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Press Release

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Myanmar Needs to Immediately End Persecution Against Rohingya

The Indonesian Legal Aid Foundation (YLBHI) condemns all violence against Rohingya civilians that has been escalated since Friday, 25 August 2017. The IOM has estimated that more than 18,500 Rohingya refugees fled Myanmar towards Bangladesh, and more than 100 persons died in the armed conflict. We urge the Government of both Indonesia and Myanmar to take immediate steps in accordance with international human rights and humanitarian law in responding to such violence.

The violence against the Rohingya minorities and the flux of refugees must not be separated from the long-lasting persecution faced by them for decades that is still left unaddressed by the Government of Myanmar. This is evidenced by the fact that the Government evacuated at least 4,000 non-Muslim locals from the North West Rakhine, but left the Rohingya ethnic unprotected and forced them to flee to Bangladesh.

We understand that the armed violence against Rohingya was triggered by an attack of an armed group in Rakhine State against 12 border posts which killed 12 security officials. What is horrible is the counter attack that has been directed indiscriminately against civilians, who did not take part in the hostilities.

The Government of Myanmar has a responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity, as declared in the United Nations General Assembly Resolution 60/1. The persecution, discrimination and treatments against the Rohingya minorities have amounted to crimes against humanity according to the UN fact-finding team led by Mr. Kofi Annan. Therefore this case needs to be addressed using international human rights perspectives and mechanisms. The perpetrators shall be prosecuted under international criminal law for their wrongdoings and the victims shall be given reparations. The issue of sovereignty and internal affairs shall no longer apply since the crimes against humanity entail *erga omnes* responsibility for all members of the international community. We believe that essential peace in Myanmar especially in Rakhine could be manifested only when the Government of Myanmar ends the persecution against the Rohingya.

Furthermore, under the same Resolution the Government of Indonesia as a member of the international community should, as appropriate, encourage and help Myanmar to exercise this responsibility and support the United Nations in establishing an early warning capability. We noted that the Government of Indonesia has shown its commitment through exhausting diplomatic means, we appreciate this and would like to remind the Government and the Parliament to urge the Government of Myanmar to always abide by the international human rights law both for the protection and reparation for the victims, as well as prosecuting the perpetrators from both sides.

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