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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL IMPLEMENTING REGULATION implementing Regulation (EU) No 401/2013 concerning restrictive measures in view of the situation in Myanmar/Burma

COUNCIL IMPLEMENTING REGULATION (EU) 2024/...

of ...

**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 194/2008¹, and in particular Article 4i thereof,

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

¹ OJ L 121, 3.5.2013, p. 1.

Whereas:

- (1) On 2 May 2013, the Council adopted Regulation (EU) No 401/2013.
- (2) On 31 January 2023, the High Representative of the Union for Foreign Affairs and Security Policy issued a declaration on behalf of the Union strongly condemning the overthrow of Myanmar's democratically elected government by the Myanmar armed forces in blatant violation of the will of the people as expressed in the general election of 8 November 2020. That illegitimate act reversed the country's democratic transition and led to disastrous humanitarian, social, security, economic and human rights consequences.
- (3) The Union remains deeply concerned by the continuing escalation of violence in Myanmar/Burma and the evolution towards a protracted conflict with regional implications. The Union condemns the continuing grave human rights violations by the Myanmar armed forces, including torture, sexual and gender-based violence, the persecution of civil society actors, human rights defenders and journalists, and attacks on the civilian population, including ethnic and religious minorities.
- (4) In the absence of swift progress in the situation in Myanmar/Burma, the Union has expressed several times its readiness to adopt further restrictive measures against those responsible for undermining democracy and the rule of law and for the serious human rights violations taking place in that country.

- (5) In view of the continuing grave situation in Myanmar/Burma, three persons and one entity should be added to the list of natural and legal persons, entities and bodies subject to restrictive measures in Annex IV to Regulation (EU) No 401/2013.
- (6) 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 date 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 ..., ...

For the Council

The President

ANNEX

Annex IV to Regulation (EU) No 401/2013 is amended as follows:

(1) the following entries are added to the list in Section A (Natural persons referred to in Article 4a):

	Name	Identifying information	Reasons	Date of listing
'104.	Saw Chit Thu (a.k.a. Saw San Myint, Maung Chit Thu, Chit Thu)	Nationality: Myanmar/Burma; Place of birth: Inn village, Hlaingbwe, Karen State, Myanmar/Burma; Gender: male; Rank: Colonel; Associated entity: Chit Linn Myaing Group	Colonel Saw Chit Thu is a Karen/Kayin warlord and businessperson. He is a founding member and the Secretary General of the Karen/Kayin Border Guard Forces (BGF)/Karen National Army (KNA), an armed group affiliated with the Tatmadaw (the Myanmar Armed Forces). Under Chit Thu's leadership, the BGF/KNA is responsible for human rights violations and abuses against civilians in its operations areas, including scam compounds like Shwe Kokko. The compounds are regional hubs for transnational crime, including online fraud, drugs and human trafficking. The scam compounds are experiencing massive human rights violations, including forced labour and torture, thus threatening the peace, security and stability in Myanmar/Burma. To control the scam compounds, the BGF/KNA collaborates with the Tatmadaw, for example by informing the Tatmadaw about opponents of the government and by forcefully recruiting soldiers, thus further contributing to threatening the security and stability of Myanmar/Burma.	+

+ OJ: please insert the date of publication of this Regulation.

	Name	Identifying information	Reasons	Date of listing
			<p>Saw Chit Thu is the founder and former chairman of Chit Linn Myaing Group (CLM), a group of companies run by his family in cooperation with the BGF, also involved and gaining profit from Shwe Kokko. Since 2017, Saw Chit Thu is developing Yatai New City in Shwe Kokko in cooperation with Yatai International Holding Group.</p> <p>As founding member and Secretary General of the BGF/KNA and due to his involvement in the scam compounds, Saw Chit Thu is responsible for serious human rights violations in Myanmar/Burma and is furthermore engaged in actions that threaten the peace, security and stability of Myanmar/Burma. He is furthermore associated with the Myanmar Armed Forces (Tatmadaw).</p>	

	Name	Identifying information	Reasons	Date of listing
105.	Mote Thun (a.k.a. Saw Mote Thun, Mote Thone)	Nationality: Myanmar/Burma; Gender: male; Rank: Lieutenant Colonel; Function: Deputy Secretary General of the Karen/Kayin Border Guard Forces/Karen National Army (BGF/KNA); founding member of the Karen/Kayin BGF; Associated individual: Saw Chit Thu	Lieutenant Colonel Mote Thun is a founding member and the Deputy Secretary General of the Karen/Kayin Border Guard Forces (BGF/Karen National Army (KNA), an armed group affiliated with the Tatmadaw (Myanmar Armed Forces). He is particularly powerful in the South of Myawaddy township at the Thai-Myanmar border, where many scam centres are located. Key compounds under Mote Thun's control include Wan Kuok-Koi's (a.k.a. Broken Tooth) and Dongmei Zone. Mote Thun is also involved in the KK Park Project. The compounds are regional hubs for transnational crime, including online fraud, drugs, human trafficking. The scam compounds are experiencing massive human rights violations, including forced labour and torture, thus threatening peace, security and stability in Myanmar/Burma. To control the scam compounds, the BGF/KNA collaborates with the Tatmadaw, for example by informing the Tatmadaw about opponents of the government and by forcefully recruiting soldiers, thus further contributing to threatening peace, security and stability of Myanmar/Burma. As a founding member and Deputy General Secretary of the BGF/KNA and due to his involvement in the scam compounds, Lieutenant Colonel Mote Thun is responsible for serious human rights violations in Myanmar/Burma and is furthermore engaging in actions that threaten peace, security and stability of Myanmar/Burma. He is furthermore associated with the Myanmar Armed Forces (Tatmadaw).	+

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	Name	Identifying information	Reasons	Date of listing
106.	Tin Win (a.k.a. Saw Tin Win)	Nationality: Myanmar/Burma; Gender: male; Rank: Major; Function: Direct subordinate to Colonel Saw Chit Thu in Karen National Army (KNA), former member of Border Guard Forces; Associated individual: Saw Chit Thu	<p>Major Tin Win is a direct subordinate to Colonel Saw Chit Thu in the Karen/Kayin Border Guard Forces (BGF)/Karen National Army (KNA), an armed group affiliated with the Tatmadaw (Myanmar Armed Forces).</p> <p>Under the direct command of Colonel Saw Chit Thu, Tin Win supports and benefits from scam compounds near Myawaddy, such as Shwe Kokko, the KK Park Project and the Huanya Project. These are major regional hubs for transnational crime, including online fraud, drug and human trafficking. The scam compounds are experiencing massive human rights violations, including forced labour and torture, thus threatening the peace, security and stability in Myanmar/Burma.</p> <p>To control the scam compounds, the BGF/KNA collaborates with the Tatmadaw, for example by informing the Tatmadaw about opponents of the government and by forcefully recruiting soldiers, thus further contributing to threatening the security and stability of Myanmar/Burma.</p> <p>In his role in the BGF/KNA and due to his involvement in scam compounds, Major Tin Win is responsible for serious human rights violations and is furthermore engaged in actions that threaten peace, security and stability of Myanmar/Burma. He is furthermore associated with the Myanmar Armed Forces (Tatmadaw).</p>	+

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(2) the following entry is added to the list in Section B (Legal persons, entities and bodies referred to in Article 4a):

	Name	Identifying information	Reasons	Date of listing
‘22.	Chit Linn Myaing Group (CLM)	<p>Place of registration: Myanmar/Burma;</p> <p>Principal place of business: Shwe Kokko, Myawaddy Township, Myawaddy District, Kayin State, Myanmar/Burma</p>	<p>Chit Linn Myaing Group (CLM) is a group of companies controlled by Colonel Saw Chit Thu, who is a founding member and Secretary General of the Karen/Kayin Border Guard Forces (BGF)/Karen National Army (KNA), an armed group affiliated with the Tatmadaw (Myanmar Armed Forces), and his family. CLM is involved and profits financially from activities in scam compounds, controlled by the BGF/KNA, in the area of Myawaddy township (Thai-Myanmar border), including, among others, the city of Shwe Kokko. Shwe Kokko is a hub for transnational crime, including online fraud, drug and human trafficking. The scam city is experiencing massive human rights violations, including forced labour and torture, thus threatening the peace, security and stability in Myanmar/Burma.</p> <p>To control the scam compounds, the BGF/KNA collaborates with the Tatmadaw, for example by informing the Tatmadaw about opponents of the government and by forcefully recruiting soldiers, thus further contributing to threatening the security and stability of Myanmar/Burma.</p> <p>Therefore, Chit Linn Myaing Group is engaged in actions that threaten peace, security and stability of Myanmar/Burma and is furthermore benefiting from the Myanmar Armed Forces. Chit Linn Myaing Group is associated with the Myanmar Armed Forces (Tatmadaw).</p>	+’.

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