

January 30, 2024 | Myanmar

## **New report unearths Australian owned and led companies in Myanmar's mining sector under the illegal military junta**

Australian companies, executives and investors are continuing to operate in Myanmar's junta-dominated mining sector three years after the military launched a brutal and illegal attempted coup.

A new Justice For Myanmar report, *Mines Against Humanity*, reveals the Australian owned and led companies that are engaged in extraction, exploration and services that provide the junta with revenue, or support the maintenance of a sector that bankrolls junta atrocities.

Companies are wrongly treating the illegal junta as if it were the government of Myanmar. The junta is not the legitimate government of Myanmar and has failed to take effective control of Myanmar's territory because of the sustained and courageous mass resistance of the Myanmar people.

The junta has responded with a war of terror through indiscriminate air strikes and shelling, the killing of more than 4,400 people, rape, torture, the arbitrary arrest of more than 25,800, the destruction of whole communities and the displacement of more than 2.3 million.

The continued Australian presence in Myanmar's mining sector is a result of Australia's failure to impose sanctions on the junta's sources of funds, and a lack of guidance on Australia's expectations for responsible business in Myanmar.

This report documents 10 company networks that have remained active in Myanmar following the coup attempt and highlights six company networks that are not currently active in the mining sector but remain registered in Myanmar and require monitoring should they resume operations under the junta. These include:

- Valentis, a sprawling network of companies backed by Australian investors set up by brothers closely connected to the military. Among Valentis's activities, Justice For Myanmar's investigation uncovered an apparent visit to a MEC coal project since the coup attempt, the provision of services to a Myanmar arms broker and business links to a militia under junta control.
- Cornerstone Resources – a company thought to be owned by prominent Australian prospector Mark Creasy, and that has an Australian address, has continued to mine and refine zinc in Shan state following the military's coup attempt. Justice For Myanmar uncovered transactions with military conglomerate Myanmar Economic Corporation (MEC), which may breach UK sanctions given its previous registration in the British Virgin Islands at the time of the transactions.
- The Australian branch of the global consulting firm Knight Piésold is providing environmental services to the China owned Wanbao Mining for copper mines that operate in partnership with military conglomerate Myanma Economic Holdings Limited (MEHL). Services were provided as recently as 2023 and it is uncertain whether Knight Piésold is interpreting their contractual obligations consistently with the due diligence exception in the Australian *Autonomous Sanctions Act 2011* to avoid breaching the sanctions against

MEHL.

- The Australia-based miner PanAust has maintained its large-scale exploration licences in Sagaing, a region ravaged in the junta's campaign of terror. By paying fees to the junta, it helps fund its atrocities.
- Asia Pacific Mining Limited, a company with Australian executives, has been communicating with senior members of the junta to continue and expand its exploration activities under cover of the military's coup attempt.
- Even after the coup attempt and amid local opposition, Australian-led company Access Resources Asia has been pushing ahead with gold exploration in eastern Shan state.
- Australian Laboratory Services (ALS), listed on the Australian Stock Exchange, has maintained its business in Myanmar following the military's coup attempt and has done mineral testing for Access Resources Asia and junta-controlled universities.

Justice For Myanmar calls on Australia to immediately impose sanctions on mining enterprises controlled by the junta; to widen sanctions against the junta's sources of funds, arms and jet fuel, in coordination with its allies; and to investigate sanctions-busting activity and penalise or prosecute companies and individuals as appropriate.

Justice For Myanmar calls on companies operating in Myanmar to follow the laws, policies and guidance of the legitimate federal bodies, including the National Unity Government (NUG), National Unity Consultative Council (NUCC), applicable state councils, and relevant Ethnic Resistance Organisations, and to fulfil their responsibilities under the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct, the OECD Due Diligence Guidance for Responsible Business Conduct, the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas, and the UN Guiding Principles on Business and Human Rights.

Under the NUG's Three-Pillar Framework Guiding Responsible Investment and Continued Operations, companies should avoid all business with the junta and fulfil contractual obligations to the state by paying funds into an escrow account for the lawful and legitimate government of Myanmar.

**Justice For Myanmar spokesperson Yadanar Maung says:** "It is unacceptable that three years after the military's illegal coup attempt, Australia is still failing to take necessary action to block the junta's sources of funds from mining and other lucrative sectors.

"The Myanmar military operates as a cartel that is stealing the wealth of the people of Myanmar on a massive scale to fund its war of terror and enrich war criminals.

"Yet, there are Australian companies, executives and investors in the mining sector that are continuing business as usual, financing the illegitimate junta and helping to keep a corrupt and destructive mining sector open for business.

"Australia needs to act now to impose sanctions on the junta, its businesses, and cronies, and stop Australians from directly and indirectly providing funds and other forms of support to the junta.

"Australian owned and led businesses in Myanmar should follow the laws, policies and guidance of the legitimate federal bodies, including the NUG, NUCC, applicable state councils, and relevant EROs, and fulfil their international human rights responsibilities."

**More information:**

Read *Mines Against Humanity* [here](#)

Justice For Myanmar is a covert group of activists using research, data visualisation and reporting to expose the companies and criminals profiting from brutality, war crimes and mass-scale suffering.

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