



Monsieur Le Président de la République
Emmanuel Macron
Palais de l'Elysée
55 Rue du Faubourg Saint-Honoré
75008 Paris

July 10, 2023

Subject: Seeking French support to stop Indian arms sales to Myanmar junta

Dear President Macron,

We are writing this open letter to you from Justice For Myanmar, a covert group of activists using research, data visualisation, and reporting to expose and dismantle the business networks that fuel the Myanmar military's international crimes, brutality and corruption.

We request that you raise concerns regarding the sale of arms, dual use goods and technology from India to the Myanmar junta with Prime Minister Modi during his upcoming visit to France. We also request that you require India to ban further exports of arms, dual use goods and technology to the junta as a condition on the export of French arms and technology to India.

After Russia and China, India is the third biggest supplier of arms to the Myanmar military. The flow of arms and dual use goods and technology from India to Myanmar has continued following the military's illegal coup attempt of February 1, 2021, notably including from Indian state-owned companies.

Since the military's coup attempt, India's majority state-owned Bharat Electronics Limited (BEL), a joint venture partner of Thalès, transferred multiple items to the Myanmar military, including:

1. A coastal surveillance system;
2. A remote-controlled weapon station;
3. Slip rings that can be used in any electromechanical system that requires rotation while transmitting power or signals, such as for shipborne radar turntables, rotating turrets on military armoured vehicles, airborne radar turntables or guidance systems;
4. Mounting base plates (true north) with the harmonised system (HS) code 8529.90, confirming that the item is a part for use with radio transmission or radar equipment;
5. A sonar transducer and associated main equipment (specified to be wet end) for likely use in a junta submarine;
6. A directing gear system that would support transducer arrays of hull mounted ship sonar systems, such as those developed by India's Defence Research and Development Organisation;
7. An underwater telephony system, coupled with three sets of unspecified technical documents and test equipment;
8. An expendable bathy thermograph, which can be launched from a ship or submarine to measure the temperature as it falls through the water;
9. MHS-355 and 20W HF SSB manpack radios.

In the same period, items supplied by other Indian companies to the Myanmar military include:

1. 3,000 fuzes supplied by Sandeep Metalcraft, a private arms manufacturer;
2. Spare parts and an alarm monitoring and control system supplied by Larsen & Toubro;
3. 122mm gun barrels supplied by Yantra India Limited, a state-owned arms manufacturer;
4. Motors, timing belts and laboratory items from Jainkoch Corporation.

The Myanmar military junta is a terrorist organisation under Myanmar law and as defined in international law. Since the attempted coup, the junta has killed more than 3,700 people and arrested over 23,700 more. It has conducted deliberate armed attacks on people across Myanmar including children and launches regular indiscriminate airstrikes and shelling as part of a campaign of terror. These actions constitute war crimes and crimes against humanity under international law, for which the military has yet to be held accountable. While the military junta is directly responsible for these attacks, they have been enabled by the continued supply of arms, equipment and technology from international suppliers such as India, and the insufficient level of action taken by the international community to prevent this support from continuing.

We note that in November 2022, H.E. Mr Sébastien Lecornu, Minister for the Armed Forces of France, paid his first official visit to India to hold the Indo-French Annual Defence Dialogue and to strengthen Indo-French strategic ties. The Armed Forces Minister's visit to India reaffirms France's engagement in the Indo-Pacific and India's centrality in the French strategy for the region and came in a year that has seen an acceleration of the French and Indian armed forces' endeavours towards greater interoperability through joint air, navy, and army exercises. Minister Lecornu also held wide-ranging talks with his counterpart, Rajnath Singh, covering industrial and technological partnerships in line with the Make in India policy, under which the Indian government has brought in reforms to encourage design, development and manufacture of defence equipment in India. Without adequate safeguards in place, France may find itself indirectly supporting the Indian government's exports of arms and dual use goods and technology to Myanmar as a result of its defence cooperation with India, including through links to India's domestic production of arms.

India, like France, is a member of the Wassenaar Arrangement. Under this arrangement, India is expected to apply export controls on transfers of arms and dual-use goods and technologies. India also has obligations under international humanitarian and human rights law to not transfer weapons when there is an expectation that these weapons could be used in violation of the Geneva Conventions, or to aid and abet atrocity crimes. The fact that that Indian companies have continued to supply weapons, dual use goods and technology after the attempted coup in Myanmar shows a serious disregard by the Indian government for its obligations under international human rights and humanitarian law, and its commitments under the Wassenaar Arrangement.

In a May 2023 report on the junta's procurement of arms and equipment, the UN Special Rapporteur on the situation of human rights in Myanmar found that India's supply of materials used in surveillance technology and artillery, as well as likely for missiles, contravenes its obligations under international law. He noted,

"India has the requisite knowledge that the Myanmar military is committing probable war crimes given the substantial international reporting on this subject. India should therefore be aware that the arms it provides to the Myanmar military – though relatively limited – are likely to be used in the commission of international crimes."

Our request for France to take action on Indian arms sales to Myanmar is consistent with the recommendations of the UN Special Rapporteur on the situation of human rights in Myanmar in his

reports on arms, and UN General Assembly resolution A/75/L.85, which “calls upon all member States to prevent the flow of arms into Myanmar.”

We further note that in your joint statement regarding the official visit of Prime Minister Modi, it is stated, “France and India have a shared vision on peace and security, especially in Europe and the Indo-Pacific and uphold the objectives and the principles of the Charter of the United Nations, which are also the basis of our cooperation in the Indo-Pacific region”. The UN Charter states that the first purpose of the United Nations is “to maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace”.

Your action in support of the human rights and democratic aspirations of the people of Myanmar is in line with this commitment, as well as the French values of liberty, equality and fraternity. We look forward to your response.

Regards,

Justice For Myanmar

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