

Justice For Myanmar responds to President's Office announcement on military conflict of interest, calls for independent criminal investigation and concrete reform

July 20, 2020, Myanmar. Justice For Myanmar notes the Attorney General's finding of unlawful conflict of interest regarding military conglomerate Myanma Economic Holdings Limited (MEHL) directors Brig. Gen Kyaw Htin (retired) and Major Ni Aung (retired), who head Myanmar Customs Department and Myanma Port Authority respectively. According to the July 17, 2020 President's Office press conference, Brig. Gen Kyaw Htin and Major Ni Aung have subsequently resigned from the MEHL Board of Directors. However, by being kept in their official posts and without being criminally investigated under Myanmar law, the NLD-led government is effectively colluding with the Myanmar military at the expense of government integrity and rule of law. Justice For Myanmar sees the lack of meaningful action in accordance with the law as a disturbing sign of the military's continued economic privilege and impunity.

Justice for Myanmar spokesperson Yadanar Maung says: *"Justice For Myanmar calls for an independent and thorough criminal investigation of Brig. Gen Kyaw Htin, Major Ni Aung and all other members of MEHL and MEC who have an actual conflict of interest. They must be immediately dismissed from government. It is unacceptable that the NLD-led government continues to protect members of the military cartel. Brig. Gen Kyaw Htin and Major Ni Aung's resignation from the MEHL board does not solve Myanmar government's endemic conflict of interest problem. Brig. Gen Kyaw Htin and Major Ni Aung continue to hold shares in MEHL and are part of the Myanmar military's patronage network that is spread through all parts of the state, providing top generals with immense power and influence over supposedly civilian branches of government. They are the tip of the iceberg."*

Justice For Myanmar calls for the disclosure of the business interests of all public officials, including their shareholdings. Any public officials who has acted unlawfully must be held accountable.

Justice For Myanmar notes that the majority of MEHL directors continue to hold public positions as serving members of the military. They have actual conflicts of interest and are abusing their public positions with impunity, being protected under military law. In the MEHL Board of Directors alone, the following individuals, in addition to Brig. Gen Kyaw Htin and Major Ni Aung, have an actual and unlawful conflict of interest. They *all* must be stood down and criminally investigated:

1. Lt. Gen Aye Win
2. Lt. Gen Aung Lin Dwe
3. Lt. Gen Hsan Oo
4. Lt. Gen Htun Aung
5. Maj. Gen Khin Maung Than

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6. Maj. Gen Moe Myint Tun
7. Rear Admiral Moe Aung

Justice For Myanmar notes that the Attorney General's office is also compromised by the military's state capture. The Attorney General himself, and senior members of staff, are former military officials and have failed to disclose whether they hold shares in MEHL. In addition, Kyaw Kyaw Naing, the Deputy Director General of the Attorney General, who is simultaneously serving as a Director of the military-owned Innwa Bank, must be immediately stood down and criminally investigated for his actual conflict of interest.

Yadanar Maung continues: *"Myanmar's legal system has been severely corrupted by the military to protect their profits and to maintain their immunity. There cannot be justice while the military cartel continues to operate unchecked, hiding behind so-called democratic reforms, stealing the wealth of the people of Myanmar and destroying lives. There must be robust reforms to dismantle military businesses and place the military under civilian control. The military's banker Kyaw Kyaw Naing and all other military cartel members in government must be immediately removed and criminally investigated for conflict of interest and corruption."*

Brig. Gen. Kyaw Htin and Major Ni Aung's conflict of interest came to public attention after Justice For Myanmar's exposé of their role in Hlaing Inland Terminal and Logistics Hub, a joint project of MEHL and Ever Flow River that involves Myanmar Customs Department and Myanma Port Authority.

Note to editors

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

See Justice For Myanmar features on the military's conflict of interest within the Hlaing Inland Terminal project, and the military's systemic corruption.

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