

II

(Non-legislative acts)

REGULATIONS

COUNCIL IMPLEMENTING REGULATION (EU) 2023/886

of 28 April 2023

implementing Regulation (EU) No 401/2013 concerning restrictive measures in view of the situation in Myanmar/Burma

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EU) No 401/2013 of 2 May 2013 concerning restrictive measures in view of the situation in Myanmar/Burma and repealing Regulation (EC) No 194/2008 ⁽¹⁾, and in particular Article 4i thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 2 May 2013, the Council adopted Regulation (EU) No 401/2013.
- (2) The Council has reviewed the list of natural and legal persons, entities and bodies subject to restrictive measures set out in Annex IV to Regulation (EU) No 401/2013. On the basis of that review, the information concerning the entries for 24 persons and one entity should be amended.
- (3) Regulation (EU) No 401/2013 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex IV to Regulation (EU) No 401/2013 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 28 April 2023.

For the Council
The President
J. ROSWALL

⁽¹⁾ OJ L 121, 3.5.2013, p. 1.

Annex IV to Regulation (EU) No 401/2013 ('List of natural and legal persons, entities and bodies referred to in Article 4a') is amended as follows:

(1) the entries for the following 24 persons in the list headed 'A. Natural persons referred to in Article 4a' are replaced by the following:

	Name	Identifying information	Reasons	Date of listing
'4.	Aung Aung	Gender: male; Military identification number: BC 23750	Lieutenant General Aung Aung has been the Commander of the Bureau of Special Operations 2 since October 2022. He is the former Commander of the South Western Command of the Myanmar Armed Forces (Tatmadaw) and the former Commander of the 33rd Light Infantry Division of the Myanmar Armed Forces (Tatmadaw). In that context, he is responsible for the atrocities and serious human rights violations committed against the Rohingya population in Rakhine State in the second half of 2017 by the 33rd Light Infantry Division. Those include unlawful killings, sexual violence and the systematic burning of Rohingya houses and buildings.	25.6.2018
7.	Thant Zin Oo	Gender: male	Thant Zin Oo was the Commander of the 8th Security Police Battalion. In that context, he is responsible for the atrocities and serious human rights violations committed against the Rohingya population in Rakhine State in the second half of 2017 by the 8th Security Police Battalion. The serious human rights violations include unlawful killings and systematic burning of Rohingya houses and buildings. Those violations were conducted in conjunction with and in direct support of the 33rd Light Infantry Division of the Myanmar Armed Forces (Tatmadaw) led by Lieutenant (formerly Brigadier) General Aung Aung. Thant Zin Oo is therefore associated with listed person, Lieutenant General Aung Aung.	25.6.2018
10.	Khin Hlaing	Date of birth: 2 May 1968; Gender: male	Lieutenant General Khin Hlaing has been the Commander of the Bureau of Special Operations 4 since October 2022. He is the former Triangle Region Commander of the Myanmar Armed Forces (Tatmadaw). He is the former Commander of the 99th Light Infantry Division (LID) and he was the Commander of the North-eastern Command of the Myanmar Armed Forces (Tatmadaw). As the Commander of the 99th LID he oversaw military operations carried out in Shan State in 2016 and early 2017. In that context, he is responsible for the atrocities and serious human rights violations committed against ethnic minority villagers in Shan State in the second half of 2016 by the 99th LID. Those include unlawful killings, forced detention and destruction of villages.	21.12.2018

	Name	Identifying information	Reasons	Date of listing
18.	Sein Win	<p>Date of birth: 24 July 1956; Place of birth: Pyin Oo Lwin, Myanmar/Burma; Nationality: Myanmar; Gender: male</p>	<p>Lieutenant General Sein Win is a member of Tatmadaw and former Minister of Defence (between 24 August 2015 and 1 February 2021). Since February 2021 (until at least September 2022), he has been the chair of the Myanmar War Veterans Organization.</p> <p>On 1 February 2021, he participated in a National Defence and Security Council (NDSC) meeting with the other Tatmadaw members. The NDSC meeting was unconstitutional as it did not include its civilian members. During that meeting, Myint Swe was declared Acting President. Myint Swe then declared a state of emergency and handed over legislative, executive and judicial powers of the State to the Commander-in-Chief of Defence Services Min Aung Hlaing. The procedure for declaring the state of emergency was breached as, under the Constitution, only the President has the authority to declare a state of emergency.</p> <p>By his participation in the NDSC meeting during which it was decided to declare the state of emergency and to hand over the legislative, executive and judicial powers of the State to the Commander-in-Chief of Defence Services, Sein Win contributed to setting aside the results of the elections held on 8 November 2020 and to overthrowing the democratically elected government. Therefore he is responsible for undermining democracy and the rule of law in Myanmar/Burma.</p> <p>In 2018, the UN as well as international civil society organisations reported gross human rights violations and serious violations of international humanitarian law committed in Kachin, Rakhine and Shan States against the Rohingya population by the military and police forces since 2011 and concluded that many of those violations amount to the gravest crimes under international law. As Minister of Defence from 24 August 2015 to 1 February 2021, Sein Win is responsible for those serious violations and abuses against the Rohingya population.</p>	22.3.2021

	Name	Identifying information	Reasons	Date of listing
20.	Mya Tun Oo	Date of birth: 4 or 5 May 1961; Nationality: Myanmar; Gender: male	<p>General Mya Tun Oo is a member of the Myanmar Armed Forces (Tatmadaw). He was appointed Minister of Defence on 1 February 2021 and is a member of the State Administrative Council (SAC). On 1 February 2023, he was also appointed Deputy Prime Minister.</p> <p>On 1 February 2021, the Myanmar Armed Forces (Tatmadaw), led by Commander-in-Chief Min Aung Hlaing, staged a coup in Myanmar by setting aside the results of the elections held on 8 November 2020 and by overthrowing the democratically elected government. As part of the coup, Vice-President Myint Swe, functioning as Acting President, declared a state of emergency on 1 February 2021 and transferred the legislative, executive and judicial powers of the state to the Commander-in-Chief of Defence Services Senior General Min Aung Hlaing. On 2 February 2021, the SAC was established to exercise those powers, preventing the democratically elected government from fulfilling its mandate. Mya Tun Oo participated in the meeting of the National Defence and Security Council (NDSC) on 31 January 2022, which extended the state of emergency until 31 July 2022. As member of the NDSC and SAC, General Mya Tun Oo has been directly involved in and responsible for decision-making concerning state functions and is therefore responsible for undermining democracy and the rule of law in Myanmar/Burma.</p> <p>Additionally, the SAC adopted decisions restricting the rights to freedom of expression, including access to information, and peaceful assembly. The military forces and authorities operating under the control of the SAC have committed serious human rights violations since 1 February 2021, killing civilian and unarmed protestors, restricting freedom of assembly and of expression, including by restricting internet access, and through arbitrary arrests and detention of opposition leaders and opponents of the coup.</p> <p>As member of the SAC, General Mya Tun Oo is directly responsible for those repressive decisions and for serious human rights violations. Furthermore, as Minister of Defence, Mya Tun Oo bears responsibility for the attacks by the military forces in Kayah State on 25 December 2021 killing more than 30 people, including children and humanitarian staff, and mass killings and torture of civilians throughout Myanmar. As Minister of Defence, General Mya Tun Oo is moreover responsible for the bombardments, air raids, and other instances of large-scale violence that have been carried out by the Myanmar armed forces during 2022. Therefore, he is responsible for serious human rights violations in Myanmar/Burma.</p>	22.3.2021

	Name	Identifying information	Reasons	Date of listing
			<p>In 2018, the United Nations as well as international civil society organisations reported gross human rights violations and serious violations of international humanitarian law committed in Kachin, Rakhine and Shan States against the Rohingya population by the military and police forces since 2011 and concluded that many of those violations amount to the gravest crimes under international law. Mya Tun Oo was Joint Chief of Staff of the Myanmar Armed Forces (Tatmadaw), the third most senior position in the Tatmadaw, from August 2016 until his appointment as Minister of Defence. In that capacity, he oversaw military operations carried out in Rakhine State and coordinated the various armed forces, including the Army, Navy and Air Force, as well as the use of artillery. He is therefore responsible for those serious violations and abuses against the Rohingya population.</p>	
23.	Maung Maung Kyaw	<p>Date of birth: 23 July 1964; Nationality: Myanmar; Gender: male</p>	<p>General Maung Maung Kyaw is a former member of the Myanmar Armed Forces (Tatmadaw). He retired in January 2022. He was a member of the State Administration Council (SAC) until February 2023. He previously served as Commander-in-Chief of the Myanmar Air Force between 2018 and January 2022. On 1 February 2021, the Myanmar Armed Forces (Tatmadaw), led by Commander-in-Chief Min Aung Hlaing, staged a coup in Myanmar by setting aside the results of the elections held on 8 November 2020 and overthrowing the democratically elected government. As part of the coup, Vice-President Myint Swe, functioning as Acting President, declared a state of emergency on 1 February 2021 and transferred the legislative, executive and judicial powers of the state to the Commander-in-Chief of Defence Services Senior General Min Aung Hlaing. On 2 February 2021, the SAC was established to exercise those powers, preventing the democratically elected government from fulfilling its mandate. As member of the SAC, General Maung Maung Kyaw has been directly involved in and responsible for decision-making concerning state functions and is therefore responsible for undermining democracy and the rule of law in Myanmar/Burma.</p> <p>Additionally, the SAC adopted decisions restricting the rights to freedom of expression, including access to information, and peaceful assembly. The military forces and authorities operating under the control of the SAC have committed serious human rights violations since 1 February 2021, killing civilian and unarmed protestors, restricting freedom of assembly and of expression, including by restricting internet access, and through arbitrary arrests and detention of opposition leaders and opponents of the coup. As a former member of the SAC, General Maung Maung Kyaw was directly responsible for those repressive decisions and for serious human rights violations. Furthermore, in his former capacity as the head of the Myanmar Air Force, he was directly responsible for the bombings in Kayah State in December 2021, targeting the civilian population and causing a high number of casualties. Therefore, he is responsible for serious human rights violations.</p>	22.3.2021

	Name	Identifying information	Reasons	Date of listing
25.	Than Hlaing	Date of birth: 1965; Nationality: Myanmar; Gender: male	<p>Lieutenant General Than Hlaing is a member of the Myanmar Armed Forces (Tatmadaw). He served as Deputy Minister of Home Affairs, Chief of Police from 2 February 2021 until May 2022.</p> <p>On 1 February 2021, the Myanmar Armed Forces (Tatmadaw), led by Commander-in-Chief Min Aung Hlaing, staged a coup in Myanmar by setting aside the results of the elections held on 8 November 2020 and by overthrowing the democratically elected government. As part of the coup, Vice-President Myint Swe, functioning as Acting President, declared a state of emergency on 1 February 2021 and transferred the legislative, executive and judicial powers of the state to the Commander-in-Chief of Defence Services Senior General Min Aung Hlaing. On 2 February 2021, the SAC was established to exercise those powers, preventing the democratically elected government from fulfilling its mandate.</p> <p>Appointed by the SAC, Lieutenant General Than Hlaing is engaged in actions and policies undermining democracy and the rule of law in Myanmar/Burma, as well as actions that threaten the peace, security and stability of Myanmar/Burma.</p> <p>Additionally, police forces acting under the authority of Lieutenant General Than Hlaing have committed serious human rights violations since 1 February 2021, killing civilian and unarmed protesters, restricting freedom of assembly and of expression, carrying out arbitrary arrests and detaining opposition leaders and opponents of the coup. As former Deputy Minister of Home Affairs and Chief of Police, Lieutenant General Than Hlaing was directly responsible for decision making concerning repressive policies and violent actions committed by police against peaceful demonstrators and is therefore responsible for serious human rights violations in Myanmar/Burma.</p>	22.3.2021

	Name	Identifying information	Reasons	Date of listing
26.	Mahn Nyein Maung (a.k.a. P'do, Phado Man Nyein Maung)	Member of State Administrative Council; Date of birth: c. 1947; Place of birth: Maungdaw, Myanmar; Nationality: Myanmar; Gender: male	<p>Mahn Nyein Maung is a member of the State Administrative Council (SAC).</p> <p>On 1 February 2021, the Myanmar Armed Forces (Tatmadaw), led by Commander-in-Chief Min Aung Hlaing, staged a coup in Myanmar by setting aside the results of the elections held on 8 November 2020 and by overthrowing the democratically elected government. As part of the coup, Vice-President Myint Swe, functioning as Acting President, declared a state of emergency on 1 February 2021 and transferred the legislative, executive and judicial powers of the state to the Commander-in-Chief of Defence Services Senior General Min Aung Hlaing. On 2 February 2021, the SAC was established to exercise those powers, preventing the democratically elected government from fulfilling its mandate.</p> <p>As a member of the SAC, Mahn Nyein Maung has been directly involved in and responsible for decision making concerning state functions and is therefore responsible for undermining democracy and the rule of law in Myanmar/Burma.</p> <p>Additionally, the SAC adopted decisions restricting the rights to freedom of expression, including access to information, and peaceful assembly. The military forces and authorities operating under the control of the SAC have committed serious human rights violations since 1 February 2021, killing civilian and unarmed protestors, restricting freedom of assembly and of expression, including by restricting internet access, and through arbitrary arrests and detention of opposition leaders and opponents of the coup. Furthermore, the SAC has imposed martial law in parts of the country allowing the military complete authority over the specified areas, including administrative, judicial and law enforcement functions. In the areas under martial law, civilians, including journalists and peaceful protestors, are prosecuted by military courts, effectively depriving them of the right to due process, including the right to appeal. Violent actions by military and police forces threatening peace, security and stability have increased significantly in areas where martial law has been declared.</p> <p>As a member of the SAC, Mahn Nyein Maung is directly responsible for those repressive decisions and for serious human rights violations.</p>	19.4.2021

	Name	Identifying information	Reasons	Date of listing
27.	Thein Nyunt	<p>Member of State Administrative Council; Chairman of New National Democracy Party (NNDP);</p> <p>Date of birth: 26 December 1944;</p> <p>Place of birth: Kawkaik (Karen State) Myanmar/Burma;</p> <p>Nationality: Myanmar;</p> <p>ID number: 12/THAGAKA(NAING) 012432;</p> <p>Gender: male</p>	<p>Thein Nyunt is a member of the State Administrative Council (SAC). Since 1 February 2023, he also serves on the SAC's Central Advisory Body.</p> <p>On 1 February 2021, the Myanmar Armed Forces (Tatmadaw), led by Commander-in-Chief Min Aung Hlaing, staged a coup in Myanmar by setting aside the results of the elections held on 8 November 2020 and by overthrowing the democratically elected government. As part of the coup, Vice-President Myint Swe, functioning as Acting President, declared a state of emergency on 1 February 2021 and transferred the legislative, executive and judicial powers of the state to the Commander-in-Chief of Defence Services Senior General Min Aung Hlaing. On 2 February 2021, the SAC was established to exercise those powers, preventing the democratically elected government from fulfilling its mandate.</p> <p>As a member of the SAC, Thein Nyunt has been directly involved in and responsible for decision making concerning state functions and is therefore responsible for undermining democracy and the rule of law in Myanmar/Burma.</p> <p>Additionally, the SAC adopted decisions restricting the rights to freedom of expression, including access to information, and peaceful assembly. The military forces and authorities operating under the control of the SAC have committed serious human rights violations since 1 February 2021, killing civilian and unarmed protestors, restricting freedom of assembly and of expression, including by restricting internet access, and through arbitrary arrests and detention of opposition leaders and opponents of the coup. Furthermore, the SAC has imposed martial law in parts of the country allowing the military complete authority over the specified areas, including administrative, judicial and law enforcement functions. In the areas under martial law, civilians, including journalists and peaceful protestors, are prosecuted by military courts, effectively depriving them of the right to due process, including the right to appeal. Violent actions by military and police forces threatening peace, security and stability have increased significantly in areas where martial law has been declared.</p> <p>As a member of the SAC, Thein Nyunt is directly responsible for those repressive decisions and for serious human rights violations.</p>	19.4.2021

	Name	Identifying information	Reasons	Date of listing
28.	Khin Maung Swe	<p>Member of State Administrative Council; Chairman of National Democratic Force party (NDF);</p> <p>Date of birth: 24 July 1942;</p> <p>Place of birth: Ngathaingchaung, Patheingyi District, Myanmar/Burma;</p> <p>Nationality: Myanmar;</p> <p>Gender: male</p>	<p>Khin Maung Swe is a member of the State Administrative Council (SAC). Since 1 February 2023, he also serves on the SAC's Central Advisory Body.</p> <p>On 1 February 2021, the Myanmar Armed Forces (Tatmadaw), led by Commander-in-Chief Min Aung Hlaing, staged a coup in Myanmar by setting aside the results of the elections held on 8 November 2020 and by overthrowing the democratically elected government. As part of the coup, Vice-President Myint Swe, functioning as Acting President, declared a state of emergency on 1 February 2021 and transferred the legislative, executive and judicial powers of the state to the Commander-in-Chief of Defence Services Senior General Min Aung Hlaing. On 2 February 2021, the SAC was established to exercise those powers, preventing the democratically elected government from fulfilling its mandate.</p> <p>As a member of the SAC, Khin Maung Swe has been directly involved in and responsible for decision-making concerning state functions and is therefore responsible for undermining democracy and the rule of law in Myanmar/Burma.</p> <p>Additionally, the SAC adopted decisions restricting the rights to freedom of expression, including access to information, and peaceful assembly. The military forces and authorities operating under the control of the SAC have committed serious human rights violations since 1 February 2021, killing civilian and unarmed protestors, restricting freedom of assembly and of expression, including by restricting internet access, and through arbitrary arrests and detention of opposition leaders and opponents of the coup. Furthermore, the SAC has imposed martial law in parts of the country allowing the military complete authority over the specified areas, including administrative, judicial and law enforcement functions. In the areas under martial law, civilians, including journalists and peaceful protestors, are prosecuted by military courts, effectively depriving them of the right to due process, including the right to appeal. Violent actions by military and police forces threatening peace, security and stability have increased significantly in areas where martial law has been declared.</p> <p>As a member of the SAC, Khin Maung Swe is directly responsible for those repressive decisions and for serious human rights violations.</p>	19.4.2021

	Name	Identifying information	Reasons	Date of listing
29.	Aye Nu Sein	<p>Member of State Administrative Council; Vice-chair of the Arakan National Party;</p> <p>Date of birth: 24 March 1957;</p> <p>Place of birth: Sittwe, Rakhine State, Myanmar/Burma;</p> <p>Nationality: Myanmar;</p> <p>Gender: female</p>	<p>Aye Nu Sein is a member of the State Administrative Council (SAC). Since 1 February 2023, she also serves on the SAC's Central Advisory Body.</p> <p>On 1 February 2021, the Myanmar Armed Forces (Tatmadaw), led by Commander-in-Chief Min Aung Hlaing, staged a coup in Myanmar by setting aside the results of the elections held on 8 November 2020 and by overthrowing the democratically elected government. As part of the coup, Vice-President Myint Swe, functioning as Acting President, declared a state of emergency on 1 February 2021 and transferred the legislative, executive and judicial powers of the state to the Commander-in-Chief of Defence Services Senior General Min Aung Hlaing. On 2 February 2021, the SAC was established to exercise those powers, preventing the democratically elected government from fulfilling its mandate.</p> <p>As a member of the SAC, Aye Nu Sein has been directly involved in and responsible for decision-making concerning state functions and is therefore responsible for undermining democracy and the rule of law in Myanmar/Burma.</p> <p>Additionally, the SAC adopted decisions restricting the rights to freedom of expression, including access to information, and peaceful assembly. The military forces and authorities operating under the control of the SAC have committed serious human rights violations since 1 February 2021, killing civilian and unarmed protestors, restricting freedom of assembly and of expression, including by restricting internet access, and through arbitrary arrests and detention of opposition leaders and opponents of the coup. Furthermore, the SAC has imposed martial law in parts of the country allowing the military complete authority over the specified areas, including administrative, judicial and law enforcement functions. In the areas under martial law, civilians, including journalists and peaceful protestors, are prosecuted by military courts, effectively depriving them of the right to due process, including the right to appeal. Violent actions by military and police forces threatening peace, security and stability have increased significantly in areas where martial law has been declared.</p> <p>As a member of the SAC, Aye Nu Sein is directly responsible for those repressive decisions and for serious human rights violations.</p>	19.4.2021

	Name	Identifying information	Reasons	Date of listing
30.	Jeng Phang Naw Htaung	<p>Member of State Administrative Council;</p> <p>Nationality: Myanmar;</p> <p>Gender: male</p>	<p>Jeng Phang Naw Htaung is a member of the State Administrative Council (SAC). Since 1 February 2023, he also serves as Union Minister for Ethnic Affairs.</p> <p>On 1 February 2021, the Myanmar Armed Forces (Tatmadaw), led by Commander-in-Chief Min Aung Hlaing, staged a coup in Myanmar by setting aside the results of the elections held on 8 November 2020 and by overthrowing the democratically elected government. As part of the coup, Vice-President Myint Swe, functioning as Acting President, declared a state of emergency on 1 February 2021 and transferred the legislative, executive and judicial powers of the state to the Commander-in-Chief of Defence Services Senior General Min Aung Hlaing. On 2 February 2021, the SAC was established to exercise those powers, preventing the democratically elected government from fulfilling its mandate.</p> <p>As a member of the SAC, Jeng Phang Naw Htaung has been directly involved in and responsible for decision-making concerning state functions and is therefore responsible for undermining democracy and the rule of law in Myanmar/Burma.</p> <p>Additionally, the SAC adopted decisions restricting the rights to freedom of expression, including access to information, and peaceful assembly. The military forces and authorities operating under the control of the SAC have committed serious human rights violations since 1 February 2021, killing civilian and unarmed protestors, restricting freedom of assembly and of expression, including by restricting internet access, and through arbitrary arrests and detention of opposition leaders and opponents of the coup. Furthermore, the SAC has imposed martial law in parts of the country allowing the military complete authority over the specified areas, including administrative, judicial and law enforcement functions. In the areas under martial law, civilians, including journalists and peaceful protestors, are prosecuted by military courts, effectively depriving them of the right to due process, including the right to appeal. Violent actions by military and police forces threatening peace, security and stability have increased significantly in areas where martial law has been declared.</p> <p>As a member of the SAC, Jeng Phang Naw Htaung is directly responsible for those repressive decisions and for serious human rights violations.</p>	19.4.2021

	Name	Identifying information	Reasons	Date of listing
32.	Sai Long Hseng	<p>Member of State Administrative Council;</p> <p>Date of birth: 18 April 1947;</p> <p>Place of birth: Kengtung, Myanmar/Burma;</p> <p>Nationality: Myanmar;</p> <p>Citizenship verification card: Katana (Naing) 0052495;</p> <p>NRC Number: 13/KATANA (N)-005249;</p> <p>Gender: male</p>	<p>Sai Long Hseng is a member of the State Administrative Council (SAC). Since 1 February 2023, he also serves on the SAC's Central Advisory Body.</p> <p>On 1 February 2021, the Myanmar Armed Forces (Tatmadaw), led by Commander-in-Chief Min Aung Hlaing, staged a coup in Myanmar by setting aside the results of the elections held on 8 November 2020 and by overthrowing the democratically elected government. As part of the coup, Vice-President Myint Swe, functioning as Acting President, declared a state of emergency on 1 February 2021 and transferred the legislative, executive and judicial powers of the state to the Commander-in-Chief of Defence Services Senior General Min Aung Hlaing. On 2 February 2021, the SAC was established to exercise those powers, preventing the democratically elected government from fulfilling its mandate.</p> <p>As a member of the SAC, Sai Long Hseng has been directly involved in and responsible for decision-making concerning state functions and is therefore responsible for undermining democracy and the rule of law in Myanmar/Burma.</p> <p>Additionally, the SAC adopted decisions restricting the rights to freedom of expression, including access to information, and peaceful assembly. The military forces and authorities operating under the control of the SAC have committed serious human rights violations since 1 February 2021, killing civilian and unarmed protestors, restricting freedom of assembly and of expression, including by restricting internet access, and through arbitrary arrests and detention of opposition leaders and opponents of the coup. Furthermore, the SAC has imposed martial law in parts of the country allowing the military complete authority over the specified areas, including administrative, judicial and law enforcement functions. In the areas under martial law, civilians, including journalists and peaceful protestors, are prosecuted by military courts, effectively depriving them of the right to due process, including the right to appeal. Violent actions by military and police forces threatening peace, security and stability have increased significantly in areas where martial law has been declared.</p> <p>As a member of the SAC, Sai Long Hseng is directly responsible for those repressive decisions and for serious human rights violations.</p>	19.4.2021

	Name	Identifying information	Reasons	Date of listing
33.	Saw Daniel	<p>Member of State Administrative Council;</p> <p>Date of birth: 25 November 1957;</p> <p>Place of birth: Loikaw (Kayah State) Myanmar/Burma;</p> <p>Nationality: Myanmar;</p> <p>Gender: male</p>	<p>Saw Daniel is a member of the State Administrative Council (SAC). Since 1 February 2023, he also serves on the SAC's Central Advisory Body.</p> <p>On 1 February 2021, the Myanmar Armed Forces (Tatmadaw), led by Commander-in-Chief Min Aung Hlaing, staged a coup in Myanmar by setting aside the results of the elections held on 8 November 2020 and by overthrowing the democratically elected government. As part of the coup, Vice-President Myint Swe, functioning as Acting President, declared a state of emergency on 1 February 2021 and transferred the legislative, executive and judicial powers of the state to the Commander-in-Chief of Defence Services Senior General Min Aung Hlaing. On 2 February 2021, the SAC was established to exercise those powers, preventing the democratically elected government from fulfilling its mandate.</p> <p>As a member of the SAC, Saw Daniel has been directly involved in and responsible for decision-making concerning state functions and is therefore responsible for undermining democracy and the rule of law in Myanmar/Burma.</p> <p>Additionally, the SAC adopted decisions restricting the rights to freedom of expression, including access to information, and peaceful assembly. The military forces and authorities operating under the control of the SAC have committed serious human rights violations since 1 February 2021, killing civilian and unarmed protestors, restricting freedom of assembly and of expression, including by restricting internet access, and through arbitrary arrests and detention of opposition leaders and opponents of the coup. Furthermore, the SAC has imposed martial law in parts of the country allowing the military complete authority over the specified areas, including administrative, judicial and law enforcement functions. In the areas under martial law, civilians, including journalists and peaceful protestors, are prosecuted by military courts, effectively depriving them of the right to due process, including the right to appeal. Violent actions by military and police forces threatening peace, security and stability have increased significantly in areas where martial law has been declared.</p> <p>As a member of the SAC, Saw Daniel is directly responsible for those repressive decisions and for serious human rights violations.</p>	19.4.2021

	Name	Identifying information	Reasons	Date of listing
34.	Dr Banyar Aung Moe	<p>Member of State Administrative Council;</p> <p>Date of birth: 14.8.1947;</p> <p>Nationality: Myanmar;</p> <p>Gender: male;</p> <p>National ID: 10RAMANAN202348</p>	<p>Banyar Aung Moe is a member of the State Administrative Council (SAC). Since 1 February 2023, he also serves on the SAC's Central Advisory Body.</p> <p>On 1 February 2021, the Myanmar Armed Forces (Tatmadaw), led by Commander-in-Chief Min Aung Hlaing, staged a coup in Myanmar by setting aside the results of the elections held on 8 November 2020 and by overthrowing the democratically elected government. As part of the coup, Vice-President Myint Swe, functioning as Acting President, declared a state of emergency on 1 February 2021 and transferred the legislative, executive and judicial powers of the state to the Commander-in-Chief of Defence Services Senior General Min Aung Hlaing. On 2 February 2021, the SAC was established to exercise those powers, preventing the democratically elected government from fulfilling its mandate.</p> <p>As a member of the SAC, Banyar Aung Moe has been directly involved in and responsible for decision-making concerning state functions and is therefore responsible for undermining democracy and the rule of law in Myanmar/Burma.</p> <p>Additionally, the SAC adopted decisions restricting the rights to freedom of expression, including access to information, and peaceful assembly. The military forces and authorities operating under the control of the SAC have committed serious human rights violations since 1 February 2021, killing civilian and unarmed protestors, restricting freedom of assembly and of expression, including by restricting internet access, and through arbitrary arrests and detention of opposition leaders and opponents of the coup. Furthermore, the SAC has imposed martial law in parts of the country allowing the military complete authority over the specified areas, including administrative, judicial and law enforcement functions. In the areas under martial law, civilians, including journalists and peaceful protestors, are prosecuted by military courts, effectively depriving them of the right to due process, including the right to appeal. Violent actions by military and police forces threatening peace, security and stability have increased significantly in areas where martial law has been declared.</p> <p>As a member of the SAC, Banyar Aung Moe is directly responsible for those repressive decisions and for serious human rights violations.</p>	19.4.2021

	Name	Identifying information	Reasons	Date of listing
35.	U Chit Naing (a.k.a. Sate Pyin Nyar)	Date of birth: December 1948; Place of birth: Kyee Nee Village, Chauk Township, Magway Region, Myanmar/Burma; Nationality: Myanmar; Gender: male; Address: No 150, Yadanar Street, Yadanar Housing (near Tine Yin Thar Village), Tharkayta Township, Yangon, Myanmar	U Chit Naing was the Minister of Union Government heading the Ministry of Union Government Office from 1 August 2021 until 18 August 2022. He was the Minister for Information from 2 February 2021 to 31 July 2021. He was appointed by the Chairman of the State Administrative Council (SAC) that took over the legislative, executive and judicial powers of the State as of 2 February 2021. As Minister for Information, he was responsible for state-owned media (MWD, MRTV, Myanmar Alin, Kyemon and Global New Light of Myanmar newspapers, as well as the Myanmar News Agency (MNA) and Myanmar Digital News), and thus for the broadcasting and publication of official news. During his term as Minister for Information, the newspapers were filled with pro-military articles and he is therefore responsible for junta propaganda and spreading disinformation through state media that are not reporting accurately. He is directly responsible for decisions that led to the crackdown on Myanmar media. This includes directives, which ordered independent media not to use the words “coup”, “military regime” and “junta”, and which has seen five local news outlets banned in the country. In his previous positions as member of the government, his actions, policies and activities undermined democracy and the rule of law in Myanmar/Burma.	19.4.2021
38.	Win Shein (a.k.a. U Win Shein)	Date of birth: 31 July 1957; Place of birth: Mandalay, Myanmar/Burma; Nationality: Myanmar; Gender: male; Passport number: DM001478 (Myanmar/Burma) issued 10 September 2012, expires 9 September 2022; National ID: 12DAGANA011336	Win Shein is the Deputy Prime Minister, since 1 February 2023, and the Minister for Planning and Finance in the Union Government, since 1 February 2021, appointed by Commander-in-Chief Min Aung Hlaing. On 1 February 2021, the Myanmar Armed Forces (Tatmadaw), led by Commander-in-Chief Min Aung Hlaing, staged a coup in Myanmar by setting aside the results of the elections held on 8 November 2020 and by overthrowing the democratically elected government. As part of the coup, Vice-President Myint Swe, functioning as Acting President, declared a state of emergency and transferred the legislative, executive and judicial powers of the state to Min Aung Hlaing. By accepting his nomination as Minister for Planning and Finance and as Deputy Prime Minister of the Union Government, and through his important role in the economic policies of the regime, Win Shein is responsible for undermining democracy and the rule of law in Myanmar/Burma.	21.6.2021

	Name	Identifying information	Reasons	Date of listing
40.	Tin Aung San	<p>Date of birth: 16 October 1960; Nationality: Myanmar/Burma; Gender: male; National ID: 12/La Ma Na (N) 89 489</p>	<p>Admiral Tin Aung San is the Commander-in-Chief of the Myanmar Navy. He has also served as the Minister of Transport and Communication since 3 February 2021, and as Deputy Prime Minister since 1 February 2023. He is a member of the State Administration Council (SAC).</p> <p>On 1 February 2021, the Myanmar Armed Forces (Tatmadaw), led by Commander-in-Chief Min Aung Hlaing, staged a coup in Myanmar by setting aside the results of the elections held on 8 November 2020 and by overthrowing the democratically elected government. As part of the coup, Vice-President Myint Swe, functioning as Acting President, declared a state of emergency on 1 February 2021 and transferred the legislative, executive and judicial powers of the state to the Commander-in-Chief of Defence Services Senior General Min Aung Hlaing. On 2 February 2021, the SAC was established to exercise those powers, preventing the democratically elected government from fulfilling its mandate.</p> <p>As a Government Minister of Transport and Communication, he is responsible for communication and networks and thus makes decisions and implements policies that define the freedom of access to data online. Since he took over the ministry, there have been numerous shutdowns and deliberate slowdowns of the internet, as well as orders for providers to prevent Facebook, Twitter and Instagram online. In January 2022, a new draft of the cyber security bill was circulated, which allows for the abuse of surveillance technology in order to monitor and target individuals, and thus to suppress their freedom of expression as well as access to information. He is therefore directly responsible for limiting press freedom and access to information online, as well as for violating the right to privacy of the Myanmar people. In so doing, he is undermining democracy and rule of law in Myanmar/Burma.</p> <p>Being a member of the SAC, Tin Aung San has been directly involved in and responsible for decision making concerning state functions and is therefore responsible for undermining democracy and the rule of law in Myanmar/Burma. He is also directly responsible for the repressive decisions taken by the SAC, including legislation that violates human rights and limits the freedoms of the citizens of Myanmar, and for the serious human rights violations committed by the Myanmar security forces.</p>	21.6.2021

	Name	Identifying information	Reasons	Date of listing
41.	Thida Oo (a.k.a. Daw Thida Oo)	Nationality: Myanmar/Burma; Gender: female	<p>Thida Oo has been the Attorney-General of the Union of Myanmar since 2 February 2021, when she was appointed by the Commander-in-Chief of the Myanmar Armed Forces (Tatmadaw) Min Aung Hlaing. She is a member of the Myanmar Investment Commission (MIC).</p> <p>On 1 February 2021, the Myanmar Armed Forces (Tatmadaw), led by Commander-in-Chief Min Aung Hlaing, staged a coup in Myanmar by setting aside the results of the elections held on 8 November 2020 and overthrowing the democratically elected government. As part of the coup, Vice-President Myint Swe, functioning as Acting President, declared a state of emergency on 1 February 2021 transferring the legislative, executive and judicial powers of the state to the Commander-in-Chief of Defence Services Senior General Min Aung Hlaing. On 2 February 2021, the State Administration Council (SAC) was established to exercise those powers, preventing the democratically elected government from fulfilling its mandate. In July 2022, Oo took part in the case brought before the International Court of Justice (ICJ) in which she testified against the accusation of genocide of the Rohingya population and defended the junta.</p> <p>Thida Oo has been part of the government that emerged from the coup since its first day, using the power granted by the 2010 Attorney General of the Union Law to pursue politically motivated trials and subsequent arbitrary detention and to act as an enabling force for the abuses committed by the military regime. She is therefore engaged in actions and policies undermining democracy and the rule of law in Myanmar/Burma, as well as actions that threaten the peace, security and stability of Myanmar/Burma.</p>	21.6.2021
44.	Aung Naing Oo	<p>Date of birth: 13 October 1962 or 9 June 1969;</p> <p>Nationality: Myanmar/Burma;</p> <p>Place of birth: Kyaukse, Mandalay, Myanmar/Burma;</p> <p>Gender: male;</p> <p>Address: L 103, Kenyeikthar Lane 6, FMI city, Yangon, Myanmar/Burma;</p> <p>Passport number: DM002656;</p> <p>National ID: 7/PaKhaNa (Naing) 13345; 5/SaKaNa (Naing) 017289</p>	<p>Aung Naing Oo has been the Minister of Commerce since 19 August 2022. He was the minister for Investment and Foreign Economic Relations from 2 February 2021 until 18 August 2022. He was appointed by the State Administrative Council (SAC), led by Commander-in-Chief Min Aung Hlaing, which took over the legislative, executive and judicial powers of the State as of 2 February 2021.</p> <p>As Government Minister, he forms part of the military regime which seized power during a military coup and overthrew legitimately elected leaders in Myanmar/Burma. As Minister for Investment and Foreign Economic Relations, he was in charge of facilitating business and investments in Myanmar/Burma and therefore contributes to securing the financial needs of the military regime. In his statements and acts, he has publicly supported the coup and the military regime, including by stating that the international media exaggerated the crisis and also insisting that the civil disobedience movement is coming to an end. Additionally, he barred executives of foreign telecommunications firms from leaving the country without permission and dismissed protesting civil servants from the Ministry in February 2021. Therefore, his actions, policies and activities undermine democracy and the rule of law in Myanmar/Burma, and he is engaged in actions that threaten the peace, security and stability of Myanmar/Burma.</p>	21.2.2022

	Name	Identifying information	Reasons	Date of listing
46.	Thet Thet Khine	<p>Date of birth: 19 August 1967;</p> <p>Nationality: Myanmar/Burma;</p> <p>Place of birth: Mogok, Myanmar/Burma;</p> <p>Gender: female;</p> <p>Address: 127A Dhamazadei Road, Kamayut, Yangon, Myanmar/Burma;</p> <p>Passport number: MB132403 (Myanmar/Burma) issued 7 May 2015, expires 6 May 2020;</p> <p>National ID: 9MAKANAN034200</p>	<p>Thet Thet Khine has been the Minister of Social Welfare, Relief and Resettlement since 4 February 2021. She was appointed by the State Administrative Council (SAC), led by Commander-in-Chief Min Aung Hlaing, which took over the legislative, executive and judicial powers of the State as of 2 February 2021.</p> <p>She has repeatedly supported the coup publicly. As Government Minister, she forms part of the military regime which seized power during a military coup and overthrew legitimately elected leaders in Myanmar/Burma. In her statements and acts, she has publicly supported the coup and the military regime, including her statement that the military staged the coup in response to electoral fraud. Additionally, she dismissed that the military committed genocide against the Rohingya population. Therefore, she is engaged in and provides support to actions and policies undermining democracy and the rule of law in Myanmar/Burma, as well as actions that threaten the peace, security and stability of Myanmar/Burma.</p>	21.2.2022
64.	Ni Lin Aung	<p>Nationality: Myanmar/Burma;</p> <p>Gender: male</p>	<p>Major General Ni Lin Aung has been working in the Eastern Central Command since August 2022. He is the former Commander of the Eastern Command of the Myanmar Armed Forces (Tatmadaw). Part of the jurisdiction of the Eastern Command is the State of Kayah. In an attack on 24 December 2021 near Moso village in Phruso township, Karenni (Kayah) State, at least 35 persons were killed, among them civilians, children and two humanitarian aid workers of the NGO Save the Children. The Tatmadaw is held responsible for the attack. In his position as Commander of the Eastern Command, Major (formerly Brigadier) General Ni Lin Aung directly commanded the units in the State of Kayah, including those responsible for that massacre. Major General Ni Lin Aung is therefore responsible for serious human rights violations and engaging in actions that threaten the peace, security and stability of Myanmar/Burma.</p>	21.2.2022

	Name	Identifying information	Reasons	Date of listing
65.	Aung Zaw Aye (a.k.a. U Aung Zaw Aye)	Nationality: Myanmar/Burma; Gender: male	<p>Lieutenant General Aung Zaw Aye has been the Shan State chief minister since February 2023. He is the former Commander of the Bureau of Special Operations No 2 of the Myanmar Armed Forces (Tatmadaw).</p> <p>In a military attack on 24 December 2021 near Moso village in Phruso township, Karenni (Kayah) State, at least 35 persons were killed, among them civilians, children and two humanitarian aid workers of the NGO Save the Children. The Tatmadaw is held responsible for the attack. In his position as commander of the Bureau of Special Operations 2, Lt. Gen. Aung Zaw Aye was in command of the Eastern Command, which directly commands the military units active in the State of Kayah, including those responsible for that massacre. Lt. Gen. Aung Zaw Aye is therefore responsible for serious human rights violations and for engaging in actions that threaten the peace, security and stability of Myanmar/Burma.</p>	21.2.2022
71.	U Than Swe (a.k.a. Than Swe)	Date of birth: 1957 or 1965; Nationality: Myanmar/Burma; Gender: male	<p>U Than Swe has been the Union Foreign Minister since February 2023. He is the former Chair of the Anti-Corruption Commission, appointed by the State Administrative Council (SAC) from 19 August 2022 until February 2023.</p> <p>The Anti-Corruption Commission, then under U Than Swe's leadership, has implemented policies with the aim of legitimising the military coup, including its involvement in proceedings against democratically elected leaders, such as bringing corruption charges against State Counsellor Daw Aung San Suu Kyi. Therefore, in his capacity as Chair of the Anti-Corruption Commission, U Than Swe was engaged in activities and policies that undermine democracy and the rule of law in Myanmar/Burma.</p>	8.11.2022'

(2) the entry for the following entity in the list headed 'B. Legal persons, entities and bodies referred to in Article 4a' is replaced by the following:

	Name	Identifying information	Reasons	Date of listing
5.	Forest Products Joint Venture Corporation Limited	<p>Address: 422/426, Rm 2, 2nd Flr, Strand Rd., Corner of Botahtaung Pagoda St., FJVC Center, Ward (4), BTHG;</p> <p>52/66, Rm 2, 3rd Flr, Botahtaung Pagoda St., Lower Block, Botahtaung Township, Yangon, Myanmar;</p> <p>Type of entity: Joint Venture;</p> <p>Place of registration: Myanmar;</p> <p>Phone number: 01-9010742; 01-9010744; 09-443250050;</p> <p>Email: fjv.md@gmail.com</p>	<p>Forest Products Joint Venture Corporation Limited (FPJVC) operates in the timber industry in Myanmar processing teak and hard wood. Despite being a public company, FPJVC is controlled by the State, which (i) holds the majority of FPJVC's shares through the Ministry of Natural Resources and Environmental Conservation (MONREC) (10 %) and the state-owned Myanma Timber Enterprise (MTE) (45 %), and (ii) has the right to appoint the majority of the members of the Board of Directors of FPJVC (with three members appointed by each of MONREC and MTE, respectively, out of 11 members).</p> <p>On 1 February 2021, the Myanmar Armed Forces (Tatmadaw), led by Commander-in-Chief Min Aung Hlaing, seized power from the civilian legitimate Government in a coup d'état and established the State Administration Council (SAC) to exercise the legislative, executive and judicial powers of the State. On 2 February 2021, the military regime appointed a new cabinet, including a new minister for Natural Resources and Environmental Conservation (MONREC). Through the SAC and the new cabinet, the military regime acquired control over and benefits from state-owned enterprises, including FPJVC. FPJVC is thus controlled by and generates revenue for the Tatmadaw, therefore contributing to its capabilities to carry out activities undermining democracy and the rule of law.</p>	21.6.2021'