



ASIA PACIFIC REGIONAL OUTLOOK

APRIL 2019 ISSUE 11

Featured in this issue...

Brunei possible state
sanctioned killing of
LGBTIQ

New section: the risk
of Sexual and Gender
Based Violence

Bougainville
referendum

Uighur concerns

REGIONAL ATROCITY RISK ASSESSMENT



Very High

Myanmar
Democratic People's Republic of Korea (DPRK)
The Philippines

High

China
Brunei

Moderate
(high to low)

Indonesia

Low

Cambodia, Laos, Papua New Guinea ,Thailand, Timor-Leste and Vietnam

Very low

Australia, Fiji, Japan, Kiribati , Malaysia, Marshall Islands, Micronesia, Mongolia, Nauru, New Zealand, Palau, Republic of Korea, Samoa, Singapore, Solomon Islands,Taiwan,Tonga, Tuvalu, Vanuatu



Atrocities in Myanmar are continuing as the military launched counter-insurgency operations in Rakhine state following a series of attacks in Buthidaung township by the Arakan Army (AA) that started in December 2018, which intensified further since January this year. Between 4 January to 28 March, the NLD government claimed that a total of 103 clashes occurred between the Tatmadaw and the AA insurgents. Ethnic Arakanese suffered the brunt of the fighting, with 12 fatalities and 20 injured in the last three months even as the central government accused the AA of detaining and killing civilians. Government sources also claimed that there were 27 police officers killed and 20 injured in the fighting, with 58 AA insurgents killed and another eight arrested.¹

The fighting has further complicated the humanitarian crisis in Rakhine following the ARSA attacks in 2016 and 2017 and the subsequent crimes against humanity committed during 'clearing operations' by the Tatmadaw, which forced more than 700,000 Rohingyas to flee to Bangladesh. This time, Arakanese and ethnic Chins were forced to flee to Bangladesh as the Tatmadaw conducted clearing operations against AA insurgents. Specifically, some 250 refugees from upper Paletwa region, including sick children, reportedly crossed the border into Bangladesh amidst a week of intensive fighting between the military and AA forces in February.² Allegedly, the Tatmadaw torched several homes in two Paletwa villages. As of the end of March, the government claimed that there are an estimated 117,000 internally displaced people in Rakhine and Chin states since the fighting began last year.³

In an effort to discredit the insurgents, the Tatmadaw has tagged the AA as a terrorist group while an NLD government spokesman accused the group of having links with the ARSA, both of which are allegedly operating from Bangladesh.⁴ Myanmar police and military forces have been rounding up civilians in Rakhine who are considered sympathetic to the Arakanese insurgents even as some civilians have been caught in the crossfire between AA and Tatmadaw forces.⁵ Since January, the AA claimed that it had killed more than two dozen border police and military forces.⁶ The Tatmadaw, reportedly using helicopter gunships and jetfighters against the insurgents, fired several missiles and artillery in some villages in northern Rakhine forcing over 260 households to abandon their homes.⁷

The deterioration of the security situation in Rakhine has delayed further the planned repatriation of Rohingya refugees from Bangladesh, which has been postponed several times already since the last quarter of 2018. It also caused the postponement of a visit to Rakhine by a team of experts from ASEAN Humanitarian Assistance (AHA) Centre that was tasked to conduct a needs assessment of affected Rohingya and ethnic Arakanese communities and ascertain the readiness of Myanmar to ensure the safe, orderly, and dignified return of refugees from Bangladesh. Meanwhile, Bangladesh advised the UN Security Council in early March that it could no longer accept refugees from Myanmar as it claimed that the crisis over repatriation of hundreds of thousands of Rohingyas had gone "from bad to worse" and urged the body to take "decisive action."⁸ The patience of Bangladesh government over the repatriation of Rohingyas to Myanmar is apparently running thin amidst reports that India and Saudi Arabia are also planning to deport a number of Rohingya refugees back to Myanmar. Since January, the influx of some 1,300 Rohingya refugees fearing deportation from India⁹, for example, has increased anxiety in Bangladesh as this would cause additional strain on its limited resources in managing over a million Rohingya refugees already in the country.

In an attempt to break the impasse over the Rohingya crisis, Bangladeshi Foreign Minister AK Abdul Momen revived a proposal for the creation of a safe zone inside Rakhine state where repatriated Rohingya refugees could be rehabilitated. Specifically, friends of Myanmar such as India, China, and ASEAN member states would ensure the safety, freedom from fear, and availability of livelihood for Rohingyas in the zone.¹⁰ The proposal was first made by Bangladesh Prime Minister Sheikh Hasina in the UN General Assembly in September 2017 following the ARSA attacks and the military's clearing operations. However, the idea was rejected by Myanmar on the grounds that it infringed its national sovereignty.

In the meantime, Bangladesh is keen to relocate some 100,000 Rohingya refugees to Bhashan Char beginning mid-April in order to ease overcrowding at Cox's Bazaar. The island, which is 30 kilometers from the mainland and accessible only by vessels, is prone to high tide during cyclone season. The UNHCR stressed that further assessments of feasibility must be conducted prior to any relocation, refugees who choose to relocate to the island must make free and informed decision, and that there should be free movement of refugees between the island and the mainland, as well as access to basic rights and services.¹¹ UN Special Rapporteur on Human Rights in Myanmar, Yang-hee Lee, who visited Bhashan Char in January expressed fears that transferring some refugees to the island could create a "new crisis" as she questioned whether the relocation site is truly inhabitable.¹²

International efforts to hold accountable Myanmar's security forces for atrocities committed against the Rohingya people are high on the agenda of the UN and the International Criminal Court (ICC). However, the Tatmadaw remains uncooperative and continues to deny that atrocity crimes were committed by the military. A team from the prosecutor's office of the ICC visited Bangladesh in early March as part of conducting preliminary examination of atrocities committed against the Rohingyas, which could lead to a full investigation once it is established that there is enough evidence to support the calls for prosecuting those responsible for such crimes.¹³ For its part, the Organisation of Islamic Cooperation (OIC) adopted a resolution that would move at the International Court of Justice (ICJ) for establishing legal rights for the Rohingya people and addressing the issue of accountability for crimes committed against them.¹⁴ Meanwhile, the UN launched its own inquiry into its conduct in Myanmar for the past decade after the Fact Finding Mission's (FFM) report last year pointed to the organisation's failure to prevent the escalation of violence in Rakhine despite clear warning signs.¹⁵ The FFM underscored the lack of coordination and coherent strategy of the UN resident representative in Myanmar in putting human rights protection upfront in dealing with the military and government officials in the country since the eruption of violence in Rakhine in 2012.

Overall, the ongoing atrocities in Rakhine and other conflict areas in Myanmar may be expected to continue as the intensity of fighting between security forces and ethnic armed groups could increase further in the coming months. This stems from the unwillingness of the Tatmadaw and the NLD government to recognise AA insurgents as a legitimate group with which they could negotiate peace. Other ethnic armed organisations such as the Ta'ang National Liberation Army (TNLA), which has an alliance with the AA, has called on the Tatmadaw to end its "war crimes" against Arakanese civilians and warned that other armed insurgent groups could join the AA in its fight against the military.¹⁶

Recommendations

The government of Myanmar must:

1. Take immediate steps to fulfil its legal obligations by ending the commission of atrocity crimes by security forces and preventing their recurrence.
2. Uphold its primary responsibility to protect vulnerable populations.
3. Take tangible steps to implement the recommendations of the Advisory Committee on Rakhine State, chaired by Kofi Annan.
4. Ensure the full and prompt investigation of allegations of atrocity crimes, including sexual and gender-based violence, and take urgent steps to ensure legal accountability.
5. Ensure that the work of the ICoE in investigating the human rights violations in Rakhine are truly independent, impartial, and transparent.
6. Provide full and unfettered access to the UN-mandated fact-finding mission to conduct an independent investigation of atrocity crimes;
7. Cooperate with ASEAN through the AHA Centre for the safe and unhindered access of humanitarian assistance to all affected communities in Rakhine, Shan, and Kachin states.
8. Lift restrictions on journalists and access to and reporting of information with respect to affected communities in Rakhine, Shan, and Kachin states, and immediately cease the prosecution of journalists that report on the perpetration of atrocity crimes.
9. End systematic discrimination against the Rohingya by, amongst other things, immediately repealing the Protection of Race and Religion laws and the 1982 Citizenship Law.

The international community should:

1. Support efforts to ensure that atrocity crimes are properly investigated, evidence collected, and alleged perpetrators held accountable for violations of international humanitarian and human rights law.
2. Cooperate with the ICC's preliminary examination of atrocities committed against the Rohingya and ongoing UN investigation on its failure to act in preventing the escalation of conflict in Rakhine since 2012.
3. Utilize diplomatic means to demand that the Myanmar government and Tatmadaw fulfil their obligations to prevent atrocity crimes, grant humanitarian access, protect vulnerable populations, cooperate with the United Nations, and hold perpetrators accountable.
4. Employ targeted measures, including sanctions, travel bans and the withdrawal of cooperative arrangements, against institutions and individuals thought responsible for atrocity crimes, until legal accountability is achieved.
5. Suspend all military aid and training programs with the Myanmar armed forces.

6. Provide adequate and sustained humanitarian assistance to Rohingya, Arakanese, and other Myanmar refugees in Bangladesh from other conflict-affected areas who are in Thailand, as well internally displaced persons in Rakhine, Shan, and Kachin states.
7. Take steps to prepare for the resettlement of displaced Rohingya in Myanmar. This process should be overseen by the UNHCR.
8. Scrutinise the plan of Bangladesh to relocate Rohingya refugees to Bhashar Char island, which may create another humanitarian crisis.
9. Carefully review development programming to ensure that it does not in any way reward or support the government's actions in Rakhine or support programs connected to individuals and institutions responsible for the commission of atrocity crimes.
10. Coordinate efforts in shaping an effective regional response with ASEAN.
11. ASEAN should take a more pro-active stance by using its diplomatic mechanisms to influence the Myanmar government, taking steps to ensure protection of all civilians in conflict-affected areas and humanitarian access in these areas, and strongly encourage Myanmar to commit implement the Rakhine Advisory Commission's recommendations in full.
12. ASEAN should also seriously consider suspending Myanmar's membership if the government continues to take concrete steps in fulfilling its primary responsibility to protect.
13. ASEAN should take seriously the findings of the UN Fact Finding Mission and call on the ICoE to ensure that its findings are impartial, transparent, and independent in holding the perpetrators of atrocity crimes in Rakhine accountable.

THE PHILIPPINES VERY HIGH RISK



The risk of atrocities in the Philippines remain very high as deaths from the government's anti-drug war, EJKs, and election-related violence continue to rise. Following the Philippines' withdrawal from the International Criminal Court (ICC), which came into effect on 17 March this year, the general public remain wary of lives lost in the anti-drug war even though majority of the population remain supportive of the government's campaign and President Duterte still maintains a very high trust and approval ratings at over 70 percent.

Since July 2016, the death toll in the drug war has reached 5,176 as of end of February 2019 according to government sources. This figure is significantly lower than the estimated 12,000 drug war-related deaths claimed by human rights organisations in the country.¹⁷ The Philippine National Police (PNP) also reported that the number of drug-related killings in the Philippines went down by 70 percent in 2018 compared to the previous year. Specifically, it claimed that there were only 272 drug-related homicides in 2018 compared to 956 cases in 2017. However, an independent media monitoring by a major news investigative and research group covering news released by regional police offices and the Philippine Drug Enforcement Agency (PDEA) claimed that there were 1,021 drug related fatalities in 2018 compared to 916 people killed in 2017, or a 11 percent increase in deaths.¹⁸

As of the end of 2018, public opinion remains generally supportive of President Duterte's anti-drug war. Specifically, about 66 percent of Filipinos say that the number of illegal drug users in their area has decreased. However, 95 percent of respondents said that it is important for illegal drug trader suspects to be captured alive and 87 percent said that it is important for the police to capture them alive.¹⁹ President Duterte's approval (81 percent) and trust (76) ratings of increased in the last quarter of 2018 by 6 and 4 percentage points, respectively compared to the previous quarter of 2018.²⁰

Meanwhile, in the run-up to the May 2019 mid-term elections, the number of political killings in the Philippines increased significantly in 2018. Specifically, the PNP claimed that there were 38 politically-motivated murders committed last year compared to 19 in 2017.²¹ It also claimed that some 2,473 individuals have been arrested, along with confiscation of 2,039 firearms and over 16,000 other deadly weapons in police operations between 7 January and 13 March as part of preventive measures in connection with the mid-term elections.²² The PNP also identified over 900 election hot spots in the country, which comprise 57.60 percent of the 1,634 cities and municipalities throughout the Philippines. Some 570 of these hot spots fall under the category of grave concern, of which 71 percent (or 409) are in Mindanao. Election-related violence in these areas are expected to intensify further as the 9 May elections draw closer.²³

In Mindanao, martial law remains in effect after it was extended for another year until end of 2019. Despite the generally peaceful ratification of the Bangsamoro Organic Law (BOL) and the creation of the Bangsamoro Transitional Authority (BTA), the risk of atrocities remains, for a number of reasons. These include: 1) the fragile process of de-commissioning of combatants and weapons of the MILF; 2) the bitter rivalry between the MILF and the MNLF, which could lead to eruption of violence as the latter refuse to recognise the legitimacy of MILF-led BTA; and 3) the continuing threat by extremist groups such as the Bangsamoro Independence Freedom Fighters (BIFF) and other pro-ISIS militants who are not yet fully supportive of the BTA. In mid-March, the Armed Forces of the Philippines (AFP) conducted clearing operations in Maguindanao, which resulted in 20 BIFF forces killed and over 35,000 civilians displaced cumulatively since fresh clashes between the AFP and the BIFF erupted.²⁴ The slow rehabilitation of Marawi could also contribute to increased frustration of affected communities with the national government and serve as fertile ground for further recruitment by extremist groups in Mindanao.

Recommendations

With regard to the anti-drug war, the Philippine government should:

1. Take positive steps to ensure that the security forces conduct themselves in a manner consistent with their legal obligations under international human rights law.
2. Continue to ensure that the Philippines Drug Enforcement Agency leads anti-drug policy, and that there is adequate oversight of police.
3. Ensure that allegations of extra-judicial killings committed by police and security forces against drug suspects, journalists, indigenous peoples, and environmental protection activities are properly investigated and the perpetrators held accountable before the law.

THE PHILIPPINES VERY HIGH RISK

4. Create an independent commission to investigate the involvement of customs, police, military, and other law enforcement agents in drug-related deaths and drug smuggling.
5. Immediately cease the public incitement of violence against drug users, drug dealers and other targeted communities.
6. Comply with the Supreme Court's ruling by providing full documentation of police operations taken as part of the anti-drug war as part of ensuring accountability.
7. Fulfil its international legal obligations by cooperating with the Prosecutor of the International Criminal Court despite the effective withdrawal of the Philippines as of 17 March 2019.
8. Reconsider its decision to withdraw from the International Criminal Court.

With regard to the upcoming mid-term elections:

Ensure that adequate provisions to combat politically-motivated EJKs and minimise election-related violence especially in hotspots throughout the country.

With regard to the peace in Mindanao and the rehabilitation of Marawi, the Philippine government should:

1. Ensure the efficient and effective implementation of the Marawi rehabilitation plan and respond to the growing frustration of affected communities in the area.
2. Continue to provide protection for civilians and support humanitarian assistance to internally displaced persons especially those who are now returning to their residence in Marawi.
3. Respond adequately and effectively to the needs of residents of Marawi as they attempt to rebuild their lives and address the concerns in relation to the government's rehabilitation plans.
4. Support the full implementation of the Bangsamoro Organic Law and continue to work with the Bangsamoro Transitional Authority to ensure the promotion of peace, rule of law, and good governance in the expanded Bangsamoro Autonomous Muslim Mindanao (BARMM).
5. Support efforts to promote dialogue and confidence building between the MILF and the MNLF and prevent attempts by the latter to undermine the implementation of the BOL and authority of BTA.



In his March 9 report to the UN Human Rights Council, the UN Special Rapporteur on the situation of human rights in the DPRK, Tomás Ojea Quintana, conveyed that there has been no meaningful improvement and the situation “continues to be extremely serious”.²⁵ According to the 2014 report of the Commission of Inquiry (COI), serious human rights violations that could amount to crimes against humanity include murder, imprisonment, enslavement, torture, enforced disappearances, sexual violence, forced abortions, deliberate starvation, and persecution.

Although the UN OHCHR office in Seoul continues to pursue accountability for alleged crimes against humanity, support appears to be waning within the UN to pressure the DPRK to reconsider its repressive policies. The US failed to garner support for the UN Security Council to hold a formal debate on the human rights situation in the DPRK in December 2018, which it has done every year since the release of the 2014 COI report.²⁶ For the first time in 11 years, in early March Japan decided not to join the European Union in sponsoring a draft Human Rights Council resolution condemning DPRK human rights abuses. This departs from Japan’s position as recently as 17 December 2018, when the General Assembly passed a resolution co-sponsored by Japan and the European Union that condemned the DPRK’s “long-standing and ongoing systematic, widespread and gross violations of human rights”, and encouraged the UN Security Council to consider referring the situation to the International Criminal Court.²⁷

Late last year, the DPRK vehemently denounced condemnatory resolutions passed by the UN General Assembly, which Pyongyang characterised as “hostile” resolutions that instigate “confrontation” when “the atmosphere of reconciliation and cooperation is prevailing on the Korean peninsula”.²⁸ In this regard, Japan’s decision to refrain from sponsoring a 2019 Human Rights Council resolution on the DPRK appears to be a “conciliatory gesture”, and an attempt to prompt Pyongyang to resume bilateral talks with Tokyo on the past abductions of Japanese nationals.²⁹ The DPRK cancelled these talks, which were negotiated under the May 2014 Japan-North Korea ‘Stockholm Agreement’, in protest of sanctions Japan applied following Pyongyang’s nuclear and long-range missile tests in early 2016.

It is too early to assess whether Japan’s decision to refrain from sponsoring a human rights resolution at the UN can yield practical results in addressing the issue of past abductions of Japanese nationals. However, there are risks that it, along with the absence of UN Security Council discussion on the matter, sends the message to Pyongyang that human rights accountability can be bargained away, and is a low international priority. Recall that in 2014, the DPRK invited the former UN Special Rapporteur on the DPRK human rights situation, Marzuki Darusman, to undertake a “full-fledged country visit” in exchange for removing two paragraphs from the 2014 UN General Assembly resolution that called for accountability and a referral to the ICC.³⁰ In response, Marzuki Darusman sent a strong message that accountability is paramount, and that the DPRK should issue such an invitation to UN mandate holders without any preconditions and irrespective of General Assembly resolution.³¹ Perceptions that the international community now has less resolve to address the dire human rights situation in the DPRK than it did in 2014 are reinforced by the fact that there have been no apparent efforts to raise human rights concerns in high-level denuclearization talks over the past year, including during the recent US-DPRK summit in Vietnam.³² The failure of the US or ROK to initiate any discussion on human rights undercuts the rationale for more conciliatory approaches in the UN, as there is little evidence to suggest that the human right situation will improve through bilateral engagement as multilateral pressure eases.

Although human rights groups have raised concerns that the international community is failing to maintain pressure on the DPRK, Japan’s new approach to addressing the past abductions is likely welcomed by China, which has repeatedly resisted UN condemnation of the human rights situation in the DPRK on the basis that human rights issues are best resolved through dialogue and consultation. Yet, Beijing has done little to demonstrate the merits of the “non-confrontational” approach China advocates. In this regard, China could play a pivotal role in easing concerns that reduced pressure from UN bodies gives Pyongyang no incentive to ease repression. As the UN Special Rapporteur has noted, one practical measure would be for China to propose a high-level bilateral dialogue with the DPRK on protecting the rights of DPRK citizens transiting through or living in China, which should also focus on adopting a victim-centred approach to tackling human trafficking.³³ This dialogue should be aimed at adopting a formal protection policy and legal framework that addresses long running concerns over China’s repatriation of DPRK nationals, who are reportedly sent to prisons or labour camps, where they face grave risk of further human rights violations, including sexual violence.³⁴ Along with this dialogue, China should also grant the UNHCR access to areas and persons of concern, whom the Special Rapporteur has argued should be considered refugees *sur place*.

Most importantly, it is the onus of DPRK authorities, who contest that UN condemnation of the human rights situation is inappropriate at a time of “reconciliation and cooperation”, to demonstrate good faith commitment to cooperation in the field of human rights. A test of Pyongyang’s commitment to constructive engagement will be its upcoming third cycle of the universal periodic review, which is scheduled for May 2019.

Recommendations

The government of the DPRK should:

1. Immediately cease the commission of crimes against humanity.
2. Address the pervasive culture of impunity by holding perpetrators to account in accordance with due process and the rule of law.
3. 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 as well as the universal periodic review recommendations that were accepted by the DPRK in 2014. The DPRK should engage with the OHCHR prior to May 2019, when it will undergo its third cycle of the Universal Periodic Review.
4. Engage in bilateral and regional human rights dialogue.

Regional actors should:

1. Reaffirm that the DPRK has a Responsibility to Protect its population from atrocity crimes, and actively affirm that addressing widespread and systematic human rights violations in the DPRK is central to achieving stability on the Korean peninsula.
2. As a condition for sanctions relief, the US, ROK, China and Russia should encourage DPRK authorities to: grant free and unimpeded access to the UN country team, cooperate with the OHCHR, to invite special procedure mandate holders for country visits, and to engage in parallel human rights dialogue alongside peace and denuclearisation talks.
3. Welcome discussion of human rights accountability in the DPRK in regional dialogue platforms and support continued consultation and information gathering.
4. China should respect the principle of non-refoulment, adopt measures to protect the rights of DPRK citizens residing in or transiting through China, and adopt measures to protect victims of trafficking in China.

The international community should:

1. Use the upcoming third cycle of the universal periodic review, in May 2019, as an opportunity to urge the DPRK to implement the recommendations accepted during the first and second cycles.
2. Address grave human rights violations in the DPRK in a coordinated and unified manner. Specifically:
 - The Human Rights Council should continue to support the Special Rapporteur and implement the recommendations of the group of independent experts on accountability to secure truth and justice for victims of crimes against humanity in the DPRK.
 - The OHCHR, including the field office in Seoul, should closely monitor human rights in the DPRK and investigate unresolved human rights issues.
 - The General Assembly should continue to maintain visibility of the human rights situation and call for accountability in the DPRK.
 - The Security Council should request a report from the Secretary-General assessing the impact of sanctions on the human rights and humanitarian situation in the DPRK.
 - The Security Council should hold regular briefings on the issue with the participation of the UN High Commissioner for Human Rights, Special Rapporteur and other relevant experts.
 - Donor states should increase humanitarian funding for the DPRK as requested by the UN Emergency Relief Coordinator.
3. Civil Society actors should continue to raise awareness and visibility of the human rights situation and advocate for accountability, including supporting efforts to map suspected perpetrators of serious crimes and the related chain of command structure in the DPRK.



There is continued risk of crimes against humanity against China's Turkic Muslim population in Xinjiang. A state security campaign reportedly intended to counter terrorism and extremism has resulted in the arbitrary detention of an estimated million Uighurs and other Turkic Muslims in what Chinese authorities are referring to as 're-education' or 'de-extremification' facilities in Xinjiang.³⁵ Xinjiang authorities have detained Turkic Muslims for such a wide range of minor offenses or infractions that, according to Adrian Zenz, a leading expert on the issue, "There is virtually no Uighur family without one or more members in such detention, and a rising number of Kazakhs and other Muslim minorities are likewise affected".³⁶

Some former detainees have reported that while in state custody they were subjected to abuse and torture, ill-treatment and forced political indoctrination.³⁷ There are also numerous and mutually consistent reports that family members both within China and overseas have limited or no access to information about persons held in detention, which resembles a large-scale program of enforced disappearances.³⁸ Concern over widespread disappearances was recently reinforced by the #MeTooUyghur twitter campaign, which called for 'proof of life' videos of missing relatives in Xinjiang after Chinese authorities released a video of the famous Uighur musician Abdurehim Heyit to dispel rumours of his death in detention in February.³⁹

China continues to defend the detention program. At a session of the National People's Congress held on 12 March, the governor of Xinjiang, Shohrat Zakir, likened the detention program to 'boarding schools where students eat and live for free'.⁴⁰ However, in an apparent response to international criticism, Chinese authorities have recently vowed to eventually phase out the detention program, and issued an invitation to European diplomats to visit Xinjiang in late March.⁴¹ This is likely to be a heavily monitored visit, and there remains a need for an independent fact-finding mission by experts who are granted unfettered access to detention facilities. Just as importantly, there is a need for stronger, more credible scrutiny of the treatment of Turkic Muslims by leaders of Muslim-majority countries. In early March, the Council of Foreign Ministers of the Organization of Islamic Cooperation (OIC) passed a resolution which "commended" the efforts of China in "providing care to its Muslim citizens".⁴² Such commendation reduces pressure on China to safeguard the rights of Turkic Muslims in Xinjiang, and may also embolden China to pressure other countries to clamp down on human rights advocates who have assisted Uighurs and documented evidence of repression in Xinjiang. For example, Serikzhan Bilash, who has played a key role in documenting the situation in Xinjiang by recording testimonies of Uighurs arriving in Kazakhstan, has recently been detained by Kazakh authorities on charges of 'inciting ethnic hatred'—a charge that carries up to 10 years in prison.⁴³

Recommendations

The government of China should:

1. Immediately halt widespread violations of basic human rights and fundamental freedoms in XUAR, including arbitrarily depriving Turkic Muslims of their liberties or subjecting them to torture or mistreatment, and take active measures to prevent the recurrence or escalation of such violations in accordance with international law and China's primary responsibility to protect all its population.
2. Repeal the Regulation on De-extremification, as called for by the UN Working Group on Arbitrary Detention, Working Group on Enforced or Involuntary Disappearances, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on minority issues, the Special Rapporteur on freedom of religion or belief, and the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.
3. Respond favourably to the requests of the above special procedures mandate holders to undertake an official visit to China, and accept technical assistance and advice to ensure that China's national security, counter-terrorism or counter-extremism laws and practices adhere to China's obligations under international law, including the defendant's right to due process, legal counsel of choice, timely notification of families, and fair and public trials by an independent court.
4. Ensure an impartial and credible investigation of allegations of abuse, torture, and ill-treatment of persons held in detention Xinjiang, and take appropriate measures to ensure justice and compensation for victims.

The international community should:

1. Urge Chinese authorities to take immediate action to uphold universal human rights and fundamental freedoms in Xinjiang. Specifically:
 - The OHCHR and special procedures mandate holders should continue to call for the immediate release of persons involuntarily held in detention without due process, closely monitor the situation in Xinjiang.
 - The Human Rights Council should continue to urge China to uphold human rights of Turkic Muslims and to accept independent UN observers in Xinjiang.
 - The UN Office on Genocide Prevention and the Responsibility to Protect should closely monitor the situation and communicate increasing risk of atrocity crimes in Xinjiang, as appropriate.
2. Recognising the important influence they have in urging China to reconsider its policies in Xinjiang, Muslim majority countries as well as neighbouring states whose nationals are allegedly detained in Xinjiang should advocate for China to respect the rights of its Turkic Muslim population.
3. Civil Society actors should continue to raise awareness and visibility of the treatment of Turkic Muslims in Xinjiang and advocate for an end to any violations of their basic rights and fundamental freedoms.
4. All actors should support and protect the rights of organisations and actors that are assisting Turkic Muslims who have left China and working to collect and disseminate information on human rights violations in Xinjiang.



In 2014, Brunei introduced a strict Islamic penal code. This began the first phase of moving towards the enforcement of Sharia law, initially in relation to family issues such as marriage and inheritance. These laws would build on an existing foundation of conservative Islam in Brunei, where the sale of alcohol is banned and other religions face restrictions.

During the first phase, sentences were largely covered by fines and prison time, and crimes targeted included failing to attend Friday prayers and pregnancy outside of marriage. Laws like the latter tend to have harsher ramifications for women and potentially long-term effects, such as stigma. Over the three years of implementation, the sentencing was to become harsher still, such as severing of limbs for theft, and flogging.

Brunei's population is approximately three-quarters Muslim with the remainder Buddhist and Christian (some ethnic Chinese). It appears that the laws will apply to all citizens regardless of religion, although judges do have discretion, and that fines may be issued for propagating religions other than Islam.⁴⁴ The implementation of these laws may exacerbate existing tensions between ethnic and religious groups. Under the constitution, Malay Muslims are favoured, for instance, ministers must be Malay Muslims and other groups face restrictions in employment and land ownership.⁴⁵

Concerns were expressed by the UN and human rights organisations back in 2014, though critics on social media were warned by the government to stop their public criticism. The UN stated that "Under international law, stoning people to death constitutes torture or other cruel, inhuman or degrading treatment or punishment and is thus clearly prohibited."⁴⁶ Other concerns at the time included the entrenchment of discrimination against women and other vulnerable groups under the new laws. Human Rights Watch has called the laws "a huge step back for human rights in Brunei and totally out of step with the 21st century."⁴⁷ At the UN Human Rights Council meeting in July 2014, several countries raised concerns about how the introduction of Sharia law could disproportionately and negatively impact on women, LGBTIQ people, and non-Muslims, and that it was in clear contravention of human rights commitments.⁴⁸

Its leader, Sultan Hassanal Bolkiah pressed on despite international criticism, saying the move was 'a must' under Islam,⁴⁹ and in April 2019, the most serious and violent aspects of the laws will come into force. Homosexuality has been illegal in Brunei since the country was a British colony but it will now be punishable by death.⁵⁰ Not only are there elements of torture and violence in the punishments that will be metered out, but there are particular groups being targeted, making the laws not only objectionable in their methods (eg, stoning to death) but in the content of the law which makes adultery and homosexuality illegal and punishable by death, plus harsh punishments for blasphemy. It also appears that Sharia law will supersede common laws.⁵¹

Back in 2014, the impact on women was highlighted by The Southeast Asia Women's Caucus on ASEAN, which noted the potential for violence against unmarried women who become pregnant, and the effects on victims of sexual violence who are accused of adultery. Brunei already has very few protections for women in domestic violence situations, and spousal rape is not criminalized.⁵² The legal system is stacked against women: they are often at high risk of being found guilty, less likely to be able to gather evidence to prove innocence, and require several male witnesses to support their evidence. The Caucus called on ASEAN to hold talks with Brunei to protect the human rights of citizens including right to freedom of thought, freedom of religion and right over one's body.⁵³ ASEAN has not made a public statement on Brunei's laws coming into effect in April 2019.

Since 2014, there have been reports of defendants not being adequately informed of the charges against them, and being given inadequate resources to prepare a defence. The fairness and transparency of trials has also been questioned.⁵⁴ There is also grave concern that the laws will be applied to children.

Human rights organisations and international politicians have rightly criticized the move, including Amnesty International, which said "Brunei must immediately halt its plans to implement these vicious punishments and revise its penal code in compliance with its human rights obligations";⁵⁵ and Austria's Chancellor Sebastian Kurz who stated "No one should be criminalised based on their sexual orientation or gender identity" and called on the Sultan to reverse the death penalty laws.⁵⁶

The implementation of these laws in Brunei constitutes a risk of atrocity crimes and contravenes a range of international human rights law and international treaties particularly in relation to the rights of children, the rights of women, freedom from discrimination on the basis of sexuality, and freedom of religion.

Recommendations

The government of Brunei must:

1. Immediately rescind laws that enable the killing, torture, and mistreatment of people on the basis of their sexuality.
2. Take steps to ensure that the human rights of women and LGBTIQ people are fully respected.
3. Take steps to end systematic discrimination against any group.

The international community should:

1. Condemn the laws being implemented by Brunei and strongly urge it to reconsider.
2. Publicly state that Brunei's laws contravene Brunei's legal obligations under international human rights law. They should also note that the laws increase the risk of atrocity crimes and note the likely impact of such laws on women including potential violence against unmarried women and the lack of fairness in the legal system which places onus on women to prove their innocence in a male-dominated justice process. They should also note that these laws will further entrench sexual violence against women by providing impunity for perpetrators and punishing the victims.
3. Condemn the targeting of the LGBTIQ community for not only discrimination but for violence.
4. Consider measures such as censures and targeted sanctions against the Brunei Government while these laws are in effect.
5. Ensure that those fleeing Brunei and seeking asylum elsewhere as a result of these laws be considered as persecuted under the refugee convention.
6. Raise the treatment of Brunei's LGBTIQ community in the next round of the country's Universal Periodic Review
7. Encourage the UN Human Rights Council to further investigate the situation and bring forward recommendations
8. The ASEAN Intergovernmental Commission on Human Rights should ensure a right to remedy in the face of clear violations of the ASEAN Declaration on Human Rights



The risk of atrocity crimes in Indonesia has increased somewhat for three principal reasons. The first is the upcoming 2019 Presidential elections. The second is the ever-increasing rise of radical Islam in Indonesia, not just limited to Sharia-ruled provinces such as Aceh, but spreading across the island nation. This is being seen not only in political realms but in media and in commercial interests⁵⁷. Third is an acceleration of tensions in West Papua as separatist movements clash with Indonesian military, and the Indonesian military reportedly employing torture and killing to curb rising pro-separatist sentiment.

2019 Presidential Elections

Indonesia faces federal elections in April, 2019, with the two Presidential prospects taking up divergent political platforms. While both tussle for the populist vote, President Joko (Jokowi) Widodo's platform is centred on honesty and integrating, and "technocratic" populism, while former General Prabowo Subianto appeals to populist nationalism and propagates an "assertive and firm" image of himself⁵⁸. Both have employed Islam as a core consideration in their Presidential running, with President Jokowi's running mate Ma'ruf Amin an Islamic scholar and politician and head of the country's most prominent Islamic clerical body. While the election outcome has been predicted in favour of Jokowi, how the incumbent President plans on setting the political tone in Indonesia remains unclear: a pluralist approach advocating equal rights, or one that favours hardliner Islamic agendas, as this segment of Indonesia's population continues to grow⁵⁹.

Islamist Terrorism

Indonesia's anti-terrorism force, Densus 88, remains actively committed to countering terrorism, an ever-present threat in the nation. In March 2019 the group arrested three hardline Islamists between 9-12 March, and during the raid a bomb exploded. These men were affiliates of the Islamic JAD group. This is one of a series of raids carried out by Densus 88 over the first three months of 2019. While terrorism is said to have plateaued in the region, the rise of Islamic extremism remains an ongoing cause of concern both nationally and globally⁶⁰.

West Papua

In West Papua, recent reports have escalated that describe the region's Free Papua Movement and the West Papuan National Liberation Army as growing increasingly emboldened.

Tensions are escalating in West Papua. On the 1 December 2018, over 500 civilians were arrested for supporting West Papua Independence Day (the day West Papua got independence from Dutch colonial rule) and raising the Morning Star Flag (an act that is illegal in West Papua). The Indonesian authorities also raided and destroyed a number of headquarters of the West Papua National Committee, the domestic arm of the liberation campaign.⁶¹

On the 2 December, the West Papua Liberation Army (TPNPB) (the armed wing of the liberation campaign), claimed responsibility for an attack on an Indonesian construction site that resulted in 31 deaths.⁶² The Indonesian military (TNI) responded with further violence; burning churches and killing civilians in attempts to find the culprits of the attack.⁶³ The TNI also strategically repositioned throughout Ndugu, causing over 1000 West Papuans to flee for fear of attack and exacerbating the poor living conditions in the area. West Papuan leaders have attributed the death of three infants in Ndugu to the TNI crackdown, with the authorities refusing humanitarian and medical agencies access to the area.⁶⁴

These tensions have emerged amongst a growing of number human rights abuses reportedly perpetrated by the Indonesian authorities in West Papua. In December 2018, the Indonesian authorities were accused of using white phosphorous in West Papua.⁶⁵ In February 2019, they were forced to extend a rare public apology after interrogating a young civilian with a large snake.⁶⁶ In March 2019, the *Guardian* reported that at least 15 people had been killed in clashes between "rebels" and Indonesian police, and since mid-2018 there have been intermittent reports of violence and death resulting from similar clashes.⁶⁷ There was also a report of torture and human rights abuse that made the global press when Indonesian police used a snake to interrogate and intimidate a petty thief.⁶⁸ In late 2018 there were worrying reports that Indonesia was using white phosphorus to disperse local West Papuans who had reportedly killed 24 Indonesian road workers, some of whom had taken photos of a West Papua independence flag raising ceremony.⁶⁹ West Papua remains an ever-growing concern for Indonesia's government, and Indonesian reactions to separatist movements is said to be dependent on international reaction to reports coming out of the region.

It is crucial for the human rights abuse allegations in West Papua to be dealt with. Indonesian actions in West Papua have also raised critique from multiple UN offices; including the UN Office of High Commissioner for Human Rights (OHCHR). Ravina Shamdasani, a spokesperson from the OHCHR, stated that ‘they are troubled by the crackdown over peaceful demonstrations and increasing reports of excessive use of force by security forces, harassment, arbitrary arrests and detentions in Papua’.⁷⁰ This is proving challenging however, as Indonesia has restricted foreign media and human rights groups from entering the Papua provinces to independently verify the situation.⁷¹

The situation has been made more complex by increasing demands for a referendum on independence. In January 2019, 1.8 million people (around 70% of the Indigenous population in West Papua) signed a petition that supported an independence referendum in West Papua. Benny Wanda, the chair of the United Liberation Movement of West Papua (ULMWP) attempted to present the same petition in 2017 to the UN Special Committee on Decolonisation but was unsuccessful. In 2019, Wanda accompanied a ni-Vanuatu delegation and successfully presented this petition straight to Michelle Bachelet, the UN Human Rights Commissioner.⁷²

This highlights an important shift in West Papua’s fight for independence; they are gaining more regional and international attention, strengthening and amplifying their voice. In 2019, the United Liberation Movement for West Papua (ULMWP) gained observer status in the Melanesian Spearhead Group (MSG), a move that is considered a step in the right direction for West Papuan independence.⁷³ Further, in 2019, the Governor of Papua New Guinea’s National Capital District, Powes Parkop, announced plans to amend the existing policy concerning West Papua between PNG and Indonesia. While it is still unlikely that PNG will interfere in the region, it does reference a growing regional consciousness around the West Papua plight.⁷⁴

Recommendations

The government of Indonesia should:

1. Appoint a senior official as National R2P Focal Point to coordinate national and international efforts to implement R2P.
2. Develop and implement a comprehensive strategy for tackling violent extremism that strengthens the security forces whilst protecting core human rights.
3. Take steps to ensure the maintenance of the rule of law and order in areas afflicted by sectarian violence.
4. Conduct a thorough assessment of risks of sectarian violence and develop an action plan to address it.
5. Promote inter-faith dialogue and local capacities for conflict resolution in regions affected by communal strife.
6. Accelerate efforts to reform the governance of West Papua, to make it more inclusive, accountable and responsive to the people’s needs, and stimulate economic development.
7. Ensure that security operations against non-state armed groups, including those in West Papua, are conducted in a manner consistent with Indonesia’s international legal obligations.

The international community should:

1. Encourage Indonesia to take active steps to fulfil its responsibility to protect.
2. Actively explore avenues for cooperation with the Indonesian government and society in the areas of combating violent extremism and terrorism, preventing sectarian conflict, and reducing incitement and hate speech.
3. Provide assistance when requested to help the government and civil society tackle their remaining challenges.

COUNTRIES TO WATCH



PAPUA NEW GUINEA LOW RISK

The risk of atrocity in Papua New Guinea (PNG) is generally low but high levels of criminal activity are endemic throughout regions of Papua New Guinea, and sexual and gender-based violence is likewise common.⁷⁵ Crime is mostly at local and regional levels, targeting tourists or foreign workers. Political corruption is one major challenge for Papua New Guinea. Anti-corruption watchdogs in the country are limited in number, and those that do exist are subject to political interference.⁷⁶ This corruption has been suggested to extend to its national fiscal assessment, with the government accused of manipulating figures to serve its own interests, including manipulating its predicted GDP.⁷⁷ Discrimination against minority groups is apparent, and women are disadvantaged in all facets of society. Minority groups include the LGBTQI community and Chinese migrant communities, both of which are the target of hate speech, though large-scale incitement to violence is rarely an outcome.⁷⁸ Sexual and gender based violence remains endemic.

A planned referendum on independence in the Autonomous Region of Bougainville could provide a trigger for violence, though. Originally scheduled for June 15, 2019, the referendum has been postponed due to independence referendum on October 17, 2019 due to voter registration problems.⁷⁹ This serves as the latest chapter to the uneasy relationship between the Bougainville Government and the government in Port Moresby which has come close to armed conflict more than once.⁸⁰ Despite being politically part of Papua New Guinea, the region itself is part of the Solomon Islands Archipelago and is regarded as “one of the accidents of late 19th century colonial map drawing”⁸¹ between British and German colonial administrations. In 1988 tensions boiled over and civil war erupted over monetary and resource distribution as well as environmental damage caused by the Panguna Copper Mine.⁸² In 1997 a truce was declared, and a peace agreement was finalised in 2001.⁸³ Part of the peace agreement included a requirement that the Autonomous Region of Bougainville have an independence referendum by 2020 at the very latest.⁸⁴ Tensions between the Bougainville government and Port Moresby remain as there is an explicit desire by Bougainville residents to become independent, while the reopening of the Panguna Copper Mine and entitlement to future profits remain a source of tension between Port Moresby and Bougainville. Papua New Guinea Prime Minister Peter O’Neil has also contested the validity of the referendum, calling it ‘non-binding’⁸⁵ while the government in Bougainville has accused O’Neil of financially constraining the island, stymying its progress to independence.⁸⁶ The outcome of the October Independence Referendum, if it happens, remains to be seen.

Recommendations:

The government of PNG and its partners should:

1. Thoroughly investigate all allegations of the use of excessive force by the security forces and ensure full legal accountability for all shootings and other acts of violence.
2. Publicize, educate, and enforce the human rights of girls and women and minority groups.
3. Ensure improved access to justice for the victims of sexual and gender-based violence.
4. Tackle impunity by strengthening the training and accountability of security forces, including police.
5. Increase support for the victims of sexual and gender-based violence.
6. Develop and implement a strategy for reinforcing anti-violence norms amongst men.
7. Empower women through increasing educational and economic opportunities.
8. Fulfil its responsibility to protect all populations on its territory, including women, refugees and asylum seekers.

On Bougainville, the government should:

1. Ensure a free, fair, and peaceful referendum.
2. Allow the deployment of international observers to monitor the voting.
3. Respect the result of the referendum.

And the international community should:

1. Offer and provide international monitors.
2. Provide technical support.
3. Ensure that diplomatic staff closely monitor the situation.
4. Urge the government to ensure a free and fair referendum and respect the results.

SEXUAL AND GENDER BASED VIOLENCE

As recognized by the Rome Statute of the ICC and UN Security Council Resolution 1820 (2008), widespread and systematic can constitute war crimes, crimes against humanity and acts of genocide. In this regard, the main situation of concern in the Asia Pacific region remains Myanmar, where strong evidence exists of SGBV as a systematic element of atrocities against the Rohingya community. The 2018 UN Fact-Finding Mission (FFM) found that Myanmar's armed forces (Tatmadaw) had committed atrocities against the Rohingya with 'genocidal intent' including widespread sexual violence, sometimes in public and followed by the murder or mutilation of victims. In fact, the Mission found that "rape and other forms of sexual violence one of the hallmarks of Tatmadaw operations".⁸⁷ The FFM found that in addition to genocide committed against Rohingyas, there is evidence of atrocities amounting to war crimes and crimes against humanity committed against non-Rohingya civilians: "...rape and other sexual violence have been a particularly egregious and recurrent feature of the targeting of the civilian population in Rakhine, Kachin and Shan States since 2011".⁸⁸ Evidence of widespread SGBV in Myanmar is supported by the report of the UN Special Representative of the Secretary-General on Sexual Violence in Conflict, Ms Pramila Patten, which made note of "accounts from almost every woman and girl of patterns of rape, gang rape, forced nudity and abduction for the purpose of sexual slavery during military campaigns of slaughter, looting and the razing of homes and villages."⁸⁹ SGBV is not only used to hurt, humiliate and dehumanize women and girls—Amnesty International has documented SGBV against Rohingya men and boys have been detained were subjected to sexual violence and genital mutilation as a form of torture.⁹⁰

The physical and psychological impact of sexual violence is long-lasting. Exacerbating the trauma in the Rohingya case, was the lack of immediate medical expertise and restrictions on women's freedom of movement, limiting access to health care, as well as stigma and rejection of women and girls who have been subjected to sexual violence. The situation for women who have become pregnant as a result of rape is especially precarious, and indeed there was a spike in pregnancies in the refugee camps in Bangladesh and reports of up to 60 births per day that may have resulted from rape.⁹¹ The Myanmar Government has officially denied the use of SGBV, for instance in its report to CEDAW in March 2019, in which it stated "Despite repeated accusations that Myanmar Security Forces committed a campaign of rape and violence against Muslim women and girls residing in Rakhine State, there is no evidence to support these wild claims."⁹²

As well, SGBV continues in post-conflict situations such as refugee camps. The April 2018 report of the Secretary General on Conflict Related Sexual Violence stated that "Women and girls who manage to flee to Bangladesh may confront new risks, including forced marriage, sexual exploitation and trafficking." That report found that services had been provided to over 2700 survivors of SGBV but that a lack of health care remained a serious problem for survivors in the camps.⁹³ This was echoed by the Assistant Secretary General for Human Rights who said that in Bangladesh's Cox's Bazar, women and girls (who constitute 80% of the camp population), are experiencing a lack of protection and care,⁹⁴ and by Doctors Without Borders which reported camp residents "are constantly exposed to risk—with no locks on doors, no lights after dusk, and no protection when they have to go into the forest alone to collect firewood."⁹⁵

Although Myanmar has ratified the Genocide Convention, it has not incorporated genocide, war crimes or crimes against humanity into its domestic laws, and the provisions for rape under the Penal Code are restrictive. In 2016, the UN Committee on the Elimination of All Forms of Discrimination against Women recommended that Myanmar "repeal all laws that perpetuate impunity for sexual violence committed during and after conflict and expedite the investigation and prosecution of crimes of sexual violence perpetrated by the military and armed groups".⁹⁶

There are other areas of prevalence or risk of SGBV in the Asia Pacific region that require monitoring, such as the Philippines and Indonesia.

The rise of ISIS-inspired local non-state groups in Southern Philippines represents a significant regional threat. The ideology of ISIS specifically fosters a culture of sexual violence and enslavement of women,⁹⁷ as evidenced in its genocide of Yazidis in Iraq in 2014.⁹⁸ In 2017, conflict erupted in Marawi between government forces and ISIS-linked groups, the conflict exacerbating existing SGBV in the region. The UNFPA reported a rise in SGBV including trafficking, and the problem of long-term stigma for victims of sexual violence.⁹⁹ Sexual enslavement of women in Marawi was also reported and this could represent an early indicator of planned attacks on particular groups of women and girls by ISIS-affiliated militants.¹⁰⁰ Although the fighters were defeated in Marawi, a church bombing in January 2019 has raised fears of a resurgence. The bombing came against the backdrop of a referendum to create a new autonomous region in the Muslim-majority south.¹⁰¹ The UNFPA in conjunction with local agencies has established a Women and Children Protection

SEXUAL AND GENDER BASED VIOLENCE

Unit in Marawi City, however the ongoing risk of SGBV in areas where ISIS-inspired groups are active, is high.

The broader context of gendered hate speech in the Philippines should also be noted. President Duterte has made several public comments condoning sexual violence against women which contributes to a culture of impunity for perpetrators.¹⁰² Under his leadership, The Philippines has demonstrated a wider lack of respect for the rule of law and human rights, with state-sanctioned violence against segments of the population such as drug traffickers.

Finally, crimes against LGBTIQ individuals are of increasing concern. Amnesty has reported violence against LGBTIQ activists in Bangladesh,¹⁰³ while a backlash against LGBTIQ rights in Indonesia since 2016, promoted by some government officials and implemented by local police, has been reported by various human rights organisations.¹⁰⁴

Indonesia has also seen a sharp increase in reports of SGBV against women, many of which occurred in domestic violence contexts. While Indonesian law prohibits domestic violence, its patriarchal culture affects women's ability to report these crimes or to seek protection. The National Commission on Violence Against Women found domestic violence to be the most prevalent type of violence against women in Indonesia,¹⁰⁵ while a nationwide survey supported by UNFPA reported over 40% of Indonesian women had experienced physical, sexual, emotional or economic violence.¹⁰⁶

Recommendations

The government of Myanmar must:

1. Take immediate steps to fulfil its legal obligations by ending atrocity crimes including SGBV and preventing their recurrence.
2. Ensure the full and prompt investigation of allegations of atrocity crimes, including SGBV.
3. Implement the recommendations of the FFM including to "cease the perpetration of sexual and gender-based violence by Myanmar security forces against women, girls, men and boys" and issue instructions that it is prohibited, and to acknowledge the role of the Tatmadaw and other security forces in committing SGBV.
4. Review legislation and the Penal Code to ensure that SGBV is adequately covered under Myanmar law and that victims have legal recourse.

The Government of the Philippines should:

1. Immediately cease the use of gendered hate speech and the condoning of sexual violence against women.
2. Ensure the use of SGBV by non-state groups is monitored and prioritise the protection of women and girls in areas where ISIS-linked groups are active.

The Indonesian Government should:

1. Develop programmes to reduce violence against women such as gender equality awareness projects.
2. Provide support to victims of domestic violence including protection, legal and medical assistance, and job training.
3. Cease official discrimination and hate speech against LGBTIQ people.

The international community should:

1. Support efforts to raise awareness of SGBV and to hold perpetrators accountable. The UN Security Council should refer the Myanmar situation to the International Criminal Court or establish an investigatory mechanism and criminal tribunal.
2. Exert diplomatic influence on the Myanmar government to fulfil its obligations to prevent atrocity crimes, protect vulnerable populations and dismantle the culture of impunity for SGBV.
3. Support humanitarian aid for Rohingyas in refugee camps in Bangladesh, including health care and psychological support for survivors of sexual violence, and improve the safety conditions in the camps.
4. Increase the number of humanitarian visas available and ensure timely processing of refugee applications from survivors of SGBV in Myanmar.
5. Support women's human rights defenders and LGBTIQ rights groups to promote acceptance and equality,

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review existing laws with a view to incorporating SGBV into domestic legislation, and ensure perpetrators of violence are held accountable under the law.

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