



Special Advisory Council for MYANMAR

Time for an International Criminal Tribunal for Myanmar

8 December 2023

An international criminal tribunal for Myanmar can and must be urgently established, says the Special Advisory Council for Myanmar (SAC-M). A briefing paper published today by SAC-M explains why, and identifies several ways in which such a tribunal could be created. Download the paper here: [Click Here](#).

Myanmar has long been plagued by systemic impunity designed and perpetuated by successive military juntas. Extensive evidence of grave human rights violations, war crimes, crimes against humanity and possible genocide, of which the military is the primary perpetrator, has been documented over many years. Yet, no genuine trials have ever taken place and no meaningful justice has been achieved for the many, many victims.

“The need for justice in Myanmar is becoming more urgent by the day,” said Yanghee Lee of SAC-M. **“The number of people that have suffered at the hands of Myanmar’s military – the vast majority of them still living in unbearable conditions – is devastating and continues to grow. Myanmar’s peoples simply cannot be made to wait for justice any longer.”**

The justice system in Myanmar is currently unable to prosecute those accused of committing international crimes and is unlikely to be for many years to come. An international solution for the accountability deficit is therefore needed. The international community has already established the Independent Investigative Mechanism for Myanmar (IIMM) and other mechanisms before it to advance the cause of justice in Myanmar. But these efforts alone are insufficient and incomplete.

“The work of the IIMM, the Fact-Finding Mission and other international justice efforts for Myanmar will be in vain unless and until a competent court with comprehensive jurisdiction can commence prosecution of those most responsible for the most serious crimes under international law committed in Myanmar,” said Chris Sidoti of SAC-M. **“The National Unity Government has already accepted the jurisdiction of the International Criminal Court in Myanmar, but the Prosecutor of the ICC is not acting on that acceptance, so that is why we are proposing these practical alternatives if the ICC Prosecutor does not act.”**



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Calls for justice in Myanmar have grown louder since the military attempted a coup in February 2021 and a nationwide resistance emerged in response to its ensuing brutality. The international community has done little during that time to support the cause of justice and freedom in Myanmar. Establishing an international criminal tribunal for Myanmar would be a practical way of finally responding to the calls of the Myanmar people and upholding the international community's obligations under international law.

“The people’s national uprising is fundamentally changing the course of the Myanmar nation,” said Marzuki Darusman of SAC-M. **“There are many challenges ahead. ASEAN, the United Nations, the international community at large, cannot continue to leave the Myanmar people to face these challenges alone. Ensuring that the primary architects of Myanmar’s suffering are finally brought to justice could be the single most significant contribution that the international community makes to Myanmar’s democratic future.”**

