



Republic of the Union of Myanmar

Office of the President

Press Release

12th Waning of Pyatho 1381 ME

(21 January 2020)

1. President U Win Myint has received the final report of the Independent Commission of Enquiry (ICOE). The Commission was established by the Office of the President on 30 July 2018 to investigate the allegations of human rights violations in Rakhine during the internal armed conflict between Myanmar's Defence Services and the Arakan Rohingya Salvation Army (ARSA) in 2016-17.
2. The President has expressed his gratitude to the Commissioners, the members of the Secretariat and those who assisted the Secretariat. The four Commissioners were Ambassador Rosario Manalo (Chairperson; Member, CEDAW; former Deputy Foreign Minister of the Philippines), Ambassador Kenzo Oshima (former UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator), Judge U Mya Thein (former Chair, Constitutional Court of the Republic of the Union of Myanmar), and Prof. Dr. Aung Tun Thet.
3. The report of the Commission is comprehensive. With 31 annexes, it amounts to more than 450 pages. The analysis of the Commission is based on about 1,500 statements carefully collected by the Commission itself in northern Rakhine and from members of Myanmar's security forces who served in Rakhine at the relevant time. The President thanks the individuals who have come forward and cooperated with the Commission.
4. The Commission has found that war crimes were committed during the internal conflict in Rakhine, by members and collaborators of ARSA, by members of the Myanmar's security forces and by civilians. These crimes included the killing of civilians, disproportionate use of force, looting of property, and destruction of abandoned homes of Muslims in Maungdaw,

Buthidaung and Rathedaung Townships in Northern Rakhine. The Commission has found particularly serious loss of life in the villages of Min Gyi (Tula Toli), Chut Pyin and Maung Nu. The Commission's findings reveal no indication of a pattern of conduct from which one could reasonably conclude that the acts were committed with 'genocidal intent.'

5. In its 22 recommendations, the Commission recommends that further criminal investigations be undertaken by the Office of the Judge Advocate General and the Union Attorney General.

6. The President concurs with the recommendations of the Commission that there needs to be further criminal investigations and, where the evidence is compelling, prosecutions. To this end, the President has transmitted the full report with annexes to the Union Attorney General for further investigation and prosecution of any property destruction or looting or other serious crimes committed by civilians during the internal armed conflict in Rakhine. The President has also asked the Union Attorney General to consult with the Judge Advocate General as necessary on how serious crimes committed by ARSA members or collaborators should be investigated and prosecuted.

7. The President has also, acting under the Constitution of Myanmar, transmitted the full Commission report with annexes to the Commander-in-Chief of Myanmar's Defence Services in order that the Office of the Judge Advocate General might extend its ongoing investigations and prosecutions to cover crimes alleged to have been committed by members of Myanmar's security forces, in particular the killings in Min Gyi and Chut Pyin and the failure to prevent the burning of homes in abandoned Muslim villages.

8. The President has expressed sympathy for all victims and assured them of his commitment to accountability, justice and to professionalism of Myanmar's security forces.

9. The President has also directed that the Executive Summary of the Commission's report be made public.
