

# Focus

## Asia-Pacific



Newsletter of the Asia-Pacific Human Rights Information Center (HURIGHTS OSAKA)

December 2025 Vol. 122

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### Editorial

#### Youth and the Environment

In conceptualizing in late 1980s an idea of development that should be “sustainable,” the element of “future” was essential. The sustainable development concept was born with the sole message of serving the needs of the present without depriving the needs of future generations.

The “future” also refers to the youth of today. Their needs must be served and secured at the present and in the future.

But a non-sustainable development process remains to be the rule.

With continuing damage to the environment, the youth of today are raising their voices and taking action to secure the future.

They demand nature-based solutions to current environmental problems that affect development as well as call for accountability for those who cause the problems.

Essentially, their campaigns echo what matters most: progress towards a life of dignity, prosperity, security and justice for all now and in the future.

# The World's Youth Hail Historic Climate Ruling by World Court\*

## Pacific Islands Students Fighting Climate Change

The International Court of Justice (ICJ) delivered its long-awaited advisory opinion regarding the Obligations of States in respect of Climate Change, making clear that States and major polluters have a duty to protect people and take effective action to safeguard the climate system.

This is a turning point for frontline communities everywhere. The world's top court has made it clear: polluting countries are legally bound to cut their emissions and compensate those already suffering the consequences. Climate justice is no longer optional.

The groundbreaking advisory opinion was conceived in 2019 by law students from The University of the South Pacific, which inspired the world's youth to demand State support for the United Nations (UN) request and meaningful participation in the Court's proceedings. Through the campaign, Pacific Islands Students Fighting Climate Change (PISFCC) and World's Youth for Climate Justice (WYCJ) have united over one thousand five hundred organizations and secured the UN adoption of the advisory opinion request.

PISFCC and WYCJ celebrate this milestone as a collective achievement and a foundation for continued progress. We encourage all States, communities, and young people to build on this momentum and

to transform the Court's guidance into lasting change.

### Key Findings from the Advisory Opinion

In its advisory opinion, the ICJ confirmed that:

**International Law Demands More Than Voluntary Action:** Simply following the Paris Agreement is not enough. The Court says that States have obligations under relevant areas of international law, including human rights, environmental law, and relevant treaty commitments, which must be implemented together and harmoniously.

**Clear Legal Duties:** The Court confirms that States and major and historical polluters have a clear legal obligation to cut emissions, prevent serious harm, and work together to protect those most at risk, both within their borders and beyond. This duty applies to fossil fuel consumption, extraction, expansion, and subsidies, or a lack of adequate regulation, and extends to States that are not a party to climate change treaties and private entities that operate within their jurisdiction

**Best Available Science as the Standard:** The Court recognizes that decisions must be guided by the best available science, especially reports from the International Panel on Climate Change (IPCC). The Paris Agreement's 1.5°C temperature

limit is the legal reference point for determining sufficient ambition, action, and responsibility. The decision confirms that "business as usual" is no longer acceptable: States that fail to act, allow high emissions, or ignore the science can now be held internationally accountable.

**Human Rights and Climate Justice Go Hand in Hand:** Governments are required to protect people's rights to life, health, a healthy environment, and self-determination. Special attention is required for Indigenous Peoples, Small Island Developing States, youth, and future generations. The right to a clean, healthy and sustainable environment is a precondition to respect, protect and fulfill all other human rights.

**Accountability and Remedies:** The Court affirms that States with high historical and current emissions have heightened obligations to remedy climate harm, including through reparations, support, and regulation of private actors. The Court makes clear that States can be held responsible for both what they do and what they fail to do. Ceasing conduct causing climate harm might require revoking all administrative measures and policies contributing to such damage.

### Quotes:

"Today the world's smallest countries have made history.

The ICJ's decision brings us closer to a world where governments can no longer turn a blind eye to their legal responsibilities. It affirms a simple truth of climate justice: those who did the least to fuel this crisis deserve protection, reparations, and a future. This ruling is a lifeline for Pacific communities on the frontline." - Vishal Prasad, Director, Pacific Islands Students Fighting Climate Change.

"This moment shows how youth and Global South communities have the power to shape international law and seek reparation for damage done." - Nicole Ponce, Global Advocacy Lead, World's Youth for Climate Justice.

"International courts around the world have spoken loud and clear: climate harms must be avoided and reparations must be paid where damages have been caused. The alignment amongst these international courts demonstrates a unified understanding that the climate crisis threatens fundamental human rights. This consensus strengthens the foundation for ambitious climate action and provides a powerful mandate for governments to protect human rights from the adverse effects of climate change." - Jule Schnakenberg, Executive Director, World's Youth For Climate Justice.

"The Pacific has shown what's possible when governments lead with courage and unity to protect people and the planet. Now, the world's highest court has confirmed what the youth and frontline communities have long demanded: bold climate action rooted in justice. The ICJ's ruling is a powerful signal that the law is on our side. It must now guide not only courtrooms, but climate negotiations and policy

decisions worldwide. The ICJ's opinion is more than a legal milestone—it's a call to action, and we're ready to keep building this momentum together." - Cynthia Houniui, President, Pacific Islands Students Fighting Climate Change.

"Pacific island states and students, the youth movement, and the global majority that aligned behind them have given the world a master class in advocacy for climate justice. This day marks a win for people over polluters. In affirming that those calling to phase out fossil fuels and make polluters pay have the law on their side, the ICJ ruling is a springboard for ambitious climate action and effective climate accountability." - Nikki Reisch, Climate and Energy Program Director, Center for International Environmental Law (CIEL).

### Background:

The advisory proceedings garnered record-breaking participation, with more than ninety-six States and eleven international organizations participating. Last December, Indigenous peoples and youth demanded climate justice from the world's highest Court, including addresses by PISFCC and WYCJ.

The process was accompanied by the People's Assembly, held in The Hague, where community leaders, Indigenous Peoples, youth activists, and witnesses affected by climate change from around the world gathered to share their stories, resistance and collective demands for justice. Their testimonies, documented in the People's Petition, urge the ICJ to ground its reasoning in lived realities: the right to a healthy environment, the survival of

cultures and homelands, and the dignity and remedy owed to all people threatened by climate-related harm.

This growing legal consensus is reflected in recent developments: just weeks ago, the Inter-American Court of Human Rights issued Advisory Opinion 32/25, underscoring that States have a binding obligation to prevent irreversible harm to the climate system and to adopt enhanced due diligence to protect human rights from the risks posed by the climate emergency. Earlier in 2024, the International Tribunal for the Law of the Sea (ITLOS) confirmed that greenhouse gas emissions are a form of marine pollution under the Convention on the Law of the Sea, and clarified that States must prevent, reduce, and control the adverse effects of climate change on the ocean. Together, these opinions establish that States face clear and enforceable duties to address the climate crisis across multiple areas of international law.

As youth and frontline communities, we affirm that the ICJ's decision must serve as a catalyst for much-needed political will to tackle humanity's biggest challenge.

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\* This statement was issued by the Pacific Islands Students Fighting Climate Change at The Hague on 23 July 2025 on the advisory opinion issued by the International Court of Justice (ICJ).

# APFSD Youth Forum 2025: Call to Action\*

## Asia Pacific Forum on Sustainable Development

We are an intersectional group of over 549<sup>1</sup> young people, activists, and advocates from 34 countries and territories<sup>2</sup> across Asia and the Pacific region. We represent youth-led, youth-serving and feminist organisations, changemakers, social entrepreneurs, activists, and students who have gathered together for the Asia Pacific Forum on Sustainable Development (APFSD) Youth Forum 2025, held in hybrid modality, from 19th - 21st February 2025 in Bangkok, Thailand. 121 young people have joined us in-person. Together, we comprise unique and diverse individuals ranging from age 13-30, across all backgrounds and identities including persons with disabilities, persons with various sexual orientations and gender identities and expressions, youth from ethnic and minority groups, and various socio-economic backgrounds, amongst others. It is our hope that this call to action reflects our collective voice and demands, and that our representation at this forum is indicative of the strength of young people's commitment to the attainment of the sustainable development goals.

This APFSD Youth Call to Action puts forward our recommendations and outlines our demands for sustainable, inclusive, and evidence-based solutions, with focus on the SDGs under review for this year — SDG 3 (Good Health and Well-being), SDG 5 (Gender Equality), SDG 8 (Decent Work and Economic Growth), SDG 14

(Life Below Water), and SDG 17 (Partnership for the Goals).

This Call to Action was developed by a dedicated drafting team<sup>3</sup> who worked on behalf of the larger group to capture the key discussion points and demands discussed by participants in the forum. Like previous years, we emphasise that the future we hope to attain, one in which meaningful progress is made towards the 2030 Agenda, cannot be achieved without a concerted effort to include and uplift young people's voices in all our diversities at all levels of the decision-making process.

### BACKGROUND

Young people in Asia-Pacific who comprise of 60% of the world's youths<sup>4</sup> continue to face challenges as Asia sees an increasing number and intensity of conflicts, geopolitical tensions, violence, and a decline in human rights.

The impacts of the COVID-19 pandemic, escalating conflicts, and growing climate crisis have severely thrown the achievement of SDGs off track. Of the 117 out of 169 targets with available data, only 16 are on track to be achieved by 2030 and 18 shows a negative trend in need of urgent reversal. The majority of the 18 targets are related to climate-related challenges and disaster risk, showing the climate crisis is real in the region, and will affect all other SDGs.

Young people are not immune to this grim reality and it is through our participation at the APFSD Youth Forum, 2025 that we hope to be recognised as the agents of change who if given the opportunity, skills, and platform, can bring innovative solutions and drive revolutionary changes. It is our hope that the recommendations put forward through this Call to Action is brought to attention at the APFSD intergovernmental fora, High Level Political Forum (HLPF), and ECOSOC Youth Forum in 2025.

### SDG 14 - LIFE BELOW WATER

#### Situational Analysis

The Asia-Pacific region is home to some of the world's richest and most diverse marine ecosystems, supporting millions of livelihoods, global food security, and economic stability. Increasing threats to these environments, such as marine pollution, overfishing, and climate change, further imperil this critical sector; while also undermining the very way of life it supports for coastally dependent people, particularly Small Island Developing States (SIDS) and other low-lying nations. Marine pollution remains one of the biggest issues in the region, with Asia accounting for more than 60% of the plastic waste that ends up in the oceans.<sup>5</sup> Every year, around 11 million metric tons of plastic waste enters the ocean, seriously impacting marine biodiversity and fisheries.<sup>6</sup> Measures like single use plastic



bans and Extended Producer Responsibility (EPR) schemes undertaken by Indonesia, the Philippines, and Thailand show that it's possible to move forward, albeit with issues on waste management infrastructure and a very limited implementation practice.

The world is experiencing problems with overfishing and overexploitation. Global fish stock assessments indicate that 34.2% of fish stocks are overexploited, a dramatic increase from 10% in the 1970s. Illegal, Unreported, and Unregulated (IUU) fishing in the Asia-Pacific region constitutes about 20% of the total catch, depleting marine resources and undermining the livelihoods of small-scale fishers. Although multilateral agreements like the Port State Measures Agreement (PSMA) are intended to combat IUU fishing, their implementation remains inconsistent across the region, which makes them less effective.

Climate change also possesses impacts that exacerbate ocean degradation. The Asia-Pacific region is warming at a rate faster than the global average, and sea levels are expected to rise by 1 meter by 2100, which could displace over 130 million people. Increasing ocean temperatures are causing widespread coral bleaching, threatening marine biodiversity and coastal protection. The Great Barrier Reef has already lost nearly 50% of its coral cover due to extreme heat stress, signifying a grave need for urgent climate adaptation and mitigation efforts.<sup>7</sup>

## Recommendations

### *Sustainable Fishing Practices*

- Expand Marine Protected Areas (MPAs) to safeguard biodiversity.

- Rehabilitate coral reefs and mangroves for carbon sequestration and coastal defence. Implement sustainable fishing practices, including seasonal bans and alternative livelihoods like ecotourism and seaweed farming.
- Promote Sustainable Maritime Activities. Decarbonise maritime transport through energy-efficient technologies, sustainable port infrastructure, and alternative energy vessels like electric and hydrogen powered ships.
- Enforce seasonal fishing bans and strict regulations during spawning seasons to allow fish populations to recover.
- Strengthen ocean governance & policy enforcement by establishing an independent regulatory body for marine conservation.
- Enhance monitoring of illegal activities using AI and satellite technology to prevent overfishing and pollution.
- Stronger enforcement of [ban on use of] microplastic particles ... in cosmetic and skin care products, implementation of a nationwide deposit refund system for plastic waste, and increased penalties for industries dumping plastic waste into rivers and oceans.

### *Indigenous Knowledge and communities*

- Empower communities & foster innovation by integrating indigenous conservation practices into marine policies.
- Value local knowledge, traditions, and rights should be at the core of conservation strategies,

allowing communities not just to participate but to lead efforts that directly impact their livelihoods and environment.

- Use of traditional wisdom and indigenous knowledge coming from the communities discriminated at work and descent should be deployed.
- Improve the maritime women and young women's access to transportation, including affordable shipping and air services, and emergency services, to and from maritime areas to be reflective of the realities in these communities. This should be done through improving basic infrastructure for rural, maritime, peri-urban and urban communities that can affect women and young women's daily lives; which includes access to quality and sustained water supply; accessible, safe roads and bridges with reasonable accommodation (sustained maintenance); proper lighting of streets to ensure the safety and security of women and girls and the sustained/affordability of rural electrification.
- Enhance climate resilience for coastal communities by implementing mitigation and adaptation measures, including mangrove restoration and building climate resilient infrastructures. This should include livelihood transition programs for fishing communities affected by climate change.

## CONCLUSION

Across the Asia-Pacific, young people are pioneering transformative solutions to address the challenges. However, these efforts often lack

the institutional and financial support needed for long-term scalability. To accelerate progress toward SDGs 3, 5, 8, 14, and 17, it is imperative to integrate youth perspectives into national and regional policies, by expanding access to funding for youth-led initiatives, and create meaningful avenues for young people to engage in governance. Strengthening multi-stakeholder partnerships will not only amplify youth-driven solutions but also ensure the resilience for future generations.

With Asia-Pacific's future direction on the way to sustainable development, including youth as the primary stakeholder is no longer an option, but a necessity. Youth leadership must be recognized and institutionalized to foster innovation, cooperation, and accelerated collective action toward the realization of SDGs. It will only be through such an approach bridging policy, finance, and community engagement that we will have a sustainable future.

Through this Call to Action, we hope that the governments will recognize the needs and demands of young people and address the issues collectively faced by young people in Asia and the Pacific.

*The permission for the publication of this excerpt of the Call to Action was sought through Youth LEAD, a network of Young Key Populations (YKPs) in Asia and the Pacific whose vision is to create an inclusive region where the human rights of young key affected people are respected, and the impact of HIV and AIDS is mitigated through the meaningful involvement of young key*

*affected populations to equal and equitable access to HIV prevention, treatment, care and support.*

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*\*This is an excerpt of the document. The full document is available in this link: <https://arrow.org.my/wp-content/uploads/2025/04/APFSD-Youth-Forum-2025-Call-to-Action-New.pdf>.*

#### Endnotes

- 1 The organizers of the APFSD Youth Forum were able to provide access to five hundred forty nine young people from across thirty-four Asia Pacific countries. One hundred twenty-one young people attended the Youth Forum in person and over four hundred twenty-eight young people actively engaged virtually through Zoom.
- 2 The countries represented in this Youth Call to Action are as follows: Afghanistan, Australia, Bangladesh, Bhutan, Cambodia, China, Macau (SAR), Hong Kong (SAR), East Timor, Fiji, India, Indonesia, Japan, Kazakhstan, Kiribati, Kyrgyzstan, Laos, Malaysia, Maldives, Mongolia, Myanmar, Nepal, New Zealand, Pakistan, Papua New Guinea (PNG), Philippines, Singapore, Sri Lanka, Thailand, Timor-Leste, Turkmenistan, Uzbekistan, Vietnam, and South Korea.

- 3 The Call to Action consists of recommendations brought together by participants during the Asia Pacific Forum on Sustainable Development (APFSD) Youth Forum, 2025 and was drafted and compiled by a dedicated drafting team. The development, editing, and finalization of the document was led by Shiwa Karmacharya (ARROW), with support from Fithriyyah Iskandar (CYMG UNEP), Bhawana Pradhan (Y-PEER Bhutan), Palden Dorji (Y-PEER Bhutan), Shaan Gom (YECAP), and Agatha Syailendra Hamdan (Youth LEAD). Sai Jyothirmai Racherla (ARROW) and Ranjeeta Silwal (ARROW) reviewed and provided valuable inputs to the document
- 4 Today's Adolescents and Youth, UNFPA in Asia and the Pacific, <https://asiapacific.unfpa.org/en/adolescents-and-youth>.
- 5 Statista (2023) - Share of the global plastic waste emitted to the ocean in the Asia-Pacific region in 2019, by country or territory. <https://www.statista.com/statistics/1299553/apac-contribution-to-global-ocean-plastic-waste-by-country/>.
- 6 World Bank (2024) - Beyond borders: Collaborative solutions to plastic pollution in Southeast Asia. <https://blogs.worldbank.org/eastasiapacific/beyond-borders-collaborative-solutions-plastic-pollution-southeast-asia>.
- 7 International Union for Conservation of Nature (IUCN) (2023) - Overfishing, reef decline threaten greater Caribbean and Pacific island fisheries, <https://iucn.org/news/secretariat/201706/overfishing-reef-decline-threaten-greater-caribbean-and-pacific-island-fisheries-%E2%80%93-iucn-reports>.

# Casting a Wider Net: Human Rights and the Seafood Sector in Southeast Asia

William G. Ragamat

At The Sustainable Seafood Summit (TSSS) in Osaka in October 2025, during the panel entitled “Human Rights Violations and Corporate Accountability Measures in the Seafood Industry,” Achmed Mudzakir of Forum Silaturahmi Pelaut Indonesia (FOSPI), an Indonesian migrant worker and labor rights advocate based in Taiwan, captivated the audience and his co-panelists (including this author) with first-hand account and stories of fellow migrant fishers’ experiences onboard fishing vessels and the inhumane conditions they all worked and lived under. In one account, Achmed shared of a fellow migrant fisher who suffered injuries and eventually died on the boat after the captain did not allow him to receive appropriate medical attention on land, and instead ordered him to continue to work on the vessel. These first-hand accounts and personal stories of workers are important in conferences such as the intensive two-day TSSS 2025, which are typically, and reasonably, stocked with technical presentations and high-level discussions of innovations being explored by various parties to address pressing challenges faced by the seafood industry in areas such as the environment, technology, finance, and Illegal, Unreported and Unregulated (IUU) fishing prevention or traceability.

Turning attention towards workers and human rights issues

provides a counterpoint to the reports and presentations about advances or improvements made in various aspects of seafood sustainability. It reminds stakeholders that as important as it is to ensure that the environment is taken care of and that technology is harnessed to serve the ends of business and states, it is equally vital to ensure that the very human beings who are out at sea, and those directly engaged in all aspects of production to keep the industry afloat, are guaranteed safe and decent working and living conditions.

It must be recognized that there have been efforts towards this end. But stories like those shared by Achmed during the TSSS 2025 emphasize that there is still a lot more to be done in the area of human rights in the seafood industry.

## Human Rights Issues in the Seafood Sector

The author of this article is from Dignity in Work for All (DIWA) (formerly known as Verite Southeast Asia), an international labor and human rights organization based in the Philippines with offices in Japan, Thailand, and Australia as well as teams in Taiwan, Indonesia, Malaysia, among others. DIWA conducts social audits and human rights impact assessments, training and capacity-building, and research and policy advocacy, globally, though program activities are

concentrated in the Southeast and Northeast Asian subregions. DIWA traces its roots to social audits and global supply chain monitoring in the apparel sector in the late 1990s-early 2000s, but it has since significantly expanded its work to include various other sectors such as electronics, logistics, agriculture, seafood, among others; and its programs include engagement with business, government, civil society, workers, and other stakeholders.

In its more than two decades of work in the seafood sector, DIWA has been documenting and reporting human rights issues not unlike those shared during the Osaka summit. Despite regulatory reforms and industry efforts, migrant fishers remain highly vulnerable to extreme human rights issues such as forced labor and trafficking, or modern slavery.

In the Southeast Asian subregion, migrant fishers typically pay exorbitant recruitment-related fees and costs to secure employment in the destination countries. Fishers would need to borrow money to cover costs and be directed to loan facilities which may have ties with the labor agencies themselves. Other costs, such as those for training, temporary accommodations, and even daily expenses, further emerge during the recruitment process and add to the financial burden. It is also not uncommon for wage deduction



schemes to be set up, i.e., labor agencies front the costs of recruitment which are recouped via regular deductions to workers' wages as soon as they start working. Also not uncommon are forced savings schemes in which portions of workers' wages are retained as "savings" that are released to the workers upon completion of their contract and return to their home countries. Most countries do not prohibit the charging of recruitment fees, but would usually regulate or cap it at amounts equivalent to at least one month's wages; however, weak regulatory enforcement, low awareness among fishers, coupled with their dire financial situations lead to schemes that place workers in situations of debt bondage and other forms of exploitation.

DIWA's research and assessments find that terms and conditions of employment are often not made clear to workers before they sign the dotted line prior to being deployed for work. If so explained to them, contracts may not comprehensively state all the necessary information or workers find the same to be vastly different from the actual working conditions (e.g., a different boat with inferior facilities, payment systems involve wage withholding, etc.).

Fishers also do not have full control over their passports and other necessary documents (such as a Seaman's Book, or Seafarer's Identity Document [SID] and Seafarer's Record Book [SRB]). Boat captains keep their passports and documents stashed away in their cabin while the vessel is out at sea. Even when docked at ports, there is no guarantee that fishers may retrieve and hold on to their identity and travel documents. DIWA has also encountered situations in which

brokers in the destination countries are the ones retaining fishers' documents.

Despite established laws and regulations, underage workers have been found to be working in the seafood sector. During DIWA's research in the export-oriented tuna industry in the Philippines, Indonesia, and Thailand, for instance, DIWA staff come across many fishers who might have been adults at the time of interviews, but who were below 18 years old when they started working. Ports and docks in the subregion have also been observed to have minors or young-looking persons informally performing manual labor or, at the very least, milling about in areas where children should not be present. Families of migrant fishers have also reported to DIWA of their children, minors, leaving school and joining their fathers in fishing ventures in international waters.

In Taiwan, boats and ships for municipal, coastal or deep-water fishing have been observed to have subpar facilities. Sleeping quarters barely have enough room for one person to stand in, do not have any partitions, and barely any furnishings such as cots or pillows. Fishers lack or have inadequate personal protective equipment on board. And similar to Achmed's story, there is limited or no access to necessary or appropriate medical care; migrant fishers may not be entitled to benefits such as medical insurance and social security to which land-based workers are legally entitled. Occupational safety and health violations and risks are also prevalent. Out at sea, security issues are more pronounced.

Workers in the seafood sector are paid low wages; many

migrant fishers are notably paid amounts falling below legal minimum rates. Delayed or withheld wage payments have also been reported, along with unauthorized deductions. Working hours and days are long and excessive, especially for migrant fishers, depriving them of adequate rest.

Chronic verbal abuse, physical abuse, sexual harassment, and gender or race discrimination have been reported in the sector, whether out at sea or at land-based facilities processing seafood harvests. Seafood industry workers typically have low awareness levels with regard to freedom of association; and there is inability to formally organize and bargain collectively among migrant fishers.

Employers of migrant and local fishers, as well as workers at processing facilities and source ponds/farms, lack appropriate systems to ensure that human rights and social responsibility are adequately integrated into business operations. They have inadequate policies or company commitments on labor or human rights. Where there may be such commitments, roles and responsibilities to implement policies and procedures are not established. Training and communication, if any, are largely focused on occupational safety and health, job requirements, or food/product safety and quality. Risk assessment/management and internal monitoring mechanisms are likewise bereft of any focus on labor and human rights. Supply chain management is also severely wanting.

If there are any human rights due diligence (HRDD) efforts among seafood industry employers, these are largely the result of reacting to third-party social compliance audits or



even reports from media or other stakeholders.

### Corporate HRDD initiatives

In September 2022, the Japanese government promulgated the Guidelines on Respecting Human Rights in Responsible Supply Chains. Uptick in supply chain management changes to respond to the Guidelines and other international drivers (e.g., HRDD legislation in Europe) have been noted in recent years, and DIWA has been engaged to support such efforts. DIWA has conducted human rights impact assessments (HRIAs) on Indonesian, Vietnamese and Thailand processing facilities and farms from which Japanese entities source raw materials. As a result, the seafood supplier-companies subjected to these HRIAs have started to adapt and modify their systems to account for labor and human rights, and social responsibility. Relevant capacity-building activities for these source companies have also been incorporated into Japanese companies' supplier engagement initiatives.

DIWA has also supported a few Japanese companies in developing their supplier monitoring programs, building on traceability efforts, and starting with enhancement of policies, establishment of risk management and monitoring tools. Next step will entail piloting of these tools.

Other similar HRDD and related activities have been initiated elsewhere in East Asia such as Taiwan, Thailand, and Philippines. In Taiwan and Thailand, there have been companies that have adopted the Employer Pays Principle (EPP), which includes the remediation of recruitment-related and forced labor issues

in the sector, and accreditation and auditing of labor brokers.

These are only some of the corporate HRDD efforts conducted by stakeholders in the seafood sector in which DIWA has been involved since it started work in the seafood sector.

Some companies have also leveraged technology, using satellite tracking for traceability purposes to support these initiatives. Technology has been used as well to provide another channel for and to amplify workers' voices.

Seafood companies in the region have also been participating in multi-stakeholder initiatives such as the Seafood Taskforce and the Japan Responsible Seafood Roundtable, which was soft-launched during the TSSS 2025.

As a result of these various efforts, awareness of human rights standards and issues in the sector has steadily grown; companies have enhanced their visibility over supply chains with established or improved HRDD management systems; worker participation in social compliance has increased; and working and living conditions among participating companies and supplier facilities have been improved.

### Casting a Wider Net

However, a lot more work need to be done. Past and ongoing HRDD and related initiatives are definitely laudable and should be recognized and supported. But if the experiences of migrant fishers (such as those shared by Achmed during the TSSS 2025) are to be changed for future generations of workers on vessels and in seafood processing plants and farms, and all other workers in the

sector, then it is incumbent upon all stakeholders to go beyond current efforts, cast a much wider net and expand sustainability efforts especially in the area of human rights.

Governments, businesses, and other stakeholders must work together to create an enabling environment to not only further support existing corporate HRDD initiatives but to allow ethical companies to thrive. Cross-border legal ecosystems must be reviewed to ensure that legal and regulatory requirements in sending and receiving countries are aligned and consistent; and workers' contracts are strengthened and protections enhanced. Stakeholders must also push for the wider adoption of ethical recruitment practices, including robust labor broker regulation and management. Workers must be involved and worker voice must be amplified in social compliance and due diligence initiatives.

Gatherings such as the TSSS must continue to highlight the importance of HRDD and social responsibility as key aspects of sustainability and continue to shine a light on the experiences of workers and migrant fishers, critical stakeholders in the seafood industry.

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# Blood and Borders: Abortion, Memory, and the Politics of the Female Body

Zakia and Ishak Salim

“I just want justice for the two fetuses I aborted,” said a woman over the phone. Let us call her Indah as pseudonym. I first heard about Indah two years ago through stories shared by friends in our community. She was a victim of abuse by her partner, who was also her fiancé. Ironically, he was part of the same community as us. Her story spread quickly, and as usual, the community was divided: some stood by Indah, while others judged her for choosing to have an abortion.

After hearing her story, I decided to reach out to Indah. Not to intervene, but simply to let her know that I supported whatever decision she made. I wanted her to feel that she was not alone. Since then, we have spoken to each other often. She has shared much about her mental health, her journey through trauma recovery, and occasionally, updates on her case. She carries deep anger and self-loathing over her past decision to terminate her pregnancies. All I could do was reassure her that the decision was not entirely wrong, and that self-blame would not lead to healing. From conversations about pain, a friendship slowly grew. These days, we mostly talk about music and BTS.

It was a gloomy afternoon in Makassar. The streets were getting crowded as people were going home after work. A friend and I were sitting at a café in a

mall, facing the main road. As usual, I ordered a matcha latte. Our conversation was light, mostly about what we had done that day.

“I’m pregnant,” she said abruptly.

“Your prank isn’t going to surprise me,” I replied flatly, sipping my iced matcha latte.

“I’m serious,” she said calmly.

I knew she was not joking. I congratulated her and asked how far along she was.

“I’m thinking of having an abortion,” she said quietly.

I was not shocked. After reading extensively about bodily autonomy and reproductive rights, I understood the reasoning behind her decision.

“Find a community or organization that focuses on health and reproductive rights. Talk to them. Don’t take any rash steps that could put you in danger,” I finally said.

These two stories made me reflect more deeply on abortion. What is the first thing that comes to people’s minds when they hear that word? The answers vary: “abortion is murder,” “a grave sin,” “immoral,” or on the other hand, “women’s rights,” “bodily autonomy,” “healthcare access.” In her book *Sex in the State and God’s Commandments*, Soe

Tjen Marching describes this debate through two terms: Pro-Choice and Pro-Life. Pro-Choice supports a woman’s right to decide whether to continue or terminate a pregnancy. Pro-Life opposes abortion, believing that life begins at conception and that the fetus has a right to live.

Abortion is a complex and sensitive issue in Indonesia, often surrounded by stigma and legal challenges. Many women are forced to make this difficult decision amid limited access to safe healthcare services and social support. In this context, the stories of these two women reflect the diverse realities faced by many women in our country, as well as the consequences of the choices they make.

## History and Global Perspectives on Abortion

The term *abortion* originates from the Latin word *abortio*, meaning the termination of a pregnancy. In English, *abortion* refers to the removal of a fetus from the womb before it is viable, whether spontaneously or intentionally. According to the World Health Organization (WHO), abortion is defined as the termination of a pregnancy before twenty weeks of gestation or before the fetus reaches a weight of 500 grams. However, definitions vary significantly depending on national laws. In Indonesia, abortion refers to the termination of a pregnancy

before the fetus is capable of surviving outside the womb.

Abortion is not a new phenomenon. In ancient Egypt, the Ebers Papyrus documented herbal concoctions and vaginal douches used to induce abortion. In ancient Greece, abortion was seen as a method of population control. Aristotle even argued that abortion was permissible before the fetus developed a soul.

Studying abortion is inherently complex and sensitive. It involves a range of perspectives, legal considerations, and ethical debates. Globally, an estimated seventy-three million induced abortions occur each year. Six out of ten (61 percent) unintended pregnancies and three out of ten (29 percent) of all pregnancies end in induced abortion.

In Indonesia, abortion remains a criminal offense under national law. Article 346 of the Indonesian Penal Code states that any woman who intentionally terminates her pregnancy may face up to four years in prison. Despite its illegality, abortion continues to occur. According to the National Population and Family Planning Board (BKKBN, 2023), there are an estimated 2.5 million abortion cases annually in Indonesia, with around 700,000 involving adolescents. Furthermore, the 2023 annual report by the National Commission on Violence Against Women (Komnas Perempuan) noted a significant rise in cases of forced abortion—an increase of approximately seventeen times compared to 2022, from two cases to thirty-five. Alarming, 79 percent of abortion procedures are carried out illegally or under unsafe conditions.

This reality fuels ongoing debates between those who oppose and those who support abortion. Many believe that protecting fetal life is a moral obligation. Others argue that abortion is a fundamental right, essential for women to maintain autonomy over their reproductive health and well-being.

### Abortion in Indonesian Law

In Indonesia, abortion is still largely considered a criminal act. The old Criminal Code (KUHP), which remains in effect, states that a woman who intentionally terminates her pregnancy can face up to four years in prison (Article 346). Even if she asks someone else to perform the procedure, the law still imposes penalties.

However, the legal framework has gradually evolved to allow abortion under specific circumstances. Law No. 36 of 2009 on Health permits abortion in cases of medical emergencies or pregnancies resulting from rape that cause psychological trauma. These procedures must be carried out by authorized health professionals, in designated facilities, and must include both pre- and post-abortion counselling.

This provision was further detailed in Government Regulation (PP) No. 61 of 2014 on Reproductive Health, which stipulates that abortions for rape victims are only permitted within six weeks of gestation. Victims must also provide a police report as evidence of the alleged rape. This requirement can be particularly burdensome for women still coping with trauma.

Ministerial Regulation (Permenkes) No. 3 of 2016 defines abortion as “an effort to remove the product of conception from the uterus before the fetus can survive outside the womb.” It allows abortion only for two reasons: medical emergencies and pregnancies resulting from rape. Again, the procedure must involve counselling and be performed by specially trained health professionals.

The most recent development is Law No. 17 of 2023 on Health, which permits abortion in cases of pregnancies resulting from sexual violence, when the pregnancy endangers the mother's health, or when the fetus has severe abnormalities. However, the procedure must still be performed by competent medical personnel, with the consent of the pregnant woman and/or her husband, and only after mandatory counselling.<sup>1</sup>

Article 463 of the new Criminal Code (Law No. 1 of 2023), which will come into effect in 2026, states that a woman who undergoes an abortion may be sentenced to up to four years in prison. However, exceptions are made for pregnancies resulting from rape or in cases of medical emergencies, provided the gestational age does not exceed fourteen weeks.<sup>2</sup>

Further elaboration is provided in PP No. 28 of 2024, which allows abortion for all victims of sexual violence up to fourteen weeks of pregnancy. However, strict administrative requirements remain: a doctor's approval, a police report, a review by a medical ethics committee, and mandatory counselling. In medical emergency cases, spousal consent is still required.<sup>3</sup>

Despite these regulatory developments, abortion decisions in Indonesia remain tightly controlled by legal and medical frameworks. Women's bodies are still not fully recognized as autonomous domains. Many women may not realize that they are pregnant within the short legal timeframe, or may not be ready to report their trauma. Administrative requirements such as police reports can become additional barriers, especially in areas with limited access to legal and healthcare services.

Abortion regulations in Indonesia continue to be heavily influenced by moral and religious norms. Women are often positioned as objects of protection rather than as empowered subjects with agency over their own bodies. Yet the decision to continue or terminate a pregnancy is deeply personal and complex. The state should provide space for women to determine what is best for their bodies and lives, rather than complicating the process with exhausting procedures.

### **Abortion in the Context of Morality, Religion, and Social Realities**

Indonesia is a country with a Muslim-majority population and deeply rooted Eastern cultural values. Marriage is regarded as a legitimate bond, both by the state and religious institutions. As a result, pregnancies outside of marriage are often viewed as moral transgressions. Women who experience such pregnancies face stigma, shame and even social exclusion. In these circumstances, abortion often becomes a silent and risky escape.

In Islamic teachings, abortion is generally prohibited after forty days of gestation, based on the belief that the soul enters the fetus at that point. Therefore, abortion is often equated with taking a life—a violation of the most fundamental right to live. On the other hand, unsafe abortion practices significantly increase the risk of maternal mortality. Many women are forced to undergo abortions in unhygienic conditions, without qualified medical assistance, due to limited access to safe and legal services.

In remote areas, communities still rely on traditional birth attendants (*dukun bayi*) for matters related to pregnancy and childbirth, including abortion. Trust in these traditional providers remains strong, highlighting the uneven access to reproductive healthcare across the country. According to the Guttmacher Institute, unsafe abortions account for 14 percent of maternal deaths in Southeast Asia. In Indonesia, the figure stands at 11 percent. These are not just statistics—they represent the lives of women lost to a system that fails to protect them.

However, perspectives on abortion are beginning to shift. Increasingly, people are recognizing abortion as a fundamental right of women. A woman's body is her own. She has the right to decide whether to become pregnant, use contraception, or terminate a pregnancy. Campaigns advocating for sexual and reproductive rights are emerging in both formal and informal spaces.

Bodily autonomy means that women have the freedom to make decisions about their

bodies and health without coercion from religion, culture, or the state. Abortion is not merely a matter of ethics—it is about safety, dignity, and the right to live a life shaped by meaningful choices. In today's context, abortion can be legal when a pregnancy endangers the mother's life or results from sexual violence. Data from the Ministry of Women's Empowerment and Child Protection recorded over 7,000 cases of sexual violence. Between 2018 and 2023, the National Commission on Violence Against Women (*Komnas Perempuan*) documented one hundred three cases of rape that resulted in pregnancy.

On the island of Java, despite legal restrictions and negative perceptions, data from 2018 shows that approximately 1.7 million abortions occurred—equivalent to forty-three per 1,000 women aged 15–49. This rate is higher than the Southeast Asian average of thirty-four per 1,000. This suggests that many women, both married and unmarried, feel compelled to seek abortions due to limited access to effective contraception and the social stigma surrounding unintended pregnancies. While 80 percent of women who undergo abortions do not experience complications, around 12 percent of all abortion cases do result in complications requiring post-abortion care. This underscores the urgent need for access to safe and quality healthcare services.<sup>4</sup>

In such cases, safe abortion can be a form of rescue—both physically and mentally. Women do not live in sterile environments. Their identities intersect with poverty, limited education or disability. They



face multiple layers of hardship that make decisions about pregnancy deeply complex. Therefore, empowering women is not just about offering choices, but ensuring they have access, knowledge and support to make informed decisions.

In patriarchal cultures, women are often burdened with greater responsibility for children than men. Yet motherhood is not only a physical condition—it also requires mental and social readiness. Unplanned pregnancies can lead to serious consequences, including depression, child neglect, or even violence. These realities call for honest and open dialogue about abortion. We need spaces for reflection, not judgment. Ultimately, the decision to have an abortion is a woman's right and responsibility.

In short, while abortion remains illegal in many cases, recent regulations in Indonesia have begun to create space for it under specific conditions: when the mother's life is at risk, in cases of severe health complications, or when the pregnancy results from sexual violence. The procedure must be carried out by competent medical professionals and follow clear legal protocols. But beyond regulations, we need the courage to open conversations—about bodies, sexuality, and women's right to live with dignity and choice.

### Human-Centered Public Services for Women

In the context of public service, the state must go beyond merely regulating abortion through legal frameworks. It must also provide compassionate, informative, and life-saving services for women—especially

for children and adolescents facing pregnancy. The *New Public Service* approach proposed by Denhardt & Denhardt emphasizes that public services should serve citizens as human beings, by listening to and understanding their needs. Denhardt & Denhardt, 2000) In the case of abortion, this means offering non-judgmental counselling, trained medical professionals, and accessible procedures.

Effective public services not only prevent maternal deaths caused by unsafe abortions but also help restore the dignity of women burdened by stigma. The state should be a safe space where women can make decisions about their own bodies, supported by open dialogue, inclusive policies, and equitable services.

Abortion remains a complex and sensitive issue, where decisions about pregnancy should fundamentally belong to women, free from coercion. As awareness of bodily autonomy grows, there is a pressing need to support policies that are both legal and humane. Data shows that unsafe abortion practices continue to be a leading cause of maternal mortality in Indonesia, underscoring the urgent need for improved access to reproductive healthcare services.

We must commit to fostering open dialogue, dismantling stigma, and creating environments that support women in making informed decisions about their bodies. In doing so, we can build a more just and equitable future—one in which every woman has the freedom to determine her own destiny.

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# The Situation of Myanmar Refugees in Thailand

Kunanyaporn Jirasamatakij

**A**cross Thailand, refugees and displaced people from Myanmar continue to face a growing humanitarian crisis. Prolonged conflict, economic instability, and the ongoing displacement in Myanmar have driven thousands to seek safety across the border. Yet, amid shrinking international funding and limited policy flexibility, many refugees now find themselves with fewer options for survival and self-reliance.

## Refugee Camps

Thailand has been hosting refugees from neighboring countries since 1984. Refugees from Myanmar have been accommodated in nine temporary shelters along the western border; a smaller additional population of several thousand resides in urban areas.

The nine camps are concentrated in four western provinces: Mae Hong Son (Ban Mai Nai Soi; Ban Mae Surin; Mae Ra Ma Luang; Mae La Oon), Tak (Mae La; Umpiem Mai; Nu Po), Kanchanaburi (Ban Don Yang) and Ratchaburi (Tham Hin).

In August 2025, Thailand adopted a policy of allowing Myanmar refugees from the nine camps to work legally, potentially boosting self-reliance and local economic contribution. While the move is a step forward, concerns remain

over their protection, safety, and access to safe and decent employment.

Along the Thailand–Myanmar border, the refugee camps function as enclosed communities where generations have grown up with limited mobility and few opportunities for self-reliance. Daily life is shaped by strict regulations, dependence on aid, and long-standing uncertainties about the future. The camps remain places of safety for many, yet they also reflect how protracted displacement has created a fragile environment where even basic services are difficult to maintain.

## Issues

In the border camps, humanitarian agencies report a steep decline in resources over the past year, forcing significant cuts to food, social protection and livelihood programs. Assistance has become increasingly targeted, reaching only the most vulnerable groups such as the elderly, people with disabilities, unaccompanied children, and individuals facing mental-health difficulties. Families who once received regular support now struggle to meet daily food needs or pay for basic items.

Food insecurity has deepened as agricultural and small-scale livelihood projects have been

discontinued. These activities previously helped families produce supplementary food and modest income, but without them, dependence on dwindling aid has grown. Refugees' access to employment remains tightly restricted.

In urban settings such as Bangkok, displaced Myanmar nationals face overlapping vulnerabilities. Many rely on emergency cash or food assistance, often shared among families in overcrowded housing. The rising cost of living, coupled with the absence of legal pathway for employment rights, has pushed more people into precarious informal work or deeper debt. Some community groups continue to provide temporary shelter, language and skills training, and psychosocial support, but these programs are also under strain as international financial support decline.

Education remains one of the few areas of hope, yet even this is now at risk. Learning opportunities for children in both camps and migrant communities have been scaled back. While some primary education continues through community and faith-based groups, support for older students such as transportation, exam preparation, and language certification has been reduced or suspended. Moreover, certificates from informal



Primary school in a refugee camp



Early childhood development program

learning centers are still not officially recognized, limiting children's ability to transition into formal Thai schools.

Recent reports from humanitarian monitors have warned that funding suspensions from major international donors have disrupted essential healthcare, nutrition and protection services. Clinics in several border camps have faced temporary closures or reduced hours, forcing residents to travel long distances for treatment. Aid groups describe the current situation as one of the most severe funding shortages in decades, with frontline workers struggling to maintain even minimal levels of assistance.

Despite these challenges, humanitarian and faith-based networks continue to coordinate efforts to protect refugees and advocate for durable solutions. Awareness campaigns and regional cooperation highlight the urgent need for sustained international engagement and shared responsibility. Some local communities and employers in Thailand have expressed willingness to integrate refugees into agricultural or service work, but

without clear legal pathways, progress remains slow.

### Prospect of the Future

The humanitarian situation of Myanmar refugees in Thailand stands at a critical juncture. The combined impact of protracted displacement, reduced donor support, and restricted livelihood options threatens to undo years of progress in self-reliance and protection. Renewed attention and commitment from both international partners and Thai authorities are vital to ensure that these communities are not forgotten, and that the principles of dignity, safety and opportunity remain at the heart of the regional response.

Amid these challenges, organizations such as Jesuit Refugee Service (JRS) continue to prioritize efforts that strengthen community resilience and uphold the dignity and well-being of displaced populations. Current initiatives include safeguarding continuity of learning for children and youth, and collaborating with local partners to enhance access to skills development and other pathways that support self-reliance. Advocacy also remains

essential, particularly in promoting policies that enable refugees to engage in safe and decent work, move with greater predictability, and access essential services without discrimination or fear. Although the broader political environment remains complex, these efforts represent meaningful steps toward reinforcing protection systems and sustaining hope for communities facing prolonged uncertainty.

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# HURIGHTS OSAKA Calendar

The last volume of *Human Rights Education in Asia-Pacific* is now at the lay-out and proofreading stage. The publication will be available on the website of HURIGHTS OSAKA in March 2026, if not earlier.

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**PRINTED MATTER**

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**HURIGHTS OSAKA**, inspired by the Charter of the United Nations and the Universal Declaration of Human Rights, formally opened in December 1994. It has the following aims: 1) to engender popular understanding in Osaka of the international human rights standards; 2) to support international exchange between Osaka and countries in Asia-Pacific through collection and dissemination of information and materials on human rights; and 3) to promote human rights in Asia-Pacific in cooperation with national and regional institutions and civil society organizations as well as the United Nations. In order to achieve these goals, HURIGHTS OSAKA has activities such as Information Handling, Research and Study, Education and Training, Publications, and Consultancy Services.

**FOCUS Asia-Pacific** is designed to highlight significant issues and activities relating to human rights in the Asia-Pacific. Relevant information and articles can be sent to HURIGHTS OSAKA for inclusion in the next editions of the newsletter.

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