

President of the International Court of Justice  
The Hague, The Netherlands.

2 February 2022

Dear President of the ICJ

We are 807 Rohingya survivors of genocide, currently living in the camps in Cox's Bazar, Bangladesh. We were displaced from our homes in northern Rakhine state, Myanmar, during 2016 and 2017 'clearance operations' implemented by the Myanmar military and Border Guard Police. During the 'clearance operations' our people experienced the most horrific crimes - unlawful execution, torture, and brutal sexual violence, including rape, gang rape, sexual slavery, sexualised torture and mutilations. Many of us witnessed these acts committed against our family, friends and neighbours. Our homes, villages, communities and way of life have been destroyed for ever. We have been left with nothing but loss, pain and suffering. This is the subject of the case between The Gambia and Myanmar at ICJ.

We are outraged and fearful that the ICJ could recognise the Burmese junta (Tatmadaw) as the government of Myanmar. Whoever represents Myanmar must represent its people – the Rohingya, like all peoples inside Myanmar since the unlawful military coup d'état, completely reject the Tatmadaw. The Tatmadaw continue to commit genocide against us – they have failed to follow the provisional measures ordered by the ICJ.

We plead with you to accept the NUG statement and not to do anything which would make the Tatmadaw legitimate. The UN General Assembly has refused to recognise the Tatmadaw as Myanmar's representative and the ICJ should do the same.

Instead, the ICJ must recognise the National Unity Government (NUG) of Myanmar. The NUG has stated that it will comply with the international justice proceedings, accepts the jurisdiction of the Court and has removed its preliminary objections to the case. We ask the ICJ to move forward with the substantive hearings on the case.

The NUG has stated it will restore democracy in Myanmar, secure justice for the crimes perpetrated against our Rohingya people by the Tatmadaw, and ensure our community can one day return to our homes in Myanmar, with full citizenship.

Yours sincerely,

807 Rohingya survivors of genocide.