



Gender and Atrocities Prevention Working Group Background Information and Concept Note

ABOUT THE ASIA PACIFIC PARTNERSHIP FOR ATROCITY PREVENTION

Launched in November 2016, the Asia Pacific Partnership for Atrocity Prevention (APPAP) is an alliance of organizations that aims to contribute to the prevention of atrocities, and their incitement, and the protection of vulnerable communities in the Asia Pacific region.

APPAP's goal is to facilitate coherent and comprehensive action to prevent atrocities that mobilizes the capacities of local, regional and global actors. APPAP's founding members endorsed six key principles to guide their action:

- (1) the full implementation of the Responsibility to Protect principle as agreed by all governments at the 2005 World Summit, in accordance with the Charter of the United Nations;
- (2) the full implementation of International Humanitarian and Human Rights Law, especially,
 - Convention on the Prevention and Punishment of the Crime of Genocide
 - Rome Statute of the International Criminal Court
 - International Covenant on Civil and Political Rights and the Second Optional Protocol thereto (1989)
 - International Covenant on Social, Economic and Cultural Rights
 - Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
 - Convention on the Elimination of All Forms of Discrimination Against Women
 - Convention on the Elimination of All Forms of Racial Discrimination
 - Convention relating to the Status of Refugees and the 1967 Protocol thereto
 - Convention on the Rights of the Child
 - Arms Trade Treaty
- (3) full respect for the principle of inclusivity;
- (4) recognition and respect for cultural diversity;
- (5) recognition of the need for gender sensitive approaches to all aspects of work; and

- (6) recognition of the value of the rule of law, the principle of legal accountability and the need to end impunity.

Four working groups guide APPAP's work plan and strategy for progressing its goals:

- *Working Group on Atrocity Prevention and Awareness Raising*, which aims to develop a comprehensive plan for raising awareness of R2P/atrocity prevention and building commitment to it across the region;
- *Working Group on Gender and Atrocities Prevention*, which aims to develop a report and plan of action on preventing gender-based atrocity crimes, including links between gender violence and discrimination and early warning of atrocity crimes;
- *Working Group on Security Sector Governance and Atrocity Prevention*, which aims to develop a report outlining how security sector governance might be utilized to support atrocity prevention in the Asia Pacific; and
- *Working Group on the Prevention of Incitement to Commit Atrocity Crimes*, which aims to develop draft regional guidelines on the prevention of incitement to commit atrocity crimes and prevention of hate speech in a manner consistent with the right to speech.

GENDER, R2P AND ATROCITY PREVENTION: AN OVERVIEW

The Responsibility to Protect (R2P or RtoP) is an international principle endorsed by world leaders at the 2005 World Summit that recognises that all States share a responsibility to protect their populations from four atrocity crimes: war crimes, crimes against humanity, ethnic cleansing and genocide. According to former UN Secretary-General Ban Ki-moon, R2P has three non-sequential and equally important pillars:

1. Each State has the primary responsibility to protect its population from mass atrocity crimes;
2. The international community is responsible for assisting States to exercise this responsibility; and,
3. The international community is responsible for taking collective action, consistent with the UN Charter, to protect populations from mass atrocity crimes where a state is manifestly failing in its responsibility to protect.

As recognised in the Rome Statute of the International Criminal Court and UN Security Council Resolution 1820, widespread and systematic sexual and gender-based violence (SGBV) can constitute an act of genocide, war crime or crime against humanity. SGBV can also be a tactic of ethnic cleansing. As such, the prevention of SGBV and the protection of populations at risk of SGBV is a fundamental responsibility for all states as part of their R2P commitment.

For the past ten years, the UN Secretary-General has submitted annual, and other occasional, reports on R2P to the UN General Assembly and UN Security Council. In these reports, the Secretary-General has reiterated that preventing sexual and gender-based violence is a vital

component of implementing R2P. The Secretary-General's reports have highlighted that gender discrimination and gender inequality are associated with heightened risk of widespread SGBV, and noted that states that have strong mechanisms for protecting women's rights and a culture of accountability for SGBV are more resilient to gender-based atrocity crimes.

A number of recommendations for strengthening the prevention of gender-based atrocities have flowed from these reports, including:

- Enhance tools for gender-sensitive early warning and prevention
 - Integrate gender indicators in conflict assessment tools, early warning mechanisms, and monitoring and reporting systems on intra-community violence
 - Work with grass-roots women's organizations to provide timely and sensitive information on evolving conflict situations
 - Ensure that women's groups participate in national mechanisms to regularly assess risk factors and root causes of tensions and identify ways to address those tensions before they escalate
 - Work with National Human Rights Institutions/ombudsman to develop gender-responsive early warning/prevention guidelines
- Develop specific programs on addressing sexual exploitation and abuse of women and girls in police and armed forces
 - Implement gender-responsive justice and security-sector reform measures
 - Develop comprehensive training on women's rights protection before, during and after conflict for armed forces, including:
 - Training on women's human rights/gender, as well as on gender and international humanitarian law and refugee law
 - Training on gender and child protection for UN peacekeeping contributions
 - Share doctrine and guidance relating to best practice on prevention and protection of sexual and gender based violence among police and armed forces
- Address impunity for SGBV, including:
 - Accountability for widespread human rights violations and past gender-based atrocity crimes
 - Prosecute offenders of targeted SGBV before it escalates to widespread violence
 - Incorporate provisions to combat gender-based violence in national penal codes and judicial processes
 - Develop local and national expertise to investigate and prosecute SGBV, including measures to provide victims of sexual violence with better access to legal assistance, health care and social and economic reintegration services to address structural factors that contribute to violence against women and girls.
- Strengthen mechanisms for protecting women's rights, particularly women's physical integrity rights.
 - In particular, the UNSG has recognised that 'Specific gender discrimination practices include the denial or inadequate protection of basic rights relating to physical security and the status of women, compulsory birth control or unequal access to services and property'(UNSG 2013 R2P report, p.5)

- Support women protection advisers/human rights defenders
- Develop comprehensive national strategies to address SGBV, including through Women, Peace and Security National Action Plans

WOMEN, PEACE AND SECURITY AND ATROCITY PREVENTION

‘It is important to recognise that genocide, war crimes, ethnic cleansing and crimes against humanity affect men and women and girls and boys differently. Security Council resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009) and 1960 (2010) on women and peace and security affirm the importance of combating sexual violence as a method of warfare, as well as the full and equal participation of women in decision-making and peace processes...The principles outlined in those resolutions can be incorporated into atrocity prevention strategies’ (UNSG 2013 R2P report, pp. 7-8)

One of the most often cited areas where the principles of WPS could contribute to atrocity prevention is early warning. In particular, the inclusion of gender perspective and gender indicators into existing early warning mechanism can help draw attention to emerging or ongoing atrocity crimes. Research has shown that changes in women’s daily lives and an uptick in SGBV can reveal the onset of wider violence and forewarn the deliberate targeting of groups, particularly in militarised societies with high levels of gender inequality and discrimination.

UN Women has developed gender-sensitive early warning indicators.¹ Some are structural and relate to underlying sources of discrimination and gendered violence, such as levels of female education. Others track more immediate changes in women’s security, such as increases in kidnappings, sex work, female-headed households and domestic violence. Understanding the relationship between increasing SGBV and the onset of armed violence is highly relevant to the Asia Pacific context. A new dataset Preventing Mass Sexual Violence Asia Pacific (PSVAP) reveals that sexual violence often occurs just before and during episodes of more intense conflict. In the context of Myanmar, one of the highest reported locations for sexual violence is refugee and internally displaced persons camps.² This research suggests that analysis of patterns of SGBV forewarn the outbreak of more widespread violence, and that women and girls who flee these situations are at heightened risk of SGBV.

FIRST MEETING OF THE GENDER AND ATROCITY PREVENTION WORKING GROUP: MAPPING PRIORITIES AND PLANS

The initial meeting of the Gender and Atrocity Prevention Working Group aims to identify priorities and develop a work plan to guide how they and the wider membership of the Asia Pacific Partnership for Atrocity Prevention will contribute to the prevention of gender-based atrocities in the Asia Pacific region. The group comprises experts who have been working to

1

<http://www.unwomen.org/~media/Headquarters/Media/Publications/en/04EGenderResponsiveEarlyWarning.pdf>

² <https://www.policyforum.net/the-scourge-of-sexual-violence-in-myanmar/>

advance Women, Peace and Security and women's rights protection in the context of humanitarian emergencies and conflict in the Asia Pacific.

- Dr. Meghna Guhathakurta, Research Initiatives Bangladesh
- Prof. Aurora Javate de Dios, Women and Gender Institute, Miriam College, Philippines
- Ms. Dwi Rubiyanti Kholifah, Asian Muslim Action Network, Indonesia
- Dr. Tamara Nair, Non-Traditional Security Centre, Nanyang Technological University, Singapore
- Ms. Debbie Stothard, ALTSEAN-Burma, Thailand/Myanmar
- Dr. Sarah Teitt, Asia Pacific Centre for the Responsibility to Protect, University of Queensland, Australia (co-convenor)
- Dr. Lourdes Veneracion-Rallonza, Ateneo de Manila University, Philippines (co-convenor)

The meeting agenda entails three key sessions, which aim to address the following questions:

1. Key Issues and Situations of Concern in Asia Pacific
 - a. What are the key situations of concern regarding widespread/systematic SGBV in the Asia Pacific?
 - b. What are the main challenges to protecting women's rights and preventing SGBV in these situations?
 - c. Why are women and girls in particular being targeted?
2. Avenues for Strengthening Gender-based Atrocity Prevention and Protection
 - a. What are ongoing efforts to address widespread/systematic SGBV in these situations, and how might they be further supported or enhanced?
 - b. What institutions or organisations are best placed to strengthen prevention measures?
 - c. How might this Working Group and the broader APPAP membership support or strengthen prevention efforts?
 - d. Can the Working Group identify a priority issue?
 - i. Early warning?
 - ii. Exploitation and abuse in armed forces?
 - iii. Addressing impunity?
 - iv. Upstream prevention on women's rights and gender equality?
 - v. WPS awareness raising/NAPS?
 - vi. Other?
3. Working Group Plan of Action
 - a. What should be the Working Group's strategic aim or priority issue over the next 12-18 months?
 - b. What concrete action should the Working Group undertake? (e.g. research, develop and deliver training, strategic advocacy, build partnerships, etc.)
 - c. What capacities or resources are needed to undertake these initiatives?