# **ASIA PACIFIC REGIONAL OUTLOOK**

# **EARLY WARNING ATROCITY CRIMES**



**NOVEMBER** Featured in this issue...

- Myanmar regime continues to perpetrate atrocity crimes
- Extra-judicial killings in The Philippines
- Inter-communal violence in Papua New Guinea
- Middle East conflict inflames hate speech in Southeast Asia





# **REGIONAL ATROCITY RISK ASSESSMENT**



Very High	China Myanmar Democratic People's Republic of Korea (DPRK)
High	The Philippines
Moderate (high to low)	Papua New Guinea (High ) West Papua (Indonesia) (moderate)
Low	Fiji, Cambodia, Indonesia (except West Papua) Laos, Solomon Islands, Thailand, Timor- Leste and Vietnam
Very Low	Australia, Brunei, Japan, Kiribati, Malaysia, Marshall Islands, Micronesia, Mongolia, Nauru, New Zealand, Palau, Republic of Korea, Samoa, Singapore, Taiwan,Tonga, Tuvalu, Vanuatu

## MYANMAR - VERY HIGH RISK- ONGOING

#### Myanmar Risk: Very High/Ongoing

Atrocities in Myanmar continue unabated with military forces committing more war crimes against civilians even as the junta is increasingly facing stronger and better coordinated armed resistance from ethnic armed organisation (EAOs) and civilian armed resistance forces. The military regime is expected to carry on more air strikes in northern and central Myanmar that could exacerbate further the humanitarian crisis in the country.

The recent coordinated attacks by the Brotherhood Alliance of several EAOs and Peoples Defence Forces (PDF), codenamed Operation 1027, in late October saw the capture of several military bases in northern Myanmar's Shan state, forcing the military government to convene an emergency meeting of its national security council.<sup>1</sup> China expressed serious concern over the situation as the violence between junta forces and the EAOs spilled over into its border with Myanmar. Beijing confirmed that there were Chinese casualties in the fierce fighting along the border.<sup>2</sup> Muse border zone, which accounts for 70 percent of cross-border trade with China, has been shut down after the Brotherhood Alliance took control of the area following Operation 1027. It is estimated that the junta is losing USD 423,000 tax revenue per day after the resistance forces occupied the zone.<sup>3</sup>

The Brotherhood Alliance vowed to spread its resistance operation across the country in coordination with other EAOs and resistance forces. It claimed to have occupied 150 military regime positions and at least five towns since its operation on 27 October began, effectively blocking the junta's access to the border with China.<sup>4</sup> Resistance groups have also occupied Kawlin and Kamphat towns in Sagaing Region as part of Operation 1027. Two junta bases in Mese Township in Kayah state along the border with Thailand were also reported to have been occupied following a joint operation by the Karenni Army and PDFs in its own Operation 1107. For his part, the National Unity Government's (NUG) Acting President Duwa Lashi La said that more towns would fall into rebel hands even as he praised the coordinated operations of anti-junta resistance forces.

As of 9 November, over 4,100 people were killed by military and pro-military militias in Myanmar since the February 2021 coup.<sup>5</sup> In addition, there are close to 500 documented deceased persons whose identities remain unknown and needs to be verified. Of the more than 25,300 people arrested, there are still over 19,600 people in detention of which 8,037 are serving their sentences.<sup>6</sup> More than 5,700 detained people were released by the government. Between 1 January to 9 November 2023, there were 19 women and 69 men who were killed by junta forces in Magway region.<sup>7</sup>

The humanitarian crisis in Myanmar continues to worsen as there are now nearly 2 million people internally displaced across the country, of which 1.7 million were displaced by clashes and insecurity since the February 2021 coup. The ongoing conflict along with monsoon flooding continue cause new displacement, civilian casualties, and destruction of civilian properties according to the latest report from the UN Office for the Coordination of Humanitarian Affairs (OCHA). It also noted the threat to civilians from explosive ordnance is spreading as new data show that landmine casualties have occurred in all states and regions except in Nay Pyi Taw.<sup>8</sup> Intense fighting in Shan State between the Brotherhood Alliance and junta forces since the launch of Operation 1027 already displaced at least 50,000 civilians from their homes for over two weeks, according to UN sources.<sup>9</sup>

Meanwhile, ASEAN's Five-Point Consensus (FPC) remain unimplemented as the junta in Myanmar remain defiant of regional and international calls to halt its violent attacks against civilians. Laos is taking over as chair of ASEAN next year and it is unlikely to exert pressure on the military regime to comply with the FPC. In the last ASEAN Summit chaired by Indonesia, it was agreed that the regional organisation will skip Myanmar's turn as chair of ASEAN after Malaysia takes over in 2025 and the Philippines will follow suit in 2026. Given the continuing crisis in Myanmar, the military regime is unlikely to push through with its planned general elections which has been postponed several times since the coup. It is doubtful that the junta will be able to hold it in 2025 as it has projected<sup>10</sup> amidst weakening military effectiveness vis-à-vis attacks by resistance forces and shrinking control of territories in the country.

#### Recommendations

The Tatmadaw should:

- Immediately cease all violations of international humanitarian law.
- Ensure that those responsible for violations are held accountable.
- Take tangible steps to return authority to the democratic government.

## MYANMAR - VERY HIGH RISK- ONGOING

- Fully comply and implement the FPC agreement with ASEAN leaders without preconditions
- Allow the unrestricted delivery of and access to international humanitarian assistance to IDPs and other affected communities in conflict affected areas in Myanmar

#### ASEAN and its members should:

- Impose more stringent measures on the military regime for its non-compliance with the FPC. These should include suspending Myanmar's membership of ASEAN and considering the recognition of the NUG as Myanmar's legitimate government.
- All members should uphold their commitment to the FPC even as they also explore alternative pathways in resolving the Myanmar crisis through engagement with various stakeholders.
- Engage directly with the NUG and other democratic actors in Myanmar.
- Ensure protection of refugees from Myanmar, including the Rohingyas, who are fleeing violence in Myanmar and who are victims of human trafficking.
- Oppose plans by the junta to hold general elections that excludes the participation the NLD and other democratic parties who are opposed to the coup and refuse recognition of any government that will be set up by the military regime after the conduct of such elections.
- Expand the delivery of humanitarian assistance given the collapse of Myanmar's economy that could bring close to half of the population below poverty line by expanding the mandate of the ASEAN Humanitarian Assistance (AHA) Centre and coordinating humanitarian response with independent humanitarian organisations within Myanmar.

#### All UN Member States should:

- Increase humanitarian support, in coordination with ASEAN and other independent humanitarian organisations working within Myanmar, to civilians suffering as a result of ongoing atrocity crimes and conflict.
- The UN Secretary General should immediately name a new Special Envoy to Myanmar who will work closely with ASEAN in implementing the FPC and explore other pathways in responding the Myanmar crisis.
- Increase humanitarian assistance to Rohingya refugees.
- Expand and implement targeted sanctions against the Tatmadaw and its business holdings in Myanmar and call on other UN member states including those in ASEAN that continue to do.

#### Democratic Peoples' Republic of Korea

#### Risk: Very High/Ongoing

The DPRK continues to commit widespread and gross violations of human rights in the Democratic People's Republic of Korea, which the UN's High Commissioner for Human Rights has reported as recently as February 2021 could constitute crimes against humanity.<sup>11</sup> In October 2020, the UN's special rapporteur on human rights in North Korea reported that the human rights situation remained "very severe" and that there were no signs of progress in any respect. Human rights violations are compounded by regime-induced malnutrition which the UN reports now affects 40% of the population or more than 12 million people. There is pervasive discrimination in the distribution of food as a result of which many citizens, including even farmers, do not receive adequate food. There has also been little to no progress on reducing political prison camps where torture and killing are commonplace. The UN estimates that there are 200,0000 people held in political prisons. There has been no discernible reduction for some time. Large numbers of people, including children, are also routinely forced to perform unpaid labour. The UN found that this can amount to enslavement, a crime against humanity.<sup>12</sup>

None of this is new. In 2019, the UN General Assembly expressed "very serious concern" over continuing reports of, inter alia: torture and other cruel, inhuman or degrading treatment; political prison camps; enforced and involuntary disappearances; the forcible transfer of populations and severe limitations on the freedom of movement; the situation of refugees and asylum seekers; "all-pervasive and severe restrictions" on civil and political rights; violations of economic, social and cultural rights; and gross violations of the human rights and fundamental freedoms of women and girls.<sup>13</sup> The COVID pandemic has introduced new threats as the government has reportedly adopted a policy of using lethal force against people trying to cross its border with China.<sup>14</sup>

The Biden administration has refocused attention on human rights in DPRK which is welcome but unlikely to yield concrete concessions from Pyongyang though it may build some momentum for positive international action to address the DPRK's violations through the UN system in 2023. Any proposals for sanctions relief should be tied to: (1) Pyongyang allowing the UN country team free and unimpeded access to all parts of the country in order to assist in meeting the needs of vulnerable persons, and (2) DPRK authorities engaging with the UN Office of the High Commissioner for Human Rights and accepting the UN Special Rapporteur's request for a country visit.

It is imperative that in the world's engagement with the DPRK renewed emphasis is given to human rights. Regional security and the improvement of human rights in the DPRK are indivisible. With the Biden administration indicating new resolve on the issue, it is important that allies such as Japan, South Korea, and Australia also take a lead in pressing for renewed action through the UN Security Council, Human Rights Council, and General Assembly as well as other available multilateral and bilateral channels.

#### **Recommendations**

#### The government of the DPRK should:

- Immediately cease committing crimes against humanity.
- Engage constructively with the UN Office of the High Commissioner for Human Rights (OHCHR), the Special Rapporteur and the OHCHR field office in Seoul to develop plans to faithfully implement human rights treaty obligations.

#### **UN Member States** should:

- Appoint a Special Envoy on Human Rights in North Korea.
- Collaborate to utilize the UN Security Council, Human Rights Council, and General Assembly to promote and protect human rights in the DPRK.
- Explore the use of multilateral, informal, and bilateral channels to encourage the DPRK to fulfil its responsibility to protect.

#### The UN Security Council should:

- Revive its informal dialogue on human rights in North Korea.
- Ensure that human rights concerns are integrated into any proposal for sanctions relief, including conditioning sanctions relief on DPRK authorities.

#### The UN Human Rights Council should:

- Review what meaningful steps might be taken to achieve compliance with its previous recommendations.
- Ask the OHCHR to monitor patterns of abuse that may amount to crimes against humanity in the DPRK, investigate unresolved human rights issues, raise awareness and visibility of the human rights situation, and work with civil society and other governments to continue to press for accountability and an end to impunity.

### CHINA - XINJIANG VERY HIGH ONGOING

#### China Xinjiang Risk: Very High/Ongoing

Under policies purported to combat terrorism and 'extremism', the Chinese government has subjected Uighurs and other Turkic Muslims in the Xinjiang Uighur Autonomous Region ('XUAR' or 'Xinjiang') to serious human rights violations consistent with crimes against humanity and acts of genocide.<sup>15</sup> Violations include large-scale arbitrary detention, an intrusive system of mass surveillance, cultural and religious persecution, enforced disappearances, family separations, forced labour, torture, forced abortion and sterilization, and sexual violence.

In 2018 it was estimated that upwards of one million Uighurs and other Turkic Muslims were remanded in state custody for 're-education' or 'de-extremification' in what Chinese authorities refer to as "Vocational Education and Training Centres" (VETC). Former detainees report that they were subjected to torture and ill-treatment as well as sweeping cultural and political indoctrination.<sup>16</sup> On 24 May 2022, a group of 14 news organisations published thousands of leaked documents known as the Xinjiang Police Files that affirmed the militarized nature of the camps and refuted the Chinese government's claims that they were benign education facilities.<sup>17</sup>

In its August 2022 report on the human rights situation in Xinjiang, the Office of the UN High Commissioner for Human Rights (OHCHR) concluded that extensive and discriminatory detention in Xinjiang in the period of 2017-2019 and potentially thereafter may constitute crimes against humanity. It likewise noted that even though China has claimed to have reduced the scope of its VETC program "the laws and policies that underpin it remain in place", and a parallel uptick in imprisonment rates suggests that China has simply shifted to arbitrary detention through criminal justice processes.<sup>18</sup> The OHCHR called for urgent action as "the conditions remain in place for serious violations to continue or recur".<sup>19</sup> This concern over ongoing abuses was echoed in the March 2023 report of the UN Economic and Social Council (ECOSOC) Committee on Economic, Social and Cultural Rights, which noted "severe, systematic, vast and undue restrictions" of human rights in Xinjiang, particularly in relation to large-scale arbitrary detention, forced labour and enforced family planning.<sup>20</sup>

There is credible evidence that Uighur, Kazakh and other ethnic minorities in Xinjiang have been subjected to forced labour on a widespread basis. Xinjiang's current Five-Year Plan (2021-2025) set in place unemployment and poverty alleviation targets and a system of surveillance that has formally consolidated forced labour practices, such that "individuals who were coercively mobilized into work placements are now effectively prevented from leaving them".<sup>21</sup> Allegations of state-sponsored forced labour have tended to focus on Xinjiang's outsized cotton, tomato paste, and solar-grade polysilicon industries, but recent evidence suggests Uighur forced labour is present in a much broader range of agricultural, raw materials, and manufacturing industries.<sup>22</sup> In July 2022, the UN Special Rapporteur on contemporary forms of slavery concluded that some instances of forced labour of Turkic Muslims in China may amount to enslavement as a crime against humanity due to "the nature and extent of powers exercised over affected workers during forced labour, including excessive surveillance, abusive living and working conditions, restriction of movement through internment, threats, physical and/or sexual violence and other inhuman or degrading treatment".<sup>23</sup>

There have been numerous and credible reports of the destruction of Uighur cultural heritage in Xinjiang that could constitute atrocity crimes. Using satellite imagery, the Australian Strategic Policy Institute found that of a sample of 533 mosques across Xinjiang, 31.9% had been destroyed, 32.8% were damaged, and 35.3% were undamaged.<sup>24</sup> Extrapolating this data to mosques across Xinjiang, approximately 16,000 mosques may have been damaged or destroyed and 8,450 completely demolished since 2017.<sup>25</sup> Besides mosques, ASPI's data and analysis suggested that 30% of other sacred sites (including shrines (mazar), cemeteries, and pilgrimage sites) have been demolished, mostly since 2017, and an additional 27.8% have been damaged in some way.<sup>26</sup> Additionally, the government has allegedly separated Uighur children from their parents and enrolled them in state boarding schools, which resembles a government-led "parallel campaign to systematically remove children from their roots" alongside the broader effort to "transform the identity of Xinjiang's adults" through repressing Uighur religious and cultural expression.<sup>27</sup> In February 2023 the Uyghur Human Rights Project issued a report that argued that China's attacks against Turkic Muslim culture constituted what UNESCO labels a strategy of "cultural cleansing"-"the intentional and systematic destruction of cultural heritage, the denial of cultural identity, including books and manuscripts, traditional practices, as well as places of worship, of memory and learning".<sup>28</sup> The International Criminal Court's Policy on Cultural Heritage, issued in June 2021, affirms that attacks against cultural heritage may provide evidence of specific genocidal intent to destroy a group, and may constitute crimes against humanity.<sup>29</sup>

In relation to the question of genocide, there is significant evidence available to establish forced sterilisation as having occurred in Xinjiang. With the intent to destroy a group, forced sterilisation and other forms of SGBV fall within the definition of genocide under the Genocide Convention by causing serious bodily or mental harm, inflicting conditions to bring about the group's destruction, and imposing measures to prevent births within the group. As a matter of law, the crime

## CHINA - XINJIANG VERY HIGH ONGOING

of "forced sterilisation" occurs when: (1) the perpetrator deprives one or more persons of biological reproductive capacity; and (2) the conduct was neither justified by the medical treatment of the person nor carried out with their genuine consent. Individual reports by NGOs and news agencies documenting interviews with Uighur women, as well as doctors that have treated Uighur women both in Xinjiang and abroad,<sup>30</sup> are evidence that numerous women have been sterilised by Chinese authorities and without their genuine consent. The occurrence of these sterilisations is consistent with official government statistics, which document a significant decline in birth rates in Xinjiang and a disproportionate rise in sterilisations in Xinjiang as compared to the rest of mainland China.<sup>31</sup> This evidence points to a deliberate government strategy to change the demographic balance in Xinjiang in favour of Han Chinese by depressing the Muslim population and increasing the Han.<sup>32</sup>

The international response to atrocity crimes in China has been uneven and inadequate, and mostly led by Western states. The US government and parliaments of Canada, the UK, the Netherlands, Lithuania and France have publicly identified China's human rights violations as genocide, and the parliaments of Belgium and Czechia have condemned China's treatment of Uighurs as crimes against humanity.<sup>33</sup> The European Union, UK, US and Canada have imposed Magnitsky-style sanctions on Chinese officials,<sup>34</sup> as well as passed legislation to prevent the import of goods associated with forced labour in Xinjiang.<sup>35</sup> The Canadian Ombudsperson for Responsible Enterprise launched investigations in July 2023 into Canadian companies allegedly using Uighur forced labour in their supply chains.<sup>36</sup> In September 2023, the US issued new sanctions on three Chinese firms, bringing the total number of sanctioned entities under its Uyghur Forced Labor Prevention Act to 27 companies. Several major brands identified as having links with forced labour in Xinjiang have likewise ceased their presence in the region.<sup>37</sup>

Countries, mostly from the West, have also sought to address abuses in Xinjiang in the UN Human Rights Council and UN General Assembly. The most recent effort was a joint statement delivered by the UK in the UN General Assembly's Third Committee, which was initially supported by a record 51 countries, before Fiji withdrew its support under pressure from China.<sup>38</sup> Turkey notably refrained from endorsing the statement, after having supported statements in 2021 and 2022. This left no Muslim majority country apart from Albania speaking out against China's treatment of its Turkic Muslims. China responded with a counter-statement delivered by Pakistan, which was supported by 72 signatories—up from 66 countries in support of a similar counter-statement issued by Cuba in 2022. Venezuela also issued a statement in support of China on behalf of the Group of Friends in Defense of the Charter of the United Nations.

The UN system has endeavoured to address the situation. In addition to the findings of the OHCHR and the UN Special Rapporteur on slavery that the Chinese government's abuses in Xinjiang may constitute crimes against humanity, concerns have been raised in reports of the International Labour Organisation and by UN human rights treaty bodies and special procedures.<sup>39</sup> Due to the lack of improvement in human rights in Xinjiang, on 24 November 2022 the UN Committee on the Elimination of Racial Discrimination (CERD) issued a decision under its early warning and urgent action procedure calling on Chinese authorities to cease and investigate violations.<sup>40</sup> The decision is relatively rare (the last one was in 2019) and unprecedented, insofar as it referred the matter to the attention of the Special Advisor of the UN Secretary-General on the Responsibility to Protect. Australia, Liechtenstein, the UK and US urged follow up action on this referral at the 4 July 2023 biennial dialogue of the Human Rights Council with the Special Advisor to the UN Secretary-General on the Prevention of Genocide, whose office shares a mandate with the Special Advisor on the Responsibility to Protect.<sup>41</sup> Earlier this year, the UN High Commissioner for Human Rights, Volker Türk, noted the need for "concrete follow-up" on OHCHR's recommendations, and at the 54<sup>th</sup> Session of the Human Rights Council in September 2023 called for "strong remedial action" by authorities.<sup>42</sup>

China has reacted to international scrutiny with predictable hostility, endeavouring to silence criticism and secure statements of support. After its failed efforts to suppress the August 2022 OHCHR report on Xinjiang,<sup>43</sup> China publicly denied and disparaged the report's findings and led an intense campaign to successfully prevent the UN Human Rights Council from holding a debate on the situation (in a failed vote of 17 for, 19 against, and 11 abstentions on 6 October 2022).<sup>44</sup> Sixteen member states of the Organisation of Islamic Cooperation (OIC) voted against or abstained on the resolution. This is a departure from the OIC's position in other cases of atrocities against Muslim populations, such as its support for Gambia filing a case before the International Court of Justice in November 2019 alleging that atrocities against Rohingya Muslims in Myanmar violated the Genocide Convention.

China is also invested in silencing individuals and organisations, not just states. Chinese authorities have reportedly pressured Uighurs living abroad to report on Uighur human rights activists by threatening family members that remain in China.<sup>45</sup> The Chinese UN mission in New York issued notices to each UN member state not to participate in a side event on Xinjiang organized by the Atlantic Council, Human Rights Watch and Amnesty International during the annual UN General Assembly high-level session in September 2023.

## CHINA - XINJIANG VERY HIGH ONGOING

#### **Recommendations**

#### The government of China should:

- Immediately halt serious human rights violations in XUAR and take active measures to prevent the recurrence or escalation of such violations.
- Repeal policies that institutionalise abuses in XUAR and respond favourably to requests for UN special procedures mandate holders to undertake official visits to China with unhindered access in Xinjiang.
- Cease its campaign to prevent discussions of the OHCHR report on the situation in Xinjiang and engage in a process to meaningfully implement the recommendations of the report.

#### UN Member States should:

- Continue to bring attention to and condemn atrocity crimes by Chinese authorities in XUAR, including through public statements.
- Examine what bilateral measures to take to encourage China to immediately halt violations in XUAR and take tangible steps to apply pressure and uphold accountability.
- Cooperate to utilize all multilateral avenues to express disapproval of Chinese policies and encourage the authorities to change course, including through supporting a UN resolution to set up an investigative mechanism to investigate alleged violations in Xinjiang with an aim to advance accountability.
- Support efforts to identify and trace the whereabouts of Turkic Muslims who have been detained, imprisoned or forcibly disappeared in Xinjiang with the aim of finding missing persons and pressing for their release.
- Actively counter China's campaign to silence criticism of its policies in Xinjiang, including through building a broader coalition of states in support of the UN's mandate to investigate and report on alleged atrocity crimes in Xinjiang.

#### The UN Human Rights Council should:

- Urgently establish an investigation to gather information to assess whether patterns of abuses in Xinjiang constitute crimes against humanity or other atrocity crimes that are universally prohibited under international law, and to recommend avenues for holding perpetrators accountable.
- Utilise treaty-body and other human rights reporting processes such as China's Universal Periodic Review scheduled for early 2024 to draw critical attention to atrocity crimes in Xinjiang.

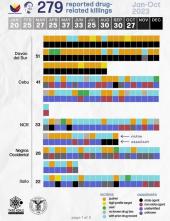
#### The OHCHR and special procedures mandate holders should:

• Continue to call for the immediate release of persons involuntarily held in detention or in forced labour, closely monitor the situation in Xinjiang, and continue to urge China to implement the recommendations of the August 2022 OHCHR report on Xinjiang.

#### The Philippines Risk: High

The Philippines remains at high risk for atrocities as the government continues with its drug war campaign, election-related violence, and extra judicial killings perpetrated against journalists.

As of end of October, there are now a total of 279 reported drug-related killings across the country since January, with 57 more deaths reported in the last two months. Davao del Sur recorded 51 killings perpetrated by state agents, followed by Cebu (41), and the National Capital Region (NCR) at 33.<sup>46</sup> (See infographic below.) Most of those killed were drug pushers while some were known to have prior drug record. Davao City is in Davao del Sur, a known bailiwick of former President Rodrigo Duterte.



Source: UP Third World Studies Centre Facebook Infographic

A group of legislators in the lower house of the Philippine Congress recently filed a resolution urging the government of President Marcos Jr to support the ongoing investigation of the International Criminal Court (ICC) after Duterte admitted in a video recorded interview in a local TV station that he used his government's confidential intelligence funds to bankroll the extra judicial killings when he was president of the country and as former mayor of Davao City.<sup>47</sup> Duterte's admission was made as he was defending her daughter, Vice President Sara Duterte, who proposed to Congress a budget that included a substantial amount of confidential and intelligence funds for 2024 for both the Office of the Vice President and her cabinet position as head of the Department of Education. During the budget hearings, several legislators questioned the rationale for having a substantial budget for confidential and intelligence funds (CIF) in her two offices but were not convinced by her explanation.

The elder Duterte's video recorded admission on the use intelligence funds to undertake extra judicial killings was immediately sent to the ICC as additional evidence by group of former military officers who originally filed the case against him in 2017.<sup>48</sup> One of the minority legislators who questioned the CIF budget proposal of Sara Duterte also filed a case in the Philippines against the elder Duterte after he also threatened to kill the legislator in the same video recorded interview.<sup>49</sup>

Meanwhile, extra judicial killings continue in the Philippines under the administration of President Marcos Jr. In the recent village-level and youth council elections held in late October across the country, the Commission on Elections reported that there were 19 deaths and 244 violent incidents.<sup>50</sup> A radio man in Mindanao was also killed while on lives-treaming his radio show on Facebook. He is the fourth member of the Philippine press killed under the current administration. Between 1992 and 2023, 158 journalists and media workers have been killed in the country based on data from the Committee to Protect Journalists. The Philippines ranked eigth in the 2023 Global Impunity Index's worst country for prosecuting people accused of targeting media practioners.<sup>51</sup>

#### Recommendations

#### The Philippines should:

- Uphold the state's primary responsibility to protect by complying with international norms on human rights protection.
- Hold members of the security sector accountable for violations of human rights in relation to the war on illegal drugs during the Duterte administration and after.
- Vigorously push for the amendment of Republic Act 6891 on Witness Protection Program (WPP) to cover law enforc-

# THE PHILIPPINES - HIGH

ers as part of encouraging them to turn state witness in the drug war related killings and other EJKs

- Reconsider its position on membership of the International Criminal Court (ICC)
- Cooperate with the ICC as it pursues its investigation of drug war related killings during the term of President Duterte and abide by the Supreme Court's 2021 resolution that declared the ICC to have jurisdiction over the country despite its withdrawal from the Rome Treaty in 2019.
- The Department of Justice should pursue its own credible and transparent probe into drug war killings.

#### Indonesia Risk : Low

While the fighting in Gaza is distant from Indonesia, tensions have risen between Jewish and non-Jewish peoples. Tension between Muslim and Jewish Indonesians has been apparent in Indonesian society for many years, as noted at the opening of Indonesia's only Holocaust Museum in 2022 where senior ministers and other officials expressed their discontent about the museum's presence.

Indonesia hosted the 2023 ASEAN Summit in which President Jokowi pleaded for regional and global peace. Speaking to leaders of attending nations, the President stated that nations have "a responsibility not to create new conflicts, new tensions, new wars . . . we also have a responsibility to reduce heated tensions, to melt the frozen atmosphere, to create space for dialogue, to bridge existing differences."<sup>52</sup> Part of the ASEAN Summit was a review of ASEAN's response to the Myanmar crisis and ASEAN's five-point consensus plan which, as noted in ASEAN's statement released on the 5<sup>th</sup> September, shows that status quo is the preferred model of approach to the crisis, replicating what ASEAN has been doing, including respecting the principle of non-interference that annuls any pro-active response to the crises by ASEAN member states.<sup>53</sup>

#### **Recommendations**

#### The Indonesian government should:

- Appoint a senior official as National R2P Focal Point to coordinate national and international efforts to implement R2P.
- Continue to advance legislation that criminalises human rights abuse.
- Work to further implement legislation to prevent and punish hate speech and discrimination.

#### International partners should:

- Encourage Indonesia to take active steps to fulfil its responsibility to protect.
- Continue to explore avenues for cooperation with the Indonesian government and society in the areas of combatting disinformation and misinformation.
- Continue to provide humanitarian assistance when requested to help the government and civil society tackle challenges that stem from a lack of access to basic infrastructure.
- Explore dialogue with Indonesian officials to help discourage the use of hoax news as justification for military and police intervention.

#### West Papua Risk: High

While tensions continue in West Papua between Indonesian military and police and independence fighters, there have been noticeable proclamations by governments in the region over responses to the ongoing fighting and human rights abuses. This comes as five teenagers were killed by Indonesian forces in the locality of Yahukimo, all supposed members of the West Papuan Liberation Army, and another five Papuans in coastal regions, alongside torture and torment being inflicted by Indonesian military. Yet this escalation of violence has been from both sides, with liberationists expanding and intensifying their own killings and hostilities due to an increase in Indonesian military presence, a lack of accountability by Indonesia for the crimes its forces commit and, in August 2023, a denial by the Melanesian Spearhead Group (MSG) to grant the United Liberation Movement for West Papua, membership, which West Papuans have decried as "chequebook diplomacy."<sup>54</sup>

This denial has been further exacerbated by the Solomon Island Prime Minister suggesting that the MSG no longer help facilitate West Papuan peace talks, nor should it help pursue West Papuan independence. In a report for In-Depth Solomons, the Soloman Island Prime Minister said that pursuing independence has only led to unnecessary human rights violations and that the West Papua issue is a domestic issue; that is, it lies with Indonesia.<sup>55</sup> This approach seems representative of other governments in the region, including Australia that, as reported in The Guardian, "is seeking to strengthen its defence relationship with Indonesia, despite well-documented human rights abuses by the Indonesian military in West Papua."<sup>56</sup>

#### **Recommendations**

The Indonesian Government should:

- Address entrenched racial discrimination, hate speech, fake news and incitement against West Papuans, and provide clear advice to security forces to abide by international law and refrain from the use of violence and torture.
- Take positive steps to ensure human rights are protected in all Indonesian territories, including freedom to protest and gather and freedom of speech.
- Refrain from manipulating news to serve the interests of the Indonesian forces in the region.
- Consider the aspirations of West Papuans and the underlying issues fuelling the need for independence, and endeavour to consider these aspirations in future dealings with the province.

## PAPUA NEW GUINEA - MODERATE (HIGH)

#### Papua New Guinea Risk: Moderate-High

Tribal violence and payback customs continue to have deadly outcomes in Papua New Guinea, partly due to the widespread availability of guns and other weapons. In August, six hired gunmen were shot by another group in Enga, in what the Prime Minister has called "jungle justice"<sup>57</sup> and "domestic terrorism".<sup>58</sup> The bodies of those murdered were left on the road as a warning to others. The government increased security forces and deployed armoured vehicles to the region; it also set up a 'rapid deployment unit' to respond to such incidents.<sup>59</sup> The government's authorisation to security forces to use lethal force in their response to such violence has been noted as of concern by Civicus Monitor, which has also reported cases of harassment against human rights defenders especially those dedicated to environmental activism.<sup>60</sup>

Tribal violence continues to present a major threat to civilians, and the risk of massacres and other atrocities is high in the highlands. The other high risk site is the Porgera mine. It is due to reopen by the end of the year, but its sudden closure in 2020 has led to an increase in unemployment and crime, high prices of food, and a lack of services such as health care, and domestic and sexual violence services.<sup>61</sup> The mining industry in Porgera, with its record of human rights abuses, has been said to have exacerbated existing historical tensions between communities.

In addition to the illegal trade of arms, underlying causes of the tribal violence have been identified, such as weak legal systems and rule of law, and recent disregard of cultural rules, which previously prevented the killing of women, children and the elderly. Human rights defenders have suggested the lack of services to communities, and the breakdown of law and order, along with arms trafficking, have facilitated the increasing violence.<sup>62</sup>

A process to sign a Bilateral Security Treaty between Australia and PNG is continuing.<sup>63</sup> On 2 November, Australia provided two new light transport aircraft to PNG, for use in accessing PNG's diverse terrain and help the government to support local communities in remote areas.<sup>64</sup>

A report was presented to PNG Parliament by the Committee on Gender in October, which found during public hearings this year that the already high GBV rates are increasing across the country.<sup>65</sup> The National Department of Health shared data on requests for healthcare due to violence, noting the overburdened health system and the likelihood this will worsen.<sup>66</sup> The report also highlighted the problem of sorcery accusation related violence which sometimes leads to murder. 29 recommendations were made, including strengthening agencies responsible for gender equality and addressing GBV, better data collection, addressing the under-resourcing of health services and police, supporting civil society organisations to provide support services, improving law and justice responses, and urgently updating and implementing the National Action Plan on sorcery accusation related violence.<sup>67</sup>

#### **Recommendations**

#### The government of Papua New Guinea should:

- Develop strategies to address the root causes of increasingly fatal tribal violence, which could include preventive action and early warning systems.
- Ensure adequate resources in terms of health and security to protect and assist victims of tribal violence.
- Prioritise action to halt the trade in illegal weapons.
- Consider unintended consequences of "lethal force" orders for police.
- Support human rights and freedoms and ensure that journalists and human rights defenders are able to perform their roles without threat or intimidation.
- Develop strategies for the reopening of the Porgera Mine to prevent future human rights abuses and community conflict.
- Implement the recommendations of the Parliamentary Committee on Gender Equality and Women's Empowerment including the urgent updating of the NAP on SARV.
- Work towards institutional change within the security sector to better respond to victims of SGBV and other forms of violence, including through training and other capacity building opportunities provided under the security treaty with Australia.

#### International partners should continue to:

- Support strategies for achieving gender equality and a reduction in gender-based violence.
- Support PNG to take proactive measures to prevent the escalation of tribal violence.
- Support security sector reform and capacity building when requested.

#### Solomon Islands Risk: Low-Moderate

The 2023 Pacific Games begin on 19 November in the Solomon Islands, delayed from earlier in the year. Security will be led by the Royal Solomon Islands Police Force, and supported by the Australian Police Force which has also provided support on operational planning and capacity building in advance of the event,<sup>68</sup> and which will remain in place until June 2024. Concerns have been raised about the risk of violence associated with the Games, and the potential for an increased security presence from China, which would create operational and strategic problems with the Solomons International Assistance Force (Australian, New Zealand and Fijian forces).<sup>69</sup> Already China has sent more police and equipment to the Solomons ahead of the Games.<sup>70</sup>

Longer term adverse ramifications of a greater Chinese security presence could include increased human rights violations and restrictions on media and other democratic freedoms, along with broader geopolitical and regional security issues. In light of China's influence on local media, the US has offered to support free and independent media in the Pacific.<sup>71</sup> There is also a risk of further delays to Solomon Islands' national election, which could have the potential to inflame community tensions and lead to violence and riots.<sup>72</sup> Local concerns have also been raised about inadequate healthcare for the community, questioning the diversion of funds away from basic services to the Games.<sup>73</sup>

Another threat to the Solomon Islands is the risk of climate-related conflict, which may place additional stress on the population and on government agencies and services,<sup>74</sup> and lead to escalating internal displacement and migration, with its associated socio-economic effects. This could lead to greater urban overcrowding and demand for services, as well as potential tribal conflict in other parts of the country. With a high risk of natural disasters and sea level rises, there is also a risk of land loss, water and food scarcity, and loss of seafood supply on which almost half of Solomon Islands rely.<sup>75</sup> Given the history of past armed conflict in the Solomons (The Tensions, 1998-2003), climate related impacts should be considered an exacerbating factor for future risk of atrocities.

Finally, gender inequality and violence against women continue to pose a risk factor for conflict and violence in the Solomon Islands. While women played a significant role as peacebuilders during The Tensions, they have largely been sidelined as part of official processes.<sup>76</sup> Solomons researcher Ruth Maetala says women are mainly seen in community programs and do not hold power in political or governance decision-making. She says that RAMSI did not consider gender in its planning or objectives, and official processes remain male-dominated despite a WPS National Action Plan being developed (2017-2021). The continuing process for truth and reconciliation, accountability, and prevention efforts should ensure that women's participation is a key priority. Similarly, security policy must take into account the connections between high rates of violence against women and social instability, and the impact of underlying gender inequality.<sup>77</sup>

#### **Recommendations**

#### The Solomon Islands government should:

- Continue to work with regional partners on security, policing and other shared issues with a view to continuing peace and stability.pplies a human rights lens to prevent violence ahead of the 2024 national election.
- Ensures the election takes place as planned and is not further delayed, and that the roll out of elections is free, fair and transparent.
- Take a whole of government approach to implementing the WPS National Action Plan which holds departments accountable and involves the participation of civil society and women-led NGOs.

#### International partners should:

- Continue to support the Solomon Islands on the security agenda including via training and capacity building on human rights and atrocity prevention.
- Support the development and implementation of gender equality programs and those tackling violence against women.
- Ensure women's participation is a core priority for further joint / regional initiatives with the Solomon Islands
- Offer support for the 2024 elections as required.

# SEXUAL AND GENDER BASED VIOLENCE

#### Sexual and Gender-based Violence

On 25 October 2023, the UN Security Council held its annual Open Debate on Women, Peace and Security (WPS). In the lead up, UN Women said that over 600 million women and girls live in conflict-affected countries, up 50% since 2017,<sup>78</sup> while the report of the Secretary General on WPS noted that despite previous commitments, barriers remain to women's participation in peacebuilding.<sup>79</sup> The report made the connection between authoritarianism and misogyny, and noted the impact of conflict, Covid-19 and climate change on women and girls. Despite widespread sexual violence and setbacks to women's rights, from Darfur to Afghanistan and beyond, the Secretary General said that hope for a radical change in direction is possible if governments and international organisations follow the lead of the women's rights movement. Of the 2020 goals for WPS, the major priority for the UN is women's full, equal and meaningful participation, which should be facilitated by setting and monitoring measurable targets. The ASEAN Regional Action Plan on Women, Peace and Security will be an important tool for implementing strategies to improve women's participation in Asia.

The Secretary General reiterated concerns about attacks against women human rights defenders, and online gender-based violence against women in leadership positions. In relation to Asia, the report said that no women were represented in the delegations for the negotiation or review of the ASEAN five-point consensus on Myanmar, and encouraged investment in local mediation, noting that in Myanmar, women in Yangon, Rakhine State and elsewhere "have played a critical role in promoting social cohesion among women from different ethnic and religious communities".<sup>80</sup>

Alongside the Secretary General's report, UN Women Myanmar has said that "The multiple crises in Myanmar have increased the pre-existing inequalities, marginalization and vulnerabilities of women and girls,"<sup>81</sup> and echoed the SG's calls for increased funding and other support to women's organisations. An earlier report from UN Women said that landmines planted after the 2021 coup are causing civilian casualties and women are avoiding agricultural work in fields littered with landmines. They are also at risk of sexual violence in rural areas.<sup>82</sup> A survey of 2200 women in Myanmar found that half were afraid to leave their own neighbourhoods. Yet, domestic violence is also increasing, making women unsafe in their own homes.<sup>83</sup>

In the Pacific, gender equality and violence against women remain key concerns. In PNG, the already epidemic rates of GBV have been increasing according to a report by the Committee on Gender in October. The report also highlights the impact of tribal violence on women and girls, and the problem of sorcery accusation related violence.<sup>84</sup> Exclusion from political processes and broader discrimination against women contribute to the risk of violence against women in PNG and also in other Pacific states such as Solomon Islands.<sup>85</sup>

#### **Recommendations**

#### The UN and ASEAN should:

- In line with the ASEAN Regional Plan of Action on Women, Peace and Security, and the Five-Point Consensus, take urgent and serious action on the situation in Myanmar to protect women from the high risk of sexual and gender-based violence, and hold perpetrators accountable.
- Continue to platform Burmese human rights defenders in UN forums and fund and support the work of civil society organisations in Myanmar, including by ensuring the safety of members and staff.

#### Pacific regional organisations should:

• Update the Pacific National Action Plan on WPS and continue to support programs that aim towards gender equality and reduced violence against women.

#### Disinformation, Hate speech and Incitement

While instances of hate speech and disinformation are present across the region, as tabulated by the CSIS Hate Speech Dashboard that looks at Indonesia's ongoing levels of hate speech on Twitter, and via other sources from across Southeast Asiam,<sup>86</sup> since the outbreak of hostility in Gaza between Israel and Hamas hate speech and disinformation has spread rapidly, especially on social media platform X. In China, hate speech aimed at both Jews and Palestinians is flourishing on Wiebo, with Chinese officials seemingly reluctant to remove the content.<sup>87</sup> As investigated by CNA who focussed on content posted in Indonesia, Malaysia and Singapore, there has been a growing and steady stream of disinformation and misinformation being uploaded to TikTok about the conflict, and the investigation suggests that this conflict "takes on a different, perhaps more pernicious dimension in Southeast Asia" as compared to the conflict in the Ukraine.<sup>88</sup> This is largely due to the region's Muslim population identifying with Palestinians, with one Indonesian poster suggesting that "Indonesians were supporting the Palestinians not only because of their shared religion, but because they feel 'Israel's retaliatory actions that (could) lead to genocide should be condemned'."<sup>89</sup> Across the region there are further reports of people aligning with either Israel or Palestinians due to their own government's leanings. For example, in Thailand there has been a rise in anti-Muslim sentiment due to the government's support of Israel and the many Thai lives lost when Hamas murdered over a thousand people in Israel.<sup>90</sup> Contrastingly, in Indonesia there is support for Palestinians due to long-standing political and humanitarian interests in Gaza.<sup>91</sup>

While not directly associated with the risk of incitement due to hate speech, but more a consideration for the future, AI is being considered by ASEAN states as a means of building business opportunity without thinking through what this technology might mean in terms of human rights; that is, via an ASEAN "AI Guide" that recommend policies that are "voluntary and are meant to guide domestic regulation" but are at the discrepancy of each individual nation and where focus is on economic benefit.<sup>92</sup> As reported, "the guide warns of the risks of AI being used for misinformation, 'deepfakes', and impersonation, but leaves it to individual countries to work out the best way to respond."<sup>93</sup> This has come in response to EU ministers who have called for Southeast Asia to adopt the EU's AI policies that, to date, have been largely ignored. While not wanting "full harmonisation" of the EU's policies, the Dutch Minister for Digitalisation is hoping that the two regions "come together on the basic principles of human rights," something largely lacking in the ASEAN guide.

#### **Recommendations**

#### Governments should:

- Realise the importance of direct fake news, hate speech and danger speech legislation, and implement this legislation in its civil and penal codes.
- Work to recognise the difficulties associated with Chat GPT or GPT, when combined with deepfake and AI technology.
- Work with the private sector, including social media sites and internet companies more broadly, to implement a range of generic policy measures across the region, rather than on a state-by-state basis.
- Work with CSOs and NGOs at large-scale educational programmes for all ages and all users.

## **END NOTES**

#### 1 Notes

"Myanmar Junta Summons Emergency Security Council to Discuss Losing Shan State Battles," The Irrawaddy, 9 November 2023, from <u>https://www.irrawaddy.com/news/burma/myanmar-junta-summons-emergency-security-council-to-discuss-shan-defeats.html</u>, accessed on 9 November 2023.

2 "Beijing Confirms Chinese Casualties in Myanmar Border Battle," The Irrawaddy, 7 November 2023, from <u>https://www.irrawaddy.</u> <u>com/news/burma/beijing-confirms-chinese-casualties-in-myanmar-border-battle.html</u>, accessed on 7 November 2023.

3 Hein Htoo Zan, "Myanmar-China Trade Corridor Closed as Battle Rages in Northern Shan," The Irrawaddy, 3 November 2023, from <u>https://www.irrawaddy.com/business/myanmar-china-trade-corridor-closed-as-battle-rages-in-northern-shan.html</u>, accessed on 9 November 2023.

"Brotherhood Alliance Vows to Spread Operation 1027 Across Myanmar," The Irrawaddy, 9 November 2023, from <a href="https://www.irrawaddy.com/news/burma/brotherhood-alliance-vows-to-spread-operation-1027-across-myanmar.html">https://www.irrawaddy.com/news/burma/brotherhood-alliance-vows-to-spread-operation-1027-across-myanmar.html</a>, accessed on 9 November 2023.
Assistance Association for Political Prisoners (Burma) infographic, 9 November 2023, from <a href="https://www.facebook.com/burmapoliticalprisoners">https://www.facebook.com/</a>
burmapoliticalprisoners, accessed on 10 November 2023.

6 Ibid.

7 Ibid.

8 Myanmar Humanitarian Update, 2 October 2023, OCHA, from <u>https://www.unocha.org/publications/report/myanmar/myanmar-humanitarian-update-no-33-2-october-2023</u>, accessed on 10 November 2023.

9 "Fighting in northern Myanmar has displaced almost 50,000 civilians, says UN," Straits Times, 10 November 2023, from <a href="https://www.straitstimes.com/asia/se-asia/northern-myanmar-fighting-displaces-almost-50000-civilians-says-un">https://www.straitstimes.com/asia/se-asia/northern-myanmar-fighting-displaces-almost-50000-civilians-says-un</a>, accessed on 10 November 2023.
10 Agence France Press, "Myanmar junta 'likely' to hold polls in 2025: party officials," The Guardian, 5 September 2023, from <a href="https://guardian.ng/news/world/myanmar-junta-likely-to-hold-polls-in-2025-party-officials/">https://guardian.ng/news/world/myanmar-junta-likely-to-hold-polls-in-2025-party-officials/</a>

11 *Promoting Accountability in the Democratic People's Republic of North Korea,* Report of the United Nations High Commissioner for Human Rights, 11 January 2021, A/HRC/46/52.

12 Situation of Human Rights in the Democratic People's Republic of North Korea, A/75/388, 14 October 2020.

13 See A/C.3/74/L.26, United Nations General Assembly, 31 October 2019, https://undocs.org/A/C.3/74/L.26

14 https://www.hrw.org/news/2020/10/28/north-koreas-unlawful-shoot-sight-orders

15 "<u>Genocide and Crimes Against Humanity in Xinjiang? Applying the Legal Tests</u>", Asia Pacific Centre for the Responsibility to Protect, November 2020. ; "<u>Break their lineage, break their roots: China's crimes against humanity targeting Uyghurs and other Turkic</u> <u>Muslims</u>", Human Rights Watch, 19 April 2021.

16 See, eg, United States Congressional-Executive Commission on China, <u>Testimony of Mihrigul Tursan</u> (Hearing relating to the Communist Party's Crackdown on Religion in China, 28 November 2018) esp 3-4; Philip Wen and Olzhas Auyezov, "<u>Tracking China's</u> <u>Muslim Gulag</u>", *Reuters*, 29 November 2018; Simon Denyer, "<u>Former inmates of China's Muslim 'reeducation' camps tell of brainwashing,</u> <u>torture</u>", *Washington Post*, 17 May 2018; Amie Ferris-Rotman, "<u>Abortions, IUDs and sexual humiliation: Muslim women who fled China</u> <u>for Kazakhstan recount ordeals</u>", *Washington Post*, 5 October 2019; "<u>China turns Muslim 're-education' camp detainees into cheap labour</u> <u>force, human rights group claims</u>", *Agence France-Presse*, 4 March 2019; Ruth Ingram, "<u>Confessions of a Xinjiang Camp Teacher</u>", *The Diplomat*, 17 August 2020.

17 See <u>https://www.xinjiangpolicefiles.org/</u>

18 Ibid, para. 144.

19 'OHCHR Assessment of the human rights concerns in the Xinjiang Uyghur Autonomous Region, People's Republic of China', Office of the United Nations High Commissioner for Human Rights, 31 August 2022, paras. 148-149.

20 United Nations Economic and Social Council Document E/C.12/CHN/CO/3, "Concluding observations of the third periodic report of China, including Hong Kong, China, and Macao, China", Committee on Economic, Social and Cultural Rights, 22 March 2023.

Adrian Zenz, "Unemployment Monitoring and Early Warning: New Trends in Xinjiang's Coercive Labor Placement Systems", China Brief 22:11, The Jamestown Foundation, 5 June 2022.

"Products made with forced labor in the Uyghur region", Issue Brief 3, Helena Kennedy Centre for International Justice, May
2023.

23 United Nations General Assembly Document <u>A/HRC/51/26</u>, "Contemporary forms of slavery affecting persons belonging to ethnic, religious and linguistic minorities", Human Rights Council, 19 July 2022, paras. 23-24.

24 Nathan Ruser, <u>Cultural erasure: Tracing the destruction of Uyghur and Islamic spaces in Xinjiang</u> (Policy Brief, Report No. 38/2020, Australian Strategic Policy Institute) 7 ('ASPI, *Report on Cultural Erasure*'). The New York Times reports having independently verified "many of the details in ASPI's report": Chris Buckley and Austin Ramzy, "<u>China Is Erasing Mosques and Precious Shrines in Xinjiang</u>", New York Times (25 September 2020).

25 ASPI, Report on Cultural Erasure, 3-4, 8.

26 Ibid 5.

27 John Sudworth, "<u>China Muslims: Xinjiang Schools used to Separate Children from their Families</u>", *BBC News*, 4 July 2019.

28 UNESCO Document 38 C/49, "<u>Reinforcement of UNESCO's action for the protection of culture and the promotion of cultural</u> <u>pluralism in the event of armed conflict</u>", United Nations Educational, Scientific and Cultural Organization, 2 November 2015., cited in Rachel Harris and Aziz Isa Elkun, <u>The Complicity of Heritage: Cultural Heritage and Genocide in the Uyghur Region</u>", Uyghur Human Rights Project, February 2023.

29 *Policy on Cultural Heritage*, The Office of the Prosecutor of the International Criminal Court, June 2021.

30 Gulchehra Hoja, "<u>Uyghur Women, Rarely Informed About Forced Birth Control Procedures, Suffer Lifelong Complications</u>", *Radio Free Asia*, 3 August 2020.

31 See Adrian Zenz, <u>Sterilizations, IUDs, and Mandatory Birth Control: The CCP's Campaign to Suppress Uyghur Birthrates in Xinjiang</u> (Jamestown Foundation, June 2020).; Adrian Zenz, "<u>China's own documents show potentially genocidal sterilization plans in Xinjiang</u>", Foreign Policy, 1 July 2020. E.g. Linda Lew, "<u>China census: migration drives Han population growth in Xinjiang, South China Morning Post</u>, 15 June 2021.; "<u>China policies 'could cut millions of Uighur births in Xinjiang</u>", *Al Jazeera*, 7 June 2021

33 "<u>Canada's parliament says China's treatment of Uighurs is genocide</u>", Al Jazeera, 23 February 2021.; Patrick Wintour, '<u>UK MPs</u> <u>declare China is committing genocide against Uyghurs in Xinjiang</u>', *The Guardian*, 23 April 2021.; Ewelina U. Ochab, "<u>U.S. State Department</u> <u>Confirms The Finding Of The Uyghur Genocide</u>, Chinese Foreign Ministry Spokesperson Denies Yet Again", *Forbes*, 2 April 2021., "<u>Dutch</u> <u>parliament: China's treatment of Uighurs is genocide</u>", *Reuters*, 26 February 2021.

34 "<u>Uighurs: Western countries sanction China over rights abuses</u>", BBC, 22 March 2021,

35 For example, <u>The Uyghur Forced Labour Prevention Act</u>, United States Public Law 117-78-December 23, 2021.

36 Ewelina U. Ochab, "Canada launched investigations into allegations of Uyghur forced labor", Forbes, 11 July 2023.

37 'Xinjiang cotton: Western clothes brands vanish as backlash grows', BBC, 26 March 2021,

38 Stephen Wright, "Fiji withdraws from UN Xinjiang Statement", Radio Free Asia, 30 October 2023.

39 "<u>CAN/PV.CCL Committee on Application of Standards</u>", International Labour Conference, , 110<sup>th</sup> Session, Geneva, 9 June 2022.; "<u>Xinjiang report: China must address grave human rights violations and the world must not turn a blind eye, say UN experts</u>," United Nations Office of the High Commissioner for Human Rights, 07 September 2022.

40 "China: UN Committee on the Elimination of Racial Discrimination calls for probe into Xinjiang rights violations", United Nations Office of the High Commissioner for Human Rights, 24 November 2022.

41 "<u>HRC53: States discuss UN committee's 'responsibility to protect' referral on Uyghurs'</u>, International Service for Human Rights, 07 July 2023.

42 "<u>Türk: Human rights are antidote to prevailing politics of distraction, deception, indifference and repression</u>", 11 September
2023.

43 William Nee, "<u>China's heavy-handed push to prevent a UN report on Xinjiang</u>', *The Diplomat*, 01 August 2022.

Emma Farge, 'U.N. body rejects debate on China's treatment of Uyghur Muslims in blow to West', *Reuters*, 7 October 2022.
Sam Judah, "<u>China using families as 'hostages' to quash Uyghur dissent abroad</u>", BBC News, 31 July 2023.

45 Sam Judan, <u>China using families as nostages to quash oygnut dissent abroad</u>, BBC News, S1 July 2025. 46 University of the Philippines Third World Studies Centre (TWSC) infographic Jan-Oct 2023, from <u>https://www.facebook.com/</u>

up.twsc, accessed on 10 November 2023.

47 Cristina Chi, "Lawmakers renew call for ICC probe after Duterte's admission of funding Davao killings," Philstar, 18 October 2023, from <a href="https://www.philstar.com/headlines/2023/10/18/2304752/lawmakers-renew-call-icc-probe-after-dutertes-admission-funding-davao-killings">https://www.philstar.com/headlines/2023/10/18/2304752/lawmakers-renew-call-icc-probe-after-dutertes-admission-funding-davao-killings</a>, accessed on 18 October 2023.

48 Ibid.

49 Dempsey Reyes, "Ex-President Duterte faces raps after threatening Sara critic," Inquirer.net, 13 October 2023, from <u>https://</u> <u>newsinfo.inquirer.net/1845073/ex-president-duterte-faces-raps-after-threatening-sara-critic</u>, accessed on 14 October 2023.

50 Zacarian Sarao, "Comelec notes 19 dead, 244 violent incidents in barangay, SK elections," Inquirer.net, 31 October 2023, from https://newsinfo.inquirer.net/1853213/19-died-244-violent-incidents-occurred-during-bgy-sk-elections-says-comelec, accessed on 31 October 2023.

51 Praveneena Somasundaram, "Philippine radio host fatally shot while live-streaming show, police say." The Washington Post, 6 November 2023, from https://www.washingtonpost.com/nation/2023/11/06/philippines-radio-journalist-killed-livestream/, accessed on 10 November 2023.

52 Kalinga Senevirante, "Indonesia Favours "Cooperation" as Tensions Simmer at ASEAN Summit," *IDN-InDepth News*, September 9, 2023, https://indepthnews.net/indonesia-favours-cooperation-as-tensions-simmer-at-asean-summit/

53 Anon. "ASEAN Leaders' Review and Decision on the Implementation of the Five-Point Consensus Plan," ASEAN, September 5, 2023, https://asean.org/wp-content/uploads/2023/09/01.FINAL-ASEAN-LEADERS-REVIEW-AND-DECISION-ON-THE-IMPLEMENTATION-OF-THE-5PC-1.pdf

54 Douglas Gerrard, "Indonesia Is Stepping Up Its Repression of West Papua's Freedom Movement," *Jacobin*, November 3, 2023, https://jacobin.com/2023/11/indonesia-west-papua-colonialism-development-repression-resistance

55 Anon. "Solomons PM Sogavare claims Melanesian Spearhead Group Ditch West Papua

Independence Talks," RNZ, September 28, 2023, https://www.rnz.co.nz/international/pacific-news/498950/

solomons-pm-sogavare-claims-melanesian-spearhead-group-ditch-west-papua-independence-talks

56 Damien Kingsbury, "Why You Will Never Hear an Australian Leader Call Out Indonesia on West Papua," *Guardian*, September 28, 2023, https://www.theguardian.com/australia-news/2023/sep/28/australia-west-papua-human-rights-abuse-allegations-indonesia

57 PNG's Marape condemns 'jungle justice' after 6 gunmen shot dead, Asia Pacific Report, 22 August 2023, <u>https://asiapacificreport.</u> nz/2023/08/22/pngs-marape-condemns-jungle-justice-after-6-gunmen-shot-dead/

58 Phil Mercer, Tribal Violence Kills Dozens In Papua New Guinea, VOA News, 23 August 2023, <u>https://www.voanews.com/a/tribal-violence-kills-dozens-in-papua-new-guinea/7237502.html</u>

59 PNG deploys armoured vehicles to Enga in action against 'domestic terrorism', Asia Pacific Report, 29 August 2023, <u>https://asiapacificreport.nz/2023/08/29/png-deploys-armoured-vehicles-to-enga-in-action-against-domestic-terrorism/</u>

60 Civicus Monitor, Papua News Guinea: Attack on Media Workers, Flags taken down while

Mining Company Forced to Talk to Communities, 17 October 2023, https://monitor.civicus.org/explore/

papua-new-guinea-attack-on-media-workers-flags-taken-down-while-mining-company-forced-to-talk-to-communities/

61 'Stop the killings': PM's plea to tribes ahead of Porgera mine reopening, ABC News, 24 July 2023, <u>https://www.abc.net.au/pacific/programs/pacificbeat/pm-s-plea-to-tribes-ahead-of-porgera-mine-reopening/102638174</u>

62 Bethanie Harriman, Papua New Guinea killings: what's behind the outbreak in tribal fighting?, The Guardian, 29 August 2023, https://www.theguardian.com/world/2023/aug/29/papua-new-guinea-killings-whats-behind-the-outbreak-in-tribal-fighting

Tim Swanston and Theckla Gunga, PNG and Australia's defence cooperation is a 'jewel' of their relationship – but forming a treaty hasn't been quite so simple, ABC News, 25 September 2023, <u>https://www.abc.net.au/news/2023-09-25/</u> australia-png-defence-treaty-negotiations-still-ongoing/102838770

64 The Hon Matt Thistlethwaite MP, Media Release, A new milestone in the defence partnership between

Australia and Papua New Guinea, 2 November 2023, https://www.minister.defence.gov.au/media-releases/2023-11-02/ new-milestone-defence-partnership-between-australia-and-papua-new-guinea Finau Fonua, Violence against women and girls 'increasing' in Papua New Guinea, MP says, RNZ, 14 October 2023, https://www. 65 rnz.co.nz/international/pacific-news/499989/violence-against-women-and-girls-increasing-in-papua-new-guinea-mp-says 66 Committee on Gender presents report to Parliament, Parliamentary Press Release, 6 October 2023, https://www.parliament.gov. pg/index.php/news/view/committee-on-gender-presents-report-to-parliament Parliamentary Committee on Gender Equality & Women's Empowerment, Inquiry into Gender Equality Policies & 67 Institutions, Gender-Based Violence and Sorcery Accusation Related Violence Report to Parliament No.1, October 2023, https://www. unitedforequalitypng.com/ files/ugd/7f0c06 5432484f7cf144d98f1481af4caf3995.pdf?index=true 68 AFP standing side-by-side with Solomon Islands police for Pacific Games, AFP Media Release, 8 Nobember 2023, https://www. afp.gov.au/news-centre/media-release/afp-standing-side-side-solomon-islands-police-pacific-games 69 Lucy Albiston and Blake Johnson, Planning ahead for Solomon Islands' Pacific Games, Australian Strategic Policy Institute, 16 October 2023, https://www.aspistrategist.org.au/planning-ahead-for-solomon-islands-pacific-games/ 70 Stephen Dziedzic, China sending more police, donating equipment including drones to Solomon Islands for Pacific Games, ABC News, 1 November 2023, https://www.abc.net.au/news/2023-11-01/ china-sending-more-police-to-solomon-islands-for-pacific-games/103048778 71 Virginia Harrison, US vows to support 'free media' in Pacific as concern over China influence grows, The Guardian, 30 October 2023, https://www.theguardian.com/world/2023/oct/30/us-china-conflict-pacific-free-media 72 Albiston and Johnson, ASPI Chrisnrita Aumanu-Leong and Nick Sas, The Pacific Games are heading to Solomon Islands, but with gifts from China and 73 a hospital with no paracetamol, not everyone is convinced, ABC News, 11 August 2023, https://www.abc.net.au/news/2023-08-11/ pacific-games-china-solomon-islands-australia/102706644 Anouk Ride, Climate Change and Conflict in Solomon Islands, United States Institute of Peace, 2 November 2023, https://www. 74 usip.org/publications/2023/11/climate-change-and-conflict-solomon-islands 75 Ibid 76 Ruth Maetala, The Success and Sidelining of Women Peacebuilders in Solomon Islands, United States Institute of Peace, 19 October 2023, https://www.usip.org/publications/2023/10/success-and-sidelining-women-peacebuilders-solomon-islands 77 Heather Wrathall and Elizabeth Kopel, Women, Peace, and Security in the Pacific, The Diplomat, 1 September 2023, https:// thediplomat.com/2023/09/women-peace-and-security-in-the-pacific/ 78 In-focus: The women, peace, and security debate, UNWomen, 24 October 2023, https://www.unwomen.org/en/news-stories/ in-focus/2023/10/in-focus-the-women-peace-and-security-debate 79 Report of the Secretary-General on Women and Peace and Security,28 September 2023, https://documents-dds-ny.un.org/doc/ UNDOC/GEN/N23/279/08/PDF/N2327908.pdf?OpenElement 80 Ibid A guide to UN Security Resolution 1325 and the Women, Peace and Security agenda in Myanmar, 31 October 2023, https:// 81 asiapacific.unwomen.org/en/stories/news/2023/10/the-women-peace-and-security-agenda-in-myanmar Women's organizations remain at the front line of the crisis response in Myanmar, 16 August 2023, https://www.unwomen.org/ 82 en/news-stories/feature-story/2023/08/womens-organizations-remain-at-the-front-line-of-the-crisis-response-in-myanmar 83 Ibid 84 Parliamentary Committee on Gender Equality & Women's Empowerment, Inquiry into Gender Equality Policies & Institutions, Gender-Based Violence and Sorcery Accusation Related Violence Report to Parliament No.1, October 2023, https://www. unitedforequalitypng.com/ files/ugd/7f0c06 5432484f7cf144d98f1481af4caf3995.pdf?index=true 85 Heather Wrathall and Elizabeth Kopel, Women, Peace, and Security in the Pacific, The Diplomat, 1 September 2023, https:// thediplomat.com/2023/09/women-peace-and-security-in-the-pacific/ Raksha Kumar, "Hate Speech Can Be Found on TikTok at Any Time. But its Frequency Spikes in Elections'," Reuters Institute, 86 August 21, 2023, https://reutersinstitute.politics.ox.ac.uk/news/hate-speech-can-be-found-tiktok-any-time-its-frequency-spikes-elections 87 Frederik Kelter, "Israel-Gaza War Fuels Online Anti-Semitism, Islamophobia in China," Al Jazeera, November 4, 2023, https:// www.aljazeera.com/news/2023/11/4/israel-gaza-war-fuels-online-anti-semitism-islamophobia-in-china Louisa Tang and Agil Haziq Mahmud, "IN FOCUS: How Fake News on Israel-Hamas Stokes Outrage, Hatred and 88 'Potential for Violence' on Southeast Asian TikTok," CNA, November 4, 2023, https://www.channelnewsasia.com/asia/ israel-hamas-tiktok-misinformation-gaza-disinformation-palestinian-fake-news-falsehoods-3894006 89 Ibid. 90 Daungyewa Utarasint, "Israel-Hamas war has awakened anti-Muslim hate in Thailand," Nikkei Asia, November 1, 2023, https://asia.nikkei.com/Opinion/Israel-Hamas-war-has-awakened-anti-Muslim-hate-in-Thailand?utm campaign=GL opinion&utm medium=email&utm\_source=NA\_newsletter&utm\_content=article\_link&del\_type=6&pub\_date=20231104093000&seq\_num=4&si=29319 Eva Mazrieva, "In Indonesia, Fake News About Israel-Hamas War Triggers Concern," VOA, October 14, 2023, https://www. 91 voanews.com/a/in-indonesia-fake-news-about-israel-hamas-war-triggers-concern/7310668.html

Sebastian Strangio, "Opening of Indonesian Holocaust Museum Met with Islamist Backlash," *Diplomat*, February 4, 2023, https://thediplomat.com/2022/02/opening-of-indonesian-holocaust-museum-met-with-islamist-backlash/

Fanny Potkin and Supantha Mukherjee, "Exclusive: Southeast Asia Eyes Hands-off Al Rules, Defying EU Ambitions," *Reuters*,
October 12, 2023, https://www.reuters.com/technology/southeast-asia-eyes-hands-off-ai-rules-defying-eu-ambitions-2023-10-11/
Ibid.