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JUSTICE



Embassy of  
**Bangladesh**  
to the Netherlands

Side event to the 21st session of the Assembly of States Parties of the ICC

# JUSTICE FOR ROHINGYA

9 Dec 2022  
0830 hrs

Europe 1, 2  
World Forum  
The Hague

*Please register:*

<https://forms.gle/jPrmtWc7abtvCJVC8>



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## **Justice for the Rohingya: Paths Forward**

### **Concept Note**

Friday, 9 December 2022, 08h30 hrs CET

Co-sponsored by the Delegations of Bangladesh and The Gambia to the ICC  
and No Peace Without Justice.

In November 2019, at the International Criminal Court (ICC), the Pre-Trial Chamber authorised the Prosecutor to open an investigation into the situation in Bangladesh/Myanmar over alleged crimes against humanity of deportation and persecution on grounds of ethnicity and/or religion against the Rohingya population. The investigation is currently ongoing.

At the same time, The Gambia suo moto filed the Rohingya case as a universal concern, by bringing genocide allegations before the International Court of Justice (ICJ); and seeking provisional measures directed towards ending the genocide, punishing the perpetrators who committed it and protecting and preserving the relevant evidence. The ICJ ordered provisional measures, including that Myanmar prevent and punish the commission of genocide and report to the ICJ periodically on measures to implement those provisional measures. Two weeks before the coup in early 2021, Myanmar lodged an objection to the case. With that pending, Myanmar's Counter-Memorial is due in April 2023.

Meanwhile, in Argentina, a universal jurisdiction Case was filed by Mr Tun Khin, President of the Burmese Rohingya Organisation UK (BROUK), alleging serious crimes including genocide against the Rohingya. On 26 November 2021, The Second Chamber of the Federal Criminal Court in Buenos Aires confirmed that it would launch a case against senior Myanmar officials, including General Min Aung Hlaing and much of the current junta's senior leadership. Most recently, the Argentine Courts have sought relevant information from Meta in relation to material posted on Facebook that vilifies the Rohingya and spreads false information.

All the three Cases came together in a "perfect storm" in November 2019; despite their slow progression, the Cases continue to raise hopes that justice might eventually become a reality for the Rohingyas.

Three years on, this ASP side event aims to take stock of justice efforts for the Rohingyas, examining these efforts in the broader geopolitical context, including the influence of external circumstances, and in light of the expectations of Rohingya human rights activists and others. At the conclusion of the event, participants are expected to have a deeper understanding of the human rights situation for the Rohingyas, an appreciation of the wider geopolitical significance of the Cases and a greater commitment to the pursuit of justice in all appropriate fora.

Speakers at the side-event include:

- Nazhat Shameem Khan, ICC Deputy Prosecutor in charge of the Myanmar/Bangladesh case
- Mr. Hussein Thomasi, Solicitor General and Legal Secretary, Government of Gambia
- Ambassador Laetitia Van Den Assum, former member of the Advisory Commission on Rakhine State
- Tun KHIN, President of Burma Rohingya Organisation UK
- M Riaz Hamidullah, Ambassador of Bangladesh to the Netherlands

Moderator: Representative from No Peace Without Justice (NPWJ)