

The International Independent Fact-Finding Mission on Myanmar (FFM)

Creation

The FFM was created on 24 March 2017 by the UN Human Rights Council (Resolution A/HRC/RES/34/22). It ended in September 2019 and handed over its evidence to the Independent Investigative Mechanism for Myanmar (IIMM).

Mandate

The FFM was mandated to establish the facts and circumstances of alleged human rights violations and abuses in Myanmar since 2011, in particular in Rakhine, Kachin, and northern Shan States, committed primarily by government security forces, but also by ethnic armed groups, with a view to ensuring full accountability for perpetrators and justice for victims.

Commissioners

Marzuki Darusman (chair) from Indonesia, Radhika Coomaraswamy from Sri Lanka, and Christopher Dominic Sidoti from Australia.

Reports

The main report was published in September 2018 (444 pages). In August 2019, the FFM published follow-up reports on the business ties of the Myanmar military and on sexual and gender-based violence in Myanmar. A final report was published in September 2019.

Key findings

- The Tatmadaw committed genocide against the Rohingya in Rakhine State, and war crimes and crimes against humanity in Kachin and Shan States.
- In Rakhine State, the Tatmadaw conducted “clearance operations” that led to over 725,000 Rohingya fleeing to Bangladesh, 10,000 deaths (a conservative estimate) including mass killings, and mass gang rapes.
- The FFM also documented rampant hate speech in Myanmar.
- The FFM identified by name six senior commanders as most responsible for the crimes.
- The FFM documented the business ties of the military, as well as the use of sexual and gender-based violence in conflict.
- *See more details in the infographics prepared by the FFM.*¹

Recommendations

The FFM called for:

- the investigation and prosecution of Myanmar’s Commander-in-Chief, Senior General Min Aung Hlaing, and his top military leaders for genocide, crimes against humanity, and war crimes.
- the United Nations Security Council to refer Myanmar to the International Criminal Court (ICC), or to establish an ad hoc international criminal tribunal.
- the creation of an international Independent Investigative Mechanism on Myanmar (IIMM).

¹ <https://www.ohchr.org/EN/HRBodies/HRC/MyanmarFFM/Pages/ReportoftheMyanmarFFM.aspx>

- targeted individual sanctions, including travel bans and asset freezes.
- an arms embargo on Myanmar.
- the international community to cut off all financial and other support to Myanmar's military.
- the United Nations to create a trust fund for victim support.

Advantages

- The FFM did not focus only on individuals, but also looked at the Tatmadaw as an institution. The main report highlighted patterns of violations.
- The FFM's mandate allowed it to look at all of Myanmar, in particular in Rakhine, Kachin, and northern Shan States.
- The FFM made its findings known in high-profile public reports and through conferences held by the Commissioners.
- The evidence collected by the FFM was handed over to the IIMM and might be used by other relevant mechanisms such as the ICJ, the ICC, etc.

Limitations

- The FFM cannot prosecute or punish perpetrators.
- The FFM can only make recommendations. It cannot force governments to implement its recommendations.
- The FFM's mandate ended in September 2019.

More information is available at: <https://www.ohchr.org/en/hrbodies/hrc/myanmarffm/pages/index.aspx>
