

To: Pre-Trial Chamber I of the International Criminal Court
CC: Office of the Prosecutor of the International Criminal Court

9 December 2024

Subject: Civil society support for the application by the Office of the Prosecutor at the International Criminal Court for an arrest warrant against Min Aung Hlaing

Your Excellencies,

On the International Day of Commemoration and Dignity of the Victims of the Crime of Genocide and of the Prevention of this Crime, we, 174 Myanmar civil society organizations, have the honor to address Your Excellencies to express our unequivocal support for the investigation regarding the Situation in Bangladesh and Myanmar,¹ namely crimes against humanity, including deportation and persecution, perpetrated by the Myanmar military against the Rohingya population.

We commend the Office of the Prosecutor for its landmark application for an arrest warrant, dated 27 November 2024, against Min Aung Hlaing, the Commander-in-Chief of the Myanmar military, for his criminal responsibility for crimes committed between 25 August and 31 December 2017.² This application represents a monumental step toward justice and accountability, not only for the Rohingya but for all peoples of Myanmar. We eagerly anticipate further applications for arrest warrants in the near future and strongly urge the Pre-Trial Chamber I of the International Criminal Court (the Court) to issue an arrest warrant for Min Aung Hlaing without delay.

For decades, the Myanmar military has engaged in a systematic campaign of violence and persecution against the Rohingya, employing physical violence, propaganda, and institutionalized discrimination. In 2017, this culminated in a brutal campaign of genocide, forcing more than 750,000 Rohingya to flee to Bangladesh.³ Today, an estimated 1 million Rohingya remain in refugee camps in Bangladesh, living in extremely precarious conditions.⁴

The situation in Myanmar remains dire. In Rakhine State, the Rohingya continue to endure grave persecution at the hands of the Myanmar military, which has carried out airstrikes on Rohingya villages,⁵ blocked humanitarian aid,⁶ and forcibly conscripted Rohingya civilians for military service, using them as frontline fighters and human shields,⁷ with unchecked impunity. The Rohingya continue to face conditions akin to apartheid,⁸ living in confined villages and internment camps under constant threat of violence and deprived of basic rights and freedoms, including access to food, healthcare, education, and employment.⁹ This reality underscores the Myanmar military's ongoing genocide and other international crimes against the Rohingya.

For decades and continuing today, the Myanmar military junta has targeted not only the Rohingya, but also other ethnic and religious minorities, as well as civil society organizations, pro-democracy activists, and human rights defenders, with "widespread and systematic" atrocities and human rights

¹ <https://www.icc-cpi.int/situations/bangladesh/myanmar>

² <https://www.icc-cpi.int/news/statement-icc-prosecutor-karim-aa-khan-kc-application-arrest-warrant-situation-bangladesh>

³ <https://apnews.com/article/rohingya-migration-bangladesh-myanmar-boats-c03221ad9bf90a9467bf4030b961dbd3>

⁴ <https://data.unhcr.org/en/country/bgd>

⁵ <https://www.rfa.org/english/news/myanmar/rakhine-village-attack-03182024051323.html>

⁶ <https://www.doctorswithoutborders.org/latest/how-near-total-absence-humanitarian-access-impacting-lives-myanmar>

⁷ <https://www.hrw.org/news/2024/04/10/myanmar-military-forcibly-recruiting-rohingya>

⁸ <https://www.amnesty.org/en/latest/news/2017/11/myanmar-rohingya-trapped-in-dehumanising-apartheid-regime-2/>

⁹ <https://www.hrw.org/news/2022/08/24/myanmar-no-justice-no-freedom-rohingya-5-years>

violations—emboldened by decades of complete impunity.¹⁰ Since staging an illegal coup attempt on 1 February 2021, the military junta has intensified and expanded its violence against all peoples across Myanmar, killing more than 6,025 people and arbitrarily arresting more than 27,797.¹¹ Over the past three and a half years, the military has destroyed at least 105,314 civilian homes by arson¹² and launched more than 3,292 airstrikes—many targeting civilian areas, including internally displaced person camps, schools, medical facilities, and religious infrastructures.¹³

To prevent further atrocities and ensure justice for the Rohingya and all other communities in Myanmar, it is imperative that Min Aung Hlaing and others responsible be held accountable without delay. We recall the declaration of the National Unity Government of Myanmar, pursuant to Article 12(3) of the Rome Statute, granting the Court jurisdiction over international crimes committed in Myanmar since 1 July 2002.¹⁴ We therefore call for further investigations by the Office of the Prosecutor into the Myanmar military’s commission of international crimes against the people of Myanmar since 1 July 2002, including the ongoing mass atrocity crimes committed nationwide since its attempted coup of February 2021.

In conclusion, while respecting the Court’s final decision, we reiterate our full support for the Office of the Prosecutor’s application for an arrest warrant against Min Aung Hlaing. We also look forward to further investigations by the Court and subsequent cases thereat related to the Myanmar military’s commission of genocide against the Rohingya, as well as war crimes and crimes against humanity against the people of Myanmar. The issuance of an international arrest warrant against Min Aung Hlaing would send a powerful message—not only to the Rohingya, but to the tens of millions of people in Myanmar who continue to suffer from the military’s crimes—that international criminal law is a vital tool for achieving justice and accountability, and that justice will prevail in their lifetimes.

We commend the Court and the Office of the Prosecutor for their steadfast commitment to securing justice for the Rohingya, and eagerly await further applications for and the issuance of arrest warrants related to the Situation in Bangladesh and Myanmar forthwith.

Sincerely,

For more information, please contact:

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Signed by 174 Myanmar civil society organizations, including eight organizations that have chosen not to disclose their names

1. 5/ of Zaya State Strike
2. A-Yar-Taw People Strike
3. Action Committee for Democracy Development (ACDD)
4. Action Committee of Basic Education Students (ACBES)
5. Ah Nah Podcast – Conversations with Myanmar
6. All Aung Myay Thar San Schools Strike Force

¹⁰ <https://www.ohchr.org/en/2021/03/statement-thomas-h-andrewsun-special-rapporteur-situation-human-rights-myanmarunited>; A/HRC/39/CRP.2, paras. 97, 607, 1369

¹¹ <https://aappb.org/?p=30445>

¹²

<https://web.facebook.com/data4myanmar/posts/pfbid0D5PsfLXDmhyQbhWu6EWvWaYLodmTamaYDZa9AW3wt6Y74Qu pCy9vwRuV3LYwnNzl>

¹³ <https://progressivevoicemyanmar.org/2024/10/09/aerial-attacks-carried-out-by-the-military-council-5/>

¹⁴ <https://x.com/NUGMyanmar/status/1428739347717648389>

7. All Burma Federation of Student Unions (Monywa District)
8. Alliance of Students' Union – Yangon (ASU-Yangon)
9. Anti-Junta Alliance Yangon-AJAY
10. Anti-junta Forces Coordination Committee (Mandalay)
11. Assistance Association for Political Prisoners (AAPP)
12. Association of Human Rights Defenders and Promoters (HRDP)
13. Athan – Freedom of Expression Activist Organization
14. Aung San Suu Kyi Park, Norway
15. Basic Education General Strike Committee (BEGSC)
16. Basic Education Worker Unions – Steering Committee (BEWU-SC)
17. Blood Money Campaign (BMC)
18. Burmese Women's Union (BWU)
19. CDM Medical Network (CDMMN)
20. Chanmyatharzi Township People's Strike
21. Chaung Oo Township Youth Strike Committee
22. Chin Community in Norway
23. Chindwin (West) Villages Women Strike
24. Civil Information Network (CIN)
25. Civil Society Organizations Coordination Committee (Monywa)
26. Co-operative University Mandalay Students' Strike
27. Coalition Strike Committee – Dawei
28. Creative Home (CH)
29. CRPH & NUG Supporters Ireland
30. CRPH Funding Ireland
31. CRPH Support Group, Norway and members organizations
32. Daung Sitthe Strike
33. Dawei (Ashaetaw) Women Strike
34. Dawei Youths Revolutionary Movement Strike Committee
35. Defend Myanmar Democracy (DMD)
36. Democracy for Ethnic Minorities Organization (DEMO)
37. Democratic Party for a New Society, Norway
38. Depayin Township Revolution Steering Committee
39. Depayin Women Strike
40. Equality Myanmar (EQMM)
41. Ethnic Youth General Strike Committee (Mandalay)
42. Former Political Prisoners and New Generation Group – Monywa
43. Free Rohingya Coalition (FRC)
44. Freedom and Labor Action Group (FLAG)
45. Gangaw Women Strike
46. General Strike Collaboration Committee (GSCC)
47. General Strike Committee of Basic and Higher Education (GSCBHE)
48. Generation Wave (GW)
49. Generations' Solidarity Coalition of Nationalities (GSCN)
50. HTY Scout Channel
51. Human Rights Foundation of Monland (HURFOM)
52. India For Myanmar
53. Industries Strike
54. Information & Scout News (Hlaing)
55. Inter-Religious Institute for Peace (IRIP)
56. Justice & Equality Focus
57. K'cho Ethnic Association (Europe)

58. Kachin Association Norway
59. Kachin Student Union
60. Kachin Women's Association Thailand (KWAT)
61. Kalay Township Strike Force
62. Kalay Women Strike
63. Kamayut Scout Channel
64. Karen Peace Support Network (KPSN)
65. Karen Women's Organization (KWO)
66. Kayan Rescue Committee (KRC)
67. Keng Tung Youth
68. Kyain Seikgyi Spring Revolution Leading Committee
69. Kyauktada Strike Committee (KSC)
70. Latpadaung Region Strike Committee
71. LGBT Alliance
72. LGBT Alliance Myanmar (Kalay Region)
73. LGBT Alliance Myanmar (Kyaukse Region)
74. LGBT Community Yangon
75. LGBT Union – Mandalay
76. Magway People's Revolution Committee
77. Magway Region Human Rights Network
78. Maharaungmyay Township People's Strike
79. Mandalay University Students' Strike
80. Mandalay Alliance Coalition Strike
81. Mandalay Medical Family (MFM)
82. Mandalay Regional Youth Association (MRYA)
83. Mandalay Strike Force (MSF)
84. Mandalay Women Strike
85. Mandalay Youth Strike
86. Mandalay-based People's Strike
87. Mandalay-Based University Students' Unions (MDY_SUs)
88. Mayangone News
89. MayMyo Strike Force
90. Monywa LGBT Strike
91. Monywa People's Strike Steering Committee
92. Monywa Women Strike
93. Monywa-Amyint Road Strike Leading Committee
94. Monywa-Amyint Road Women Strike
95. Multi-Religions Strike
96. Mya Taung Strike
97. Myanmar Catholic Community In Norway
98. Myanmar Community in Norway
99. Myanmar Hindu Union
100. Myanmar Institute of Information Technology Students' Strike
101. Myanmar Labor Alliance (MLA)
102. Myanmar Tourism Committee(MTC)
103. Myaung Youth Network
104. MyaYar Knowledge Tree
105. Myingyan Civilian Movement Committee
106. Network for Human Rights Documentation – Burma (ND-Burma)
107. Network of University Student Unions – Monywa
108. New Myanmar Foundation

109. NLD Organization Committee (International) Norway
110. No.12 Basic Education Branch High School (Maharaungmyay) Students' Union
111. NOK Information & Scout Echo
112. North Dagon & East Dagon News
113. Norway Falam Community
114. Norway Matu Community
115. Norway Rawang Community
116. Nway Oo Guru Lay Myar
117. Pa-O Women's Union (PWU)
118. Pale Township People's Strike Steering Committee
119. Political Prisoners Network – Myanmar (PPN-M)
120. Progressive Muslim Youth Association (PMYA)
121. Progressive Voice (PV)
122. Pyi Gyi Tagon Strike Force
123. Queers of Burma Alternative (QBA)
124. Representative Committee of University Teacher Associations (RC of UTAs)
125. Rohingya Community in Norway
126. Samgha Sammaga-Mandalay
127. Seinpann Strike
128. Shan MATA
129. Shwe Pan Kone People's Strike Steering Committee
130. Sisters2Sisters
131. Sitt Nyein Pann Foundation
132. South Dagon Scouting Infos (SDG)
133. Southern Youth Development Organization
134. Ta'ang Student and Youth Union
135. Ta'ang Women's Organization (TWO)
136. Tamwe Nway Oo Channel
137. Taze Strike Committee
138. Taze Women Strike
139. Thaketa & Dawbon Scout Channel
140. Thakhin Kodaw Mhine Peace Network (Monywa)
141. Thayat Chaung Women Strike
142. The 88 Generation Peace and Open Society (Monywa)
143. The Ladies
144. Twitter Team for Revolution (TTFR)
145. University Students' Unions Alumni Force
146. Union of Karenni State Youth (UKSY)
147. Volunteers in Myanmar
148. Wetlet Revolution Leading Committee
149. Wetlet Township Women Strike
150. White Coat Society Yangon (WCSY)
151. Women Advocacy Coalition – Myanmar (WAC-M)
152. Women Alliance Burma (WAB)
153. Women Lead Resource Center
154. Women Organization for Political Prisoners
155. Yadanabon University Students' Union (YDNBUSU)
156. Yangon Women Strike
157. Yasakyo Township People's Strike Steering Committee
158. Yinmarpin and Salingyi All Villages Strike Committee
159. Youth Empowerment

160. Youth for Democratization of Myanmar (UDM)
161. Youth Scout For Democracy (YSD)
162. Zomi Christian Fellowship of Norway
163. Zomi Community Norway
164. ပြည်သူ့သပိတ်အင်အားစု
165. မုန်တိုင်းကြားက သက်တံများ
166. သမိုင်းသယ်ဆောင်သူများ