



## PRESS RELEASE

### **International Criminal Court Prosecutor files for an arrest warrant in the situation in Bangladesh/Myanmar**

Cox's Bazar, 27 November 2024

Today the International Criminal Court (ICC) Prosecutor Karim AA Khan K.C asked the Court to issue an arrest warrant against **Min Aung Hlaing**, Commander-in-Chief of Myanmar's armed forces for the crimes against humanity of deportation and persecution of the Rohingya, committed in Myanmar, and in part in Bangladesh.

This is the **first time that the ICC Office of the Prosecutor (OTP) has sought an arrest warrant** from the Pre-Trial Chamber (PTC) in the Bangladesh/Myanmar situation since its investigation began on 14 November 2019.

It is an emotional day in Cox's Bazar for the Rohingya victims and survivors, their families and the community, who are going through their seventh year of displacement since the 2017 "clearance operations" perpetrated in Myanmar.

Legal Action Worldwide (LAW) represents hundreds of survivors who have supported the Prosecutor's request for jurisdiction, and thereafter the authorization of the investigation in this situation since 2018, some of whom continue to provide evidence to the OTP in their ongoing investigation.

Earlier today, LAW met with Prosecutor Khan and members of his team to discuss this important development, and continued collaboration in pursuit of justice for Rohingya survivors.

LAW represents Shanti Mohila (Peace Women), a group of 400 Rohingya women who have been fighting for international justice for themselves, their families and the Rohingya community since 2018. These brave women, many of whom suffered from horrific sexual violence and witnessed their families being killed before them have never given up on their pursuit for justice.

*"I was hoping for justice to come sooner. While this development has come 7 years since our submission to the court, I am overwhelmed to learn that the case is now moving forward, and the court could issue a warrant against our perpetrator. I will share this news with all Shanti Mohila members who have supported the case since the beginning. I hope our fight for justice will also hold the Military commander accountable for the current violence in Myanmar. We hope that the judges will issue the arrest warrant soon."*

- said Khalida, a member of Shanti Mohila (name changed to protect identity).

The Prosecutor's office alleges that crimes against humanity were committed between 25 August 2017 and 31 December 2017 by the armed forces of Myanmar, supported by the national police, the Border Guard Police, as well as non-Rohingya civilians. The application from the Prosecutor draws upon a variety of evidence from witness testimonies including Rohingya survivors and a number of insider witnesses, documentary evidence and authenticated scientific, photographic and video materials. It is now for the judges of the ICC to determine

whether the application for arrest warrants meets the necessary standard for issuance of arrest warrants.

*“Although it took 7 long years, today is the day to mark the courageous fight of Rohingya victims and survivors for justice. We have stood by their side ever since they fled the crimes they suffered in Myanmar and were displaced into Bangladesh. Today's news about Prosecutor Khan requesting a warrant is a critical step in holding to account the most responsible for the international crimes that were and are continuing to be committed in Myanmar. A positive decision by the ICC can challenge the blanket impunity enjoyed by the Myanmar military.”* said Antonia Mulvey, Executive Director of LAW.

Prosecutor Khan has announced that the OTP will continue its focus on the situation in coming weeks and months as additional applications for warrants in this situation are submitted.

Whilst the international justice processes in relation to crimes against Rohingya and post-coup atrocities are underway, the ongoing human rights crisis across Myanmar under an illegitimate military regime continues to escalate. For the Rohingya particularly, with the intensification of the armed conflict in Rakhine State in recent months, they face a systematic misinformation campaign directed against them to fuel ethnic tensions, which is reminiscent of the 2017 violence. It is imperative to prevent the recurrence of atrocities against Rohingya and for more political will and more action to urgently respond to the unmitigated crisis in Myanmar.

### **More information on LAW's work with Rohingya survivors of international crimes**

The Rohingya community has suffered over five decades of persecution and violence which culminated in the horrific “clearance operations” in 2017 and the death of at least 10,000 people and the mass exodus of over 700,000 Rohingya – [half of them children](#).

Over the past six years, LAW has made several submissions to the International Criminal Court's (ICC) Office of the Prosecutor (OTP) and the Pre-Trial Chamber (PTC), putting Rohingya survivors' interests front and centre of the Court's agenda. In May 2018, LAW assisted more than 400 members of Shanti Mohila to support the OTP's jurisdiction request. LAW's subsequent submissions provided dozens of pages of information from survivors to the OTP and PTC. They also encouraged the opening of a criminal investigation, urged proceedings to be held in the region, argued for the expansion of the Court's jurisdiction under article 12(3), and for a protocol regulating contact with Rohingya survivors represented by counsel.

LAW represents over 400 Rohingya in the ongoing international justice processes including the ICC, as well as in a universal jurisdiction case before a Federal Court in Argentina where the Prosecutor [sought](#) arrest warrants earlier this year against senior Myanmar officials, and in the *Gambia v. Myanmar* case before the International Court of Justice (ICJ), where LAW supported the Gambia in filing its [Reply](#) to Myanmar's counter memorial submitted last year.

### **About LAW**

LAW is an independent, non-profit organisation of human rights lawyers and jurists working in fragile and conflict-affected areas. LAW provides legal aid to victims and communities that have suffered human rights violations and abuses in Africa, the Middle East, and South Asia.

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