



Dr. Andreas Tostmann
Chief Executive Officer MAN SE
Dachauer Str. 641
80995 Munich, Germany

Via Email

CC:
Traton SE
Volkswagen AG

13 September 2021

Dear Dr. Tostmann,

Re: Sinotruk's business dealings with Myanmar's military

We are writing to you to express our concerns regarding the deployment of fleets of Sinotruk vehicles in the ongoing violent repression and lethal crackdown on anti-coup protests, civil society and independent journalists by military forces of the Republic of the Union of Myanmar. Since 2009 MAN SE has owned 25 percent of Sinotruk Hong Kong and – as a blocking minority shareholder – has significant influence on the governance of Sinotruk's operations.

Myanmar's military ousted the civilian government in an attempted coup on 1 February that shattered the country's limited democracy. In the bloody and ongoing crackdown on public protests opposed to the attempted coup, more than 1000 civilians including children have been killed by military and security forces under their command, in what may amount to crimes against humanity.¹ Thousands have been arbitrarily arrested and tortured. It has been well-documented that the Myanmar military forces have used Sinotruk vehicles during the crackdown of anti-coup protests in several cities across the country. Extensive photo and

¹ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26885&LangID=E>

video evidence of the deployment of Sinotruk vehicles – what appear to be Sinotruk’s HOWO truck model – to execute the crackdown were published on social media, in Myanmar media and in a Süddeutsche article on 28 March 2021.² This includes armed soldiers being transported to protest sites in Sinotruk vehicles, soldiers shooting at protesters with slingshots and air rifles from these vehicles, and arbitrarily detained protesters being taken away in these vehicles. It is likely that the Myanmar military may also be using Sinotruk vehicles within its military operations in ethnic areas, in which war crimes and crimes against humanity are being committed.³

In 2011, Sinotruk entered into a business partnership with No. 1 General Heavy Industries Enterprise in Myanmar to upgrade the No. 1 Myanmar Automobile Plant. This upgrade allowed for production and assembly of Sinotruk’s HOWO model truck at the plant. There are also unconfirmed reports that the Myanmar military produces heavy duty MILTRUK vehicles under a Sinotruk licence. Myanmar’s armed forces are in the possession of MILTRUK military trucks mounted with rocket launch systems, as seen during military parades in Myanmar in recent years.⁴

In response to requests by Süddeutsche Zeitung in March 2021, a MAN spokesperson stated that it had been unaware of Sinotruk vehicles being deployed by the Myanmar military. MAN furthermore reported that Sinotruk provided assurance in a letter that there is “no cooperation whatsoever between Sinotruk and the current military regime in Myanmar.”⁵

After writing to MAN and 11 other international corporations in April about their activities in Myanmar, Reporters Without Borders (RSF) has written to them again in July, urging them to take concrete steps to ensure its companies are not in businesses with the military junta, either directly or indirectly, in order not to be complicit in the relentless horrific crackdown currently under way. MAN noncommittally responded to the first letter and so far has not reacted to the second letter.

In light of the widespread and grave human rights abuses perpetrated by Myanmar’s military with the aid of Sinotruk military vehicles and potentially MAN technology, we strongly believe that it is insufficient to merely rely on this assurance by your business partner. We urge you to conduct a thorough investigation into Sinotruk’s business links to the Myanmar military and security forces under their command, including possible active licence agreements. Under the UN Guiding Principles on Business and Human Rights and the OECD

² <https://projekte.sueddeutsche.de/artikel/wirtschaft/myanmar-the-role-played-by-the-german-company-man-e692964/> and <https://www.justiceformyanmar.org/stories/german-linked-trucks-feature-in-brutal-myanmar-crackdown>

³ <https://www.amnesty.org/en/latest/news/2021/02/myanmar-un-security-council-must-act-urgently-hold-military-accountable/>

⁴ <https://www.gettyimages.de/detail/nachrichtenfoto/myanmars-military-hardware-is-paraded-during-a-nachrichtenfoto/517719094?adppopup=true>

⁵ <https://projekte.sueddeutsche.de/artikel/wirtschaft/myanmar-the-role-played-by-the-german-company-man-e692964/>

Guidelines for Responsible Business, MAN has the responsibility to ensure that human rights are respected in all its business operations and relationships. The UN Guiding Principles stipulate that businesses have the responsibility “to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts.”⁶

We therefore call on MAN SE to act promptly to conduct a transparent investigation into any links between Sinotruk Hong Kong and the Myanmar military, either directly or indirectly through other Sinotruk subsidiaries and associates. Should any links exist, MAN must take immediate action to ensure the company cuts all business ties to the Myanmar military, as recommended by the UN Independent International Fact-Finding Mission on Myanmar in August 2019,⁷ and to ensure that MAN technology does not benefit the military in any form.

We request a response from MAN SE on this letter as soon as possible. Please respond to Mathias Pfeifer (m.pfeifer@fian.de).

Yours faithfully,

FIAN Deutschland
Info Birmanie
Justice For Myanmar
Reporter ohne Grenzen
Stiftung Asienhaus
urgewald
U.S. Campaign for Burma

⁶ https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr_en.pdf

⁷ https://www.ohchr.org/Documents/HRBodies/HRCouncil/FFM-Myanmar/EconomicInterestsMyanmarMilitary/A_HRC_42_CRP_3.pdf