

# International Criminal Court goes after Myanmar military chief after nearly five years of war

Wednesday 18 December 2024, by [REID Alan](#) (Date first published: 16 December 2024).

**Nearly five years after Myanmar's civil war began, the chief prosecutor of the International Criminal Court (ICC), Karim Khan, has [requested an arrest warrant](#) for the leader of the country's military regime, Min Aung Hlaing. The application alleges that Min Aung Hlaing orchestrated two major crimes against humanity, namely the deportation and persecution of Rohingya Muslims.**

The arrest warrant application, which was filed in late November, is significant. It is the first to be issued against the highest-ranking official from Myanmar. And it is also slated to be one of a number of pending arrest warrants relating to Myanmar and the treatment of its Rohingya minority.

The history of Myanmar is incredibly tumultuous, particularly in the period following its [independence from the UK](#) in 1948. This tumult has been accompanied by widely documented gross violations of human rights. Indeed, in November 2019 the ICC [launched an investigation](#) into historic alleged human rights violations that took place between 2016 and 2017 in the country and in neighbouring Bangladesh.

During this period, a Rohingya militant group called the [Arakan Rohingya Salvation Army](#) attacked a number of Myanmar police posts, killing both police and security personnel. The Myanmar army, which is known as the Tatmadaw, then undertook [counterinsurgency measures](#) that allegedly involved the razing of almost 300 villages, attacks upon civilians, and the rape and sexual assault of women and girls.

Against this backdrop of violence and intimidation, the near 1 million strong [Rohingya minority population](#) of Myanmar has been decimated, with almost [three-quarters](#) of them fleeing the country and entering Bangladesh. Once there, they have been subjected to sustained violence from [criminal and armed groups](#) operating in transit and refugee camps, [extortion and harassment](#) from the Bangladeshi police, and [forced return](#) to Myanmar.

## Descent to chaos

Beyond these targeted attacks on the Rohingya, the current situation in Myanmar is of immense concern. Min Aung Hlaing [seized power](#) in 2021 by deposing the country's democratically elected leader, Aung San Suu Kyi. Since then, Myanmar has descended into civil war, repression, poverty and economic turmoil.

The UN High Commissioner for Human Rights, Volker Türk, [reported](#) in June 2024 that over 5,000 Myanmar civilians have been killed by the military since 2021. He noted that over 400 of these

people have either been burned to death or had their bodies burned after execution. These horrifying statistics are probably just the tip of the iceberg, given that these are the only verified atrocities documented through credible sources.

More widely, the UN estimates that over 3 million people are displaced across Myanmar, while 18 million people out of a total population of approximately 54.5 million, [require humanitarian assistance](#) because of a lack of housing, food or access to electricity and heating.

Swathes of the country still face attacks on their homes by the military or by armed gangs and criminals who have taken advantage of the lawlessness and endemic corruption. These [criminal gangs](#) operate with impunity and often the explicit support of the regime. This has resulted in Myanmar becoming a cybercrime, human trafficking and opium-producing hotspot in Asia.

Hospitals and schools are struggling to operate as normal, and the [dire economic situation](#) has led to rampant inflation and high levels of unemployment. Climate change is, at the same time, also exacerbating [extreme weather events](#) such as typhoons, monsoons and floods, which have led to yet more deaths, starvation and homelessness.

Unsurprisingly, significant numbers of people living in Myanmar have sought to flee the country, undertaking perilous journeys by land and sea.

It is calculated that there are now hundreds of organisations opposed to the regime operating successfully in Myanmar. These disparate groups of militias, defence forces and armies have collectively [inflicted numerous defeats](#) on the military in recent years.

But, as is unfortunately all too predictable from human history, these successes have resulted in ever more desperate reprisals and repression. Aerial bombardment of rebel-held areas has been relentless and freedom of speech is heavily curtailed. At the same time, arbitrary arrest is common and criminal trials are often just show trials organised before hastily arranged kangaroo courts.

People frequently “disappear” and those who are actually detained face terrible sanitary conditions in jail, lack of food, water and access to legal representation, as well as forced labour and the ever-present threat of sexual and non-sexual violence.

Those detained at military sites and former royal palaces, rather than at police stations, also risk being tortured during their interrogation. In such an environment, it is not surprising to [see an increase](#) in the number of deaths occurring in custody.

The overarching risk is of Myanmar becoming a failed state. This could open up a dangerous power vacuum in an already fragile region of the world.

The ICC’s impending arrest warrant for Min Aung Hlaing should keep the situation in Myanmar in the public consciousness. It is to be hoped that political, diplomatic and legal pressure increases sufficiently to result in both the overthrow of the regime and subsequent attainment of justice for its millions of victims.

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- The Conversation. Published: December 16, 2024 1.08pm GMT.

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