



**SOLIDARITY OF ASIAN PEOPLE’S ADVOCACY –  
TASK FORCE ON ASEAN & HUMAN RIGHTS (SAPA TFAHR)**

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**For immediate release**

**Civil Society Organisations demand meaningful engagement  
with ASEAN human rights bodies**

Civil Society from a number of ASEAN countries have just convened at **the 6<sup>th</sup> Regional Consultation on ASEAN and Human Rights** in Jakarta from 1-2 October 2013. Over 80 participants from more than 59 organizations, both within and outside the ASEAN region gathered to discuss a range of issues, including strategies for bringing about meaningful engagement with ASEAN human rights mechanisms. The Consultation was co-organized by the Asian Forum for Human Rights and Development (FORUM-ASIA), a regional human rights organization, the Commission of the Disappeared and Victims of Violence (KontraS), and a network of ASEAN civil society - SAPA Task Force on ASEAN and Human Rights.

The Consultation was encouraged by the efforts of individual members of AICHR to turn it into an independent body actively protecting human rights and applying international human rights standards, but regretted that AICHR as a whole has remained closed to dialogue and has achieved little, not least because it is paralysed by political interests and the veto powers that every member state has through decision-making by consensus only. In comparison, the ACWC is much more open to dialogue and cooperation with civil society.

Evelyn Balais Serrano, the Executive Director of FORUM-ASIA, explained: “We hope that the Regional Consultation on ASEAN and Human Rights continues to be used as a platform for dialogue, cooperation and coordination for ASEAN civil society’s regional human rights work and for engagement with AICHR and ACWC.”

The two main issues discussed during the Consultation were the review of the AICHR Terms of Reference (TOR) which should commence in 2014; and the issue of business and human rights in ASEAN.

The current AICHR TOR does not provide a detailed protection mandate protection that would explicitly enable it to respond to human rights violations and issues in the ASEAN region. Speakers and participants of the Regional Consultation discussed the need for the AICHR to receive a stronger mandate when the TOR is reviewed. However, the existing TOR has already provided a range of opportunities for protection work. Dr Yuval Ginbar, a Legal Adviser for Amnesty International stated: “So far during their first term, both the AICHR (2009-2012) and ACWC (2010-2013) have adopted a narrow interpretation of their protection mandates. The AICHR has not seized these opportunities to protect people from human rights violations. Even pending the revision, the AICHR should broaden its understanding of its protection mandate, as well as fully implement its current mandate including in fields such as encouraging ratification of human rights treaties and obtaining information on human rights from Member States”.

A Philippines participant, Ms Sunshine Serrano of the Task Force Detainees of the Philippines said: “As part of our commitment to ensure promotion and protection of human rights in ASEAN regional, we (civil society) want to continue our efforts to engage with the AICHR, even when currently most of the communications with them is a one-way traffic.”

Having two bodies working on human right in ASEAN, civil society views the importance for the AICHR and the ACWC to work together and engage with civil society. Muhammad Jailani of the Child Rights Coalition Asia (CRC Asia) commented: “The AICHR and the ACWC, have to develop open discussion with civil society and the people of ASEAN as a whole, including children.”

The Consultation also identified the lack of support from member states of ASEAN to the AICHR and the ACWC. Joseph Wah from Burma Partnership emphasised: “In order to be able to work effectively, governments of ASEAN must provide the AICHR and the ACWC with sufficient human and financial resource, and also independent secretariats”.

The 6<sup>th</sup> Regional Consultation on ASEAN and Human Rights concluded that the review of the TOR should be carried out in a transparent way, with participation of civil society. Chalida Tajarosuk, the co-convenor of SAPA TFAHR hope that the review of the TOR will ensure engagement with civil society. “Engagement means not only regulations providing for meetings with civil society but a meaningful engagement, where the collective voice of civil society is considered when the AICHR does its work”

Evelyn Balais Serrano also reiterated: “We welcome the AICHR’s effort to finalize the Guidelines on Relations with Civil Society Organizations and call on it to ensure that the Guidelines facilitate meaningful and mutually beneficial engagement while respecting the independence of CSOs”

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