

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	443
Land:	Myanmar
Kilde:	Amnesty International
Titel:	Five years anniversary of Rohingya crises must mark turning point in quest for justice
Udgivet:	24. august 2022
Optaget på baggrundsmaterialet:	13. oktober 2022

AI – Amnesty International

Myanmar: Five-year anniversary of Rohingya crisis must mark ‘turning point’ in quest for justice

The upcoming five-year anniversary of the Rohingya crisis must mark a turning point in the urgent quest to deliver justice to the victims and hold those responsible to account, Amnesty International said today.

On 25 August 2017 Myanmar’s military began carrying out violent operations against the Rohingya population in northern Rakhine State, which resulted in grave crimes under international law, whole villages torched, and forced hundreds of thousands to flee into Bangladesh.

“This solemn anniversary is a haunting reminder that not a single high-ranking Myanmar military official has been prosecuted for the egregious campaign of violence against the Rohingya,” said Amnesty International’s Ming Yu Hah, Deputy Regional Director for Campaigns.

“Amnesty International stands in solidarity with the Rohingya people who are in Rakhine State and the estimated one million refugees living across the border in Bangladesh. Real justice is essential to ending the spiraling cycle of impunity engulfing Myanmar for many years.”

Five years later, Rohingya in Rakhine State still lack freedom of movement and other basic rights such as access to adequate food, healthcare and education, problems compounded by the rising insecurity brought on by the 2021 military coup in Myanmar. Across the border in Bangladesh, Rohingya refugees are living in limbo with neither the opportunity to safely return to their homes in Myanmar nor a way to live peacefully in Bangladesh, where violence has been on the rise in refugee camps.

“We face enormous hardship in the refugee camps,” San thai Shin, a Rohingya refugee in Bangladesh’s Cox’s Bazar camp, [told Amnesty International](#) in June. “We do not know how we can ever return to our homes. We are neither safe in the refugee camps nor in Arakan [Rakhine State in Myanmar].”

“Our people are losing their lives to gang violence in the refugee camps, in environmental calamity, or by taking dangerous attempts to migrate to other countries through the deadly seas and other means.”

Importantly, some international justice efforts are moving forward. In July 2022, the International Court of Justice dismissed Myanmar’s objections and [decided](#) that it has jurisdiction to continue proceedings instituted by the government of The Gambia against the government of Myanmar in 2019 on the basis of the Genocide Convention.

“The International Court of Justice’s decision is a vital step in ongoing efforts to hold Myanmar’s government to account,” Amnesty’s Ming Yu Hah said.

The International Criminal Court is also investigating crimes committed in 2016 and 2017 against the Rohingya population. Although Myanmar has not ratified the ICC’s Statute, the Court is examining alleged crimes committed partly in the territory of Bangladesh or other states. Amnesty

International has called for the United Nations Security Council to refer the full situation in Myanmar to the International Criminal Court Prosecutor, so that an investigation of all crimes committed in Myanmar can be conducted.

An investigation into other crimes in Myanmar is also being conducted in Argentina under the principle of universal jurisdiction, which permits national authorities to investigate crimes under international law committed anywhere in the world on behalf of the international community. The case, which was filed by [the Burmese Rohingya Organisation UK \(BROUK\)](#), hopes to hold senior military leaders to account for alleged responsibility in crimes against the Rohingya people.

These efforts should be supported and other states should also take measures to investigate and prosecute the crimes before their national courts.

“The Association of Southeast Asian Nations must also play a more forceful, decisive and leadership role in standing up for the Rohingya people and pushing for accountability in Myanmar,” Amnesty’s Ming Yu Hah said.

“We reiterate our call on authorities to respect and ensure the participation of Rohingyas in the decisions that affect them in order to protect their human rights.”

Background:

More than 740,000 Rohingya women, men and children fled northern Rakhine State to neighboring Bangladesh, when in August 2017 Myanmar security forces launched a widespread and systematic assault on Rohingya villages, including extrajudicial killings, destruction of properties and sexual assault. The onslaught came in the wake of a series of what the military claims were insurgent attacks on police posts.

Taking into account previous decades of violence against the Rohingya, an estimated one million Rohingya refugees now live in Bangladesh, while many of their homes in Rakhine State have been destroyed without a trace.

The UN Fact-Finding Mission on Myanmar [previously called](#) for Senior General Min Aung Hlaing and other top military officials to be investigated and prosecuted for war crimes, crimes against humanity, and genocide. Min Aung Hlaing assumed the role of Chairman of the State Administration Council following the February 2021 coup.

In a report [published earlier this month](#), since the coup Amnesty International documented the crackdown and arbitrary detention of those who exercise their right to freedom of expression, association and peaceful assembly as well as enforced disappearances, torture and other inhuman treatment in detention.

More than 2,000 people have reportedly been killed since the coup, and Myanmar [arbitrarily executed](#) four people after grossly unfair trials, the first use of capital punishment in the country in decades.

A report by Amnesty International published in July showed that the Myanmar military is committing war crimes by [laying banned landmines](#) and around villages in Kayah (Karenni) State,

while [a report in May](#) showed how the military uses air strikes and shelling as a form of collective punishment against civilians.

© *Amnesty International*