



International Day for the Elimination of Sexual Violence in Conflict

Statement by Legal Action Worldwide

Survivors of sexual and gender based violence in Myanmar need protection and accountability

19 June 2023, Cox's Bazar, Bangladesh; Bangkok, Thailand: After decades of sexual and gender-based violence and other atrocity crimes perpetrated by the consecutive Myanmar military regimes, victims and survivors are still waiting for justice. Myanmar's judicial system is designed to protect the perpetrators instead of bringing them to justice. This culture of impunity has left survivors with little to no trust in Myanmar's national justice system.

For survivors speaking out and seeking justice can create real and significant risks to their personal safety and wellbeing – this is especially true in the context of Myanmar. Fear of retaliation, harassment, arbitrary arrest, and physical violence continues to be cited by the survivors of crimes perpetrated by the Myanmar military as a key barrier to seeking justice, nationally or internationally.

In the Bangladesh camps, courageous group of Rohingya women, most of whom are survivors of brutal violence perpetrated during the 2016 and 2017 “clearance operations”, created ‘Shanti Mohila’ – a network of Survivor Advocates who continue to play a leading role in the fight for justice. Through community-based counselling and knowledge-sharing, Shanti Mohila empowered the Rohingya community members to speak out and take the first steps in seeking justice, supporting national and international justice initiatives. Shanti Mohila offers a clear example of how legal support can empower victims to become advocates for justice and bring hope to their communities.

In absence of domestic justice options, survivors of crimes perpetrated by consecutive regimes in Myanmar are increasingly turning to international and foreign courts in search of justice for their communities and an end to decades of military impunity. International investigations, such as that by the Office of the Prosecutor of the International Criminal Court, should be escalated and strengthened, with a view to ensuring justice for survivors of SGBV and accountability for its perpetrators. States must effectively utilise universal and extraterritorial jurisdiction to investigate and prosecute conflict related sexual violence and other atrocity crimes that take place in Myanmar, removing legislative and policy barriers to doing so.

As an increasing number of survivors face displacement from Myanmar into third countries, we urge the international community and neighbouring states to ensure adequate survivor support measures including access to healthcare and psychosocial support for survivors, as well as relevant witness protection for those who wish to share their experience with international courts and justice mechanisms.

Sexual and gender-based violence has consistently been used by the Myanmar military to terrorise communities - to destroy populations by shattering lives and corroding familial and social ties. Survivors and their communities are vulnerable to illicit criminal enterprises including human trafficking, sexual exploitation, and external displacement that have deeply destabilising effect within Myanmar and broader ASEAN region. Longstanding impunity for these acts must end now.