



Special Advisory Council for MYANMAR

Rohingya Genocide Victims and Survivors Need Justice

25 August, 2023

Today, we commemorate the victims and survivors of the genocidal 'clearance operations' carried out against the Rohingya in Rakhine State by the Myanmar military on 25 August 2017. We also acknowledge the international community's failure to fulfil its obligation to hold the Myanmar military accountable for the most serious crimes under international law and to protect the Rohingya from further harm, says the Special Advisory Council for Myanmar (SAC-M).

Decades of state oppression against Rohingya in Myanmar came to a head when the Myanmar military launched a campaign of mass atrocities against the Rohingya in northern Rakhine State six years ago today. Thousands of Rohingya men, women, boys and girls were killed in the ensuing mass murder, rape and gang rape, torture, burning and arson carried out by the Myanmar military. Three quarters of a million Rohingya were forced to flee to neighbouring Bangladesh where they joined a quarter of a million Rohingya who had previously fled military persecution.

"Today serves as a sad reminder of the appalling abrogation of responsibility by the international community to hold Myanmar military leaders accountable for the crimes committed against the Rohingya," said Yanghee Lee of SAC-M. **"The consequences of the genocide are still being lived by the Rohingya today. The international community failed to protect the Rohingya then and it is utterly failing to protect the Rohingya now."**

Rohingya communities in Myanmar, Bangladesh and around the world show resilience and courage in their unwavering pursuit of justice and the full restoration of their rights despite the extreme hardship many continue to face. Almost one million Rohingya refugees live in overcrowded and unsafe camps in Cox's Bazar in Bangladesh where they are denied their basic rights to freedom of movement, employment and education.

Extreme restrictions on the rights of some 600,000 Rohingya who remain in Myanmar, including 140,000 Rohingya who have been confined to squalid camps in Rakhine State for more than a decade, have become more severe since the Myanmar military junta launched an illegal coup in February 2021. A relentless campaign of mass atrocities against Myanmar civilians by junta forces and the subsequent denial of urgently needed humanitarian aid to vulnerable communities, including the Rohingya,





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by the junta has created both human rights and humanitarian emergencies in Myanmar. As such, the safe, voluntary, dignified and durable return of Rohingya refugees to Myanmar is impossible.

“The Rohingya have made it clear they will only return home when it is safe for them to do so, and when they can be guaranteed their full rights and representation under a new federal democratic system in Myanmar,” said Marzuki Darusman of SAC-M. **“Any effort to engineer the return of the Rohingya people under the current adverse circumstances that would also directly implicate the United Nations (UN) is seen through immediately as a deliberate act to grossly mislead the Rohingya and the international community. The Rohingya must be heard and their calls for justice reflected in the actions of the international community.”**

“A glaring lack of political will on the part of the international community is now what stands between the continuation of absolute military impunity in Myanmar and justice and accountability for the Rohingya,” added Darusman.

Proceedings are underway at the International Court of Justice, and the International Criminal Court (ICC) against Myanmar military leaders for alleged crimes committed against Rohingya outside Myanmar while in Argentina a criminal case is being heard under universal jurisdiction. Criminal cases have also been filed in Germany and Turkey under universal jurisdiction. These are all important avenues for accountability but such efforts are slow moving and need increased international support.

On this Rohingya Genocide Remembrance Day, SAC-M calls on the international community, including the UN and the Association of Southeast Asian Nations, to support these efforts and urgently pursue accountability for grave human rights violations committed by the Myanmar military against the Rohingya and all peoples in Myanmar going back decades. Furthermore, SAC-M calls on the ICC to accept the legitimate National Unity Government of Myanmar’s Article 12(3) declaration granting the Court jurisdiction to investigate and prosecute atrocity crimes committed in Myanmar dating back to 2002.

“The culture of Myanmar military impunity that paved the way for the Rohingya genocide is devastatingly apparent in Myanmar today,” said Chris Sidoti of SAC-M. **“The complete failure of the international system to deliver justice for the Rohingya and hold Myanmar military leaders accountable has to end. The UN Security Council must finally take action in accordance with the UN Charter to refer the situation in Myanmar to the ICC and initiate punitive actions against the Myanmar military to cut off its access to funds and weapons.”**

