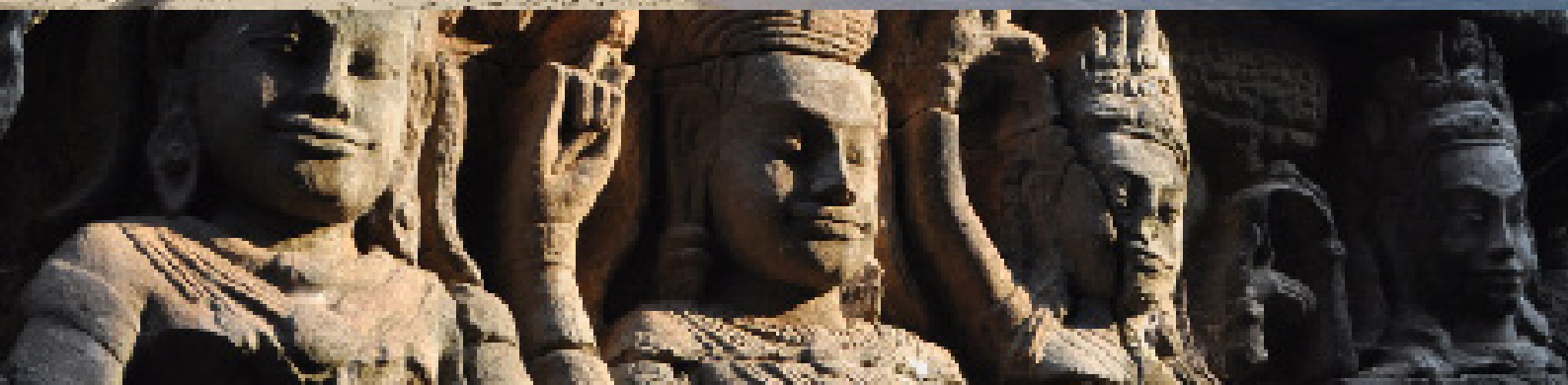


IMPLEMENTING THE RESPONSIBILITY TO PROTECT IN THE ASIA PACIFIC

An Assessment of Progress and Challenges



UPDATED 2023 /24

Acknowledgements

This updated report was prepared by the staff of the Asia Pacific Centre for the Responsibility to Protect: Professor Alex Bellamy, Mr Neal Simpson, Ms Karoline Thomsen and Ms Arna Chancellor based at the School of Political Science and International Studies at the University of Queensland. Research assistants Ms Karoline Thomsen, Ms Eden Bywater and Mr Neal Simpson completed 21 countries technical annexes.

The most recent version was 2022 and is available at https://r2pasiapacific.org/files/9031/Implementing_R2P_in_the_Asia_Pacific_may2022.pdf. The first version was published in 2019 and is available at https://r2pasiapacific.org/files/4120/BASELINE_REPORT_OCT2019.pdf

Maps created with MapChart

EXECUTIVE SUMMARY

The Responsibility to Protect (R2P) principle recognises that States have a responsibility to protect their own populations from genocide, war crimes, ethnic cleansing and crimes against humanity, collectively known as mass atrocities or atrocity crimes.

For the principle to be effective, R2P calls on the international community to assist and encourage individual States to fulfil their primary responsibility to protect, calling specifically for the prevention of atrocity crimes and of their incitement. When States are “manifestly failing” to uphold their responsibility (by either being unwilling or unable), the international community has the responsibility to respond in a “timely and decisive” fashion through diplomatic, humanitarian and other peaceful means. Should such a response be ineffectual or deemed inadequate, the international community should respond with all the tools available to the UN Security Council, up to and including intervention.

Since 2009, the UN Secretary-General has issued an annual report on the implementation of R2P, and work continues to determine exactly what effective and practical R2P implementation looks like, whether there are any gaps in protection, and whether progress is being made.

The initial report APR2P released in 2019 sought to aid this endeavour by analysing implementation of R2P in the Asia Pacific region. The update in 2022 furthered that objective, determining how R2P implementation had either increased or declined throughout the region in the wake of the COVID-19 pandemic. This third update, in 2023, seeks to continue this endeavour by once again measuring the effectiveness of R2P within the Asia Pacific in a time of global upheaval. Like previous reports, it aims to give stakeholders in atrocity prevention, whether they be in government, academia or civil society, an overview of R2P implementation and provide updated conclusions and recommendations that build upon those made in 2019 and 2022. With increased repression, conflict, and global power struggles all affecting the Asia Pacific, it is hoped this research can inform future practice of atrocity prevention as the region confronts pertinent challenges to the protection of its vulnerable populations.

This report is the third of its kind. It draws upon information from the 2019 and the 2022 reports, and for a full overview of the historical development in the region, both reports can be read as well. The methodology is the same, so it is unique and comparable data across the region over the years.

The analysis shows during the past year, there was a net increase in the effective implementation of R2P within the Asia Pacific region, albeit by the smallest of margins. Fiji, Japan, Mongolia, and Timor-Leste in particular drove the increase, having dedicated efforts to regional work on R2P and capacity-building of atrocity prevention bear fruit. However, it should be noted the vast majority of measured Indicators remained stagnant, and many issues that were present in previous reports remain. Risk factors for atrocity crimes, such as poverty, widespread discrimination, limited civic space and poor access to education are structural and not easy to fix, and because of this, many countries within the region retain risk factors of atrocity crimes. At the same time, the global political environment is heightening focus, at least rhetorically, on human rights, protection of refugees and accountability for atrocity crimes. Countries within the Asia Pacific have traditionally struggled with policy responses to these issues. This also impacts how well-protected populations in the region will be from atrocity crimes moving forward.

The overall index score for the region increased by one point to 43, up from the 2022 average of 42, but still below the 2019 score of 45.5. There were subregional variations on this average. Pacific countries increased by one point from 56 to 57, closer to their 2019 level of 58. ASEAN countries remained steady at 33, still below their 2019 average at 36. Northeast Asia increased by two points from 43 to 45, gaining some lost ground from its 2019 average of 48.

Based on these results, the 2023 update posits the following three recommendations:

1. Continue to build on the region’s enduring support for UN processes on human rights and national legislation, and to replicate UN models of dialogue and engagement. These include matters around human rights, Special Procedure visits, and peacekeeping operations.
2. Translate political will regarding UN processes into regional efforts, to ensure countries recognise that Pillars I and II of R2P begin at the level of the State.
3. Further regional cooperation and development by engaging in dialogues and discussions on the universal nature of human rights and atrocity prevention with countries throughout the region, to broaden understanding and engagement with R2P in a climate of increasing global tensions.

INTRODUCTION

The Responsibility to Protect (R2P) principle recognises that States have a responsibility to protect their own populations from genocide, war crimes, ethnic cleansing and crimes against humanity, collectively known as mass atrocities or atrocity crimes.

For the principle to be effective, R2P calls on the international community to assist and encourage individual States to fulfil their primary responsibility to protect, calling specifically for the prevention of atrocity crimes and of their incitement. When States are “manifestly failing” to uphold their responsibility (by either being unwilling or unable), the international community has the responsibility to respond in a “timely and decisive” fashion through diplomatic, humanitarian and other peaceful means. Should such a response be ineffectual or deemed inadequate, the international community should respond with all the tools available to the UN Security Council, up to and including intervention.

In the 2009 UN Secretary-General’s report, entitled ‘Implementing the responsibility to protect’, the R2P principle was separated into three ‘pillars’ to assist in the operationalisation of the principle.

These pillars are:

I: Each individual State bears the primary responsibility for protecting its own populations from genocide, war crimes, ethnic cleansing and crimes against humanity.

II: The international community has a responsibility to encourage and assist States in fulfilling this primary responsibility.

III: The international community has a responsibility to use appropriate diplomatic, humanitarian and other peaceful means to protect populations from these crimes. Should peaceful means be inadequate and national authorities of States manifestly fail to protect their populations from these crimes, the international community must be prepared to take timely and decisive action to protect those populations at risk, in accordance with the UN Charter.

Based on the recommendations in the UN Secretary-General’s annual reports, R2P’s three pillars encompass a range of policy mechanisms for States to enact to fulfil their responsibility to protect. In the domestic context, responsibility is exercised through security, human rights, and judicial institutions, through policies designed to eliminate discrimination and reduce inequality, as well as through vibrant civil societies and a free press. International elements of responsibility include using political mediation, economic incentives, sanctions, humanitarian aid, diplomatic measures, and legal instruments to encourage and assist states to fulfil their responsibility. Military intervention is reserved only for the most extreme situations and can only be exercised in accordance with the UN Charter. Since 2009, the UN Secretary-General has

issued an annual report on the implementation of R2P, and work continues to determine exactly what effective and practical R2P implementation looks like, whether there are any gaps in protection, and whether progress is being made.

The initial report APR2P released in 2019 sought to aid this endeavour by analysing implementation of R2P in the Asia Pacific region (See Figure 1). For the purposes of this study, the Asia Pacific region includes countries typically considered to be part of Southeast Asia (Vietnam, Laos, Cambodia, Myanmar, Thailand, Brunei Darussalam, Singapore, the Philippines, Indonesia and Timor-Leste), and select States situated in East Asia (China, Japan, Mongolia and North and South Korea). The Pacific or Oceanic region encompasses many States, but for this study, we again limit the focus to those with the largest populations: Australia, New Zealand, Papua New Guinea, Fiji, Vanuatu, and the Solomon Islands. While Vanuatu appears in the country rankings, they do not factor into Indicator totals or the comparison between other countries or Indicators. As they were not present in the original 2019 study, their inclusion would skew the data.



INTRODUCTION

Analysing the impact of atrocity crimes and their prevention in the Asia Pacific remains pertinent, as their effects continue to be felt throughout the region after centuries. Indeed, atrocity crimes continue to be committed within the region in places such as Myanmar, China, the Philippines, and North Korea. However, global trends also play a part in how well the region performs. Heightened global autocracy, shifting power balances between political blocs and the COVID-19 pandemic have affected the region's policies towards R2P. The onset of further violence between Ukraine and Russia has also affected how governments in the region respond to human rights abuses, international rules, and atrocity crimes. As the global climate grows more uncertain, risks of societal violence, conflict and atrocity crimes will continue to be a prevalent concern for the implementation of R2P in the Asia Pacific.

As such, these developments continue to coincide with the entrenched barriers previously identified as hindering the greater implementation of R2P within the region. These are:

1. Limited political will, engagement and resources to protect vulnerable communities.
2. Limited institutional capacity to prevent and respond effectively to atrocity crimes.
3. Lack of knowledge and understanding of R2P, atrocity risks, mitigation and response strategies.
4. Limited commitment to some of the social norms that support the implementation of R2P, especially human rights and gender equality.
5. Limited civil society awareness, engagement and capacity to impact policy in the field of atrocity prevention and a lack of stable collaboration mechanisms in different tracks (through official channels, civil society, academia, and the United Nations).
6. Entrenched practices of authoritarian government, discrimination, and deep-seated prejudice in some communities.

The initial report APR2P released in 2019 sought to aid R2P implementation in the Asia Pacific region. The update in 2022 furthered that objective, determining how R2P implementation had either increased or declined throughout the region in the wake of the COVID-19 pandemic. This third update, in 2023, seeks to continue this endeavour by once again measuring the effectiveness of R2P within the Asia Pacific in a time of global upheaval. Like previous reports, it aims to give stakeholders in atrocity prevention, whether they be in government, academia or civil society, an overview of R2P implementation and provide updated conclusions and recommendations that build upon those made in 2019 and 2022. With increased repression, conflict, and global power struggles all affecting the Asia Pacific, it is hoped this research can inform

future practice of atrocity prevention as the region confronts pertinent challenges to the protection of its vulnerable populations.

As with the previous 2022 report, this update will draw on information and data that was previously published in the 'baseline' report in 2019. For a history of atrocity prevention and R2P in the Asia Pacific and an explanation of the full methodology, please refer to that original report.

METHODOLOGY/ INDICATORS OF R2P IMPLEMENTATION BY STATES

Like the previous two assessments, a series of 36 Indicators was used to measure a State's effectiveness at implementing and upholding R2P. These Indicators were drawn from the UN Secretary-General's recommendations on how best to implement R2P and constitutes guidance for States to integrate R2P into their domestic, foreign and defence policies, and are grouped into the following thematic areas:

- Basic compliance with R2P (3 Indicators).
- The adoption of relevant R2P policy mechanisms (3 Indicators).
- The adoption and implementation of relevant human rights obligations (11 Indicators).

- The adoption of key domestic policy mechanisms (5 Indicators).
- The use of bilateral and multilateral diplomacy to further R2P implementation (7 Indicators).
- Support for R2P implementation through the United Nations, prevention efforts, peacekeeping, and assistance (7 Indicators).

These thematic areas are not discrete categories and there is some overlap between the areas and Indicators. But, taken together, the results of these Indicators provide a comprehensive picture of efforts by an individual State to implement R2P.

Specific indicators/recommendations and key sector areas		
Thematic areas		Indicator
Basic Compliance	1	Protection of populations from atrocity crimes
	2	Reduction of atrocity crime risk
	3	Dealing with past atrocity crimes
Policy mechanisms	4	Appoint national R2P focal point
	5	Incorporate atrocity crime risks and dynamics into conflict analysis and/or development partnerships
	6	Establish domestic mechanisms to hold the government accountable for upholding its responsibility to protect
International Human Rights Obligations	7	Sign, ratify and implement relevant instruments of international law
	8	Sign and ratify the Rome Statute of the International Criminal Court and cooperate fully with the Court
	9	Establish and maintain National Human Rights Institutions in accordance with the Paris Principles
	10	Ensure domestic promotion and protection of human rights, focusing on the elimination of discrimination
	11	Participate in international peer review processes, including the Universal Periodic Review of the UN Human Rights Council
	12	Cooperate fully with UN Human Rights mandate holders and those of relevant regional organisations
	13	Ensure equal access to justice
	14	Criminalise incitement to commit genocide, war crimes, ethnic cleansing and crimes against humanity
	15	Take measures to counter and prevent violent extremism
	16	Enact and implement laws protecting vulnerable groups, particularly in relation to sexual and gender-based violence
	17	Protect individuals and groups fleeing atrocity crimes and their risk, in accordance with International Refugee Law
Domestic implementation	18	Conduct a national assessment of risk and resilience
	19	Cultivate and protect an active, diverse and robust civil society
	20	Ensure legitimate, effective and civilian controlled security sector
	21	Ensure that the education system reflects the ethnic, national and cultural diversity of society, and sets an example of inclusiveness
	22	Prevent nationals committing atrocity crimes overseas
Bilateral & Multilateral Relations	23	Participate in international, regional and national discussions on the further advancement of R2P
	24	Leverage existing mechanisms and institutions (including regional and sub-regional organisations) to encourage States to fulfil their responsibility to protect
	25	Encourage and assist States to fulfil their R2P in situations of emerging or ongoing crisis, such as good offices and preventive diplomacy
	26	Strengthen regional and international networks for atrocity crime prevention.
	27	Strengthen the role and capacity of regional organisations
	28	Support the development and work of regional human rights and other preventive capacities
	29	Support atrocity prevention through development and assistance partnerships
United Nations, prevention, Peacekeeping, and assistance	30	Support the early warning and capacity building efforts of the UN Office on Genocide Prevention and R2P
	31	Support the strengthening of the UN's capacity for atrocity prevention, including through the UN Human Rights system
	32	Support preventive actions on atrocity crimes
	33	Contribute to United Nations peace operations (especially those with a protection of civilians mandate)
	34	Develop the capacities needed to support civilian protection, including through the training of military and civilian personnel for peacekeeping
	35	Support the Kigali Principles
	36	Support UN Security Council veto restraint on issues relating to atrocity prevention

INTERPRETATION OF RESULTS

To evaluate each State's performance in each Indicator, a five-point scale was used:

Indicator Five- Point Scale		
Ranking	Criteria	Numerical Value
Very Strong	Contributions/compliance is fully comprehensive and consistent	5
Strong	Contributions/compliance is relatively comprehensive and consistent	4
Fair	Contributions/compliance generally meet basic expectations	3
Weak	Contributions/compliance fall below basic expectations	2
Very Weak	Contributions/compliance fall significantly below basic expectations	1

Each of the rankings were also given a number from 1 to 5, relating to the strength of the specific Indicator. From these scores, an index score was calculated to determine a State's overall performance for adopting and implementing R2P. A score of 100 would suggest that a country is doing everything that might be expected of it to implement R2P. At the other end of the spectrum, a score of 0 suggests it is doing nothing to implement its R2P. Between these poles, an overall score of 0-19 was judged 'Very Weak', 20-39 'Weak', 40-59 'Fair', 60-79 'Strong' and 80-100 'Very Strong'.

A further note was made if the Indicator had 'Increased', 'Decreased' or was 'Unchanged' since 2022, allowing comparisons to be made between the different assessments. The Indicator rankings of individual States will be published separately in technical annexes related to each country.

A Note on Data

Like the other reports, this update draws from an extensive range of primary and secondary sources to determine a State's performance in implementing R2P. Direct primary evidence includes ratified international statutes, voting behaviour at United Nations bodies, constitutional edicts and domestic legal provisions (such as Criminal Codes). Secondary evidence comprises governmental and non- governmental reports, media articles, and academic sources, among others.

Furthermore, all sources analysed, both primary and secondary, are open sources, and as such the Indicator rankings were based on publicly-available information. Due to this method, gathering information on certain States and Indicators was made challenging by a dearth of information available. It is possible that rankings of countries could improve or decline based on information inaccessible to this study. Stakeholders should keep this limitation in mind when reviewing the information in this report and the associated technical annexes of each country.

The below table shows the updated scores for each of the 22 countries under review as of 2023, rated from strongest to weakest.

National Performance in R2P Implementation 2023		
Ranking	Index Score	Country
Strong	75	Australia/New Zealand
	74	Republic of Korea (South Korea)
	72	Japan
	64	Fiji
	60	Timor-Leste
Fair	56	Vanuatu
	55	Mongolia
	51	Malaysia
	50	Indonesia
	45	Singapore
Weak	40	The Philippines
	39	Solomon Islands/Thailand
	34	Cambodia
	32	Papua New Guinea
	26	Vietnam
	21	China/Brunei Darussalam
Very Weak	16	Lao People's Democratic Republic (Laos)
	6	Myanmar (Burma)
	1	Democratic People's Republic of Korea (North Korea)

INTERPRETATION OF RESULTS

By Country

As with 2019 and 2022, the rankings remain largely the same. Once again, the Korean peninsula offers the best and worst examples of R2P implementation. South Korea remains one of the strongest States in the region, trailing second only behind Australia and New Zealand who are tied with the top score. However, North Korea, under the rule of the Kim dynasty, continues to both isolate itself from the international community and commit crimes against humanity against its own population. The five traditionally 'Strong' States: Australia, New Zealand, South Korea, Japan, and Fiji, have now been joined by Timor-Leste, and these States continue to do much to further R2P in the region. All but Vanuatu and Fiji have appointed a national R2P Focal Point, although the new Fijian government is working towards formalising such an appointment. The country continues to provide for a strong international peacekeeping presence, as does Mongolia. Vanuatu, the newest addition to the countries under analysis, continues to perform strongly. Such results mean the Pacific region continues to be a strong performer when it comes to the implementation of R2P.

At the other end of the scale, the region's worst performers in both 2019 and 2022 remain the worst in 2023. Both Myanmar and North Korea continue to see the commission of atrocities within their borders. North Korea's network of detention centres continues to constitute systematic crimes against humanity. The harsh restrictions imposed during the pandemic remain, and access to basic needs, including food, is extremely tenuous, with reports of widespread starvation, even in Pyongyang. Myanmar's civil war continues to rage, with the armed forces of the military dictatorship committing atrocity crimes to remain in power. A myriad of ethnic militias and civil defence forces are fighting against the junta as well as for their own independence and influence. Given such an environment, the chances of atrocity crimes continuing in the country is all but certain. Laos also remains in the 'Very Weak' category, and continues to remain relatively isolated, with a poor track record of human rights and widespread discrimination.

The average score for the whole region was 43, still within the 'Fair' category and a single point higher than in 2022. As the COVID-19 pandemic has receded, new geopolitical considerations have taken its place, namely the economic and military rise of China, and the outbreak of conventional war between Russia and Ukraine. Along with the continued commission of atrocities and political repression in many States, the Asia Pacific remains an unstable region with significant atrocity risks. Yet, States with strong institutions and commitments

to human rights, as well as Pacific States such as Fiji and Vanuatu, continue to engage with R2P and other atrocity prevention measures. The slight increase in the overall score shows R2P implementation in the Asia Pacific is making progress, although complacency in the face of such a result would be foolish. Much work still needs to be done by States, civil society, and the international community, to effectively protect the region from atrocity crimes.

There remain significant subregional differences within the overall regional score. The Pacific countries of Australia, New Zealand, Fiji, Papua New Guinea, Solomon Islands and Vanuatu remain the region's standout, with a score of 57, one point higher than last year. This is in no small part to the work of Australia and New Zealand, but Fiji and Vanuatu also retain high scores, despite a relative lack of capacity. Even without the inclusion of Vanuatu, the Pacific average remains at 57, suggesting, as it did last year, that the Pacific offers fertile ground for policymakers and stakeholders to further promote R2P and other efforts that encourage atrocity prevention and human rights protection.

ASEAN countries scored an average of 33 for the second year in a row, well below both the Pacific average and the regional average. Thus, while there are minor differences in scores in different countries and indicators, the bloc continues to be rather ambivalent around R2P and lacklustre in its implementation. Ongoing atrocity crimes, democratic backsliding, political repression, and lack of meaningful international engagement all feature in ASEAN countries to contribute to their low score. However, remaining unchanged is better than decreasing, and some minor increases in some indicators suggest further improvements in the future. For stakeholders in these countries, more work is certainly needed, but all hope is not yet lost in the promotion of R2P.

Northeast Asia accounts for an average of 45, slightly higher than the regional average and two points higher than last year. Yet, as in previous years, this result comes with a caveat. This region is split between the top performers of South Korea and Japan, and the much lower performers of China and North Korea. Mongolia remains in the median range, a unique circumstance given its position between China and Russia. While not without significant problems, Mongolia continues, at least for now, to be a relatively strong performer in implementing atrocity prevention measures.

INTERPRETATION OF RESULTS

By Indicator

The below table contains the top and bottom three Indicators and their associated Index scores for 2023.

The top Indicators in 2022 remain the same in 2023, and they continue to illustrate the Asia Pacific's willingness to support R2P where it matters most: in the protection of populations from atrocity crimes. Many States have also continued to reduce the risks of atrocity crimes occurring within their borders. These excellent results reflect the region's high engagement with UN review processes as part of the UPR, which remains the top result in 2023. While individual States may not always enact upon the recommendations received during the UPR, their delegations often do engage strongly with the process and recognise its importance in multilateral efforts to promote human rights and in the structural prevention of atrocity crimes. Other Indicators with high scores include supporting UN Security Council veto restraint in cases of atrocity crimes (61), cooperation with UN Human Rights mandate holders, and the signing of international treaties relevant to R2P (both scoring 58). These consistent high scores support the view the Asia Pacific prefers to work with international bodies over regional ones, valuing the consensus international fora fostered as opposed to unilateral or regional initiatives.

Once again, in 2023 a general acquiescence towards international engagement is contrasted with an aversion towards specific measures of prevention advocated for by the UN Secretary-General. Very few States have conducted assessments, established mechanisms, or incorporated risk dynamics related to atrocity crimes into their domestic architecture. Yet it should be noted Asia Pacific States are not alone in this, and very few countries in the world have taken concrete steps to initiate these steps into their respective national structures. Other low scoring Indicators include assisting States to fulfil their R2P in crisis situations (29) and strengthening the capacity of regional networks (30) and organisations (32) in human rights and atrocity prevention. These scores confirm the region's preference for dealing with international pro-

cesses rather than regional initiatives. The region also remains a poor performer when protecting individuals fleeing atrocity crimes in accordance with international refugee law (26).

From these results, conclusions drawn in 2019 and 2022 largely hold true in 2023. Regarding R2P, Asia Pacific governments tend to be more comfortable working through the UN than they are through their own regional bodies. Although several States have voiced support for regional human rights and other preventive capacities in principle, few if any have actively sought to build and extend those capacities. This has played out in ASEAN's less than constructive role in reacting to the violence and atrocities in Myanmar and the Philippines, where prevention initiatives have been actioned outside of the organisation. While rhetoric around a regional community may be strong, actual engagement with these organs is limited. Furthermore, the rhetoric around human rights and protection of vulnerable populations is far greater than practices of prevention. In the past few years, the region has typically failed to prevent crises from escalating into atrocities and it has relied on external actors, particularly the UN, to marshal effective responses. When it comes to taking their own measures to protect populations from atrocity crimes, the region's governments have performed poorly. They are deeply reluctant, for example, to even utilise peaceful means to support protection, for example by encouraging and assisting states in crisis through the utilisation of preventive diplomacy and other mechanisms, as can be seen in Myanmar. This reliance on international and multilateral initiatives over State-based ones in the Asia Pacific moves the onus of protection away from the State towards external actors. This preference is against the primary facet of Pillars I and II of R2P: that primary protection against atrocity crimes lies first and foremost with the State, and the international community has a responsibility to help those in carrying out that responsibility.

Furthermore, with an unchanged Index score of 54, many States within the Asia Pacific remain poor at dealing with

Top 3 Indicators	Index score	Bottom 3 Indicators	Index Score
Participate in international peer review processes, including the Universal Periodic Review (UPR) of the UN Human Rights Council	76	Conduct a national assessment of risk and resilience	1
Protection of populations from atrocity crimes	73	Establish domestic mechanisms to hold the government accountable for upholding its responsibility to protect	2
Reduction of atrocity crime risks	68	Incorporate atrocity crime risks and dynamics into conflict analysis and/or development partnerships	15

INTERPRETATION OF RESULTS

past atrocities. The score accounts for those countries that have an absence of past atrocities, as well as those who are effective or poor at dealing with them. Thus, legal accountability for past atrocities remains very rare throughout the region. In most cases, impunity is the norm.

Historic atrocity crimes in China, Indonesia, Myanmar and elsewhere continue to remain unpunished. This creates a culture of impunity that helps sustain atrocity crimes. As a result, the underlying grievances and injustices that can give rise to violent conflict and atrocity crimes remain unaddressed.

While those Indicators that scored low are still relatively low compared to other Indicators, some have seen slight net improvements in the last year, due to the actions of a few countries. Assisting States in crisis situations rose by two points, from 27 to 29, due to aid and assistance giv-

en to Ukraine. Assisting refugees fleeing atrocity crimes also increased by two points, from 24 to 26, to reflect the hosting of Ukrainian and Afghani refugee populations among some Asia Pacific States. Whether this increase will remain or grow further is a matter of speculation, but it does illustrate the willingness of some States to step up in the face of conflict and atrocities and provide protection to vulnerable populations.

Comparison of Results

By Country

As this update draws upon previous conclusions in 2022, the following table will examine the results of both years to determine whether implementation of R2P in the Asia Pacific has improved or declined.

Country	2022 Index Score	Ranking	Country	2023 Index Score	Ranking
Australia	74	Strong	Australia	75	Strong
New Zealand	74	Strong	New Zealand	75	Strong
Republic of Korea (South Korea)	73	Strong	Republic of Korea (South Korea)	73	Strong
Japan	70	Strong	Japan	71	Strong
Fiji	60	Strong	Fiji	64	Strong
Timor-Leste	59	Strong	Timor-Leste	63	Strong
Mongolia	54	Fair	Vanuatu	56	Fair
Vanuatu	54	Fair	Mongolia	54	Fair
Malaysia	51	Fair	Malaysia	50	Fair
Indonesia	50	Fair	Indonesia	48	Fair
Singapore	46	Fair	Singapore	44	Fair
Solomon Islands	39	Weak	The Philippines	36	Weak
The Philippines	39	Weak	Solomon Islands	39	Weak
Thailand	39	Weak	Thailand	39	Weak
Cambodia	35	Weak	Cambodia	34	Weak
Papua New Guinea	33	Weak	Papua New Guinea	33	Weak
Vietnam	25	Weak	Vietnam	22	Weak
China	22	Weak	China	21	Weak
Brunei Darussalam	21	Weak	Brunei Darussalam	21	Weak
Lao People's Democratic Republic (Laos)	16	Very Weak	Lao People's Democratic Republic (Laos)	16	Very Weak
Myanmar (Burma)	6	Very Weak	Myanmar (Burma)	4	Very Weak
Democratic People's Republic of Korea (North Korea)	1	Very Weak	Democratic People's Republic of Korea (North Korea)	1	Very Weak

INTERPRETATION OF RESULTS

The following table ranks the differences in Index scores between 2022 and 2023.

Country	Difference	2022 Index Score	2023 Index Score
Fiji	+4	60	64
Japan	+2	70	72
Vanuatu	+2	54	56
Australia	+1	74	75
Mongolia	+1	54	55
New Zealand	+1	74	75
Republic of Korea (South Korea)	+1	73	74
Timor-Leste	+1	59	60
The Philippines	+1	39	40
Vietnam	+1	25	26
Brunei Darussalam	-/+0	21	21
Democratic People's Republic of Korea (North Korea)	-/+0	1	1
Indonesia	-/+0	50	50
Lao People's Democratic Republic (Laos)*	-/+0	16	16
Malaysia	-/+0	51	51
Myanmar	-/+0	6	6
Solomon Islands	-/+0	39	39
Thailand	-/+0	39	39
Cambodia	-1	35	34
China	-1	22	21
Papua New Guinea	-1	33	32
Singapore	-1	46	45

The tables above show during the past year, there was a net increase in the effective implementation of R2P within the Asia Pacific region, albeit by the smallest of margins. This was due to the actions of a select few countries within the Pacific, namely Fiji, implementing policy mechanisms to further human rights, accountability, and the protection of vulnerable populations. However, it should be noted the vast majority of measured Indicators remained stagnant, and many issues that were present in previous reports remain. While the most acute effects of the COVID-19 pandemic have begun to recede from the Asia Pacific, many indicators and countries within the region remain risk factors to the further commission of atrocity crimes. Furthermore, Russia's escalation of military action in Ukraine has heightened global rhetoric – if not policy action – around human rights, protection of refugees and accountability for atrocity crimes, issues that countries within the Asia Pacific have traditionally struggled with. These issues and more have coalesced into how well Asia Pacific countries protect their populations from atrocity crimes.

Such efforts are to be commended, and policymakers should take note that the Pacific remains a prime candidate for further atrocity prevention measures. Any implementation of R2P within the region should, based upon these results, consider Pacific voices and ensure their views, as well as their growing expertise, is accounted for. Slight increases in other countries such as The Philippines, Vietnam and Mongolia reflect changes in government posture, policy or rhetoric that support broad implementation of R2P and the furtherance of human rights in response to global upheavals.

Laos, Myanmar and North Korea, are still the worst performers in 2023. North Korea and Myanmar continue to have severe and ongoing atrocity crimes being committed within their borders. Laos, again, remains a poor performer due to its isolation from the international system and historical ambivalence towards R2P, along with a poor record of dealing with past atrocities.

INTERPRETATION OF RESULTS

The overall index score for the region increased by one point to 43, up from the 2022 average of 42, but still below the 2019 score of 45.5. There were subregional variations on this average. Pacific countries increased by one point from 56 to 57, closer to their 2019 level of 58. ASEAN countries remained steady at 33, still below their 2019 average at 36. Northeast Asia increased by two points from 43 to 45, gaining some lost ground from its 2019 average of 48.

Since 2022, there are encouraging signs of States continuing to engage with R2P and undertake actions that support it. Although this optimism should be tempered with the knowledge that some countries continue to stagnate and deteriorate. Atrocity crimes will unfortunately remain a factor in relations between Asia Pacific States for the foreseeable future, and work needs to be done to address and resolve both their effects and underlying drivers. Yet, these results show improvement is possible if there is the will to see it done.

2023: initiatives around atrocity crime risks and incorporating them into domestic mechanisms and other policies continues to not be a priority for national governments. These Indicators have either remained unchanged or declined slightly, at odds with the slight increase in country scores earlier in this report. While it is not a major decline, the drop in domestic mechanisms to hold governments accountable to R2P, and basic protection from atrocity crimes, should be a cause for concern for stakeholders. It shows the domestic work of States regarding R2P, Pillar I of the norm, has fallen in effectiveness. While regional and international engagement can be buffered with increased rhetoric, if States continue to neglect the responsibilities of protection that comes with their sovereign integrity, atrocity crimes will continue to be a part of the fabric of social and political life in the Asia Pacific. It reinforces results previously determined in reports in 2019 and 2022, that States within the Asia Pacific tend to view support of R2P through international engagement, namely the UN, instead of recognising that protection starts at the domes-

Top 3 Indicators 2022	2022 Index Score	2023 Index Score	Index Score Difference
Participate in international peer review processes, including the Universal Periodic Review (UPR) of the UN Human Rights Council	76	76	0
Protection of populations from atrocity crimes	74	73	-1
Reduction of atrocity crime risks	68	68	0
Bottom 3 Indicators 2019	2022 Index Score	2023 Index Score	Index Score Difference
Conduct a national assessment of risk and resilience	1	1	0
Establish domestic mechanisms to hold the government accountable for upholding its responsibility to protect	4	2	-2
Incorporate atrocity crime risks and dynamics into conflict analysis and/or development partnerships	15	15	0

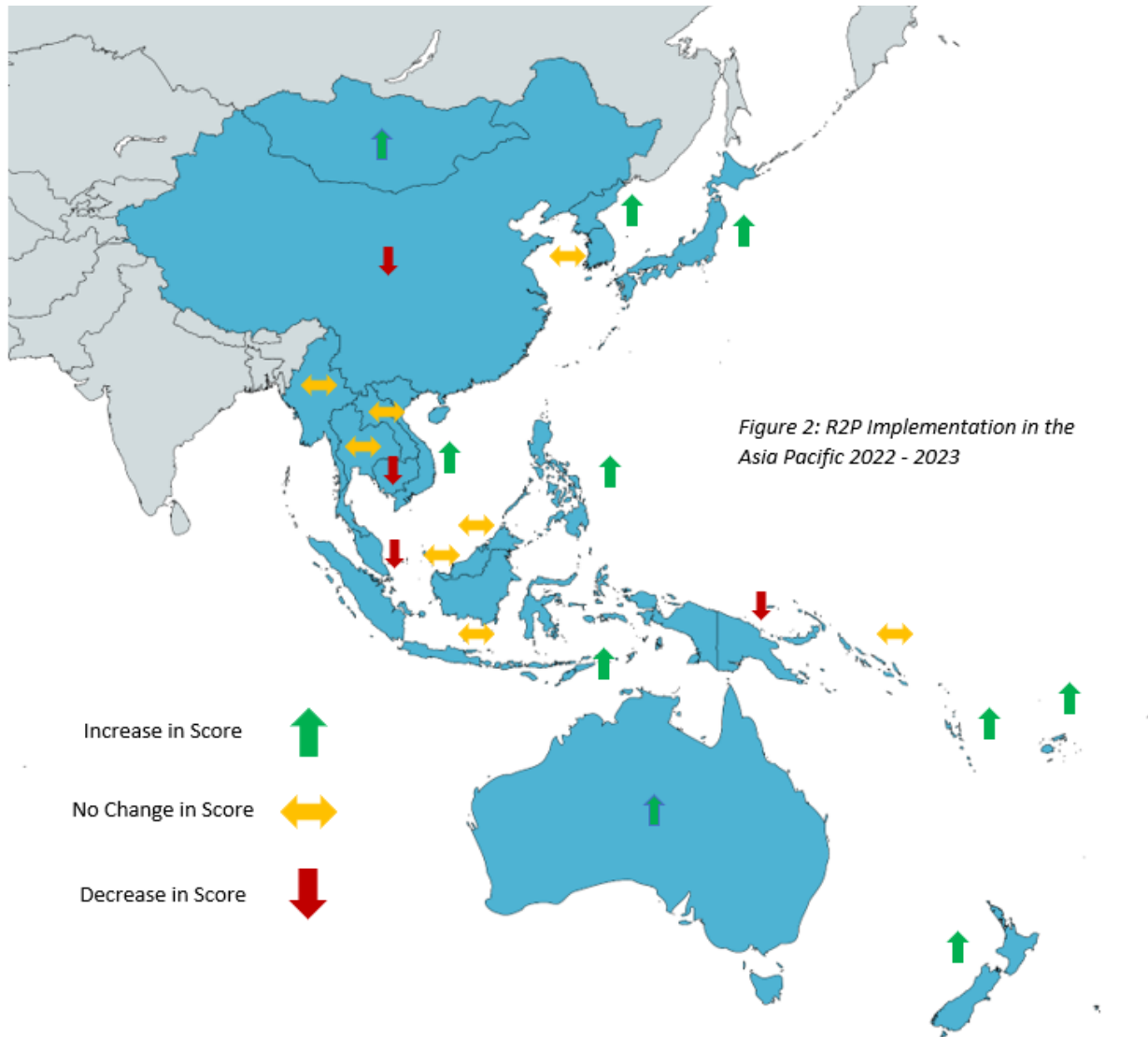
By Indicator

The table below compares the top and bottom three Indicators mentioned above with their previous 2022 Index scores.

The above tables reinforce the continuing trends perceived in 2019 through to 2023. Asia Pacific countries do well at protecting their populations from atrocity crimes and reducing the overall risk of them occurring. Engaging through international fora, particularly the UN's Universal Periodic Review mechanism, also retains the highest score of all the Indicators analysed. This suggests Asia Pacific States remain comfortable engaging with international processes rather than through regional or bilateral initiatives that may be considered more partisan. The bottom Indicators of 2019 and 2022 remain at the bottom in

tic level with the State. This is a critical shortcoming for R2P implementation in the Asia Pacific. Without the strong and continuing implementation of the norm at and within the State level, atrocity crimes will likely remain present throughout the region. As such, atrocity prevention measures should ultimately work towards ensuring States uphold Pillars I and II of R2P. Without that reinforcement of State-based atrocity prevention, atrocity crimes will continue to take their toll on vulnerable populations throughout the region.

CONCLUSIONS AND RECOMMENDATIONS



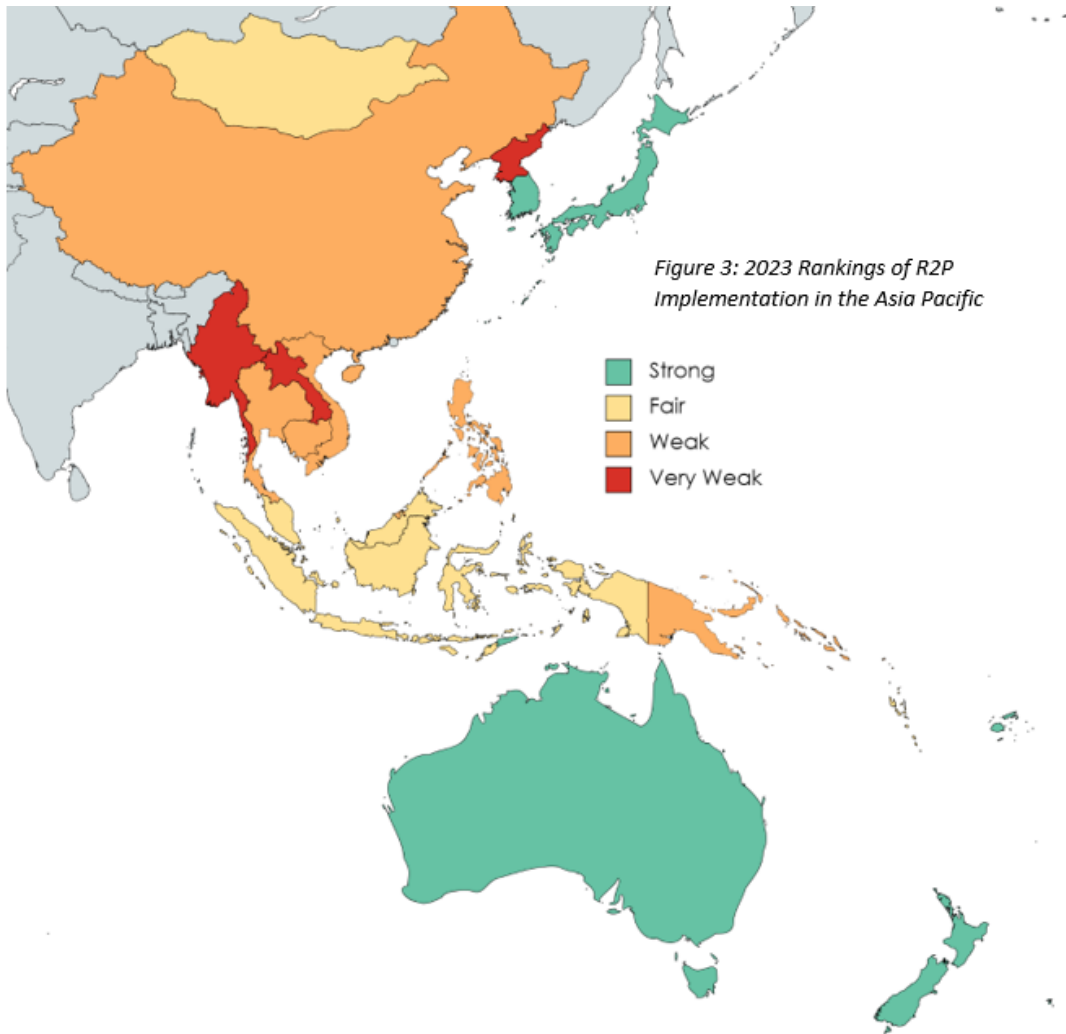
In the last year, implementation of R2P within the Asia Pacific region has increased in effectiveness overall, with many countries improving, albeit slightly, in comparison to their 2022 scores (Figure 2). This increase is largely due to the stellar work of Pacific countries, particularly Fiji and Vanuatu, who have continued to develop human rights protections and other prevention capabilities through their domestic and multilateral initiatives. Other countries, such as The Philippines, Vietnam and Mongolia, saw minor net increases but remain largely unchanged, as do several ASEAN countries.

While the immediate health effects of the COVID-19 pandemic have receded, new geopolitical struggles have taken priority in the security considerations of Asia Pacific States. Russia's renewed invasion of Ukraine has also heightened discussions around accountability for atrocities, human rights protections, and global economic durability. Some States have reacted positively to this instability, furthering human rights in international and

regional fora, and ensuring certain refugee populations fleeing atrocities are adequately protected. Yet, other have stagnated or declined further and weak international engagement, along violence and atrocities, continue to be hallmarks of society in countries such as China, North Korea, Myanmar, and The Philippines (Figure 3).

Despite this, the overall index score for the region increased by one point to 43, up from the 2022 average of 42, but still below the 2019 score of 45.5. Regionally, Pacific countries increased by one point from 56 to 57, closer to their 2019 level of 58. This continues the trend of Pacific countries being receptive to R2P and their potential to be regional leaders of R2P implementation in the future. ASEAN countries remained steady at 33, still below their 2019 average at 36. Northeast Asia increased by two points from 43 to 45, gaining some lost ground from its 2019 average of 48.

CONCLUSIONS AND RECOMMENDATIONS



While a slight increase across the region is to be commended, and is welcome news for practitioners in atrocity prevention, it should be noted most Indicators remain unchanged. The analysis has shown Asia Pacific countries retain their preferences for international engagement of R2P through the UN and continue to perform strongly in basic compliance of R2P by protecting their populations from atrocity crimes and reducing the risk of them occurring. However, the worst performing Indicators in 2019 and 2022 remain in 2023, and the strongest Indicators have either stagnated or declined, and this speaks to a chronic shortcoming in R2P implementation within the Asia Pacific. If States continue to ignore, or weakly enforce, their domestic responsibilities and accountability measures for atrocity prevention, the risk of atrocity crimes being committed will remain. R2P begins with the State, and governments must recognise that the State is the entity, and not the UN, that is primarily responsible for protecting its populations from atrocity crimes.

To that end, the 2023 update posits the following recommendations:

1. Continue to build on the region's enduring support for UN processes on human rights and national legislation, and to replicate UN models of dialogue and engagement. These include matters around human rights, Special Procedure visits, and peacekeeping operations.
2. Translate political will regarding UN processes into regional efforts, to ensure countries recognise that Pillars I and II of R2P begin at the level of the State.
3. Further regional cooperation and development by engaging in dialogues and discussions on the universal nature of human rights and atrocity prevention with countries throughout the region, to broaden understanding and engagement with R2P in a climate of increasing global tensions.