

To

Patrick Pouyanne
Chairman of the Board and Chief Executive Officer
Total

Michael Wirth
Chairman of the Board and Chief Executive Officer
Chevron

20 April 2021

Subject: Total and Chevron must halt revenue payments to the military junta

Dear Patrick Pouyanne and Michael Wirth,

We, 403 Myanmar civil society organizations, are writing to you noting your failure to respond to our demands in our letter dated February 24 for Total's and Chevron's joint venture to stop providing revenue payments to the military junta. Since then, Total has continued to authorize payments from the Thai buyer, PTT, to bank accounts controlled by the military junta, and released a public statement arguing that you must pay taxes and only provide in-kind payments. Total also hid behind the humanitarian impacts of stopping production when no one asked for it to stop, whilst in this same time span over 700 of us have been murdered, over 3000 of us have been arbitrarily detained, and the military continues to commit mass atrocities across the country. Chevron, meanwhile, has said nothing to us.

When the Myanmar military regime attempted a coup d'état on February 1, it illegally tried to seize powers of state, which include the institutions that encompass your joint venture partner, Myanma Oil and Gas Enterprise (MOGE), a department under the Ministry of Electricity and Energy. The junta have not been recognized as the Government of Myanmar, but have illegally taken control of all government bank accounts. You know this and yet you are still contributing hundreds of millions of dollars into them. You know the military junta will use the funds to purchase arms and carry out brutal operations that are killing us every day, as they have done since you went into business with them in 1992 just after the last coup.

Contrary to your companies' statements that you only provide in-kind payments, Total are continuing to submit invoices to PTT as a representative of MOGE while knowing that MOGE's financial bank accounts have been illegally taken over by the military junta. Total and Chevron pay royalties in cash and approved dividends to MOGE worth 41 million dollars in 2017-2018 from the Moattamma Gas Transportation Company. Total reported to the EITI that you provided MOGE with cash payments from the Yadana project worth about 259 million USD. This is all contrary to claims that you are essentially helpless bystanders.

Total has stated that you must provide tax payments to the military junta under Myanmar law, ignoring that this is nothing more than a protection racket for an armed gang. Your companies' tax payments are to the Ministry of Finance, Planning and Industry (MOPFI); U Soe Win, the Minister of MOPFI, was arbitrarily detained on February 1, and the military then appointed Win Shein, who is in breach of Myanmar Penal code section 170 (impersonating a public servant) and section 171 (wearing garb pretending to be a public servant). Your payments, whether it be tax or revenue payments, are a breach of multiple Myanmar laws (including section 405 of Myanmar Penal code and the Anti-Corruption Law).

Total also stated that you are continuing to operate for humanitarian reasons and cannot stop production. We never asked you to stop production, yet your companies hide behind this misleading claim to ignore our calls for you to stop financially sustaining the military. Production would only stop if the military forces

it to, which we think is unlikely as Myanmar exports almost all of its gas to Thailand and China and needs to maintain good relations with them. In any case, we will risk power cuts for a future without oppression from a military that gave us a health care system ranked worst in the world. You suggest that ceasing production would upend daily life ignoring that the attempted coup has already done this. We need you to stop making this chaos our future by supporting military rule, as Total and Chevron did in the 2000s when you successfully lobbied for exemptions to sanctions.

We note that you are concerned about the safety of your staff. Your staff are our brothers and sisters and many have joined us in resisting the military junta. They want action from Total and your joint venture partners. Each day, we risk arrest, torture, and being killed in our homes, and your continued financial support to the military sustains everyone's security risk.

Regardless of the legality and the logistics of stopping payments, your company's main concern should be your responsibility to respect human rights and to avoid contributing to crimes against humanity. Every day we are confronting the military and we know that this is our revolution to win. Your company must stop undermining our fight for justice and a future for us and our children.

We call for you to:

- direct all revenue payments into protected accounts, until a legitimate, democratic government can take power; and
- support targeted sanctions on MOGE rather than lobbying for exemptions as you have in the past.

For more information, please contact:

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