

Barriers to International Criminal Accountability in Myanmar (2017–2024): Explaining Chinese Diplomatic Constraints

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Abstract

The study examines the barriers to international criminal accountability to Myanmar between 2017 and 2024 emphasizing the role of Chinese diplomatic engagement in shaping limits of transitional justice efforts especially in truth seeking, prosecution and reparation. Since 2017 Rohingya genocide crisis and the 2021 military coup, international actors, including the United Nations, the International Criminal Court (ICC), and the International Court of Justice (ICJ), have sought to establish accountability for mass atrocities. This issue becomes prominent when considering the role of China as most influential neighbour which is in great power competition. Through diplomatic engagement and economic strategies linked to Belt and Road Initiative, China is significantly leverage over international condemnation upon Myanmar's human right violation. Consequently, the pathway for transitional justice in Myanmar should be analyzed through not only domestic efforts but also intertwined of Chinese foreign policy and geopolitical interests. China's positioning in international stage has significant impact in escaping accountability from the mass atrocities committed by Myanmar military.

This study argues that China as power influence in region and it's economic interest constraints the accountability of human rights violation in Myanmar. This will provide insights to attribute in initiating finding and executing justice platforms of Myanmar in current international realm and encouraging the future research for identifying the gap between international law and transitional justice theory in realpolitik. This study will be conducted through qualitative desk review and content analysis by using secondary data to identify the constraints embedded in international legal obligation.