



Independent Investigative Mechanism for Myanmar

Fact Sheet

What is the Myanmar Mechanism?

The Mechanism is an entity that was created to promote accountability and justice for the victims and survivors of the most serious international crimes and human rights violations committed in Myanmar since 2011. The Mechanism started its operations at the end of August 2019.

The Mechanism was established by the United Nations Human Rights Council in September 2018 in response to reports that gross human rights violations amounting to serious international crimes, including in Kachin, Rakhine and Shan states.

It is crucial that evidence of these crimes is collected and preserved to prevent their disappearance, concealment or destruction. This will eventually enable persons who caused so much suffering to be prosecuted and brought to justice.

What does the Myanmar Mechanism do?

1. The Mechanism **collects** and **preserves** information, documentation and evidence regarding the most serious international crimes and violations of international law committed in Myanmar since 2011. Serious international crimes include war crimes, crimes against humanity and genocide.
2. The Mechanism **analyses** the materials that it collects to establish what crimes were committed and which persons are responsible for those crimes. The Mechanism also uses the materials to prepare case files.
3. The Mechanism **shares** certain materials and case files with national, regional or international courts or tribunals which comply with international law standards and which do not impose the death penalty when it is confident that the safety and privacy of witnesses and victims will be respected.
4. The Mechanism **explains** and **communicates** its mandate and work to relevant stakeholders, including survivors, civil society and the public.

What does the Myanmar Mechanism investigate?

The Mechanism investigates the most serious international crimes and violations of international law committed in Myanmar since 2011. It is not limited to investigating such crimes in certain areas of Myanmar, but can investigate such crimes committed in any part of the country. The Mechanism is impartial and independent, and will investigate crimes regardless of the ethnicity, nationality, race or religion of the victims or the perpetrators. The Mechanism can investigate situations in Myanmar since 2011, as well as ongoing and future situations.

How is the Mechanism different from other UN entities working on Myanmar?

The Special Rapporteur on the situation of human rights in Myanmar monitors the human rights situation in the country and submits reports to the UN Human Rights Council. The Special Rapporteur also issues public statements and formal communications to the Government of Myanmar.

There are also other UN agencies or entities that work on issues relating to Myanmar. For example, the UN Office of the High Commissioner for Human Rights (OHCHR) is tasked to speak out objectively in the face of human rights violations worldwide. The UN High Commissioner for Refugees (UNHCR) provides assistance to refugees, asylum-seekers, internally displaced and stateless people. The UN Development Programme (UNDP) and the UN Office on Drugs and Crime (UNODC) help to strengthen law and justice institutions in Myanmar.

How is the Myanmar Mechanism different from other accountability processes on Myanmar?

The Mechanism received materials from the UN Fact-Finding Mission on Myanmar (FFM) when the FFM concluded its work end August 2019. While the FFM's work focused on human rights reporting, the Mechanism focuses on holding individual perpetrators responsible for the crimes that they have committed. This requires a higher standard of proof, and involves legal procedures that are longer and more complex.

The Mechanism is not a court that can hold trials, or a prosecution office that can prosecute individual perpetrators. However, the case files that the Mechanism prepares can be used by prosecutors and judicial authorities from competent courts. The Mechanism will work to promote justice and accountability in any and all suitable places – whether that is an international tribunal, a regional court or a national court that has jurisdiction.

At the International Court of Justice (ICJ), The Gambia has initiated a case against Myanmar, alleging that the Myanmar security forces committed genocidal acts against the Rohingya in violation of the Genocide Convention. That ICJ case deals with litigation between States as to the responsibility of a State, rather than the prosecution of individual perpetrators. The Mechanism has been sharing materials relevant to this case with both The Gambia and Myanmar.

There is also an ongoing investigation at the International Criminal Court (ICC) related to the forced deportation of Rohingya from Myanmar to neighboring Bangladesh. Part of the Mechanism's mandate is to cooperate with the ICC.

How can I provide information to the Myanmar Mechanism?

If you are interested in providing information, please contact the Mechanism at +41 76 691 12 08 via Signal or at iimm@un.org by email to discuss how such information will be used and whether you would like your identity to be protected. Please include your contact details.

The Mechanism recognizes the importance of protecting the privacy and security of persons who provide information to the Mechanism. The Mechanism will not share the information you provide, or any information about your identity, without your consent.

For more information, please visit iimm.un.org or facebook.com/MyanmarMechanism