

October 26, 2022 | Myanmar

JFM calls on Israel's Attorney General to take urgent action following application for criminal investigation into Myanmar arms sales

An application for a criminal investigation into the activities of the Israeli arms companies Israel Aerospace Industries, Elbit Systems and Israel Shipyards; as well as the director of the Defense Exports Control Agency (DECA) in the Ministry of Defense, and the head of the Defense Exports Unit in the Ministry of Foreign Affairs; over suspicion of their involvement in corruption in Myanmar has been filed with the Attorney General's office.

The complaint concerns the involvement of the Myanmar crony company Star Sapphire Trading in the sales and marketing of arms from Israel, starting in 2015.

Star Sapphire Trading acted as sole representative in Myanmar for the three Israeli arms giants, with the permission of Israel's Ministry of Defense, according to documents leaked to Justice For Myanmar and used in the application.

The application:

- argues that the three companies ignored possible corruption and bribery, in breach of Israeli criminal law, notably Article 291A of the Israeli Penal Law, 1977;
- calls for officials who approved Star Sapphire's role in the arms deals to be investigated as accessories to the crimes, under Article 31 of the Israeli Penal Law, 1977; and
- questions why government-to-government arms sales included the use of a private company for marketing and brokering services – activities that are regulated under Israel's Control Law.

The application was filed with Israel's Attorney General Gali Baharav-Miara on October 3 by the advocate Eitay Mack on behalf of 60 Israeli citizens, among them the former speaker of the Knesset Avraham ("Avrum") Burg, and prominent academics Prof. Eva Illouz, Prof. Louise Bethlehem and Prof. Ruth HaCohen Pinczower, and human rights activists.

JFM calls on Israel's Attorney General to take urgent action in response to the application.

Among the Israeli companies, Israel Aerospace Industries (IAI) is owned by the Israeli government, while Elbit Systems and Israel Shipyards are both publicly listed companies.

Arms transfers to the Myanmar military include Skylark Unmanned Aerial Vehicles (UAVs), sold by Elbit Systems, and Super Dvora MK III fast patrol boats sold by IAI.

The Myanmar military has used Elbit Systems' Skylark UAVs in attacks in western Myanmar, during operations in which the Myanmar military committed war crimes.

Star Sapphire Trading is part of the Star Sapphire Group, headed by the Myanmar military arms broker Dr Tun Min Latt, who has business links to Senior-General Min Aung Hlaing, leader of the military coup attempt launched in February 2021, and his daughter, Khin Thiri Thet Mon. Dr Tun Min Latt is also the son of former Lieutenant-Colonel Khin Maung Latt, who was the director-general of the Ministry of Hotels and Tourism under Myanmar's previous military junta.

On September 17, 2022, Dr Tun Min Latt was arrested in Bangkok on charges of drug trafficking and money laundering, related to electricity sales to the Myanmar border town of Tachilek through a subsidiary company of the Star Sapphire Group, Myanmar Allure Group. The Star Sapphire Group also operates an illegal casino in Tachilek through Myanmar Allure Group.

The Star Sapphire Group's executive director is Htet Aung, according to his LinkedIn page which was recently taken down. Htet Aung is the son of Brigadier-General Zin Yaw, who was a deputy minister foreign affairs and transport during the business activities in question, and was previously sanctioned by the European Union.

Star Sapphire's brokering and marketing activities took place at a time when there was high-level engagement between the Israeli government and members of the Myanmar military, including Senior-General Min Aung Hlaing, who visited Israel in September 2015.

The application for a corruption investigation further calls on the Israeli state to:

- order the immediate seizure of relevant existing documents from the Ministry of Defense, Ministry of Foreign Affairs and the three companies; and
- to prevent the concealment of evidence, including all agreements with and payments to the Star Sapphire Group of Companies.

The application follows a 2018 submission by Eitay Mack to request a criminal investigation into the aiding and abetting of genocide and crimes against humanity by Israelis who exported arms to Myanmar.

The UN Independent International Fact-Finding Mission on Myanmar concluded in its 2019 report that Israel is one of the countries that has enabled the transfer of arms and arms-related assistance to Myanmar, despite the foreseeable adverse human rights impact.

Justice For Myanmar expresses concern that the 2018 complaint has not yet led to a criminal investigation, and calls for it to be expedited.

Justice For Myanmar spokesperson Yadanar Maung says: "The complaint filed against state officials, IAI, Elbit Systems, and Israel Shipyards raises urgent questions for Israel over corruption in its arms sales to Myanmar.

"Not only has Israel aided and abetted genocide, war crimes and crimes against humanity but it has also financially enriched the Star Sapphire Group and Dr Tun Min Latt, a notorious crony arms broker linked to the war criminal Min Aung Hlaing.

"The involvement of Dr Tun Min Latt should have raised the alarm of Israeli officials who appear to have granted the Star Sapphire Group approval for marketing and brokering activities.

"Instead, in the search for profits, Israel has seemingly ignored the criminal activities of Dr Tun Min Latt and the Myanmar military, entering into corrupt business dealings while enabling the military's atrocities.

"We demand urgent criminal investigations into corruption and the aiding and abetting of atrocity crimes through Israel's arms sales to Myanmar. All perpetrators must be held accountable."

Eitay Mack, Advocate, says: "The state of Israel has played a very important role in the establishment and organisation of the Myanmar military through its military aid, which has included weapons, training and military knowledge. The Myanmar military has used these with the intention to attack the people of Myanmar in an attempt to illegally seize power.

“The complaint we have now submitted to the Attorney General of Israel about the suspicion of the involvement of Israeli arms companies and senior officials in the Ministries of Foreign Affairs and Defense in corruption in Myanmar, is part of a series of legal actions taken in recent years in Israel.

“Israel is a party to UN and OECD anti-corruption conventions and Israelis are prohibited from being involved in corruption through the payment of commissions to the companies of family members and business partners of the military. Israelis are also prohibited from supporting crimes against humanity through arms sales. The Myanmar military stands accused of genocide, crimes against humanity and war crimes at the International Court of Justice and the International Criminal Court.

“Myanmar is not the only country where there is serious corruption and Israeli arms companies work through local companies, but Myanmar is an extreme case where the military is also a business conglomerate.

“The Myanmar military’s corrupt business network is a key component in its ability to continue its attempts to rule the country, to finance crimes against the people of Myanmar, and to maintain support of the military elite.

“The crimes now being committed by the Myanmar military include war crimes and crimes against humanity, and as such, Israel must step up and take its responsibility in stopping them.”

More information:

Read the full text of the application for a criminal investigation [here](#)

Read our feature on Star Sapphire Group [here](#)

Justice For Myanmar, a group of covert activists campaigning for justice and accountability for the people of Myanmar, is calling for an end to military business and for federal democracy and a sustainable peace.

Justice For Myanmar | media@justiceformyanmar.org

<https://www.justiceformyanmar.org/> | Mirror: <https://justiceformyanmar.github.io/justiceformyanmar.org/>

<https://twitter.com/justicemyanmar> | <https://www.facebook.com/justiceformyanmar.org/>