# 미얀마군부독재와 POSCO인터내셔널의관계

박경신 고려대학교 법학전문대학원 국제인권클리닉 2021.11.19

#### 뉴스데스크

# 대우 인터내셔널등 7개업체 미얀마로 무기시설 몰래 수출 적발[박찬정]

입력 2006-12-06 | 수정 2006-12-06











- 기자: 곡사포는 탱크 등 적의 진격을 차단하는 데 효과적으로 사용되는 현대지상전의 기본 무기입니다. 그런데 대우 인터내셔널과 두산 인프라코어 등 7개 업체는 이 곡사포에 장착되는 대전차포탄 제조기술을 미얀 마로 몰래 수출했다가 적발됐습니다. 현재 군부가 집권중인 미얀마는 방산물자교역이 엄격한 국제감시를 받고 있는 요주의 국가여서 정상적인 방법으로는 수출이 불가능했습니다. 그래서 이들 업체들은 일반산업기계 수출인 것처럼 위장계약서를 꾸몄다고 검찰은 밝혔습니다. 이런 과정을 거쳐 연간 수만발의 포탄을 생산할 수 있는 설비와 기계, 플랜트 일체와 함께 군사기밀인 포탄과 부품 도면 등 핵심기술들이 미얀마로 유출됐습니다.
- 이건주 첨단범죄수사부장 (서울중앙지검): 우리나라가 이미 가입해 있는 국제규범인 바세나르 협정과 대외무역법 등 관계법령에 의하여 그 수출이 엄격하게 통제되고 있는 전략물자 및 전략기술에 해당됩니다.
- 기자: 이들 업체들이 미얀마 정부로부터 모두 1600억원을 받기로 하고 현지에 세운 포탄 제조공장은 현재 시험생산을 거쳐 90% 정도 완공된 상태로 알려졌습니다. 유죄가 확정될 경우 관련업체들은 국제협약 위반으로 미국 등 주요 교역국으로부터 수출제한조치도 받을 수 있다며 파장을 우려하고 있습니다. MBC뉴스 박찬정입니다.

# 미얀마정부 총 수입 - 약 16조원 (쿠데타전 환율)

#### **Government revenue in Myanmar**

20,365.5 National currency, billions in 2020

Government revenue of Myanmar increased from 396.34 national currency, billions in 2001 to 20,365.5 national currency, billions in 2020 growing at an average annual rate of 24.62%.

The description is composed by our digital data assistant.



# 미얀마정부의 가스 판매 수입 - 약 1.8조원 MOGE수입 – 1.6조원



Table 1. Projected (Revenues) Sale Proceeds for Gas in Myanmar for 2021-202241

	2021-2022 Forecast (in USD)
Royalty	225,573,770
Profit/Petroleum Split	737,704,918
State contribution	231,770,492
Income tax from Oil and Gas companies	53,114,754
Total sale proceeds for offshore projects	1,230,163,934
State contribution	139,016,393
Income tax from pipeline companies	175,081,967
Total revenue from pipeline projects	314, 098,361
Total inflows from offshore and pipeline projects	1,544,262,295

• • • • • • • • •

MOGE수입금 중 현금보유율 - 90%

MOGE등 국가기관들의 "기타계정" 자산 – 평균 55% - 이중 MOGE가 최고

Figure 2. Share of cash to total assets for selected national oil companies (2015 or most recent)

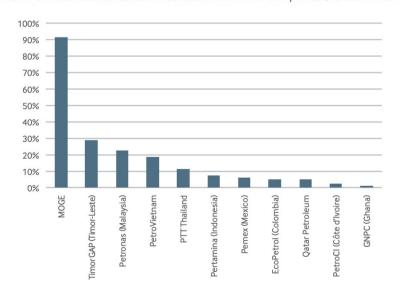
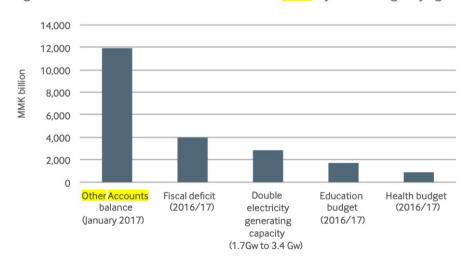




Figure 1. Size of total SEE OA balances relative to other Myanmar budgetary figures



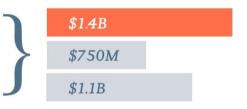
# "기타계정"이란?

MOGE 2013/4 : 1.4조원 입금 NLD집권후 더 늘어남. 비자금조성 통로로 의심됨.

### 4. Contributions to political patronage

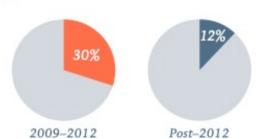
Several interviewees suggested that SEEs are used to spread benefits to a network of private political patrons that support the government.

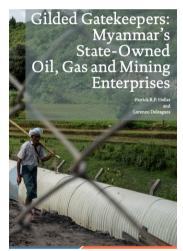
From April 2013 – March 2014, MOGE deposited more into its "Other Accounts" (\$1.4 billion) than Myanmar spent on health (\$750 million) or education (\$1.1 billion) in FY 2013/14.



GILDED GATEKEEPERS: MYANMAR'S STATE-OWNED OIL, GAS AND MINING ENTERPRISES

Decrease in share of SOE revenues transferred to the government

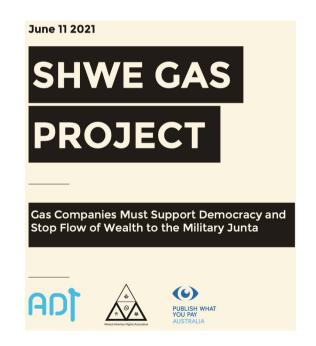






• • • • • • • • •

State owned Enterprises (SOE), such the Myanma Oil and Gas Enterprise (MOGE) retained 55% of their 'profits' which were held in the Myanma Economic Bank (MEB), another SOE, in funds called 'Other Accounts'. As of 2016, MOGE's cash in hand "represented more than 3 times revenues and more than 7.5 times expenditures ... MOGE's cash-on-hand also represents the highest share of total assets of any national oil company in the world" and as of March 31, 2018, MOGE's 'Other Accounts' held USD 4.75 billion (see Bauer et al, 'State-owned Economic Enterprise Reform in Myanmar: The Case of Natural Resource Enterprises', Report, Natural Resource Governance Institute, 2018: pg 18.). The absence of transparency means it is unconfirmed, but it is thought that large sums were loaned to military-linked businesses and will never be repaid. Whilst the NLD government ordered that the Other Accounts be closed in 2019, the only civilian government officials that could confirm whether this took place have been detained since the coup.



# 2019, NLD재무장관이 '기타계정' 폐쇄 지시 → 폐쇄 이전 쿠데타발발 및 재무장관 구속 및 교체

#### MILITARY ACCESS TO GAS SALE PROCEEDS.

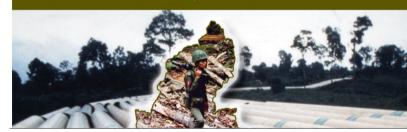
Following the attempted coup, the military is likely to once again use MOGE to misappropriate all payments (gas sales proceeds, pipeline dividends and taxes) to sustain its control of the government apparatus, finance its operations against the local population and to seize portions for private gain. As part of its illegal seizure of the powers of state, the military has appointed new "Ministers." The MOEE Minister appointed by the National League for Democracy (NLD) has been arbitrarily detained by the junta and his replacement was Deputy Minister in 2011, a time when billions in financial payments and proceeds were misappropriated. The mil-

군부의 비자금 조성 방법 : 환율조작 입금시 1불=6짯으로 계산. 실제 가치 1불=1천짯



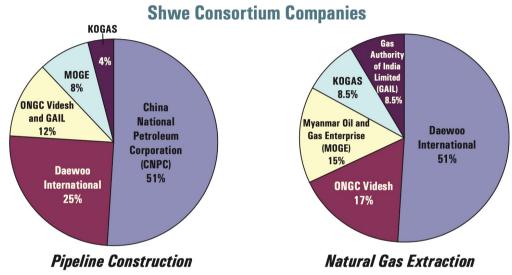
#### TOTAL IMPACT:

The Human Rights, Environmental, and Financial Impacts of Tot and Chevron's Yadana Gas Project in Military-Ruled Burma (Myanmar)



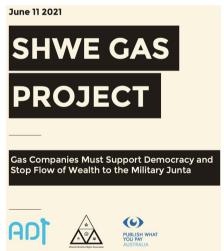
In simplistic terms, the military regime receives revenue for its natural gas exports in US Dollars. It then exchanges that revenue into its national budget at an exchange rate of Kt 6 to the dollar, rather than the more accurate market rate of Kt 1,000 to the dollar. Based on that model, of the US\$4.83 billion in earnings from the Yadana gas since 2000, the Burmese regime would have included Kt 28.98 billion (or US\$28.98 million) in its national budget instead of Kt 4.83 trillion (or US\$4.83 billion). That leaves approximately Kt 4.80 trillion (or US\$4.80 billion) mysteriously unaccounted for in the national budget. That is, approximately US\$4.80 billion of the US\$4.83 billion of the SPDC's Yadana revenue is not included in the national budget.





포스코인터내셔널(51/25%지분)이 슈에가스전에서 올리는 영업이익: 3~4천억원→ MOGE(15/7.5%): 9백억~1천2백억원 (?) (뒷장에서 계속)

### MOGE수입은 로열티+ ' 국가지분<sup>'</sup> 등으로 15/7.5% 보다 더 많을 듯. 실제 POSCO인터내셔널이 미얀마정부에 매년 지급하는 돈 – 2천억~4천억 이중 MOGE 지급액은 세금(약 15%추산) 제외하고 <u>1천7백~3천4백억원</u>



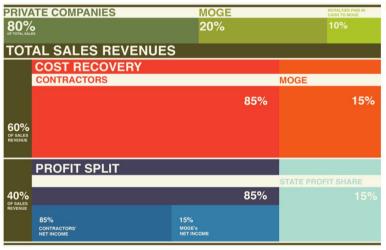


Table 5. POSCO International Yearly Payment to Myanmar Government<sup>54</sup>

Financial Year	MMK (Myanmar Kyat)	US Dollars
2017-2018	262,057,008,872	198,085,346
2016-2017	282,425,388,990	206,247,774
2015-2016	576,644,680,344	475,097,369
2014-2015	398,179,029,859	386,292,800

Table 1. Projected (Revenues) Sale Proceeds for Gas in Myanmar for 2021-202241

	2021-2022 Forecast (in USD)
Royalty	225,573,770
Profit/Petroleum Split	737,704,918
State contribution	231,770,492
Income tax from Oil and Gas companies	53,114,754
Total sale proceeds for offshore projects	1,230,163,934
State contribution	139,016,393
Income tax from pipeline companies	175,081,967
Total revenue from pipeline projects	314, 098,361
Total inflows from offshore and pipeline projects	1,544,262,295

• • • • • • • • •

PM

Total and Chevron suspend gasfield dividends to Myanmar junta | Financial Times

On Wednesday Total said that, following a shareholder vote earlier this month, the dividends to MGTC, the pipeline company in which MOGE owns a 15 per cent stake, were being suspended.

Total did not say how much it would amount to. A person familiar with the matter said the total dividends from the gas company were worth about \$350m in 2020.

The whole game here is to keep the gas operations running but The announcement did not include a vow to withhold taxes or gas deliveries from the field, worth close to \$175m in 2020, according to people briefed on the decision. Total said it was "maintaining the

토탈과 셰브론이 2021년 4월 가스**운송**배당중단을 통해 MOGE측에 지급정지된 액수 – USD 350M X 15% = 52 M → 624억원

MOGE 가스 생산 배당=175M → 2천1백억원은 그대로 유지

휴먼라이츠와치: 624억원은 가스국가소득 전체(1.8조원)의 5% 도 안된다며 POSCO인터를 포함한 다른 회사들도 지급정지할 것을 요구





group that campaigns for justice and accountability for the people of Myanmar. The contents of the report are being made public on **the group's website[1]**, access to which was blocked in Myanmar on 1 September by the Ministry of Transport and Communications. According to a spokesman for the ministry, the website spreads "fake news". Justice For Myanmar has responded stating this is a bid to silence critical voices.

The total amount of dividend payments made in this 20-year period to all shareholders was more than 107 billion Myanmar kyat (107,869,519,830) – about 18 billion US dollars according to the official exchange rate. Of this amount, MEHL transferred 95 billion kyat – the equivalent of approximately 16 billion US dollars – to military units.

앰너스티: MEHL (군부인사들이 주주로 있는 기업)의 배당액이 지난 20년간 USD 18B → 매년 약 1조2천억원)



#### Myanmar: Chevron, Total Suspend Some Payments to Junta









percent and 28.3 percent of the project, respectively. The military-controlled company Myanmar Oil and Gas Enterprise (MOGE), owns 15 percent, and the Thailand state-owned gas company PTT owns 25.5 percent. Total acts as the "operator" of the Yadana wellheads and Moattama's pipeline infrastructure. The suspended payments are dividends to these companies based on their ownership share. According to Moattama financial records, the company paid MOGE about \$38 million in 2018 and approximately \$52 million in 2019, consistent with EITI reporting indicating that MOGE's overall gas transportation dividends from gas operations are less than 7 percent of overall state revenue from natural gas.

Total and Chevron together are the majority owners in Moattama, with 31.2

### 슈에가스전 POSCO인터내셔널의 MOGE 지급액 (1천7백~3천4백억원)의 비중

MOGE "기타계정"입금액 1조6천억원의 **10~20%** 

군부 비자금 전체 = MOGE "기타계정" 입금액1조6천억원 + MEHL배당액 (1조원)

군부비자금 전체의 6~12%

### 슈에가스전 POSCO인터내셔널의 미얀마정부 지급액 (2천~4천억원)의 비중

정부 전체 수입 16조원의 **1.25~2.5%**