



BURMESE ROHINGYA ORGANISATION UK (BROUK)

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International Court of Justice: A Momentous Week for Justice for the Rohingya Genocide

The International Court of Justice (ICJ) must act on the powerful arguments by The Gambia's legal team and immediately impose strong provisional measures to end Myanmar's genocide against the Rohingya, the Burmese Rohingya Organisation UK (BROUK) said.

Today, hearings concluded in the Hague over the genocide case brought by The Gambia against Myanmar at the ICJ. The Court will now decide whether to impose provisional measures, effectively a legal injunction barring Myanmar from committing more abuses against Rohingya.

“This has been a momentous week for international justice. The Gambia's legal team laid bare in shocking detail the scale of the violations against Rohingya people. There cannot be any doubt remaining that what is taking place in Myanmar is a genocide,” said Tun Khin, President of BROUK.

“Aung San Suu Kyi and the Myanmar legal team offered nothing but hollow denials and legal technicalities to try to avoid the court even making a judgement on whether genocide has happened. The Gambia's legal team dismantled Myanmar's legal team defence, leaving them clearly rattled in their final evidence session. The Court must now impose strong provisional measures, and the world must be ready to react if Myanmar fails to comply.”

During the three days of hearings, The Gambia highlighted a range of violations against the Rohingya. In 2016 and 2017, vicious violence by the Myanmar security forces killed thousands of Rohingya and drove almost 800,000 to flee across the border into Bangladesh.

Rohingya remaining in Rakhine State are confined to an open-air prison, where every aspect of their lives are controlled and they are denied citizenship. Severe and dehumanising restrictions on freedom of movement means that access to basic services like education and healthcare is impossible. These restrictions are killing people.

Aung San Suu Kyi, acting as Myanmar's "agent" in the case, failed to address most of the violations, claimed the state's actions were part of legitimate response to terrorism, and refused to even use the term "Rohingya. The denial of our identity is part of the policy of genocide against us."

"Aung San Suu Kyi's defence of the military at the ICJ makes it easier for them to continue to violate international law. More attention must also be paid to her own policies of repression and discrimination against the Rohingya, which are part of the ongoing genocide against us," said Tun Khin.

"This week, The Gambia has shown what real leadership on the international stage looks like. A small country has stood up and said 'never again', for which Rohingya are immensely grateful. The rest of the international community must follow suit. More countries, like Canada and the Netherlands have already done, must lend their support to the Gambia in this case."

On 11 December, the US government also imposed sanctions on four Myanmar military leaders – including Senior General Min Aung Hlaing – due to "serious human rights abuses" by the Tatmadaw. Officially any assets in the US will be frozen while US citizens have been barred from doing business with them.

"The sanctions announced by the US are welcome but only symbolic, as the generals are unlikely to have assets in the USA and the sanctions will not stop US companies doing business with military owned companies. The US must now stop American companies from doing business with the military and helping to fund genocide," said Tun Khin.

"To date the world has stood by while genocide is committed against the Rohingya, despite promises of never again. A small country like The Gambia has shown leadership where those in leadership positions on the UN Security Council have not. Any country claiming to support our rights should join Canada and Netherlands in supporting this case, and in supporting an ICC referral."

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