

# Asia Pacific Regional Update

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## **Annual Report 2008 Asia Pacific Regional Update Selected events covering the period from January to early May 2008**

The early months of 2008 provided stark reminders of how rapid economic growth in parts of the region has changed nothing in many day-to-day lives. People continue to live in poverty and under abusive governments. An extreme case was the government of Myanmar's disregard for its beleaguered population as it failed to facilitate aid reaching those suffering the impact of Cyclone Nargis.

Many people were executed by their governments as the year wore on, and thousands more continued to live on death row. The true total is unknown, as figures for China, Viet Nam and other countries are kept secret. Thousands faced extreme violence and losing their livelihoods as armed conflicts intensified or reopened.

### **Repression of dissent**

In **Tibet** peaceful demonstrations by monks in Lhasa led to violent protests in March, including racially targeted attacks on Han Chinese, which in turn prompted a heavy crackdown by Chinese authorities. Tibetan sources estimate that more than 150 people were

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### **CANADIAN SECTION**

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killed in the unrest, with thousands detained and unaccounted for.

The crackdown on those suspected of being involved in, or supporting, 2007 peaceful anti-government protests in **Myanmar** continued, with further arrests and lengthy jail terms. At least 700 prisoners of conscience arrested in relation to the demonstrations remain in detention. UN Special Advisor Ibrahim Gambari again visited Myanmar in March, but concluded his visit yielded no tangible results. On May 10, even as hundreds of thousands of people who survived Cyclone Nargis suffered without adequate food, shelter, and access to health care, the government proceeded to hold a national referendum on a long delayed draft Constitution, while introducing a law criminalizing protests against the referendum.

**Vietnam** stuck firmly to its long-held pattern of repressing legitimate and peaceful dissent as the government brought at least seven dissidents to trial and sentenced them to lengthy prison terms, and arrested at least 14 people protesting Chinese policies during the Olympic torch relay in April.

In **Indonesia**, 20 people in Maluku who reportedly attempted to raise a flag of independence in 2007 were sentenced to long jail sentences in April. One of them, Johan Teterisa, received a life sentence.

The Australian publishers of the *Fiji Times* and the *Fiji Sun* newspapers were deported in February and May respectively raising concerns over a continuing trend by **Fiji** interim military administration to intimidate the media.

## **Human rights defenders**

As the Beijing Olympics draw nearer, the authorities tightened security and the government arrested or sentenced increasing numbers of human rights defenders, often on charges of “abusing state power”.

Authorities in **Cambodia** arrested 16 villagers protesting to protect their land and the opening months of 2008 saw at least four incidents of forced evictions. The arrests illustrate concerns over authorities’ abuse of the criminal justice system to silence defenders of land and housing rights. The majority have since been released, six after the Prime Minister’s direct intervention.

In the **Philippines** further periodic political killings of leftist activists included that of trade unionist Gerardo Cristobal in March. In January the Supreme Court issued rules designed to improve habeas corpus protections as the government continued to try to improve the effectiveness of police investigations and the work of prosecutors.

However legal challenges in Malaysia against the detention without trial of five members of the Hindu Rights Action Force under the Internal Security Act were unsuccessful.

## **People under fire**

In **Afghanistan**, there was no let up for those caught in the crossfire. In fact a marked rise in insurgency-related violence including suicide attacks by the Taleban and other armed

groups directly led to civilian deaths. By April, at least 120 civilians had been reported killed in 20 separate suicide attacks.

The 2002 ceasefire agreement between the government and the LTTE (Liberation Tigers of Tamil Eelam) in **Sri Lanka** broke down in January, making civilians increasingly vulnerable to abuses by all sides in the escalating armed conflict. A series of suspected LTTE bomb attacks on buses resulted in more than 100 civilian deaths.

Violence in southern **Thailand** continued unabated with abuses by both sides, including targeting of civilians by armed groups and reports of torture of detainees by security forces.

### **People power**

Voters across the region defied expectations by punishing governments with poor human rights records and pushing for human rights assurances from their candidates, and the resulting governments, in words at least, made positive commitments.

Historic elections in **Nepal** in March, for example, led to the establishment of a Constituent Assembly. Voters clearly expressed a desire to see the full realization of the human rights commitments in the 2006 peace agreement, including measures to combat impunity and enfranchise historically marginalized groups, such as women, lower castes, and various ethnic minorities. Concerns over excessive use of force and arbitrary arrests by the police force re-emerged both in the context of the election campaign, and during police

operations against peaceful Tibetan and other demonstrators in April.

**Malaysia** also went to the polls in March. Opposition parties broke the ruling party half-century long monopoly of power, fuelling expectations that laws restricting freedoms of expression, association and assembly may be eased and reform of the police accelerated.

Elections in **Pakistan** in February brought to power a coalition government composed of parties opposed to the rule of General Pervez Musharraf. The new government promised to restore human rights safeguards undermined during the late 2007 State of Emergency, particularly by reinstating independent judges improperly removed by President Musharraf and repealing restrictive legislative amendments. In April, the new government ratified or signed three key international human rights covenants.

## **Impunity**

In **Sri Lanka** the spiralling conflict fuelled concerns over the administration of justice and the misuse of emergency laws, with the authorities failing to effectively investigate patterns of enforced disappearances and unlawful killings, including of media workers.

Better news from **Bangladesh**, where in April, three months after a high-level Amnesty International delegation visited the country, the caretaker government raised the possibility with the UN Secretary General of UN support to address war crimes allegedly committed in the 1971 war of independence.

Meanwhile in the same month in **India**, the Supreme Court asked the National

Human Rights Commission to investigate human rights violations allegedly committed by government-backed militiamen within the context of continuing violent protest against industrial projects in *adivasi* (tribal) areas.

### **Torture**

Reports of police brutality and abuse of detainees persisted throughout the Asia Pacific region. Reports of torture and other ill-treatment by state agents continued in **Indonesia**, with the UN Committee against Torture due to consider Indonesia's compliance with the Convention in early May.

### **Death penalty**

As global scrutiny focuses on China's excessive use of the death penalty in the run up to the Beijing Olympics, other countries in the region continued to apply capital punishment. Seven inmates have been executed since January in **Japan**, for example, with at least 105 remaining on death row. In **North Korea**, 15 people were publicly executed for attempting to cross the border into China without permission. More welcome was the news from **South Korea**, where six of the 64 inmates facing execution had their sentences commuted. And in March, three members of the 'Bali Nine', all Australians convicted of drug-trafficking in **Indonesia**, had their death sentences commuted to life imprisonment by the Supreme Court. At least 112 others are known to remain on death row in the country.

### **Asylum seekers**

In **Australia** the government announced in February that it would release 21 Sri Lankan asylum seekers still held in Nauru and that discussions had begun with the Government of Nauru to close the detention centre, thus ending the much-criticized “Pacific Solution” to those seeking asylum in Australia.

In January at least 75 Chin refugees and asylum seekers from Myanmar were reportedly made homeless after immigration officials in **Malaysia** burnt down a campsite.