



The Asia Pacific Partnership for Atrocity Prevention (APPAP) Declaration on Myanmar

20 October 2020

The Asia Pacific Partnership for Atrocity Prevention (APPAP) is an alliance of organisations working to promote human rights and support atrocity prevention in the region.

In 2017, the Myanmar Government and military (Tatmadaw) carried out grave human rights abuses and atrocity crimes against the Rohingya minority, including the crime of [genocide](#). This genocide did not come unexpected; for years, even decades prior, there were clear risk factors for atrocity crimes, highlighted in early warning and [risk analyses](#) by scholars, civil society organisations, and by local communities.

Years of conflict including attacks against civilians set the scene for the escalation. Denial of basic human rights including freedom of religion and freedom of information, and government-promoted hate speech against Myanmar's minorities, compounded the risk of atrocity crime.

International justice processes are continuing, though they are lengthy and complicated. Meanwhile the Myanmar Government continues to deny any culpability, and to deny even that the crimes were committed, despite extensive evidence of massacres, forced deportation, widespread sexual and gender based violence, and the destruction of property and infrastructure. Further, it has not substantively complied with the provisional measures issued by the International Court of Justice (ICJ) in January 2020. Despite Presidential Directives on compliance with The Convention on the Prevention and Punishment of the Crime of Genocide, preservation of evidence, and anti-hate speech, the authorities have failed to implement these directives. Instead, there were at least 619 incidents of direct attacks on civilians or armed clashes that failed to adequately protect them between 1 January and 30 June 2020, in 10 out of Myanmar's 14 States and Regions.¹ These attacks represent a 41% increase on the corresponding period in 2019, and a 273% increase on the corresponding period in 2011, when Myanmar transitioned to a nominally civilian government.

Despite the Covid-19 pandemic, in other states like Chin and Northern Shan, the military continues to [attack](#) villages and civilians. A lack of access to the country by independent media, human rights NGOs or UN officials allows for continuing impunity for the security sector and government.

There are [serious concerns](#) about Myanmar's elections scheduled for 8 November 2020. In addition to a lack of transparency, arrests of government critics, and banning of foreign media, the Rohingya and other minorities are being prohibited from voting due to discriminatory policies, a refusal to recognise their citizenship, and "security" reasons. Mere weeks before the election, the Union Election Commission cancelled voting in half of Rakhine State, and parts of five other States/Regions.

Where there are existing risk factors of atrocity crime (including ongoing conflict and persecution of minorities), an election (or actions to destabilise one) can act as a trigger for violence and further atrocity crimes.

¹ Armed Conflict Location & Event Data Project (ACLED) Data Export Tool, available at <https://acleddata.com/data-export-tool/>. The sub event types from ACLED that are included here are Abduction/forced disappearance, Air/drone strike, Armed clash, Arrests, Attack, Grenade, Looting/property destruction, Sexual violence, and Shelling/missile/artillery attack. The "Abduction/detention" column in the table includes ACLED sub-events categorized as Abduction/forced disappearance and Arrests. The "Property destruction/seizure" column in the table contains exclusively ACLED sub-events categorized as Looting/property destruction.

Rohingya refugees remain stateless. In Rakhine State, thousands are trapped in [squalid camps](#), characterised by a lack of health care, education and basic services, and facing a high risk of violence. The Bangladesh Government offered safe haven to Rohingya refugees who fled during the 2017 ‘clearance operations’. Civil society and non-government organisations working with refugees in Cox Bazar continue to advocate for better conditions and [safety](#), and for a commitment from the Myanmar Government for a safe return of the refugees.

The Responsibility to Protect principle obligates all states to protect their populations from atrocity crimes, including war crimes, ethnic cleansing, crimes against humanity and genocide. APPAP **calls on** the Myanmar Government to meet its responsibilities by:

- Providing access for all populations to health care and education, and ensuring their fundamental human rights including freedom of information and freedom of religion
- Recognising the rights and citizenship of Rohingyas and other minority groups
- Preparing adequately for the return of Rohingya refugees from camps in Bangladesh
- Immediately ceasing attacks in Rakhine, Chin, Northern Shan and elsewhere
- Refraining from attacks against civilians
- Ensuring accountability for the security sector and military for crimes committed
- Implementing a nationwide ceasefire in advance of the 8 November elections
- Ensuring all communities, including ethnic and religious minorities, are able to exercise the right to vote
- Ensuring the elections are free, fair and transparent
- Comprehensive and transparent implementation of the Provisional Measures issued by the International Court of Justice

APPAP **calls on** the Myanmar Government and the military to uphold the Responsibility to Protect all populations from atrocities, and **calls on** regional bodies like ASEAN, and the international community, to exert pressure on Myanmar to meet its responsibilities.

APPAP **recognises** the efforts by states that host survivors of atrocity crimes in Myanmar and **calls on** those states to ensure that survivors are not subjected to conditions that extend or perpetuate the impacts of such crimes.

APPAP **commits** to working collaboratively and proactively on atrocity prevention strategies in relation to Myanmar, including:

1. Tackling hate speech, including on social media
2. Applying a gendered lens to atrocity prevention
3. Supporting human rights defenders and CSOs in Myanmar and the region
4. Encouraging accountability processes and justice responses
5. Continuing to monitor the situation, assess risks and provide early warning on the potential commission of atrocity crimes

For further information, please contact:

Alex Bellamy
Director, Asia Pacific Centre for the Responsibility to Protect
E: a.bellamy@uq.edu.au

W: <https://appap.group.uq.edu.au/>