

ASEAN: Engagement with civil society critical for promotion and protection of human rights

(Bangkok/Jakarta, 8 April 2021) — Sustained critical engagement between civil society organisations and the ASEAN human rights body is essential for the promotion and protection of human rights in ASEAN and it needs to be part of the ASEAN Intergovernmental Commission on Human Rights (AICHR) Term of Reference, said the Asian Forum for Human Rights and Development (FORUM-ASIA) in a press release following its meeting with AICHR.

The rights group met virtually with the AICHR on 7 April 2021 in the margin of the regular 33rd AICHR Meeting, to discuss the detrimental human rights situation in Southeast Asia and to demand AICHR's more proactive roles on the promotion and protection of human rights in the region. The meeting created a precedent of engagement between civil society and AICHR representatives to be part of its official meeting.

During the meeting, FORUM-ASIA provided input to the AICHR 2021-2025 Workplan such as:

- On freedom of expression, AICHR workplan should tackle the challenges brought by the digitalization of civic space and online surveillance;
- Recommending AICHR to create an effective and efficient mechanism of documenting human rights violations and abuses in the context of business operations as part of its business and human rights thematic activities;
- Calling for a more transparent and inclusive process on how cases are handled and resolved using the three-steps complaint mechanism established by AICHR for responding cases of human rights violations in ASEAN;
- Recommending that the AICHR initiate a mechanism to publish analytical reports on the landscape of human rights in ASEAN based on the cases received annually.

Further, FORUM-ASIA discussed the role of AICHR to mainstream human rights and gender transformative approach in implementing the ASEAN Comprehensive Recovery Framework, and the cooperation scheme between AICHR with other ASEAN entities in political security, economic, and socio-cultural pillars. As it is essential to ensure that the most vulnerable groups are not left behind, the rights group called on AICHR to monitor the implementation of the recovery framework through regular dialogue with civil society organisations and experts.

The rights group also reiterated its concern on the delayed process for the establishment of the High-Level Panel for reviewing the AICHR Term of Reference (TOR) and called for AICHR to proactively recommend its Member States to immediately appoint their representatives to the panel. Currently, only Indonesia, Malaysia, Thailand, and Cambodia have sent their representatives to the High-level Panel. Without representatives from other ASEAN countries, the panel cannot pursue its mandate.

While welcoming a commitment by AICHR to include the human rights situation in Myanmar on the meeting agenda, however, FORUM-ASIA expressed concerns over AICHR's response so far and called for AICHR to immediately generate action points for addressing the situation in Myanmar as one of the outputs of the current 33rd AICHR meeting. More concrete and firm actions by the AICHR are needed following the issuance of select AICHR representatives' statement on 5 February 2021. It is essential for AICHR to support the will of the peoples in Myanmar in condemning the brutality of military junta and synergise its efforts with the international community and civil society across the region, to immediately put an end to the gross human rights violations since the coup on 1 February.

Lastly, FORUM-ASIA reiterated its interest to support AICHR in enhancing the protection for freedom of expression and the freedom of peaceful assembly and association through interregional cooperation and dialogue with other regional mechanism and the United Nations. FORUM-ASIA also conveyed its commitment to continue monitoring AICHR's complaints mechanism to ensure that ASEAN's mandates on enhancing human rights in the region is scrutinized and responsive to the reality.

FORUM-ASIA compelled AICHR for the invitation to hold a dialogue with AICHR. 'This is the beginning of further interaction between FORUM-ASIA and AICHR. It is important to keep a safe space for a regular dialogue between AICHR and civil society like FORUM-ASIA to ensure that ASEAN people's aspiration should be prioritised in the policy-making process,' said the rights group.

About FORUM-ASIA:

The Asian Forum for Human Rights and Development (FORUM-ASIA) is a Bangkok-based regional network of 81 member organisations across 21 Asian countries, with consultative status with the United Nations Economic and Social Council, and consultative relationship with the ASEAN Intergovernmental Commission on Human Rights. Founded in 1991, FORUM-ASIA works to strengthen movements for human rights and sustainable development through research, advocacy, capacity-development and solidarity actions in Asia and beyond. It has sub-regional offices in Geneva, Jakarta, and Kathmandu. www.forum-asia.org

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