



GAS COMPANIES, PAYMENTS AND THEIR WORKERS - PRIORITISING SAFETY OR MAKING EXCUSES?

November, 2021

“

I think this is just an excuse. The killings and arrests happen everyday anyway.



KEY FINDINGS

Workers from Total and its subcontractors:

1

Feel pressured by their employers not to join the Civil Disobedience Movement (CDM).

2

Consider that Total is not taking enough action to stop payments.

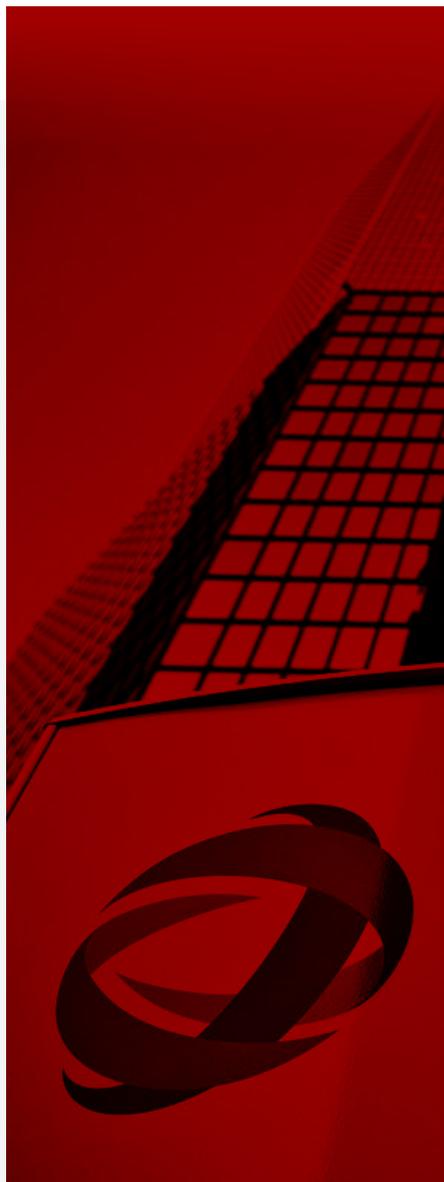
3

Consider that Total's concerns over staff safety are either an excuse or do not justify continued payments to the regime.

4

Prioritize stopping payments the regime over production and electricity supply.

No workers from Total or its subcontractors agreed with Total's decision to prioritise continued production or its decision to make payments in order to protect the workers.



BACKGROUND

Gas revenues comprise approximately 50% of the foreign revenue streams accessible to the military regime.¹ The Myanmar government forecast revenues of USD 1.54 billion in 2021-22.² These revenues are paid to a state-owned enterprise, the Myanma Oil and Gas Company (MOGE) whose bank accounts are now controlled by the military regime.³

Civil society organisations⁴ and elected lawmakers in the Committee Representing the Pyidaungsu Hluttaw (CRPH)⁵ have demanded that gas companies such as Total, Chevron and Posco International pay these revenues into protected accounts that the regime cannot access. The National Unity Government has now demanded that they be sanctioned.⁶ Notably, these calls are not for production to stop.

Total and Chevron have both stated that if they cease making payments, Myanmar project staff would be in danger. Total's Chief Executive Officer wrote that "if we decide to stop production in protest against the situation in Myanmar, we would be putting our employees in terrible danger" and that the junta would "not hesitate to force our employees to produce gas by forced labour."⁷ Total operates the project and has approximately 300 Myanmar employees with others workers employed by sub-contractors such as Atalian Global Services Ltd.. Chevron is understood not to have employees in Myanmar as its joint venture is operated by Total.

This report interviewed workers from Total and its sub-contractors and records their views. Some of these workers had joined the Civil Disobedience Movement (CDM) that has sought to prevent the regime from taking full control of the government and to restrict its access to financial resources. The interviews follow media coverage of Myanmar gas sector workers.⁸ This coverage has recorded staff being forced to resign as well as Total's rejection of a petition by dozens of workers at the Yadana facility calling on to suspend payments to the junta as requested by CRPH.

¹ Based on revenues disclosed as part of the Myanmar Extractive Industries Transparency Initiative (EITI) process.

² See gas revenues forecast by the Ministry of Planning, Finance and Industry for financial year 2021-22.

³ MOGE is a department of the Ministry of Electricity and Energy (MOEE) and has no independence from the MOEE 'minister' now appointed by the regime.

⁴ <https://earthrights.org/wp-content/uploads/Myanmar-CSO-Call-Concerning-Revenue-Payments.pdf>

⁵ The Committee Representing the Pyidaungsu Hluttaw (CRPH) sent letters to the gas companies on 5 March 2021 demanding that payments stop, available at: <https://www.facebook.com/crph.official.mm/photos/pcb.135564211902892/135563168569663>

⁶ Myanmar's ambassador to the United Nations asked the U.S. Congress to put sanctions gas revenues, available at: <https://www.reuters.com/world/asia-pacific/myanmars-un-envoy-tells-us-lawmakers-more-sanctions-needed-2021-05-04/>

⁷ Published on April 4 in Le Journal du Dimanche.

⁸ https://newnaratif.com/journalism/in-myanmar-offshore-gas-workers-weigh-strikes-to-cut-junta-funds/share/znggfheehfpe067e13beae98404cdfb7a-d44a59916d/?fbclid=IwAR3jUww8-_6vd6iMVR6GURyZ4lYdQ57K_Vs88l2wzgbYWF8iLQesBZzM5EY and <https://www.myanmar-now.org/en/news/french-oil-giant-still-bankrolling-myanmar-junta>

TOTAL

METHODOLOGY

10 workers were interviewed separately in person in their first language (Burmese or Tavoyan). Workers were identified through a snowballing method. They were all asked a series of questions through qualitative interviews and their answers were noted down. Eight of the interviewees have worked for Total or its subcontractors for five or more years, and five of them have done so for at least 10 years. The workers are all employed at the facilities that comprise the Yadana platform and pipeline in which Chevron and Total are the two largest participants/shareholders (with 28% and 31% respectively). Total operates the Yadana platform and pipeline. The high risks faced by both the interviewees (who mainly come from tightly-knit communities around the Yadana facilities) and the interviewer mean that their anonymity must be maintained. The consistency of responses also meant it was not considered worth the risk of conducting further interviews in order to increase the sample size. Given the small sample size, though, the report does not claim representation of all Total workers.

FINDINGS

Some interviewees described how they or other workers have joined the CDM *“to show the company that the workers want the company not to support the military group. We are showing our will that they should not give their money to SAC [the regime].”* Others raised concerns that this was ineffective because production still continued. One worker thought some workers may think it will be ineffective since *“Total started to operate since the previous military government.”*

INTERVIEWS

1 Total says it would put you or your colleagues in danger of going to prison or forced labor if it stopped payments - what do you say to this?

None of the interviews considered that safety concerns justified payments to the regime. One interviewee succinctly said *"I don't think that's going to happen...If the project stops, the staff will stop working."* Another said *"I think this is just an excuse. The killings and arrests happen every day anyway."* Only one interview noted that production staff could be pressured, with two stating that if it happened, they would face it together.

Another acknowledged that *"Total always prioritized the safety of the workers"* but added that *"the violence act done by SAC will target not only to Total. They are also being violent to Civil Servants who are on CDM and who are against the military coup. We will be the same since everybody faces the same situation."*

2 Do you feel that your employer has pressured you to keep working? If so, why?

Nine of the 10 interviewees answered that they had either felt pressure to continue working or heard that some workers had been made (by a subcontractor) to sign "apology letters" for not attending work.

3 Do you think Total is doing enough to stop revenues from the Yadana reaching the military?

Seven workers did not consider that Total was doing enough, with three stating that they did not know. One interviewee said:

"Total only prioritized its business. I heard that Japanese companies stopped their works with SAC"

Another said:

"If they actually want to stop, they can stop the production. If the junior staffs do CDM, they will be pressured and in the end, can lose their jobs. Since the production does not stop, I think it is not worth it [joining CDM]."

INTERVIEWS

4

Do you considered it is important to continue to provide electricity even if that means revenues go to the military?

All interviewees considered that stopping revenues should be the priority:

"We have lived our whole life without electricity. It doesn't matter if it's cut for about a year."

"It is just an excuse. In our villages, there is not electricity yet. It is more important that the SAC [the regime] lost power."

"It has not been long since we had electricity here. It has been almost 30 years since Total operates here."

CONCLUSION

Total's position is that it cannot stop payments as its staff would be put in danger. This appears to be an acknowledgement of extortion. Workers employed by Total and its subcontractors consistently and firmly disagreed with Total's position, instead highlighting the importance of stopping payments. This is consistent with the position taken by Myanmar civil society and elected lawmakers. The workers considered either that risks cited by Total were "an excuse" or did not justify continued payments. Workers universally considered that cutting off funds to the regime was more important than ensuring a supply of electricity. In short, none of the interviewed workers supported the actions taken by Total, despite Total highlighting loyalty to its workers as a reason for continuing to make payments. This may reflect that these workers likely identify not as employees, but as community members or family members and understand that *"we will be the same since everybody faces the same situation"* and all stand to suffer from a well-funded junta.