to act responsibly, and to divest from those companies if they do not.

Regardless of whether or not your fund has any current exposure to the companies listed her, we urge you to add them to your exclusion list so that no future investments flow to them. We also request that you carry out an audit to ensure you are not exposed to any other companies that are connected or contributing to human rights violations in Myanmar and, if you are, to use your leverage to push those companies to cut ties with the junta, or divest.

The UN High Commissioner for Human Rights has called the human rights situation in Myanmar “among the worst in the world.”[[12]](#footnote-12) The evidence of junta atrocities since it launched its coup attempt in February 2021 is extensive. This follows decades of the military’s systemic violence, corruption, and impunity in Myanmar. The workers of Myanmar and the public at large continue to suffer at the hands of the military through the junta’s targeted and indiscriminate airstrikes and shelling, forced conscription, forced labour, violations of freedom of association, and arbitrary imprisonment.

As members of the global trade union movement, we call on you now to do your part and ensure that your investments do not support this regime, and that profits from atrocities in Myanmar do not flow into our pensions.

SIGNED

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