Myanmar Legal/Regulatory and Investment Newsletter
August 2023

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Legal/regulatory developments

New IRD forms for DTA claims. The Internal Revenue Department has released another raft of new forms, in Notification 108/2023, this time in relation to making claims for tax exemptions under Double Taxation Agreements (DTA). Any foreign suppliers who are domiciled in a country that has a DTA with Myanmar for whom this might be a relevant issue should be aware that an application for a tax exemption under a DTA has to be made before the relevant revenue is transferred to the supplier and relevant withholding (or other) tax is withheld and paid. Once the tax is remitted to the IRD it's too late to claim a DTA exemption and you won't be able to get the tax refunded.

Feel free to get in touch with us at contact@calibrecs.com if you would like to discuss assistance with applying for a tax exemption under a DTA.

https://www.facebook.com/photo/?fbid=654955569999361&set=pcb.654956989999219

New commodity price committee formed. The SAC formed a new Union-level steering committee for the stabilization of commodity prices on 27 July under Notification 114/2023. The committee is chaired by Minister of Commerce U Aung Naing Oo. The committee's main role is to try to stabilize the prices of dry groceries and staple foods, maintain a balance between domestic production and consumption, and try to address high freight rates. This will extend to monitoring market abuse and price manipulation in relation to staple foods, and trying to promote/support the agriculture and livestock sectors and business initiatives to enhance domestic production.

In related developments, the Myanmar Rice Federation has commenced selling rice reserve stocks at lower prices to low income workers to help alleviate increasing domestic rice prices; and the government press is acknowledging that exchange rate issues are placing the price of imported medicines out of the reach of many Myanmar people.

The economic situation continues to worsen for the poor and lower income sectors of Myanmar society – who always bear the brunt of periods of instability. The objectives of the new steering committee unfortunately look to primarily comprise generalized goals, with no indication of how, when or if those goals can be achieved. Saying something out loud doesn't automatically make it happen, regardless of who says it. And committees always tend towards inefficiency. We hope that this committee can achieve something meaningful to alleviate the growing pressure on vulnerable sectors of the community. But while governance in Myanmar continues to be largely a 'policy-free zone', it's difficult to be confident of short term improvements.
https://www.gnlm.com.mm/sac-forms-committee-to-monitor-commodity-prices/
https://www.gnlm.com.mm/rising-foreign-currency-prices-drive-soaring-costs-of-foreign-medicines/
https://www.gnlm.com.mm/mrf-to-offer-reserved-rice-at-below-k60000-per-bag/

Union government Cabinet reshuffle. Following the extension of the state of emergency for a further six months on 1 August, and the contemporaneous retirement of a number of Union-level Ministers and senior public officials, the Union Government announced the new Cabinet line-up on 3 August in Order No. 61/2023, and separately announced changes in other senior positions, which include replacements of the Chief Justice of the Union Supreme Court, Union Auditor-General and Chairman of the Anti-Corruption Commission.

The re-shuffling of the Cabinet positions includes changes to the key Ministries of Home Affairs, Defence, Transport and Communications, Energy and Electric Power. Lieutenant-General Yar Pyae is the new Minister for Home Affairs. Admiral Tin Aung San and General Mya Tun Oo have swapped jobs, with the former now Minister for Defence and the latter taking over Transport and Communications. U Nyan Tun is the new Minister for Electric Power, and U Ko Ko Lwin the new Minister for Energy. Each of these two are new-comers to the Cabinet as far as we can see – although Ko Ko Lwin may have been elevated from a Deputy Minister role in Industry or Planning and Finance. (We try to keep track of who is in what senior roles, but it's sometimes a little hard to keep up with).
https://www.gnlm.com.mm/sac-reshuffles-union-cabinet-under-order-no-61-2023/

Licence cancellations if forex not sold at CBM online rates. The Central Bank of Myanmar (CBM) has announced that exporters and importers making sales/exchanges of foreign currency must transact at the exchange rates set via the online forex trading system launched by the CBM on 22 June. The CBM will negotiate with banks that hold foreign exchange authorized dealer licences to establish processes for scrutinizing the conditions of completed forex sales/exchanges. Any exporters or importers found to have sold/exchanged funds at a rate other than the CBM's online rate will have its export or import licence cancelled, according to the CBM.
https://www.gnlm.com.mm/exporters-importers-face-licence-revocation-over-online-trading-non-compliance/

IRD calls for commercial tax crackdown and offers rewards for reporting breaches. The Internal Revenue Department (IRD) released an announcement on 7 August which:

- Reminds: restaurant owners; hotel/motel owners; media business owners; owners of businesses selling gold and gold products; and owners of businesses selling/servicing mobile phone handsets and related items – that they are obliged to pay commercial tax (CT) and apply CT stickers to payment receipts when making sales.

- States that if a person reports a failure of a business to apply CT stickers to a sales receipt with documentary or “voice record” evidence of the failure, that person will be eligible for a reward in the amount of 30% of the penalty imposed on the relevant business, except where the breach relates to mobile phone handsets, in which case the reward will be in the amount of 20% of the penalty imposed.

- Requests consumers to assist the IRD with compliance by asking businesses to apply CT stickers to receipts at the time of sale.

It’s not clear why the announcement only refers to five categories of businesses – obviously a much broader range of businesses than those listed above are obliged to remit CT to the IRD. There is also no detail on the reward process – where to make a report, when and how the reward will be paid and subject to what conditions, etc. In that respect, this is yet another typically vague and poorly written Myanmar government document – with the lack of clarity probably reflecting that the details of the reward scheme were not actually figured out by the IRD before it was announced - and its effectiveness may be undermined to that extent.

However, whether this scheme is effective or not, it's interesting that the IRD is, in a sense, admitting here that it can’t enforce CT adequately and wants public help to do so. In fact, a big part of the problem is that the IRD does not make any genuine effort to enforce CT. At the level at which this announcement applies, it’s very easy on a daily basis in Myanmar to find businesses that are not charging and paying CT on retail sales. Which means it would be very easy for IRD personnel to do the same thing, and to actually prosecute some offenders to the full extent of the law to make an example of them. But, as far as we know, that has never happened. And the IRD’s underperformance remains a drag on the entire nation’s public finances and associated socio-economic well-being.
https://www.mopf.gov.mm/en/node/16456

CBM allows more use of THB for international payments. On 14 August, the Central Bank of Myanmar (CBM) released Instruction No. 11/2023 which provides that authorised dealer banks (i.e. banks with foreign exchange licenses) are permitted to use Thai Baht (THB) to carry out international payments. The restrictions on the making of international payments, including obtaining prior approval of the Foreign Exchange Supervisory Committee, still apply to THB payments.

Registered importers/exporters have been able to use THB for Thai border trade, and to open THB bank accounts for this purpose, for some time. Broadening out the availability to use THB for international payments is helpful in introducing more flexibility in payment options and alleviating some of the pressure on USD demand. However, the Instruction is a little odd. On our usual ‘legislative hygiene’ bugbear, it’s woefully brief and – at the time of writing – appears to have still only have been circulated on social media. (We can’t find it on the CBM’s website). Further, the Instruction makes no mention of broader access to opening of THB bank accounts with banks in Myanmar. This seems like a very obvious point to address. Myanmar residents are allowed to directly hold USD (and Euro and SGD) in bank accounts. Use of THB for international payments would be more administratively straightforward if payers are able to hold THB in local bank accounts.

CBM flags potential tightening on USD physical cash holdings. The Global New Light of Myanmar has reported that the Central Bank of Myanmar (CBM) issued a public notice on 20 August stating that action will be taken under the Foreign Exchange Management Law against persons who hold foreign currencies without permissions or licence. Once again, at the time of writing we have not seen this “public notice” on the CBM’s website. And in this instance, we are yet to see it at all, even circulating on social media….

The public notice apparently refers to rule 15 of the Foreign Exchange Management Rules 2014. Rule 15 states that: “*A resident of Myanmar has the right to hold in their hand the amount of up to US$10,000 or its equivalent legitimately obtained for six months from the date of the receipt of it. Unused amounts of foreign currency beyond six months shall be sold or converted at foreign exchange business license holder or credited to his bank account.*” While this restriction has been in regulations for some time, to the best of our knowledge it has not been enforced in the past (other than where commercial banks use it as an excuse to limit the amount of USD cash withdrawals).

The restriction is expressed to only apply to holdings of physical cash, not to bank deposits. The kicker in the current circumstances, however, is the risk of compulsory conversion of foreign currency bank deposits at CBM rate being reintroduced for most companies, including non-MIC foreign-owned companies.

The CBM public notice apparently also contains a reminder that under section 9 of the Foreign Exchange Management Law only holders of foreign exchange dealing licences can undertaken foreign currency transactions within Myanmar, and then only in relation to cash and cash and traveller's cheques.
https://www.gnlm.com.mm/cbm-urges-public-not-to-keep-foreign-currencies-without-permission/

Investment news

UK department store bans Myanmar gems. Burma Campaign UK (BCUK) has been crowing about having pressured UK department store chain John Lewis Partnership, to stop selling gem products sourced from Myanmar. BCUK's release on the matter states that it wrote to 40 retailers asking them to make sure that if they sell gems sourced from Myanmar they take steps to ensure that the production of the gems has not benefitted the Tatmadaw. John Lewis and TJC, a large UK TV shopping channel and online jewellery retailer – which has also stated that it will stop selling gems sourced from Myanmar - were apparently the only retailers out of the 40 to take any steps in response to BCUK's correspondence.

Two out of 40 is not exactly a strike rate to brag about. But it is a still a concerning trend and development that might signal yet another line of cancelling and boycotting Myanmar and pressuring its economy.
https://burmacampaign.org.uk/john-lewis-to-stop-sourcing-gems-from-burma/

Wa State mining ban kicks in. We posted back in April about reports that authorities in the Wa Self-Administered Division (WSAD) issued a directive stating that all mining activities in the WSAD must cease by 1 August to allow for activities to protect remaining mineral resources and establish a more formal structure for regulation of mining activities in the WSAD. The International Tin Association (ITA) announced on 3 August that it has confirmed that the WSAD's mining ban did in fact commence on 1 August (which was a public holiday in Myanmar) and mines in Wa State closed on that day.

It is estimated that the WSAD provides around 10% of global tin concentrate supply, and close to 80% of China's tin concentrate supply. Prices of tin on the London Metals Exchange jumped around 3% on 3 August following the ITA's confirmation. However, some commentators have stated that the ban's short-term impact had been priced in, and tin smelters in China have stockpiled enough tin to ensure that they still have immediate supply. The effects of the ban on tin supply and tin prices are therefore likely to be felt most in the medium to long term.

We haven't seen anything about the progress of the WSAD's stated aim of using the ban to establish a more formal regulatory framework for mining. We therefore don't have any insight into how long the ban is likely to last – it may be that a new regulatory framework that allows most of the WSAD's mineral production to recommence will be introduced fairly quickly.
https://www.marketscreener.com/news/latest/Tin-rises-on-confirmation-of-mining-ban-in-Myanmar--44502636/

Myanmar foreign trade volumes continue to tick downwards. The Ministry of Commerce recently announced high level foreign trade figures for the four month period from April to July 2023. Total trade volumes were US$11 billion for the period, but were down US$35 million compared with the same period last year. The total export value for the period were US$5.094 billion, while the total import value was US$5,907 billion – meaning there was also an approximately US$900 million trade deficit for the period.
https://www.gnlm.com.mm/myanmars-foreign-trade-slumps-to-over-us11-bln-last-four-months/

India Railways has ambitions of linking to Myanmar rail network. The Ministry of Railways in India recently granted approval for the undertaking of a final location survey for planning a railway line route via the 223 km stretch between Sairang (near Aizawl) and Hbichhuah in Mizoram State, the latter of which is situated near the Myanmar border. A final location survey is apparently also underway for a route between Imphal and Moreh in Manipur State – with Moreh being the border town on the Indian side of the Tamu border crossing in Sagaing Region.

These surveying initiatives are part of ambitions to link the Indian rail network to Myanmar's transport infrastructure to further enhance connectivity to North-east India. The Sairang-Hbichhuah link, if constructed, could link to the Kaladan multi-modal transport project that links Kolkata, Sittwe and Aizawl via Paletwa. We can't actually find Hbichhuah on a map, but some reports on this story contain diagrams indicating that it's in southern Mizoram, north of Kyauktaw in Rakhine.

Tamu, along with being the main border trade between Myanmar and India, was also previously the subject of a Myanma Railways plan to link Myanmar's rail network to the Indian border by extending the railway line from Kaleymyo to Tamu. We're not certain, but we understand that it may be the case the Myanma Railways acquired, and still holds, the land for that proposed route. If so, along with the proximity of existing railway line at Kaleymyo (albeit in need of upgrading), the existing land rights would make construction of an extension to Tamu much more feasible (current security issues aside).

No such benefits exist on the Myanmar side of the border for rail connecting with the Kaladan project. There is, or was, a rail line between Sittwe and Kyauktaw in Rakhine. From Kyauktaw, the line was supposed to turn east and connect with Minbu via Mrauk-U (again, we understand that Myanma Railways may own the land footprint, although the line was never built). But as far as we know, there are no relevant railways land holdings or infrastructure north of Kyauktaw.
https://www.dhakatribune.com/world/south-asia/322088/indian-railways%E2%80%99-ambitious-plan-to-link-mizoram-to

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Australian government body unfairly criticizes Mallee Resources for its Bawdwin JV exit. For full disclosure, Mallee Resources (MR) is a client of Mission Legal. We worked on setting up the Bawdwin JV in 2018, and on taking it apart again in 2021/22.

The Australian National Contact Point for Responsible Business Conduct (AusNCP), an Australian government body, has released its final report on a complaint filed in September 2021 by an NGO regarding MR's participation in a JV with two Myanmar companies for the re-development and re-commencement of the historic Bawdwin mining project in Myanmar.

The adverse findings regarding MR seem to be that: (i) it did not have an adequate human rights policy in place and did not undertake human rights due diligence prior to its investment in Myanmar; and (ii) it did not seek to prevent or mitigate potential adverse human rights impacts that it may have contributed to or been directly linked with after the sale of its interest in the Bawdwin JV.

Notably, the report also finds that the activities of the Australian government trade promotion organization, Austrade, in promoting investment in Myanmar during the 2017 to 2021 period made insufficient reference to the importance of undertaking human rights due diligence and provided little guidance to Australian enterprises on how to access relevant resources on socially responsible business conduct.

While MR's exit from the Bawdwin JV was widely referred to as a 'sale' of its interest, that is not quite accurate - it did not ever actually own the project. One of the local partners always held the permit for Bawdwin. The JV was a contractual JV only. If MR had not exited the JV, it would not have been able to ensure that it controlled the Bawdwin project (since it did not hold the permit) and very likely the JV would have been terminated in due course without any compensation to MR. This could have in turn resulted in insolvency and a significant risk of liability for the directors and officers of MR - as some shareholders would have raised claims that they had breached their directors and officers duties owed to the company and the shareholders by choosing not to negotiate an exit.

The AusNCP report therefore looks as though it reflects some impractical conclusions that don't reflect real world realities. For the findings of the report to constitute something practically applicable, the Australian government would have to legislate an exception to directors and officers duties to allow directors to maintain an investment and conduct human rights due diligence – even where this presents a risk of the company going broke in the process and shareholders losing their investment – without potential liability to directors.
https://www.irrawaddy.com/business/australian-govt-report-slams-mining-firms-links-to-myanmar-junta.html
https://ausncp.gov.au/complaints/complaint-27

UOB further cuts off Myanmar. Nikkei Asia has reported that United Overseas Bank (UOB) sent a confidential communication to Myanmar banks that it deals with last week informing them that from 1 September in relation to transactions in all major currencies it will:

- Restrict all incoming and outgoing payments to and from Myanmar accounts.

- Introduce tough new curbs on Visa card and Mastercard transactions for Myanmar individuals and banks.

- Close Myanmar banks' "nostro" accounts at its Hong Kong branch.

UOB has the longest-standing and deepest ties with Myanmar out of the three big Singaporean banks. Nikkei describes UOB as being "*known as the offshore bank of choice for Myanmar's generals, big corporations and wealthy individuals - as well as many international organizations and foreign investors, particularly those who run Myanmar operations from Singapore*". However, that history has probably in fact made UOB more vulnerable to pressure to distance itself from Myanmar, as further detailed in the Nikkei article.

Some quotes from the Nikkei article:

> "*....UOB's decision....was largely in response to American pressure, combined with Western sanctions and growing international demands for increased oversight of Myanmar-related transactions.*
> *The move follows a series of visits to the city-state in recent months by high-level U.S. representatives.*"
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> "*Many are bracing for similar action by the two other of Singapore's big three banks - OCBC and DBS....*
> *....Myanmar's banks could soon be even more isolated. "It really wouldn't be surprising to see the other two [main Singaporean banks] follow suit, but at this stage, we are really more concerned about a domino effect -- I mean beyond just Singapore."* "

The array of financial restrictions being set up against Myanmar by the US and the balance of the collective West is worse than anything Myanmar faced in the past. The main purpose of FATF blacklisting – in particular when combined with economic sanctions - is to bring about "over-compliance" or the "chill effect", whereby financial institutions choose not to deal with a blacklisted country at all - not because they are prohibited, but because they decide it's not worth the administrative burden and reputational risk. This is exactly what has happened with UOB.

While the US government may have had to directly pressure UOB on this, it remains the case that if UOB – as the foreign bank with the most significant dealings with Myanmar – can reach a decision to largely cut Myanmar off, then any financial institution might do so. While indications that Thai banks remain open to Myanmar at this stage are heartening, the political situation in Thailand remains uncertain. A change of government might still bring a change of policy towards Myanmar, and with it a tightening up of access to Thailand's banking system.
https://www.asiafinancial.com/uob-to-cut-ties-with-myanmar-banks-on-sept-1-nikkei
https://asia.nikkei.com/Spotlight/Myanmar-Crisis/Key-Singapore-bank-UOB-moves-to-cut-off-Myanmar

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Pathein joins the list of airports slated for international upgrade. During a recent tour of Ayeyawady Region, focused on the Pathein area, Prime Minister Senior General Min Aung Hlaing announced that Pathein airport will be upgraded to an international standard, along with upgrading the Pathein-Yangon expressway. These infrastructure development initiatives were announced in conjunction with plans to increase agricultural output from the region.

As we've stated before, we are all for upgrading of transport infrastructure – which is sorely lacking in Myanmar – including by constructing in advance of need/use so that the infrastructure is in place to support business growth (rather than following growth), which is a strategy successfully employed by China. However, given Myanmar's poor track record with transport infrastructure development, there should perhaps be some caution against announcing too many initiatives ahead of demonstrating meaningful progress on some of the earlier projects, lest the gap between announcements and achievements further undermines confidence.
https://www.gnlm.com.mm/elevating-pathein-airport-upgrades-set-to-forge-path-as-an-international-hub/

CBM calls for online gold trading. Governor of the Central Bank of Myanmar (CBM), Daw Than Than Swe, called for the establishment of an online gold trading mechanism to ensure gold price stability at a recent meeting with the Monitoring and Steering Committee on Gold and Currency Market. Daw Than Than Swe also stated that an online gold trading system should be combined with a gold quality certification scheme as a condition for participation.

The CBM Governor also instructed the Committee to inspect whether gold shops are participating in price manipulation and increasing price instability, and whether they are utilizing legal pricing and payment methods.

On 22 June, the CBM launched a compulsory online trading program for foreign exchange transanctions conducted by banks that hold authorised dealer licences. US$6.9 million was traded via the CBM's new online system at MMK2,920/2,922 on the first day of trading. Despite the CBM publicly stating that pricing information would be released daily, we have not seen any further announcements on forex trading rates since 22 June.

The CBM's own announcement on the Monitoring and Steering meeting on its website seems to indicate that the Governor's comments on gold trading were prefaced by extensive self-congratulatory discussion of the operation of the CBM's new online forex trading system. However, given that – at the time of writing – the black market rate for USD exchange is hovering around MMK3,500 and has been moving upwards on a daily basis, we're not sure that congratulations are yet called for. That is not to say that the online forex system has anything to do with the blowout in exchange rates, nor that a compulsory online gold trading system it all a bad idea. But neither is, nor would be, a panacea.
https://www.gnlm.com.mm/cbm-announces-shift-to-online-gold-bar-trading-similar-to-forex-market/
https://www.cbm.gov.mm/sites/default/files/inline-files/GOLD%20news%2012-8-2023.pdf

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Government-owned factories re-opening. Prime Minister Senior General Min Aung Hlaing recently attended the official re-opening of the Newsprint Factory (Thaboung), formerly owned/operated by the Ministry of Industry, which has been re-commissioned by Myanmar Economic Corporation (MEC, which is owned by the Ministry of Defence).

The most interesting reported aspect of the re-opening program (apart from the fact that MEC was able to access natural gas from somewhere to supply the factory) was Min Aung Hlaing's comments regarding government-owned and domestic factories in general. He reiterated views previously expressed that development of Myanmar's economy depends on enhanced domestic industrial capacity and output to provide import substitution and an improved balance of trade. The Senior General also stated that the government is actively working towards bringing various closed factories bank into operation in order to promote domestic manufacturing.

Given the current parlous state of Myanmar's economy, it's not clear that there are a lot of objectively attractive opportunities for investors in the domestic manufacturing sector. However, if you have a long-term outlook and you do see potential, now may be a good time to start looking more closely at specific opportunities.
https://www.gnlm.com.mm/newsprint-factory-thaboung-re-commissioned-into-service/

MRF expects rice export boost. With dry conditions around the region affecting rice production, and India implementing rice export restrictions to support domestic supply, rice prices are surging and the Myanmar Rice Federation is expecting a major increase in Myanmar's rice exports over the balance of this year. Myanmar's rice exports in each of the past two years were valued USD800 million. MRF is targeting exports of USD1 billion in 2023. That target has looked in doubt as rice exports slumped by over 50% year-on-year between April and July. However, the MRF is now anticipating that increased demand and prices will allow the USD1 billion target to be met.

While Myanmar's economy certainly needs the increase forex, given Myanmar's own food security issues at present, here's hoping rice exporters don't get dollar signs in their eyes and cause domestic shortages by overselling.
https://www.bangkokpost.com/business/general/2630662

H&M to cease sourcing from Myanmar. Global fashion retail giant H&M revealed on 17 August that is has decided to gradually stop sourcing from Myanmar, citing increasing reports of labour abuses in garment factories in Myanmar.

H&M is the world's second-largest fashion retailer and has previously stated that it sources directly from 41 garment factories in Myanmar, which factories in total employ almost 42,000 workers. at these factories, according to its website. Presumably H&M is not the exclusive customer of any of those factories, but as a major garment purchaser the withdrawal of its business may put many thousands of jobs at any or all of those factories at risk.

No doubt labour abuses are on the rise in Myanmar in the current difficult circumstances, and we don't support or condone that. At all. But neither do we support fat multi-national behemoths abandoning poor and vulnerable Global South workers when things get a little tough because they can't be bothered with the extra administrative work involved in using their influence as a major customer to try to ensure that their suppliers maintain their labour standards. Which would be the responsible thing for H&M to do….
https://www.reuters.com/business/retail-consumer/hm-says-it-will-phase-out-sourcing-myanmar-2023-08-17/
https://www.irrawaddy.com/news/burma/hms-forced-exit-leaves-42000-myanmar-workers-asking-how-they-will-eat.html

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Bangladeshi State-owned bank freezes Myanmar accounts. Bangladeshi State-owned bank Sonali Bank has reportedly frozen accounts held by Myanma Foreign Trade Bank (MFTB) and Myanmar Investment and Commercial Bank (MICB) following the US implementing economic sanctions against these two Myanmar State-owned banks. The US Embassy in Bangladesh wrote to the Bangladeshi government requesting that the accounts be frozen. However, it's not clear whether this was the catalyst for the move, as the CEO of Sonali Bank has claimed that the accounts were already frozen before the US Embassy's correspondence was passed on to Sonali.

The direct financial impact of the move is limited. Sonali's CEO has stated that the total balances of the relevant accounts amounts to USD1.1 million; and that the CEO is "relieved" that Sonali Bank does not itself have a large amount of funds on deposit with MFTB and MICB.

Nevertheless, the Myanmar government has requested that the account be unfrozen. Sonali has stated that this will not occur while sanctions are in place.
https://www.rfa.org/english/news/myanmar/bangladesh-bank-08162023164740.html
https://www.irrawaddy.com/news/myanmars-crisis-the-world/financial-noose-tightens-on-myanmar-junta-as-us-sanctions-bite-again.html

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Shweli-3 hydropower tender. On 17 August, the Department of Hydropower Implementation (DHI) under the Ministry of Electric Power (MoEP) published an advertisement (Myanmar language only) on the MoEP's website for the tendering of completion of the stalled Shweli-3 hydropower project in Shan State under an IPP/BOT structure.

Shweli-3 was previously being implemented by a consortium led by French power giant EDF, comprising EDF, Marubeni and local company Ayeyar Hinthar. EDF suspended work on Shweli-3 in March 2021 and it appears that the consortium has since formally withdrawn.

Shweli-3 is a major hydropower project, slated to produce 671MW when fully operational. Major infrastructure developments are, of course, more difficult to undertake in most respects than ever in Myanmar's current circumstances. However, given the dire electricity supply situation the MoEP will hopefully be motivated to support anyone up for the challenge and opportunity of finishing the project.

The tender package is available for purchase from the DPI office in Naypyitaw. If you would like assistance with obtaining (and reviewing) the tender documents, please contact us at contact@missionlegalmm.com.

https://www.moep.gov.mm/mm/ignite/contentView/5277
