



# **Joint** Letter

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Re: Myanmar's Obligation  
To Comply with the  
Provisional Measures  
Indicated by the ICJ on 23  
January 2020

## **THE INTERNATIONAL COURT OF JUSTICE (ICJ)**

June 17, 2020

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## International Court of Justice

Peace Palace  
Carnegieplein 2  
2517 KJ The Hague  
The Netherlands

**Re: Myanmar's Obligation  
To Comply with the  
Provisional Measures  
Indicated by the ICJ on  
23 January 2020**

June 17, 2020

Dear Honourable President Abdulqawi Ahmed  
Yusuf and Members of the Court,

The undersigned organizations strongly support the human rights of the Rohingya people in Myanmar and around the world. We are deeply interested in the pending case Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v Myanmar), which concerns a campaign of genocide orchestrated against the Rohingya people by the Government of Myanmar and its military. We welcome the Court's decision of 23 January 2020 to indicate provisional measures against Myanmar, including the requirement that Myanmar file periodic reports with the Court to describe the concrete steps it is taking to give effect to the Order. We understand that Myanmar submitted its first report to the Court on 23 May 2020.

We would like to respectfully urge the Court to make the 23 May 2020 report and all future reports (including any responses from The Gambia) available to the public on the Court's website. Our current understanding is that such reports may remain private, available only to The Gambia and to the Court.

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## Signatories

The European Rohingya council  
(ERC)

Free Rohingya Coalition (FRC)

Burmese Rohingya Organisation UK  
(BROUK)

Arakan Altruism Society and  
Educational Network (AASEN)

Burmese Rohingya Association in  
Queensland-Australia (BRAQA)

British Rohingya Community (BRC)

Burmese Rohingya Community of  
Georgia (BRCG) -USA

Arakan Rohingya National Union  
(ARNU)

Arakan Rohingya Organisation UK  
(AROUK)

Burma Task Force (BTF)

Canadian Rohingya Development  
Initiative (CRDI)

International Campaign for Rohingya  
(ICR)

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We fear that keeping the reports confidential will undermine their effectiveness and allow Myanmar to skirt its obligation to comply with the Court's Order, and its continuing obligations under the 1948 Genocide Convention. The non-public nature of the reports will prevent Rohingya communities and other observers who may have relevant information and expertise from being able to scrutinize Myanmar's reports and, where appropriate, highlight material omissions or misrepresentations. Without public scrutiny, the reporting requirement may not fulfil its intended purpose, especially given that United Nations investigators are not able to operate within Myanmar.

It is also a simple fact that Rohingya communities may misinterpret the confidential nature of the reports as acceptance or endorsement of Myanmar's position—or as a sign that the plight of the Rohingya is being forgotten, even as the case advances.

We recognize that the rules of the ICJ do not provide any formal channel for participation by civil society actors. Nonetheless, we hope that our modest request might be given due consideration. Please allow us this opportunity to affirm to the Court the assurance of our highest consideration.

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## Signatories

Justice for All (JA)

Myanmar Muslim Association  
Netherlands (MMAN)

Queensland Rohingya Community  
(QRC) Australia

Rohingya Action Ireland (RAI)

Rohingya Center for Peace &  
Development (RCPD)

Rohingya Peace Initiative (RPI)

Rohingya Refugee Committee (RRC)

Rohingya Refugee Network (RRN)

Rohingya Student Network (RSN)

Rohingya Student Union (RSU)

Rohingya Youth Association (RYA)

Rohingya Women Education Initiative  
(RWEI)

Rohingya Women Empowerment and  
Advocacy Network (RWEAN)

Rohingya Women for Justice and Peace  
(RWJP)

Rohingya Youth for Legal Action (RYLA)

RW Welfare Society (RWWS)

The Swedish Rohingya Association  
(SRA)

Voice of Rohingya (VOR)



## SIGNATORIES

The European Rohingya council (ERC)  
 Free Rohingya Coalition (FRC)  
 Burmese Rohingya Organisation UK (BROUK)  
 Arakan Altruism Society and Educational Network (AASEN)  
 Burmese Rohingya Association in Queensland-Australia (BRAQA)  
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