



# BULLETIN

ISSUE  
09

OCTOBER 2023

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## MESSAGE FROM THE HEAD OF THE MECHANISM

Almost daily, the Mechanism receives new reports of alleged war crimes and crimes against humanity committed in Myanmar. As detailed in our recent [Annual Report](#) and in my [statement](#) to the UN Human Rights Council on 11 September 2023, the Mechanism has collected copious evidence indicating that the Myanmar military has been committing bolder and more frequent attacks on civilians. The reports and accounts received show that these attacks include the intentional burning of villages, aerial bombardments and mass executions. Our Annual Report also notes that military authorities have not announced any investigations into these incidents, despite their duty under international law to take every reasonable measure to investigate and punish war crimes committed by those under their command.



The evidence that the Mechanism collects and preserves is not intended to gather dust in storage but to be used to facilitate justice. The Mechanism has recently produced three analytical reports regarding crimes committed against the Rohingya, which it is sharing with the relevant authorities in the ongoing proceedings at the International Criminal Court, the International Court of Justice and in Argentina. These reports focus on the military chain of command in Rakhine State; the failure of the Myanmar authorities to investigate or punish sexual and gender-based crimes; and the organized spread of hate speech by the Myanmar military during the 2017 clearance operations.

The unfortunate reality is that international justice is a slow process, and I know this only increases the suffering of victims of crimes. On 25 August, I participated in a number of events to mark six years since the horrific violence that displaced hundreds of thousands of Rohingya from Myanmar to Bangladesh. Six years on, no one has been held accountable for these crimes. That is six years too long.

Justice requires a sustained effort, and the Mechanism is committed to seeing justice served. With thanks to the courageous individuals and organizations who have provided valuable information to us, we are collecting and analysing evidence in order to identify the individuals responsible for the most serious international crimes committed in Myanmar. The analytical reports and case files we are preparing can be used by courts or tribunals at any time in the future. The process of justice may be slow, but every piece of evidence we collect and analyse takes us closer to seeing perpetrators behind bars. We are motivated in our work by the hope that this cycle of impunity that has emboldened the Myanmar military to commit ever-more brazen crimes will be broken.

**Nicholas Koumjian**

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## INSTITUTIONAL UPDATE



As outlined in its fifth [Annual Report](#), in the past year the Mechanism has collected and analysed strong evidence of more frequent aerial bombings and indiscriminate shelling resulting in the deaths of innocent civilians, including children. We see increasing numbers of arrests and persons detained without due process of law, and there is credible evidence that detainees have been subjected to torture, sexual violence and other severe mistreatments. As detailed in the Annual Report, the Mechanism is also investigating the dispossession and appropriation of Rohingya land and personal property.

As of October 2023, information and evidence has been collected from over 725 individuals, organizations, businesses, UN entities and other partners. The Mechanism has steadily expanded its efforts to collect first-hand accounts of crimes, with over 260 witness testimonies collected from survivors, eyewitnesses and those with knowledge of orders given. The Mechanism takes all feasible steps to ensure the safety, privacy and well-being of witnesses.

The Mechanism's investigations have been propelled by evolving and innovative technology and tools for collecting, preserving, analysing and managing information and evidence. This has enabled it to increase what it can share with relevant authorities. Over 160 packages of information and analysis are now available for sharing.

# 725

Information and evidence collected from over 725 sources.

# 260

Over 260 witness interviews and screenings conducted.

# 160

Over 160 packages of information and analysis available for sharing with relevant authorities.



## HUMAN RIGHTS COUNCIL

In September, the Head of the Mechanism [reported](#) on the Mechanism's activities and progress to advance justice and accountability at the 54th session of the UN Human Rights Council. During the [interactive dialogue](#) that followed, several Member States and civil society organizations reiterated their support for the work of the Mechanism, in particular its increased cooperation with civil society organizations through its Civil Society Dialogue.

On 23 October, the Head of the Mechanism will brief the Third Committee of the UN General Assembly for the first time on the progress of the Mechanism's activities. While in New York, he is expected to brief Member States and other partners, and seek to mobilize additional support and resources to increase the effectiveness of the Mechanism's work.

## SEXUAL AND GENDER-BASED CRIMES

Investigating sexual and gender-based crimes is one of the Mechanism's highest priorities. In its investigations into the Rohingya clearance operations, the evidence gathered to date shows that this type of violence was very widespread, affecting all genders. The Mechanism seeks out witnesses or victims of these crimes whose plight is often overlooked, including those of diverse gender identities and sexual orientations.

In our investigations of international crimes committed since the February 2021 military overthrow of the elected government, the Mechanism continues to collect substantial evidence of sexual and gender-based crimes against women, girls, men, boys and people with diverse gender identities, including those committed by members of the security forces. Such evidence is an important component of the Mechanism's investigations given the particularly cruel nature of these acts and the highest level of legal responsibility facing perpetrators and those who facilitate these crimes.

## COOPERATION

To date, the Mechanism has made 16 requests to Myanmar authorities to obtain access to the territory and to information in its possession. Myanmar has not responded to any of the Mechanism's requests. As the Mechanism continues to be denied access to Myanmar, the support and cooperation of Member States and other partners is crucial for the Mechanism to carry out its investigations.

The Mechanism continues its efforts to deepen cooperation and engagement with Member States to conduct witness interviews and collect information in their territories, particularly within the Asia-Pacific region where much of the evidence and many of the witnesses are located. The Mechanism welcomes commitments made by several Member States to expedite the timely adoption and approval of their respective legal cooperation frameworks with the Mechanism that are currently under way.

# OUTREACH

The Mechanism uses a range of communication channels to help people better understand its mandate and ways of working, and to increase support and cooperation for its investigations. Through its website, Facebook Page, media engagements, as well as public and closed-door events and briefings, the Mechanism engages with a range of stakeholders who have an interest in seeing justice for crimes committed in Myanmar.

## MEDIA COVERAGE

The launch of the Mechanism’s latest [Annual Report](#) included a briefing to the UN Geneva press corps and interviews with global and regional media outlets, including [BBC Newshour](#), [TRT World](#) and [Radio Free Asia \(Burmese\)](#). The Head of the Mechanism also highlighted issues of justice and accountability in interviews with [Sky News](#) and [The Washington Post](#).



## FACEBOOK

Do you have questions for the Mechanism? Write them on the [Facebook Page](#)! Starting this month, Facebook followers can send their questions to the Mechanism, which will be answered monthly by Mechanism personnel. Later in October, the Head of the Mechanism will answer the first group of questions received. Stay tuned!

**Independent Investigative Mechanism for Myanmar** • October 2 at 4:47 PM •

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Have a question about the Mechanism’s work?

**သိလိုရာမေး**  
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**QUESTIONS FOR US**  
Every month, IIMM personnel will answer your frequently asked questions  
Put your questions in the comments below!



The Mechanism is sharing three analytical reports related to crimes against the Rohingya in 2016 and 2017 to support ongoing legal proceedings before the International Court of Justice, the International Criminal Court and in Argentina.

### **ANTI-ROHINGYA HATE SPEECH ON FACEBOOK: CONTENT AND NETWORK ANALYSIS**

This report provides the findings of the Mechanism's large-scale analysis of content posted on Facebook before, during and after the 2017 clearance operations in Rakhine State. The report examines the content of posts on 43 Facebook Pages from July through December 2017 for anti-Rohingya hate speech and looks for links among these Pages and any ties to the Myanmar military. The Pages examined in the project had been removed by Facebook for their connection to individuals and organizations who: 1) committed or enabled serious human rights abuses in Myanmar; or 2) engaged in 'coordinated inauthentic behaviour', such as when groups of Pages or people work together to mislead others about who they are or what they are doing. The report concludes that the Pages examined had clear connections to the Myanmar military and promoted hate speech at the time of the 2017 clearance operations.

### **EFFORTS TO INVESTIGATE AND PUNISH SEXUAL AND GENDER-BASED CRIMES COMMITTED AGAINST ROHINGYA**

This report examines the response of the Myanmar authorities to allegations of sexual and gender-based crimes committed against the Rohingya during the clearance operations in Rakhine State. It evaluates whether Myanmar fulfilled its obligation under international law to investigate and punish such crimes. It compiles and analyses extensive evidence of the Myanmar authorities' knowledge that sexual and gender-based crimes were allegedly committed by forces under their control and assesses their actions to investigate and punish these crimes. This evidence informs elements of state responsibility as well as command responsibility for failing to investigate and punish rape, which can be an underlying act of genocide.

### **STRUCTURE OF WESTERN REGIONAL COMMAND: 2016-2017**

This report outlines the relevant command structures of the Western Regional Command of the Myanmar military that conducted clearance operations in Rohingya villages in Rakhine State in 2016 and 2017, based on the evidence the Mechanism has collected to date. Drawing from testimonies of witnesses, documentation and open-source material collected by the Mechanism, it describes the presence and operations of specific military units and identifies their commanders and to whom they reported during the relevant time periods.

## FREQUENTLY ASKED QUESTIONS

### WHAT DOES THE MECHANISM DO WITH THE INFORMATION IT COLLECTS?

The Mechanism seeks to collect and preserve information from various sources while it is fresh and before it is lost or destroyed. This information is stored in a secure database using the latest encryption technology to ensure the safety and privacy of the persons providing the information. The technology also records the trail of people who handled the information, establishing a chain of custody so that it can be used in court.

The Mechanism's teams of lawyers, investigators, analysts and other specialists use innovative methods and the latest technology to cross-check information against other material and evidence and verify its reliability. Each piece of verified information is then added to other evidence to build case files against alleged perpetrators.

Relevant authorities in national, regional or international courts can request information or analysis from the Mechanism to assist their investigations and prosecutions. The Mechanism can only share material with authorities that can protect victims and witnesses, ensure the right to a fair trial and comply with other international human rights laws and standards, and do not impose the death penalty. Information is only shared with the consent of the person or organization who provided it, and the authorities must agree to respect any promises of confidentiality that the Mechanism has made.

Learn more about how information is stored, analysed and shared on the Mechanism's [website](#).

### I'VE SHARED INFORMATION WITH THE MECHANISM. WILL I BE UPDATED OR RECEIVE FEEDBACK?

People and organizations take enormous risks to share information and evidence with the Mechanism. This information can help the Mechanism build cases against alleged perpetrators, provide valuable investigative leads, or be used to verify information received from other sources.

Information providers are understandably eager for feedback on how the Mechanism has used what they have shared. Given the confidential nature of criminal investigations, the Mechanism cannot provide updates on the progress of specific investigations or details on how their information has been used to build cases against alleged perpetrators. However, when possible, the Mechanism aims to give general feedback on the usefulness of information that it receives. Such feedback may not be immediate as it takes time to thoroughly review and analyse the materials, and any further communication from the Mechanism takes into account the safety and privacy of the information providers.

General updates on the progress of investigations can be found in the Mechanism's [Bulletin](#), [Annual Report](#) and [statements](#) to the UN Human Rights Council and General Assembly. Follow the [Facebook Page](#) for news from the Mechanism.

