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CC: Minister for Finance; financeminister@finance.gov.au
Minister for Foreign Affairs; foreign.minister@dfat.gov.au

Dear Mr Costello,

We write to you with deep concern on the disturbing events in Myanmar and the reports of investment by the Future Fund into weapons manufacturers that have done business with Myanmar's military.

Since Myanmar's military illegally seized power and detained members of the democratically elected government on 1 February 2021, 1,500 civilians have been killed, and military armed forces have led a reign of terror on civilians across the country. Evidence of serious violations of crimes under international law and violence against civilians continues to rise, including the recent execution of at least 39 people, including 4 children and 2 humanitarian workers in Karenni State. Of particular concern is the impact on children - in the past year, at least 150,000 children have been forced to flee their homes. Many of these displaced children are living in the jungle under makeshift shelters and are vulnerable to hunger, illness and protection risks.

The military leadership behind the coup have a history of violence against persecuted minorities, and their actions against the Rohingya is said to amount to war crimes, crime against humanity and genocide. As you will be aware, governments around the world, including the United States and the United Kingdom, have sanctioned individuals of the regime and their business entities. The foundation of the sanctions is based upon the undermining of democratic processes and the removal and illegal replacement of the elected government; the illegal detainment of civilians, including members of the democratically elected civilian government; the use of lethal force against civilians, including firing live rounds of ammunition into crowds; the suppression of the right to freedom of expression and freedom of assembly, and more.

In 2021 [a freedom of information request](#) revealed that the Future Fund holds just under \$158 million in 14 publicly owned companies with links to Myanmar's military including an arms manufacturer that has sold fighter jets and other weapons to the junta. The report states that Australia's Future Fund has invested around \$5 million in subsidiaries of Aviation Industry Corporation of China (AVIC), which researchers say has sold short-range missiles, long-range missiles and combat aircraft to the military junta. Australia's Future Fund has also invested almost \$18 million in Indian defence firm Bharat Electronics, which has sold sonar, radar and other surveillance systems to the Tatmadaw.

Other [FOI requests](#) from 2021 uncovered that the Future Fund holds \$143 million in six publicly listed oil and gas companies, and their subsidiaries, that are financing the military junta. This includes \$43.7 million in Thai company, PTT Company Limited which is set to operate two of three main lucrative gas projects and allegedly pays [\\$1.34 million in rent](#) annually to the military owned company, Myanmar Economic Conglomerate (MEC), for land seized from farmers.

Minister for Finance in Myanmar's National Unity Government (NUG) U Tin Tun Naing said the Future Fund was supporting companies that had profited from the suffering of people in his country.

Any Future Fund investments in companies supplying arms to, or in partnership with, the Myanmar military are fuelling the very human rights abuses that are causing the dire humanitarian situation in Myanmar necessitating the provision of humanitarian and development aid to mitigate the impacts of those abuses. It undermines the Australian Government's support for a return to peace and democracy in Myanmar, its own humanitarian and development support and its support for ASEAN's five-point consensus and an end to the violence unleashed by the military.

Foreign Minister Marise Payne made a [statement](#) on the 1 year anniversary of the coup condemning the use of violence against civilians: "We call on the international community to prevent the flow of arms into Myanmar, to suspend all operational support to the military and its representatives, and to cease the provision of arms, enabling material and technical assistance".

Following the coup, the [United Nations' Special Rapporteur for Myanmar Tom Andrews](#) said: "businesses and investors should suspend or terminate activities with the Myanmar junta when the risk of involvement in serious human rights abuses can no longer be reasonably managed."

This is also consistent with the obligations outlined in the UN Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises, which state that businesses have a responsibility to seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations by their business relationships, even if they have not contributed to those impacts.

Given this, we urgently call upon the Future Fund to provide information on which companies it is currently investing in and to divest from any companies who are in business partnership with the military or military owned businesses, therefore cutting the finances that military uses to prop up its lethal operations.

We hope you will consider these matters, trust you take your responsibilities to comply with human rights obligations seriously and that you would not wish to contribute in any way to the suffering of the people of Myanmar. We would be pleased to meet with you further to discuss these matters. Please feel free to contact Natasha Chabbara, Humanitarian Policy and Advocacy Advisor at the Australian Council for International Development if you would like to discuss at nchabbara@acfid.asn.au.

As this matter is one of public interest, we would like to advise you that we are making this letter public.

Yours sincerely,



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