

TO:

Ministers for Finance

and Central Bank Governors

of Brunei Darussalam, Cambodia, Indonesia, Laos,
Malaysia, Philippines, Singapore, Thailand, Vietnam
Timor-Leste, China, Japan, Republic of Korea
Australia, European Union, United States

CC:

ASEAN Secretariat

H.E. Dr. Kao Kim Hourn, Secretary-General

Satvinder Singh, Deputy Secretary-General for ASEAN Economic Community

National Unity Government of Myanmar

U Tin Tun Naing, Minister for Planning, Finance and Investment

28 March 2024

Dear Finance Ministers and Central Bank Governors,

Re: Myanmar representation at the upcoming ASEAN Finance and Central Bank Governors' Meeting and associated meetings in Laos

We are writing this open letter to you to request your public support for the human rights of Myanmar people in relation to the upcoming meetings of the **ASEAN Finance and Central Bank Governors' Meeting and associated meetings**, to be held in Laos from April 2 to 5, 2024.

Specifically, we request that:

1. representatives of the military junta and their appointees who are currently illegally occupying many of Myanmar's national institutions of government including the finance ministry and central bank be excluded from these meetings;
2. military junta representatives and their appointees be banned from all future ASEAN Finance and Central Bank meetings;
3. the people of Myanmar be represented at these meetings by their democratically elected leaders, the National Unity Government;

If the Myanmar military is not excluded from these meetings, we appeal to ASEAN Member State governments and Dialogue Partners that support democracy in Myanmar to:

4. boycott these and future meetings until the Myanmar military junta have been excluded;
5. initiate formal and public engagements with principal representatives of Myanmar's democratically elected National Unity Government;
6. adopt targeted sanctions against the military junta, especially the financial and business entities it controls.

We would like to underline the fact that **the Myanmar military junta is not, by any definition, a government** and therefore has no legitimacy to represent the people of Myanmar in ASEAN meetings and activities. As you would be aware, a democratic general election was held in Myanmar on November 8, 2020. In a landslide victory, the voters elected a government led by the incumbent National League for Democracy party. Independent national and international election observers unanimously concluded^{i ii iii} that the election was free and fair, and the result represented the will of the Myanmar people.

Yet, on February 1, 2021, the Myanmar military launched an **illegal coup attempt**. Since then, an illegal and illegitimate military junta has seized multiple institutions of government,

including domestic ministries, central bank, overseas embassies and the former national chambers of commerce and industry, and attempted to pose as the government of Myanmar. The junta refers to itself as the 'State Administrative Council' (SAC), even though it has neither the authority to hold government office nor effective control over the majority of Myanmar's territories, which are under the administration of the democratic resistance movement and ethnic administration bodies.^{iv} The military junta is rejected by the people of Myanmar because it is an illegal criminal organisation that meets the criteria for a terrorist organisation under both Myanmar national law and as defined in international law.^v

Under the guise of the SAC, the military junta has launched a nationwide campaign of heinous crimes against the people of Myanmar in an attempt to suppress and control them. To date, **the military has killed over 4,700 people**, and arrested more than 26,000 including the President, State Counsellor, elected members of parliament, journalists, pro-democracy activists, religious leaders and others. Over 20,000 remain incarcerated.^{vi} The military has committed **massacres, indiscriminate airstrikes, artillery shelling, sexual and gender-based violence, mass torture and mass arson**. As a result of these crimes, over 2.8 million people are now internally displaced.^{vii} Such atrocities amount to war crimes and crimes against humanity, committed by the same military that stands accused of genocide and other gross crimes against the Rohingya before the International Court of Justice, the International Criminal Court and in the universal jurisdiction case in Argentina. Thus, it would be an affront to democracy and the people of Myanmar to include a member or appointee of the military junta as an international representative of Myanmar.

Meanwhile, the remaining elected members of the government and parliament (the 'Pyidaungsu Hluttaw' in Burmese) formed the Committee Representing Pyidaungsu Hluttaw (CRPH) and then the **National Unity Government (NUG) based on the mandate gained from the 2020 election results**. Thus, the appropriate, legitimate and democratically elected representatives of Myanmar people in all international fora, including ASEAN and related meetings, are the National Unity Government (NUG).

In contrast, when **foreign governments engage with the military junta** as though it were a government, and/or enable the junta's appointees and associates to network with the international financial policy community this **risks significant harms for the people of Myanmar**, including:

- decisions being made illegitimately on behalf of Myanmar people;
- legitimising the Myanmar military junta and assisting their illegal attempts to appear as a government;
- assisting the military junta to build relationships and gain access to funds and resources; and
- ultimately, assisting the military junta in its illegal (and to date unsuccessful) quest to take full control of the country.

Taking an indifferent approach to the Myanmar military junta also poses **serious economic risks for ASEAN**. In 2021, as the military junta's coup attempt began **Myanmar's economy shrank dramatically, with GDP growth falling** to around -18%, according to Asian Development Bank^{viii} and International Monetary Fund data.^{ix} While GDP growth has increased somewhat in 2022 and 2023, it has not recovered to levels anywhere close to pre-coup attempt levels. Meanwhile, the value of Myanmar's **currency has continuously depreciated**, dropping by 60 per cent by September 2021.^x **Foreign direct investment also dropped** strikingly by 61 per cent in the second half of fiscal year 2022-2023 compared to the same period the previous year.^{xi} As a result, household incomes are declining^{xii} and prices for food, fuel and other necessities have risen astronomically. For example, the price of palm oil

has increased by 363 per cent and rice has increased by 254 per cent, since the coup attempt began.^{xiii} This inflation has left **18.6 million people in need of humanitarian assistance.**^{xiv} While the people of Myanmar suffer, the corrupt military junta has **misused over USD 1 billion from government reserves to fund weapons and fuel** for its ongoing assault on the Myanmar people.^{xv} As the junta runs down government reserves, the **trade deficit reached almost USD 1 billion in the first six months of the 2023-2024 fiscal year**, an increase of around 1,500 per cent compared to the USD 66 million recorded over the same period last fiscal year.^{xvi} If the junta is allowed to continue, it **risks bankrupting Myanmar's foreign currency reserves and sinking the national economy**, as previous military juntas in Myanmar have done. This is likely to have **significant implications for regional economic integration.**

As the military junta grows increasingly desperate for funds to fuel its atrocities, it is now attempting to impose tax on the incomes of millions of migrant workers from Myanmar who have fled to other countries.^{xvii} This is likely to **contradict the double tax agreements facilitated by ASEAN** between Myanmar and other member states, including Thailand, Laos, Malaysia and Singapore, thereby **undermining the work of ASEAN Economic Community.**

The Myanmar military junta is a criminal organisation which is involved in **widespread systemic corruption.** The junta **controls a vast array of business entities** in Myanmar as well as the former Union of Myanmar Federation of Chambers of Commerce and Industry (UMFCCI). The UMFCCI was officially dissolved by the NUG in 2023 due to the corrupt use of this organisation by the military junta since the attempted coup. During the rule of the previous military junta, the military consolidated its **control over Myanmar's key industries** through a vast network of state-owned and military-controlled business entities operating in energy, raw materials, food, beverages, alcohol, tobacco, banking, construction, logistics, agriculture, real estate and international trade markets.^{xviii} These provide billions in revenue, enabling the military junta to corruptly fund its campaign of terror against the people of Myanmar. The major **business entities controlled by the Myanmar military are all currently subject to sanctions** from one or more governments of the United Kingdom, the United States, Canada, Australia and the European Union.^{xix}

In addition, serious questions remain over the military junta's use of international development assistance and emergency funds. For example, in 2021 **following the junta's attempted coup, US\$171 million went missing from a large loan that the International Monetary Fund had provided to help Myanmar combat the COVID-19 virus.**^{xx} The UN Special Rapporteur on the situation of human rights in Myanmar has warned the international community about the risk of the military junta weaponising aid.^{xxi}

Since the military junta began its attempted coup in 2021, arms trafficking, human smuggling, illicit drug production and trading, financial crimes and illegal resource extraction have all increased significantly.^{xxii} By 2023, **Myanmar reached first place in the world on the Global Organized Crime Index.** As a criminal actor directly involved in illicit activities while also attempting to occupy the institutions of government and committing ongoing atrocities against the people, the military junta has left Myanmar extremely vulnerable to increasing organised crime and unable to effectively implement policies to counter it. The Financial Action Task Force **blacklisted Myanmar** over the junta's failure to enforce measures against money laundering and other financial crimes.^{xxiii} All of this not only affects Myanmar, it is also impacting the economic performance of the wider region. The Asian continent's overall criminality score has also increased and its resilience score against organised crime has dropped more than any other region in the world.^{xxiv} These results are **likely to undermine economic confidence in, and performance of, the region.**

It is **extremely unlikely that the economic performance of Myanmar will improve under the military junta's control**. Thus, if the junta is permitted to continue, organised crime is also likely to continue increasing. By contrast, the Global Organized Crime Index in 2023 found that democracies were more able to withstand organised crime on average.^{xxv}

Further, anyone providing or **facilitating the flow of funds and resources to the military junta risks being complicit in the junta's ongoing crimes**. Thus, it is extremely important that you avoid facilitating any financial or business relationships between the Myanmar military junta and others through ASEAN Finance and Central Bank meetings.

ASEAN and its member states have already taken actions against the Myanmar military junta. For example, ASEAN has decided not to allow Myanmar to assume the rotating leadership in 2026^{xxvi} and has excluded the junta from foreign ministers' meetings and summits. The ASEAN Defence Ministers Meeting (ADMM) excluded junta representative, Mya Tun Oo, from participation in ministerial meetings in November 2022^{xxvii}. The Philippines, Malaysia and Indonesia boycotted the recent ADMM air force chiefs meeting hosted by the military junta.^{xxviii} Singapore boycotted ADMM-Plus counter-terrorism training sessions hosted by the Myanmar military junta and Russia^{xxix}. All of these actions have been welcomed by the people of Myanmar.

Yet, **further serious action is urgently needed** from ASEAN member states and dialogue partners. **Your decision to exclude the illegal military junta** from the upcoming meetings and ensure that the people of Myanmar are represented by their democratically elected government, would be **in line with the United Nations' decision** to avoid allowing military junta members to represent Myanmar in the General Assembly.^{xxx} This request **also echoes the concerns raised by the United Nations Special Rapporteur** for the situation of human rights in Myanmar who recommends that ASEAN must not allow Myanmar military junta personnel to participate in any ASEAN meetings.^{xxxi} He also calls on ASEAN Member States to: "not attend if the invitations to the junta military personnel are not rescinded."^{xxxii} Further, the Special Rapporteur urges that "Member States who support human rights, democracy, and the aspirations of the people of Myanmar publicly reject the SAC's false claim as a legitimate government and instead recognise the NUG as the legitimate representative of the people of Myanmar."^{xxxiii}

The appropriate democratically elected representatives of Myanmar people in all international fora, including all ASEAN meetings, **are the National Unity Government (NUG)**. The NUG can be contacted via the details provided on their [official website](#). We encourage you to formulate a relationship with them, if you have not done so already.

If you require further information about the current situation in Myanmar, and/or assistance in distinguishing legitimate government representatives of Myanmar from illegal military junta members, we remain at your disposal to assist in this process.

We await your response with much anticipation. Meanwhile, we will continue to monitor whether your actions support the people of Myanmar or the brutal and illegitimate military junta.

Sincerely,
Defend Myanmar Democracy
Blood Money Campaign
Global Myanmar Spring Revolution