



Q&A about the ICC Prosecutor's Request for an Arrest Warrant

WHAT IS THE INTERNATIONAL CRIMINAL COURT (ICC), AND CAN IT INVESTIGATE AND PROSECUTE CRIMES COMMITTED IN MYANMAR?

The [ICC](#) is an international court that investigates and tries individuals accused of serious international crimes including genocide, war crimes and crimes against humanity.

Although Myanmar is not a member of the ICC, the ICC Prosecutor was authorised by ICC judges to investigate crimes against humanity related to the deportation of hundreds of thousands of Rohingya from Myanmar into Bangladesh because those crimes continued onto the territory of Bangladesh, which is an ICC member.

HOW DOES THE INDEPENDENT INVESTIGATIVE MECHANISM FOR MYANMAR (IIMM) SUPPORT THE ICC'S INVESTIGATION?

The IIMM closely cooperates with the ICC Prosecutor's Office and has shared a large volume of evidence and analysis, including witness statements. The IIMM has also jointly interviewed several victims of sexual violence and crimes against children with the ICC.

WHAT DOES THE ICC PROSECUTOR'S REQUEST FOR AN ARREST WARRANT FOR MIN AUNG HLAING MEAN?

The ICC Prosecutor believes that there is enough evidence that Min Aung Hlaing bears criminal responsibility for crimes against humanity. ICC judges will now review the evidence and decide whether to issue the arrest warrant. If issued, Min Aung Hlaing could face trial at the ICC if he is arrested and handed over to the ICC. However, since Myanmar is not a member of the ICC, it is not obligated to arrest suspects under an ICC arrest warrant.

WHAT CRIMES ARE INCLUDED IN THE ICC PROSECUTOR'S REQUEST? WHY ISN'T GENOCIDE ONE OF THEM?

The ICC Prosecutor's request covers crimes against humanity related to the deportation and persecution of Rohingya, committed in Myanmar and in part in Bangladesh between 25 August and 31 December 2017. The Prosecutor's jurisdiction and current investigation is limited to crimes that were committed, at least in part, on the territory of Bangladesh, as Bangladesh is a member of the ICC. This limits the range of crimes that could be included in arrest warrant requests by the ICC Prosecutor's Office.

DOES THE ICC PROSECUTOR'S REQUEST COVER RECENT CRIMES?

The request focuses on crimes committed during the Myanmar Armed Forces' clearance operations against the Rohingya in 2017.

Meanwhile, the IIMM is investigating serious international crimes committed by all perpetrators, including recent atrocities in Rakhine State, as part of its mandate to collect, preserve, analyze and share evidence of the most serious international crimes committed in Myanmar since 2011.

WILL THE ICC PROSECUTOR REQUEST ARREST WARRANTS FOR OTHER PEOPLE?

The ICC Prosecutor announced that this is the first request for an arrest warrant against a high-level Myanmar official, and that more will follow. The Prosecutor can request more arrest warrants if there is enough evidence linking other individuals to crimes within the ICC's jurisdiction.

Meanwhile, the IIMM continues its independent investigations into serious international crimes committed against the Rohingya in Myanmar and will continue to share evidence and analysis with the ICC Prosecutor's Office.

