

Justice For Myanmar welcomes the intervention of Canada and the Netherlands in Myanmar's ICJ genocide trial; calls for divestment and sanctions targeting the military cartel

September 8, 2020, Myanmar: Justice For Myanmar welcomes the September 2, 2020 announcement by Canada and the Netherlands to intervene in the genocide case against Myanmar at the International Court of Justice (ICJ). The intervention will support the Gambia's case against Myanmar and, according to the Canadian and Dutch joint announcement, "pay special attention to crimes related to sexual and gender-based violence, including rape." Making sexual and gender-based violence a greater focus in the genocide trial is particularly welcome, as it will help ensure justice for Rohingya victims of the "clearance operations" of all genders and accountability of the Myanmar military who has long used rape and sexual violence as a weapon against other ethnic communities with total impunity. This intervention, however, must be accompanied by divestment from military businesses and targeted sanctions, as recommended by the UN Fact-Finding Mission.

In 2019, the UN FFM exposed the role of business in supporting the Myanmar military's grave human rights violations. They called for targeted sanctions against violators of international human rights law and against military-owned businesses and businesses that economically contribute to the military, along with their owners.

Justice For Myanmar acknowledges that Canada has targeted sanctions against military conglomerates Myanmar Economic Corporation and Myanma Economic Holdings Limited (MEHL) and a number of their subsidiaries and joint ventures in force since 2007. However, concerted efforts are needed to ensure these measures are effective. Current sanctions must be strengthened to include a comprehensive and up-to-date list of military-owned businesses, as well as their owners and directors.

Justice For Myanmar spokesperson Yadanar Maung says: *"The Myanmar military's crimes of genocide, war crimes and crimes against humanity are enabled by their business interests and these secret sources of funds must be cut to end these crimes and bring justice for victims and survivors, end civil war and help Myanmar's democratic transition get on the right track."*

Canada and the Netherlands also must divest from businesses owned by and profiting the Myanmar military. This includes Kirin Holdings, which operates a joint venture with military conglomerate Myanma Economic Holdings Limited that made USD33.5 million for the Myanmar military in 2Q 2020 alone. As of March 31, 2020, the Canada Pension Plan (CPP) investment in Kirin was worth over USD\$57 million, thereby giving the CPP equity in Kirin's Myanmar subsidiary, Myanmar Brewery, which is subject to Canadian Special Economic Measures (under the former name, Burma Brewery). In addition to Kirin, CPP holds shares in Japanese corporations that are

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building a major real estate project on military land, including Daiwa House Industry, Sumitomo Mitsui Financial Group, Mizuho Financial Group and Tokyo Tatemono.

Yadanar Maung says: *“The international community has a crucial role to play to help Myanmar successfully transition to democracy and to achieve sustainable peace. However, this won’t be possible unless they ensure the Myanmar military is held to account for their crimes and that there is justice for victims and survivors of genocide, war crimes and crimes against humanity. This involves supporting international criminal accountability through the ICJ and ICC and implementing measures to dismantle the military cartel, through divestment from military businesses, targeted sanctions and a rigorous arms embargo. Justice For Myanmar calls on the EU, UK and US to urgently impose targeted sanctions against military-owned businesses and the individuals involved and for Canada to strengthen and expand current sanctions.”*

Note to editors

Justice For Myanmar, a group of covert activists campaigning for justice and accountability for the people of Myanmar, is calling for an end to military business and for federal democracy and a sustainable peace.

For full details of the UN FFM’s investigation and recommendations, see: The UN Fact-Finding Mission report: The Economic Interests of the Myanmar Military.

See details of Canadian sanctions on Myanmar here.

See details of Canada Pension Plan investments here.

See Justice For Myanmar’s response to Kirin’s 2Q 2020 earnings here.

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