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Burma Human Rights Network Calls on the International Criminal Court to Accept the National Unity Government's Declaration and Hold Perpetrators Accountable

Today marks the 25th anniversary of the adoption of the Rome Statute, the treaty that established the International Criminal Court (ICC). On this day, the Burma Human Rights Network (BHRN) calls on the Court to open a full investigation into the human rights violations perpetrated by the military in Myanmar since 2002.



The ICC should accept the National Unity Government's (NUG), the legitimate government of Myanmar, declaration submitted to them in July 2021. This would grant the ICC jurisdiction to address mass-atrocity crimes committed in Myanmar since 2002, which is the earliest date permitted by the Rome Statute. The declaration was lodged in accordance with article 12(3) of

the Statute of the ICC which enables a State not party to the Rome Statute to accept the exercise of jurisdiction of the Court.

> *"An ICC investigation covering the full extent of the crimes perpetrated by the Myanmar military would pave the way toward ending endemic impunity in Myanmar and also help prevent future atrocity crimes," said Kyaw Win, Executive Director of BHRN.*

Since the attempted illegal coup by the Myanmar military junta in February 2021, the junta has maintained a campaign of brutality and savagery as it continues to carry out killings, torture, forced disappearances, sexual violence, and airstrikes against the civilian population throughout the country. In response to these widespread human rights atrocities, the Myanmar public and civil society have called for criminal prosecutions in the ICC to hold the leaders of the military junta to account.

The ICC is currently investigating a limited set of crimes in relation to Myanmar's Rohingya who were subjected to genocidal attacks by the former government and military in 2017. In a welcomed move in September 2018, the ICC granted the Chief Prosecutor jurisdiction to investigate and possibly prosecute the crime against humanity of forced deportation of Rohingya to Bangladesh, as well as persecution and other inhumane acts.

However, the investigation is limited to only those crimes with a cross-border element, principally the crime against humanity of forced deportation from Myanmar into Bangladesh. The ICC's current investigation does not cover the full extent of the crimes perpetrated against the Rohingya nor the crimes perpetrated by the military junta since its attempted military coup in 2021.

In the two years that have passed since the NUG's declaration, the Court has taken no further steps. The ICC's acceptance would not only pave the way toward ending endemic impunity in Myanmar but may also help prevent future atrocity crimes. The ICC prosecutor and the state parties to the Rome Statute have no excuse for further delay and must act now.

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About BHRN
Burma Human Rights Network (BHRN) is based in London and operates across Burma/Myanmar, working for human rights, minority rights and religious freedom in the country. BHRN has played a crucial role in advocating for human rights and religious freedom with politicians and world leaders.