



UN Human Rights Council decides to urgently dispatch an international fact finding mission to Burma/Myanmar

(Geneva, 24 March 2017) – Today, in a landmark decision, the UN Human Rights Council passed a resolution to urgently dispatch an international fact finding mission to look into gross human rights violations in Burma/Myanmar. This comes after numerous calls by UN experts and civil society for an International Commission of Inquiry (COI) into allegation of serious violations within the country. Despite strong calls for a COI, the Council decided to opt for a more ambiguous mechanism in the form of a fact finding mission, thereby falling short of expectations. However, it is hoped that the fact finding mission will be able to rise up to challenges, and ultimately fulfil expectations by launching an independent and effective investigation into allegations of gross violations in Burma/Myanmar – and reporting back to the Council with robust recommendations.

“While we hoped for a stronger mechanism, we are glad that in the end the Council has been able to take a concrete step towards an inquiry into violations,” said Khin Ohmar of Progressive Voice, “As the first international body with a dedicated mandate to look into specific gross violations in Burma/Myanmar, the fact finding mission has a historic task and an enormous responsibility.”

Security operations in Rakhine state, which began in October last year, consistently grabbed international headlines, as accounts of grave abuses against the Rohingya minority, such as mass gang-rape, torture and killings, continued to pour in. As the 34th session of the Council began, the UN High Commissioner for Human Rights and the UN Special Rapporteur on the human rights situation in Myanmar called for a COI, citing the likelihood of crimes against humanity in the country. Consequently, intense negotiations ensued at the Council on possible action, leading to this resolution.

“It is essential that the international community is able to adequately react to grave violations in a timely and effective manner,” said Wai Wai Nu of the Women’s Peace Network, “Since 2012 there have been several calls for international investigations on abuses in Rakhine state, but none materialised until now. The fact finding mission has an important role to play, since none of the six different national investigation initiatives set up by the government since 2012 have been independent or credible.”

“While the horrific violations reported recently in Rakhine state are deeply worrying and need particular attention, similar allegations have also been coming in from the Kachin and Shan states since 2011”, said Stella Naw of the Kachin Women Association’s Thailand (KWAT), “The pattern and timeline of violations are similar to Rakhine state and have in fact intensified since August of last year. We are glad that the Council has identified the important need to take a holistic approach, and that the mandate of the fact finding mission is broad and covers all regions of Burma/Myanmar with a particular reference to Rakhine state.”

Lway Vehnim of Ta'ang Women's Organization echoed a similar view, “the broad mandate of the fact finding mission will help in finding more effective solutions to countrywide issues related to minorities, impunity, justice and accountability.”

“The President of the Council, who is tasked with setting up the fact finding mission, should swiftly select experts for the mission in an independent and transparent manner. It is important that this process is merit based and that selected experts have the necessary expertise for the mission,” said R. Iniyang Ilango, UN Advocacy Programme Manager for the Asian Forum for Human Rights and Development (FORUM-ASIA), “In order to be effective, the fact finding mission should address root causes, and go back at least as far as 2012 in tracing the circumstances that led to recent grave violations.”

“It is unfortunate that the government of Burma/Myanmar has chosen to disassociate itself from this resolution,” said John Samuel, Executive Director of FORUM-ASIA, “It is important for the National League for Democracy led government in Burma/Myanmar to see international human rights mechanisms as an ally in its arduous struggle with the military, which still maintains effective control in the country and stands implicated in allegations of gross violations. This resolution is a great opportunity for the government to move in the right direction. It should cooperate fully with the international fact finding mission.”

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