

Sexual and Gender-based violence

New accounts have emerged of systematic sexual violence against the Uighur community in China. Survivors and witnesses have recounted physical and sexual abuse include beatings, sexual torture involving electric shocks, and repeated gang rape.¹ In addition, there are reports of forced nudity, and of women being forced to participate in a “system of organised rape” by undressing others in preparation for abuse.

The cases are occurring in the internment, or so-called “re-education” camps, in the Xinjiang province, where Uighur Muslims are being detained and subjected to a range of crimes against humanity including forced labour, indoctrination and forced assimilation, as well as previously documented cases of forced sterilisation and measures to prevent births within the group.² These new reports consolidate that evidence, with accounts of forced medical examinations, medication and injection regimes to reduce fertility or prevent reproduction.

Abuses being perpetrated against the Uighur community are crimes against humanity and may amount to genocide.³ SGBV can cause long-term physical harm to survivors, as well as psychological trauma and ongoing stigma. In a context of genocide, it can serve as a strategy to destroy the group in whole or in part.

The US government has called for “serious consequences” and both the US and Australian governments have urged China to allow independent investigations to occur in Xinjiang including by the UN High Commissioner for Human Rights.⁴

Increasing risk of gender-based violence in Myanmar

Violence and human rights abuses are escalating in the wake of the February 2021 military coup in Myanmar. In addition to authoritarian measures, such as internet shut downs, violence against protesters, night-time arrests and arbitrary detention, the Myanmar military (Tatmadaw) has demonstrated an “institutionalized culture of abuse”⁵ which includes the use of gendered violence to brutalise populations.

There is a strong history of sexual violence in conflict zones (Shan, Kachin, Karen and Rakhine states) and against persecuted communities, particularly systematic against Rohingya Muslims during the “clearance operations” of 2017.⁶ Given the lack of accountability for past gender based atrocity crimes by the Tatmadaw, the risk of gendered violence, as protests against the coup continue, is high.

Covid-19 gendered impacts

Pandemic conditions throughout the Asia-Pacific region continue to impact on the rates of domestic violence, with a combination of restricted movement, lockdown conditions, economic and job insecurity, and health concerns. To date, 70% of women, peace and security practitioners in the Indo-Pacific region have identified an increase in the severity of gender based violence during the COVID-19 pandemic and 52% have noted a decline in the accessibility of women’s safe houses.⁷ For example, in Indonesia, the requirement of proof of health status to enter safe houses has denied shelter to women without access to COVID testing, forcing women to remain confined in spaces with perpetrators of violence. There is also evidence emerging of increased rates of female suicide during the pandemic, for instance in Japan.⁸

The widespread school closures resulting from the pandemic have widened gender inequalities and had a disproportionate effect on girls throughout the Asia-Pacific region. Of a survey conducted in South Asia, 65% of participants believe the harms of school closures offset possible benefits for girls, particularly in cases where girls are experiencing pressure to drop out or stay out of education permanently.⁹ In South and West Asia, it is estimated that 2.8 million girls across primary and tertiary levels may not return to their education.¹⁰

Access to health services including maternal, sexual and reproductive services has also decreased in the Asia Pacific region. In the Solomon Islands, for example, recent cases of newborn deceased babies and foetuses found in rubbish dumps have led WPS practitioners to link a rise in infanticide with contexts of gender inequality and child abuse exacerbated by the Covid-19 pandemic.¹¹

Increased rates of child marriage, female genital mutilation, and unintended pregnancy due to the pandemic have been projected by the UNFPA,¹² and the issue of child marriage has arisen in refugee camps in Bangladesh, with unmarried girls perceived as more vulnerable to harassment and marriage viewed as a means of protection.¹³

LGBTIQ+ Rights

Persecution of the LGBTIQ+ community continues to be a problem in the Aceh province of Indonesia, with two men publicly lashed 77 times in January 2021 after a civilian raid on their apartment.¹⁴ The lashings are symptomatic of extensive and targeted discrimination that also includes arbitrary arrests and detention.¹⁵ The LGBTIQ+ community faces increased vulnerability during COVID-19, due to a lack of appropriate social and psychological support and health care.

Recommendations

The Government of China should:

- Immediately cease committing atrocity crimes against the Uighur minority group and release all persons detained in internment camps;
- Permit access to Xinjiang by the UN High Commissioner for Human Rights and other independent observers to ascertain the true extent of SGBV and other human rights violations;
- Hold accountable those responsible for sexual and gender based violence against the Uighur community; and
- Respect and protect the human rights of all of China's populations.

The Government of Indonesia should:

- Cease the practice of arbitrary arrests of LGBTIQ+ people and remove barriers to health care and psychological support;
- Review legislation that permits corporal punishment and institutionalised discrimination against the LGBTIQ+ community.

The Myanmar military should:

- Prevent sexual and gender based violence against civilians and vulnerable communities;
- Hold perpetrators of SGBV accountable;
- Develop a policy for the military and train security forces in relevant women, peace and security considerations.

ASEAN, the UN Security Council and other international bodies should:

- Exert pressure on the Myanmar military to refrain from violence and human rights violations, and implement protection strategies to prevent the commission of atrocity crimes including SGBV;
- Urge the Chinese government to allow independent observers into Xinjiang to investigate reports of SGBV among the Uighur community;
- Hold accountable perpetrators of atrocity crimes including gender based violence;
- Develop global policies and best practice responses to Covid-19 that take into account the gendered dimensions of the pandemic such as domestic violence and girls' education;
- Continue to advance the WPS agenda to ensure women's participation in peacebuilding, atrocity prevention and decision making processes.

¹ Hill, M., Campanale, D. and Gunter, J., 2021. 'Their goal is to destroy everyone': Uighur camp detainees allege systematic rape, BBC News. <https://www.bbc.com/news/world-asia-china-55794071>

² APR2P Centre report, *Genocide And Crimes Against Humanity In Xinjiang? Applying The Legal Tests*, https://r2pasiapacific.org/files/5818/applying_legal_tests_xinjiang_nov2020.pdf, November 2020.

³ James Landale, *Uighurs: 'Credible case' China carrying out genocide*, BBC, 8 February 2021, <https://www.bbc.com/news/uk-55973215>

⁴ *US and Australia leaders 'deeply disturbed' by reports of systematic rape of Muslims in China camps*, ABC, 4 February 2021, <https://www.abc.net.au/news/2021-02-04/us-leaders-condemn-reports-of-systematic-rape-of-chinese-muslims/13120686>

⁵ David Scott Mathieson, *Myanmar's Army of Darkness*, 12 February 2021, <https://www.thenation.com/article/world/myanmar-burma-coup-rohingya/>

⁶ Sexual and gender-based violence in Myanmar and the gendered impact of its ethnic conflicts, Human Rights Council, Forty second session, 9-27 September 2019, <https://www.ohchr.org/EN/HRBodies/HRC/MyanmarFFM/Pages/sexualviolence.aspx>

⁷ Johnston, M., Davies, S., Riveros Morales, Y., Stone, S., and True, J, *Mapping the Impact of COVID-19 in the Indo-Pacific Region II: Women, peace and security practitioner views*, 2020.

⁸ Robin Harding, *Japan suffers rise in female suicides during Covid-19 pandemic*, Financial Times, 10 February 2021, <https://www.ft.com/content/e7f1d6a7-d56e-423f-a7c8-0803af9a6f02>

⁹ Center for Global Development, *Gendered Impacts Of COVID-19 School Closures: Insights From Frontline Organizations*, 2020, <https://www.cgdev.org/sites/default/files/gendered-impacts-covid-19-school-closures-insights-frontline-organizations.pdf>

¹⁰ Babb, J. and Buchanan, N., *COVID-19 Leaves Millions Of Girls At Risk Of School Dropout In Asia-Pacific*, The Diplomat, 2020, <https://thediplomat.com/2020/11/covid-19-leaves-millions-of-girls-at-risk-of-school-dropout-in-asia-pacific>

¹¹ *Mapping the Impact of COVID-19*, op. cit.

¹² Millions more cases of violence, child marriage, female genital mutilation, unintended pregnancy expected due to the COVID-19 pandemic, <https://www.unfpa.org/news/millions-more-cases-violence-child-marriage-female-genital-mutilation-unintended-pregnancies>

¹³ Lee-Koo, K. and Gordon, E., 2020. *Child marriage amid conflict and COVID is a major threat for adolescent girls*, Monash Lens. <https://lens.monash.edu/@politics-society/2020/11/25/1381811/child-marriage-among-conflict-affected-populations-a-major-threat-for-adolescent-girls>

¹⁴ Knight, K., *77 Lashes for a Gay Couple in Indonesia*, Human Rights Watch, <https://www.hrw.org/news/2021/01/28/77-lashes-gay-couple-indonesia>,

¹⁵ *Human Rights Watch Complaint on the Rights of LGBT people in Indonesia's Aceh Province*, Human Rights Watch, <https://www.hrw.org/news/2016/03/29/human-rights-watch-complaint-rights-lgbt-people-indonesias-aceh-province>