

Myanmar: no high-ranking military officials held to account for attacks on Rohingya



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Five years on (25 August) from devastating military attacks in Rakhine State, no justice for Rohingya

‘Not a single high-ranking Myanmar military official has been prosecuted’ - Ming Yu Hah

Tomorrow’s five-year anniversary of the Rohingya crisis in Myanmar must mark a turning point in the quest to deliver justice to the victims of state violence, Amnesty International said today.

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

Five years on, Rohingya people in Rakhine State still lack freedom of movement and other basic rights such as access to adequate food, healthcare and education, serious problems compounded by rising insecurity after last year’s 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.

San thai Shin, a Rohingya refugee in Bangladesh’s Cox’s Bazar

camp, told Amnesty in June:

“We face enormous hardship in the refugee camps. 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.”

Last month, the International Court of Justice dismissed Myanmar’s objections and decided it has jurisdiction to continue proceedings instituted by the government of Gambia against Myanmar in 2019 on the basis of the Genocide Convention. 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 and other states. Amnesty has called for the UN Security Council to refer the situation in Myanmar to the ICC Prosecutor so that an investigation of all crimes committed in Myanmar can be conducted.

An investigation into 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, filed by the Burmese Royingya Organisation UK, seeks to hold senior military leaders to account for alleged responsibility in crimes against the Rohingya. Amnesty believes these efforts should be supported and other countries should take measures to investigate and prosecute such crimes before their national courts.

“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. “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.

“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. “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. “Real justice is essential to ending the spiralling cycle of impunity engulfing Myanmar for many years.”

More than 740,000 Rohingya women, men and children fled Rakhine State to neighbouring Bangladesh after Myanmar security forces launched a widespread and systematic assault on Rohingya villages in August 2017, an assault that including extrajudicial killings, mass destruction of property and sexual assault. The onslaught came after a series of insurgent attacks on police posts. Taking into account previous decades of violence against the Rohingya leading to mass refugee movements, an estimated one million Rohingya refugees now live in Bangladesh, with many of their homes in Rakhine State now destroyed without trace.

The UN Fact-Finding Mission on Myanmar has 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. Since the coup, Amnesty has documented the arbitrary detention of those exercising 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 has arbitrarily executed four people after grossly unfair trials, the first use of capital punishment in the country in decades.

A report by Amnesty in July showed that the Myanmar military is committing war crimes by laying banned landmines around villages in Kayah (Karenni) State, while a report in May showed how the military has used airstrikes and shelling as a form of collective punishment against civilians.

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