

MODULE 6



Tactics and Strategies in Engaging ASEAN for Human Rights Advocacy

Module 6

Tactics and Strategies in Engaging ASEAN A Human Rights Advocacy

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Evolution of ASEAN Human Rights through Peoples' advocacy



Objectives:

- » To chart the progress of CSO lobbying and advocacy on the evolution of ASEAN human rights body.



Acquired Knowledge

- » The role of CSOs in the formation and work of ASEAN human rights body (AICHR).



Time: 1 hour

Materials: Post-it notes, marker pens, a piece of string to make a predesigned time-line



Procedures:

1. Participants are asked to revisit their experiences in engaging ASEAN or their country towards the establishment of an ASEAN Human Rights Body, and review the official ASEAN documents resulting from this engagement, from 1990 to the present.
2. Write each experience on a Post-it note and classify them either as:
 - Events, social movement/CSO/Advocacy formations, or conflicts leading to heightened peoples' engagement;
 - Declarations or agreements, highlighting the development of a human rights body in ASEAN based on the events recalled.
3. The facilitator uses the string to make a line on a wall, and places year markers along the timeline. Pieces of paper are marked 1990, 1995, 2000, 2005, 2010, 2015, 2020 and spread out along the line.

4. Ask the participants to post events/declarations along the timeline. Events, social movement, people's formations and conflicts shall be posted below the time-line marked "People's Engagements" while documents, agreements or declarations are posted above the line marked "ASEAN Achievements".



Debriefing:

- » What trends do you notice on the relationship between the "peoples' engagement" and the ASEAN achievements"?
- » What are your realisations about the completed timeline? What lessons can be learnt about the evolution of ASEAN human rights body through people's engagement?



Conclusion:

- » Recognition, respect and protection of human rights are borne out of the struggle of peoples or groups. This struggle is an expression of the people's desire to live with dignity, which arises from experiences of repression and poverty.
- » It takes time, sometimes a lifetime, for struggles to bear fruit, thus it may not be for today's generation but for tomorrow's or for our children and our children's children.
- » Recognition of rights does not come all at once. Victories are accumulated through the historical assertion of people's dignity and dignity in development.
- » Events may precipitate a quicker pace of developments at the national and regional level.
- » People need to claim this development as part of their ongoing struggle for better countries and regions.

Handout Material 6.1

CIVIL SOCIETY ORGANISATION INVOLVEMENT AND ALTERNATIVE REGIONALISM

Civil Society Involvement:

- » Engaged High Level Panel (HLP) since it was established in July 2008.
- » From 2008 to 2009: 16 national consultations and six regional consultations from nine countries and different thematic issues.
- » Three inputs were submitted to the HLP and one submission was sent to the Australian Parliament.
- » Coordination meetings with other groups were conducted to see commonalities of the inputs. Diplomatic Briefings
- » Public campaign- T-shirt, posters, postcards, stickers, letters.
- » Mobilisations- open letters, signatures, simultaneous activities.
- » Media campaign- coverage of the ASEAN Foreign Ministers Meeting and ASEAN Summit
- » Message is well known: ASEAN human rights commission with TEETH!: Accountable, Independent, Effective.

(Source: Forum-Asia. CSO Involvement and Lessons Learnt (Powerpoint presentation).

CIVIL SOCIETY AND ALTERNATIVE REGIONALISM

Regionalism is one of the issues that comes forth in international relations, and regional integration has occurred in many forms. With the evolution of regionalism that occurred after the Cold War, and the increased realisation that the European model does not necessarily apply to other contexts, as well as the emergence of different types of regional integration projects,¹ alternative regionalism has been studied more intensively. ASEAN for example, is seen as one of the alternative forms of regionalism with its “weak structure and ability to solve regional problems” which is considered to be “an example of ASEAN-type open regionalism with a focus on the informal, consensus-oriented form of cooperation in the region without a strong institutionalisation and bureaucratization.”²

However, within ASEAN itself the people treat the Association with relatively little regard. Indeed, for a long time this intergovernmental association has been seen as ineffective, and as a place where regional governments make dealings or decisions without involving the people. Decisions made for the welfare of people, such as to save them from crimes against humanity or genocide, are often impossible because of the non-interference and consensus principles

1 Ekaterina Mikhaylenko and Valery Mikhaylenko, “New Forms of Integration or Alternative Regionalism,” *International Conference “Governing for the Future”* (Bucharest, Romania, 2016), 67–70, https://www.researchgate.net/publication/305069205_New_Forms_of_Integration_or_Alternative_Regionalism.

2 *Ibid.*, p. 70.

held by the regional grouping. However, there is a strong will of the people of the region to engage with ASEAN, and ASEAN itself describes itself as a people-oriented community. Seeking alternative regionalism within ASEAN will involve finding ways to involve civil society in meaningful ways to genuinely have influence in regional policy making.³

While before the adoption of ASEAN Charter there was no formal channel for CSOs to engage with the association, the treaty adopted a mechanism to engage with civil society, albeit one that has been characterised as “a conservative and unclear.”⁴ This is because all Member States of ASEAN have to agree before a stakeholder can engage with ASEAN. A CSO needs to be “accredited” to ASEAN before they can be engaged. This is in line with Chapter 5 of the Charter, which states that entities that support the purposes and principles of the ASEAN Charter may engage with the Association in accordance to the “rules of engagement” determined by the Committee of Permanent Representatives (CPRs, i.e. Member States’ diplomatic representatives to ASEAN), upon the recommendation of the ASEAN Secretary-General. The 2012 ASEAN Guidelines on Accreditation for Civil Society Organization defines CSOs as:⁵

A non-profit organisation of ASEAN entities, natural or juridical, that promotes, strengthens and helps realise the aims and objectives of the ASEAN Community and its three Pillars – the ASEAN Political-Security Community, the ASEAN Economic Community and the ASEAN Socio-Cultural Community

Further, the guidelines stipulate that accreditation is based on the potential contribution the CSO can make for the realisation ASEAN’s aims and objectives.⁶ There is no clear guidance on how this will be measured. It is very difficult to make it into the “Annex 2” organisations, i.e. the annex to the Charter containing entities associated with ASEAN. In order to overcome this, ASEAN bodies formulate their own CSO engagement procedures, including the ASEAN Intergovernmental Commission on Human Rights (AICHR), the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) and the ASEAN Committee on the Implementation of the ASEAN Declaration on the Rights of Migrant Workers (ACMW).

This is not to say that there is no civil society engagement in ASEAN. In fact as noted by Chandra, academic think-tanks such as the ASEAN Institute for Strategic and International Studies (ISIS) became key in developing track-two diplomacy with ASEAN.⁷ Citing Hernandez’ work, Chandra pointed out that a key in influencing ASEAN is assisted by the availability of official access to SOM and AMM.⁸ ASEAN ISIS also pushed for ASEAN People’s Assembly (APA) attended by civil society recognised by ASEAN. Other regional civil society organisations forums sprang forth afterwards, including ASEAN Civil Society Conference (ACSC), Working Group on ASEAN, ASEAN People’s Forum (APF) and ASEAN Social Forum (ASF). ACSC was notably initiated by the Malaysian Government in 2005 during the 11th ASEAN Summit, which gave the opportunity for 120 participants to submit a joint statement directly to the ASEAN leaders during the Summit.⁹ ACSC however did not become an official ASEAN recognised meeting. Nevertheless, SAPA continued to organise ACSC and it became an alternative to ASEAN ISIS and its APA. Interfaces with ASEAN leaders wholly depend on the ASEAN Chair of the year.

3 Alexander C. Chandra, *Civil Society in Search of an Alternative Regionalism in ASEAN* (Canada: the International Institute for Sustainable Development, 2009), 12, https://www.iisd.org/system/files/publications/civil_society_alt_regionalism_asean.pdf.

4 ASEAN, “ASEAN Engagement With Entities” (Jakarta, 2016), <https://asean.org/wp-content/uploads/2016/07/18.-September-2016-ASE-AN-Engagement-with-Entities-1st-Reprint.pdf>.

5 *Ibid.*

6 *Ibid.*

7 Alexander C. Chandra, *Civil Society in Search of an Alternative Regionalism in ASEAN* (Canada: the International Institute for Sustainable Development, 2009), 5-6, https://www.iisd.org/system/files/publications/civil_society_alt_regionalism_asean.pdf

8 *Ibid.*, p. 5.

9 *Ibid.*, p.6.

Despite the number of CSOs forums that emerge, and the language of ASEAN itself that states that it aims to be a people-centred, people-oriented, and resilient Community, after 10 years of engaging with ASEAN, ASEAN Civil Society Conference/ASEAN Peoples' Forum (ACSC/APF) there is a "prevailing silence and lack of attention and response to the observations and recommendations raised in all previous ACSC/APF Statements"¹⁰. CSOs have voiced consistent, albeit unheeded, concerns that include:

- (1) lack of popular participation in ASEAN decision-making;
- (2) rising inequalities between and among member countries;
- (3) weakening democracies and the prevalence of authoritarian governing modes;
- (4) human rights deficits and the absence of sanctions against rogue regimes;
- (5) dominance of an elite-centred development strategy and the resulting failure to attain inclusive growth;
- (6) competition rather than complementarity in trade and investment relations;
- (7) lack of a regional identity and unity;
- (8) weak social protection for all residents and migrants; and
- (9) ongoing inequality between genders.

Therefore while the outside world sees ASEAN as an alternative to regionalism, ASEAN people themselves are seeking alternatives for a regional integration model that can ensure that the integration is designed and implemented with the people at the heart of its consideration. Tandem, for example identified four gaps in movement-based networks in the region (such as ACSC/APF), namely that they tend to be disconnected from grassroots, conduct insufficient research and documentation and monitoring of popular initiatives, lack the effort to mainstream the work of regional CSOs including to grassroots organisations, and lack reflexive processes towards regional networks' activities.¹¹ He suggests that ACSC/APF take actions to fill the gaps and become the springboard to identify the kind of regional integration that can really serve the people of ASEAN.

¹⁰ Eduardo C. Tadem, "New Perspectives on Civil Society Engagement with ASEAN," 2017, <https://th.boell.org/en/2017/07/12/new-perspectives-civil-society-engagement-asean>.

¹¹ *Ibid.*

MODULE 6.2.

Learning from ASEAN engagement



Objectives:

- » To assess the weaknesses, strengths and impact of CSO engagement with ASEAN.
- » To draw out lessons from the past experiences with ASEAN as HI guideposts for future action and more effective engagement.
- » For participants to have a common understanding of the 6” historical background of CSO engagement with ASEAN.



Knowledge Acquired:

- » Knowledge and lessons from CSO engagement with ASEAN



Time: 1 hour

Materials: Time-line from Module 6.1, flipcharts, markers.



Procedure:

1. Divide participants into three groups: “Burma”, “FTA”, and “Refugee”. “Burma group” takes up the issue of Burma; “FTA group” takes the issue of free trade agreements and agriculture; “Refugee group” tackles the issue of refugees and boat people.

2. Using the timeline from the previous module (6.1), each group shall discuss their respective issues, and how events and developments of ASEAN and its entities contributed to supporting these particular issues:
 - Have these developments helped the victims or has it made their situation worse? How?
 - What have CSOs done to lobby and advocate for greater protection of victims of the particular issues discussed above?
3. Ask participants to present the discussion on a flip chart paper in plenary after a 20-minute discussion.



Debriefing:

- » What can you say about CSO or people's engagements on these issues with ASEAN?
- » What do you think are the weaknesses or barriers to engagement? Why?
- » How do we go forward?
- » What do you think is the impact (or are the highlights) of people's engagement on these issues with ASEAN? Why?
- » How do we move forward?



Conclusions:

- » For a long period, ASEAN has been perceived as an "exclusive" inter-governmental process.
- » While ASEAN has been in existence for 43 years, CSO or people's engagement with the regional inter-governmental body only started in the mid-1990s. (Note: This excludes engagement from some members of the business sector which engaged ASEAN on highly technical matters.)
- » NGOs themselves have not always been interested in engaging with ASEAN in a systematic or sustained manner, with the general attitude being that the limited resources of NGOs are better focused elsewhere, i.e. at the national or international level.
- » ASEAN Guidelines on its relations with NGOs seem to limit the qualifications for accreditation. NGOs and human rights organisations are seen to be at the tail-end of potential "positive" contributions to the realisation of ASEAN's objectives.

Handout Material 6.2

- **Lessons Learnt on ASEAN Engagement**
- CSO engagement changed ASEAN from a state-centric elite club to a people-centred inter-government body.
- ASEAN Charter provides a venue for engagement.
- CSO forums and engagement make the “other” (people) power visible through acceptance, denial, rejection.
- Negotiate as early as possible.
- The national lobby makes a difference.
- Combine the timing and the message- don’t put everything together at once:
 - » Monitor closely the timeline and schedules.
 - » Firm position, clear message, focus and united voice.
 - » Identify expertise within the coalition members.
 - » Too many letters or voices from different orgs are not appreciated by ASEAN officials.
 - » Speak on behalf, networking, coalition building, ownership.
- Divide roles high level lobby, dealing with media, national focal point, mobilisation, centralised coordination,
- Media planning and strategy as early as possible.
- Make public agree with the message, make them our ally, let them voice the message.
- National, regional, international level approach.

(Source: Forum-Asia. CSO Involvement and Lessons Learnt (Powerpoint presentation).

MODULE 6.3

Advocacy in ASEAN



Objectives:

For participants to acquire basic skills in advocacy work.

To know the various forms of advocacy work and its relevance/usefulness in running a campaign on ASEAN.

To know the dos and don'ts of diplomacy, as a guide for doing advocacy work with ASEAN.



Knowledge Acquired:

Knowledge on various skills in doing advocacy work.



Time: 1.5 hours

Materials: Flip Charts, Felt/Marker pens



Procedures:

1. In plenary, ask the group to list and describe the various successful advocacy strategies they have taken. Tell them to be brief and just highlight the actions that worked.
2. Facilitator writes this down on the white board. This list of the different strategies for advocacy can serve as a reference when the participants move into the next activity.
3. Break the participants into groups of three and give them a copy of the story in the handout section below.
4. The group's task is to come up with ways that would be the best way to help the community.

5. Instruct the group to choose what they think would be the best approach in aiding the community in pressuring the local authorities to reconsider the building of the highway. The strategy must make use of ASEAN mechanisms, specifically AICHR. The exercise presumes that local remedies have been exhausted in their struggle to stop the project.
6. Give a short input on some important points to consider when thinking about advocacy strategy. The notes listed below can be used as a guideline.
7. After 20 minutes, ask each group to present their course of action to the larger group.
8. As each group presents, systematically, ask the rest of the participants to point out the pros and cons of each of the suggested advocacy tools.
9. Allow for further discussion or debate on the various strategies.



Debriefing:

- » Any community or group needs to have a strong and effective advocacy strategy.
- » These advocacy skills can be learnt from other successful models but must be built from the community level and be citizen-led.
- » Affected groups must not pin their hopes on a single advocacy action, and must usually utilise a multi-pronged strategy.



Conclusion:

Some key points to highlight in terms of advocacy:

- » The community needs to know the strengths and weaknesses of different strategies i.e. writing letters can be time consuming and may not have immediate effects; getting the media involved in organising an event might contribute to changing public opinion dramatically.
- » Advocacy refers to efforts to influence public policy, and the ability of people to make their voices heard by decision-makers.
- » Different methods can be used to attempt to influence public policy. Some legitimate means include petitions, street protests or demonstrations, letter campaigns, public meetings, debates, press conferences, meetings with particular officials, and quiet diplomacy behind the scenes.

Handout Material 6.3.

Notes on advocacy

There are a number of common steps involved in influencing public policy. These include an analysis of the present situation, the impact of current policy within the local context and its history. What are the strengths and weaknesses of the policy?

Community discussion about what a better policy would be, including clear objectives and desired outcomes. This is important as a way of educating the community about the issues, empowering them and gaining a mandate for action. Having a clear workable alternative policy increases the chances of change.

An understanding of the various stakeholders in society that will support or oppose the proposed policy change: which organisations, what are their strengths and weaknesses, what are their likely responses and their resources, why they hold the views they do.

Building a coalition of supportive stakeholders that become allies in the effort to secure the proposed policy change.

Developing a common advocacy strategy to maximise the chances of changing the policy. This involves careful consideration of the resources at the disposal of the coalition wanting a policy change, the preparation required, the timing of particular actions and the use of the media

Whether a particular campaign to change policy is successful or not depends on a range of factors, some of which are out of the control of civil society organisations. Some would argue that certain campaigns are worth fighting for even if they do not end with the desired result. They can still end a powerful message to governments that people won't blindly accept particular policies. Such campaigns can also be a powerful community education and empowerment tools (Salong & Lovegrove 2002, p5)

Definition of Advocacy

Advocacy means any activity intended to raise consciousness among decision-makers and the general public about an issue or a disadvantaged group, with a view to bringing about changes in policy and improvements in their situation.

The many roles of advocacy

Advocacy has many different roles to play, and can take many different forms with many different audiences. This is the case when addressing the practice of employing children as domestic workers, as it would be around any other issue. The objective of an advocacy campaign could be to outlaw the practice of child domestic work under a certain age, it could be to improve the terms and conditions of child domestic work, or it might be to provide special services for child domestic servants. All objectives need to be worked out in any given locality, on the basis of analysis of the problem, what will best respond to needs, and what is likely to be practicable.

Case Study 1

Highway Takes Away Community Land in Kg. Forum, Malaysia

In the rural heartland of West Malaysia, the government has approved a USD \$1 billion project to build a highway that will connect the highland resorts to the big cities. This will cut travelling time to the resort mountain town by 1 hour. It will cut through mountains and forest and 10 villages. The government says this is also to spur development for the area, make life easier for local people and ease access to plantations in the local area.

Kg Forum, population 830, is one of the biggest villages to be affected by the project. The residents have been living in this area for the past 150 years, and their land will be taken away, and they will be offered houses in a nearby township. Developers of the land have already begun conducting ground works at the site and the community has been asked to leave their homes. In addition, the ecology of the area will be destroyed.

Kg Forum, together with neighbouring villages, have made police reports, submitted memorandum to the government ministries, and even filed a complaint to the National Human Rights Commission (SUHAKAM). They have not been able to get this project stopped or even enter into a discussion with the government.

You and your team are part of a task force that includes community leaders and NGOs, tasked to fight for the cause of the affected communities.

Case Study 2

Internet Suppression During The Coup D'état in Myanmar

On February 1 2021, the Myanmar military junta launched a coup, which the people responded to by waves of mass protests. The military resorted to extreme use of force, killing approximately 1,526 civilians as of 7 February 2022.^{12,13} The military also shutdown the internet in early April, preventing people from accessing information and from organising. The following month, a spokesperson of the junta reiterated that there is no plan to ease restrictions because online interaction provokes violence.¹⁴ This internet shutdown continues until now although for some organisations considered to be on a "whitelist", fixed line connectivity has resumed. Added to the concern, one of the mobile service providers in Myanmar, Telenor (based in Norway) sold Telenor Myanmar to M1, a Lebanese group with rights records that has raised concerns of civil society.¹⁵

You are a campaigner for an international organisation, tasked with designing a campaign to restore the digital rights of the people of Myanmar.

Case Study 3'

Cement Factory in Kendeng, Indonesia

The karst mountains in the region of North Kendeng surround several regencies, namely Pati, Kudus, Grobogan, Blora, Rembang and Tuban in East Java. Under the mountains are rivers that supply water for households and 15,873.9 hectares of agricultural land area in Sukolilo District and 9,063.232 ha area in Kayen District, Pati Regency.¹⁶ Karst, the base material for cement, has high commercial value. This is why since 2005 the local community have had to fend off corporations that want to operate there.

12 Data from the Assistance Association for Political Prisoners. <https://aappb.org/>

13 Andrea Januta and Minami Funakoshi, "Myanmar's Internet Suppression," 2021, <https://graphics.reuters.com/MYANMAR-POLITICS/INTERNET-RESTRICTION/r1gpdbreepo/>.

14 *Ibid.*

15 "Update: Internet Access, Censorship, and The Myanmar Coup," 2021, <https://www.accessnow.org/update-internet-access-censorship-myanmar/>.

16 ELSAM, "Jokowi Must Be Pro-People, Cancel Mining and Cement Factory in the Kendeng Mountainous Region Immediately," 2015, <https://elsam.or.id/jokowi-must-be-pro-people-cancel-mining-and-cement-factory-in-the-kendeng-mountainous-region-immediately/>.

PT. Semen Gresik got the mining permit for one district, then after the permit was revoked by a court, moved to another district of the same area after the name changed into PT. Semen Indonesia. A subsidiary of a private company, Indonecement Tunggal Prakasa (which is affiliated with Heidelberg Cement from Germany), named PT Sahabat Mulia Sakti also started to operate in the area in 2014. In the meanwhile, the Minister of Energy and Mineral Resources also issued a decree to expand the area that can be exploited for karst mining to encompass Kayen and Tambakromo Subdistricts in Pati District.¹⁷ In 2016 the farmers of Kendeng and Yayasan Lingkungan Hidup (WALHI) won the case to annul the environmental permit in 2016 before the Supreme Court.¹⁸ However, in November of the same year the Governor of Central Java issued a Decree that allows the mining for cement materials and the construction and operation of Cement factory in Rembang.¹⁹ The controversy had the Ministry of Environment stepping in and conducted strategic environmental analysis (KLHS) twice around the mountain area, which resulted in the finding that Watuputih area should be part of the protected area due to the underground rivers. However, this result has not been implemented and the cement operation, including the karst mining, still occurs until now.²⁰

You are part of WALHI and you intend to advocate for the implementation of the KLHS.

17 Ivan Wagner and Siti Rakhma Mary Herwaty, *Kronik Kendeng Lestari (Perjuangan Rakyat Kendeng Atas Tanah Airnya)* (JM-PPK, YLBHI, LBH Semarang, Desantara, 2018), https://www.researchgate.net/publication/348136972_Kronik_Kendeng_Lestari_Perjuangan_Rakyat_Kendeng_Atas_Tanah_Airnya.

18 Kompas.com, "Petani Kendeng Menang Di MA Lawan PT Semen Indonesia," 2016, <https://nasional.kompas.com/read/2016/10/12/09164211/petani.kendeng.menang.di.ma.lawan.pt.semen.indonesia>.

19 Rosmiyati Dewi Kandi, "Ganjar: Saya Usul Moratorium Pabrik Semen Di Jawa Tengah," CNN Indonesia, 2016, <https://www.cnnindonesia.com/nasional/20161215212448-20-179963/ganjar-saya-usul-moratorium-pabrik-semen-di-jawa-tengah>.

20 Indiana Malia, "Jalan Panjang Petani Kendeng Mencari Keadilan," IDN Times, 2019, <https://www.idntimes.com/news/indonesia/indianamalia/jalan-panjang-petani-kendeng-mencari-keadilan/3>.

MODULE 6.4

Strategising for National Advocacy



Objectives:

To identify local or national situations and issues for advocacy on ASEAN and AICHR.

To understand how CSOs engage and advocate ASEAN matters locally.

To map out local tactics and strategies for advocacy.



Knowledge Acquired:

Knowledge and information about country-specific issues and situations.

Knowledge of the culture and behaviour of government leaders on human rights matters and engagement with CSOs.



Time: 1.5 hours

Materials:

Video (Links: <https://www.youtube.com/watch?v=rDVBzXMM8Fc> or <http://video.google.com/videoplay?docid=703973146539608289>)

Video projectors



Procedures:

1. Show the video clip to the participants.
2. In plenary, ask for feedback on why the community's advocacy seems to have been quite successful.
3. List down the different advocacy activities that come out from the discussion i.e. law community mobilisation, engaging politicians, etc.
4. Then ask two to three people to take up one activity and ask them to make guidelines for the group to use for advocacy on this issue. List down points that can make the strategy more effective and how it should safeguard the victims.

5. Ask the participants for a few examples of advocacy strategies that worked.
6. Then in plenary ask the participants how the AICHR can be a component for strategies for national advocacy.



Debriefing:

- » All issues must start with advocacy at the national level.
- » Advocacy with the AICHR can help elicit country responses to some pressing local issues.
- » Communities can network with other similarly-affected communities in other countries to work together in ASEAN-level advocacy on common issues.



Conclusion:

- » Local and national NGOs must start recognising the importance and potential of the AICHR and other ASEAN mechanisms as advocacy targets for their respective issues.
- » It is important to understand the dynamics and rules of international diplomacy. For example, countries that seem to be unresponsive to national human rights issues do not behave similarly in an international arena.
- » Local and national NGOs must start recognizing the importance and potential of the AICHR and other ASEAN mechanisms as advocacy targets for their respective issues.
- » It is important to understand the dynamics and rules of international diplomacy. For example, countries that seem to be unresponsive to national human rights issues do not behave similarly in an international arena.

Handout Material 6.4

Components of advocacy

1. Information and Education Campaign

- a. Internal Training for speakers and writers, others.
- b. Popular education like seminars, study circles, group-discussion, etc.
- c. Written statements.
- d. Live-verbal- symposia, fora, cultural shows.
- e. Creative forms posters, slides, photo/art exhibits.

2. Media Works

Press release

Press releases are written like news stories, summarising the essential facts of “what, where, when, who, why, how.” To write one, keep in mind how you would like a story to come out in newspapers; include complete title heads to give a busy editor some idea, at a glance, of what the story is about; include accurate and complete quotations, when necessary; reference to the source contact must be included. Should a reporter pursue a story from the lead provided by a press release, he or she would know whom to contact and where. Press releases should be printed double-spaced.

If a press release/statement does not come out, these questions must be asked: Was the release sent to the right person? Did it even reach the right paper? Was it written well? Did it arrive in time to make it to press? Also, extraordinary events may have overshadowed your issue. A tip: Sundays are a lazy time, even for news. So Monday news is sometimes boring. Submitting a press release on Sunday gives you a greater chance to land on the front page. Honour your word when giving a reporter “exclusive” coverage of some event. Note that when a paper gets exclusive coverage of an issue that becomes “hot,” the reporter (in some dailies) is given a small bonus. NGOs and reporters owe each other the favour of getting a story into print.

Don't just send a press release to the papers and hope it lands in the right hands. Today, we have all sorts of beats, such as the human rights beat. You have to be certain whom you're addressing your missives to. Today's newspapers typically host many beats: the labour beat, the peasant beat, the police beat.

Press statements. A press statement is not a story. It could be a statement addressed mainly to the press, or addressed to the entire country. Always indicate dates of release and your return address. (see 6.3)

3. Lobby

The intention of lobbying is to exert pressure on politicians and others in decision-making roles over the development and implementation of public policy. The goal may be to pass a law or a regulation, or simply to obtain a high-level statement about a practice in society that will be reported in the media and set a standard for others in the society to follow.

4. Network/Forms of organisations

Organizations may be formed with a temporary character just to facilitate the attainment of a set objective or target. This could be a coalition or an alliance specifically formed for example to campaign for the repeal of the anti-death penalty law.

5. Forms of Action

Petition. Compare each output and identify common contents of a petition letter. Facilitate the groups in arriving at what is a good petition letter.)

Street Marches, Rally, Demonstration, Picket

6. Finance

(Source: Task Force Detainees. Human Rights Kit)

MODULE 6.5

AICHR Country-Reps Strategies



Objectives:

- » To map out national strategies of engaging ASEAN through their country representatives.
- » To know the background and position of each country-representative on the AICHR.
- » To know each ASEAN member government's stance and involvement on the AICHR.



Knowledge Acquired:

- » National strategic plans of engagement for AICHR representatives.



Time: 1.5 hours

Material:

- Flip Charts, Felt/Marker pens.
- Background information on AICHR country-representative (to be prepared by facilitator).
- Terms of Reference (TOR) of the AICHR.
- Projector.



Procedures:

1. In plenary, ask everyone to do a quick informal assessment of their respective country representatives on AICHR. Ask them to identify particular human rights issues the representative would be more comfortable with and which issues s/he would stay away from. After a 15 minute discussion then move on to the next part.

2. Project on a screen the section of the AICHR TOR that lists the qualifications and roles/responsibility of the representative.
3. Divide participants into four groups.
4. The facilitator prepares large butcher paper for each group. Ask each group to list down their answers to the following questions:
 - What should the representative be doing to represent the issues of human rights from the country?
 - What should be the dos and don'ts on the proper conduct of each representative in order to discharge his or her duties impartially in accordance with the ASEAN Charter and the AICHR TOR?
5. Ask the groups to report to the plenary.



Debriefing:

- » The TOR is the guide for engaging with the country representative yet CSOs must be able to stretch the limits of its limited language.
- » CSOs must engage more proactively with the country representative and know his/her strengths and weaknesses in order to realise the human rights agenda.



Conclusion:

- » CSOs must be familiar with the role and function of the country representative in order to know what to demand from him/her.
- » CSOs must have a strategy to engage the AICHR representative and take cues from the country situations into the AICHR meetings.

Handout Material 6.5:
AICHR Terms of Reference

Qualifications

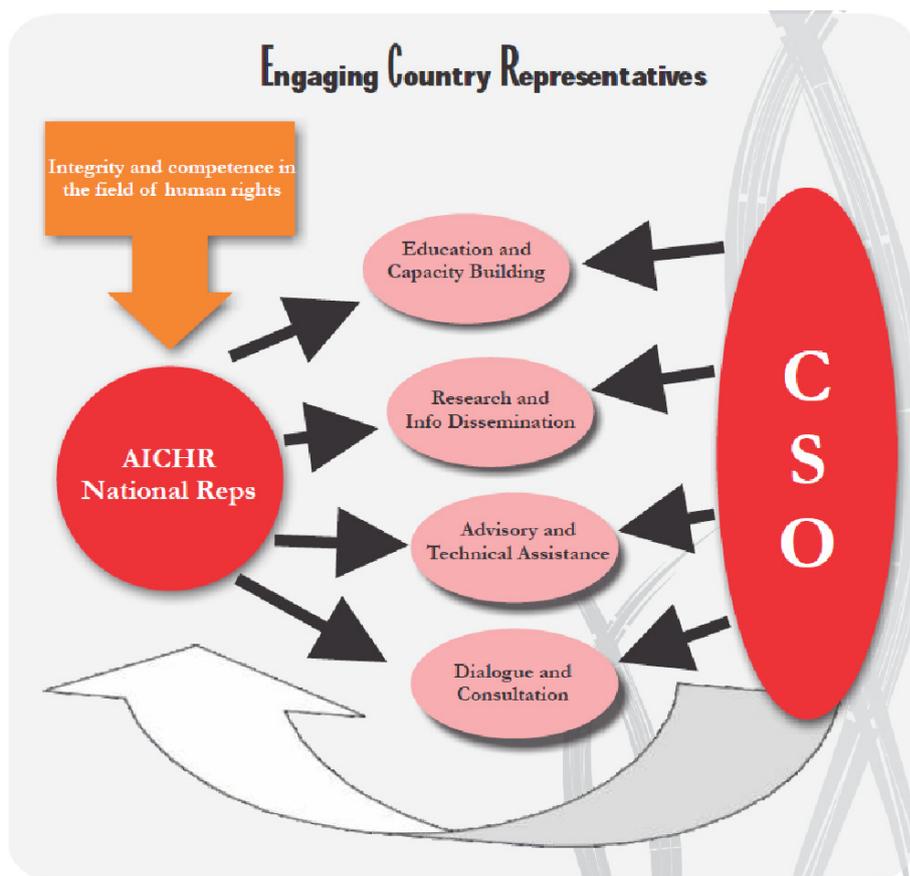
5.3 When appointing their Representatives to the AICHR, Member States shall give due consideration to gender equality, integrity and competence in the field of human rights.

5.4 Member States should consult, if required by their respective internal processes, with appropriate stakeholders in the appointment of their Representatives to the AICHR.

Responsibility

5.7 Each Representative, in the discharge of his or her duties, shall act impartially in accordance with the ASEAN Charter and this TOR.

5.8 Representatives shall have the obligation to attend AICHR meetings. If a Representative is unable to attend a meeting due to exceptional circumstances, the Government concerned shall formally notify the Chair of the AICHR of the appointment of a temporary representative with a full mandate to represent the Member State concerned.



MODULE 6.6

Mapping Regional Strategies



Objectives:

- » To learn about current CSO regional strategies in engaging the ASEAN and AICHR.
- » To connect priority regional strategies in engaging ASEAN and AICHR with existing national engagements on ASEAN and the AICHR.
- » To brainstorm new and creative regional strategies.



Knowledge Acquired:

- » Regional strategic plans of engagement



Time: 1.5 hours

Materials:

Magazines, power map, pens, scissors, tapes.



Procedure:

1. The facilitator asks the participants what are the regional issues on which CSOs can possibly engage with the ASEAN and AICHR. Ask them to select the five most important issues.
2. Divide the participants into five groups, and ask them to give a creative name for their group. Assign one of the priority issues to each group.
3. Present a blank power map for the groups to copy in their flip charts.
4. Each group must develop specific advocacy objectives. Specific objectives must not duplicate the current regional advocacies, but rather enhance them. Ask them to write this down on the space provided in the power map.

5. Ask each group to identify all possible actors (institutions, organisations, groups or individuals), positively or negatively significant to the issue.
 - Cut out a magazine image to symbolise the actor. The sizes of cut-outs must reflect the actor's power or influence over the issue, i.e. the broader the power of influence, the bigger the cut-out; the lesser their influence the smaller their representations.
 - Position each actor in relation to the "neutrality line" at the centre of the map: those who are highly supportive or opposed should be placed farther from the line; and those lesser support or opposition are to be placed nearer the neutrality line.
 - If two actors are closely linked their symbols can be overlapped to reflect interconnection.
6. Present the group's work at the plenary.



Debriefing:

- » Are there any additional allies or opponents that must be included in the map?
- » Does the map capture the interconnections between different actors?'
- » Where in this map does most of the power and influence reside?
- » Based on these power relationships, to which actor do you focus your advocacy efforts? How would you strengthen supporters, neutralise the opposition, or try to convince the "undecideds?"
- » What are some creative ways of doing this?



Conclusion:

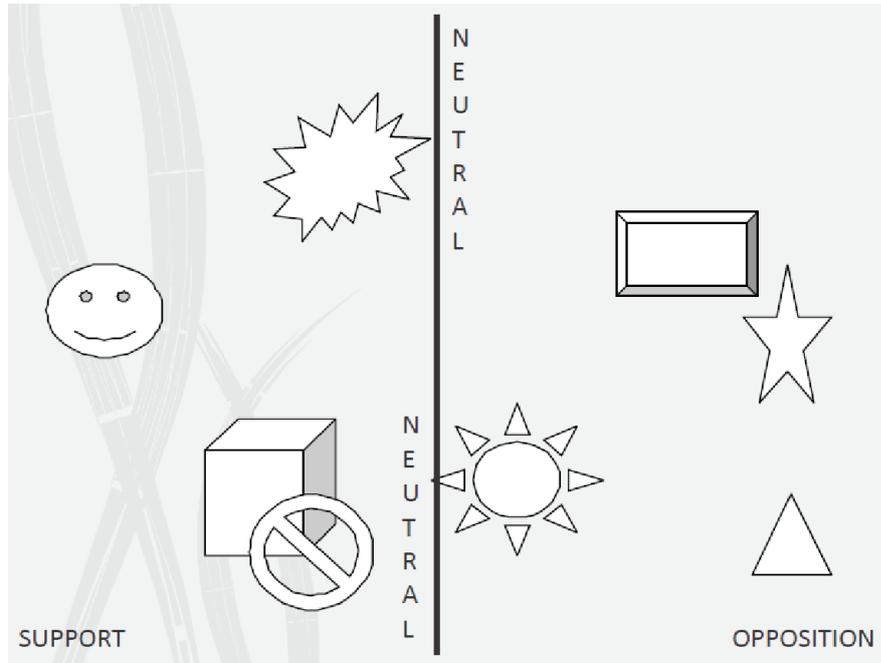
- » Emphasise that many advocacy campaigns succeed by building their support base and recruiting the "undecideds" over to their position.
- » Sometimes, direct engagement with the opposition turns into a heated conflict. Advocates must decide whether they would want to achieve this. They must consider that this level of conflict usually invites media attention, which may or may not be favourable to their advocacy.
- » It is essential to forecast and anticipate your opponent's arguments or messages. Effective advocates pro-actively frame an argument, rather than being reactive to the opposition's stance.
- » CSOs must find ways to connect national or issue-specific advocacy with the on-going CSO advocacies in ASEAN and AICHR.

Handout 6.6

POWER MAP (sample)

Advocacy Objective:

Target Audience:



Source: CEDPA. ADVOCACY: Building Skills for NGO Leaders.
The CEDPA Training Manual Series, Vol. IX. Washington D.C. 1999.

Next Steps...

- Introduce the group and the role.
- Engage in the process of developing the ASEAN HR declaration & ASEAN Conventions.
- Arrange meetings with AICHR to take up issues as their priority .
- Submission on Rules and Procedures to the TOR AICHR.
- Set the first meeting with AICHR Reps.
- CS FORUM to the Annual Meeting of AICHR.
- Organise the annual meeting to provide two annual reports on:
 1. The performance of the AICHR starting in 2010 and 2011.
 2. Use the reports as basis to amend or review the AICHR's work performance after five years.
- TOT, National Trainings for AICHR advocacy.
- Maximise the role of ASG.

(Source: Forum-Asia. CSO Involvement and Lessons Learnt (Powerpoint presentation).

MODULE 6.7

Engaging and Utilising AICHR Promotion and Protection Mandates



Objectives:

- » Coming up with a common platform of engaging AICHR towards effective implementation of its promotion mandate.



Knowledge Acquired:

- » Details of the promotion mandate of AICHR.
- » Entry points for national and regional engagement with the mandate of AICHR.



Time: 1.5 hours

Materials:

- AICHR TOR and mandate, module 3.3 activity report
- Flipchart papers, marker pens.



Procedure

1. Hand out the AICHR ToR to all participants. Draw their attention to the articles that focus on the promotional aspects of human rights in Section 2 (Principles) and Section 4 (Mandate and Functions).

2. In plenary, ask participants to pair up and review and discuss the provisions of the mandate of AICHR by answering the following questions:
 Q 1: How can we ask for AICHR to do more of these promotional activities in the country?
 Q 2: What strategy can we use to engage with them?
3. In plenary, ask for some responses on the proposed initiatives and activities.
4. Through the discussion try to organise the agreed-upon proposals into a “Human Rights Promotion or Protection Advocacy Guidelines” as bases for national and regional/planning (The groups must produce their “guidelines” as if it is a final public document for dissemination to all CSO network and ASEAN bodies).
5. Present the finalised guidelines back to the plenary for critique. This should be a simple bullet-point format of principles agreed upon.



Debriefing

- » Are the guidelines exhaustive, practical and reflective of CSO’s capacity?
- » Are the objectives SMART—specific, measurable, achievable, realistic and time-bound?

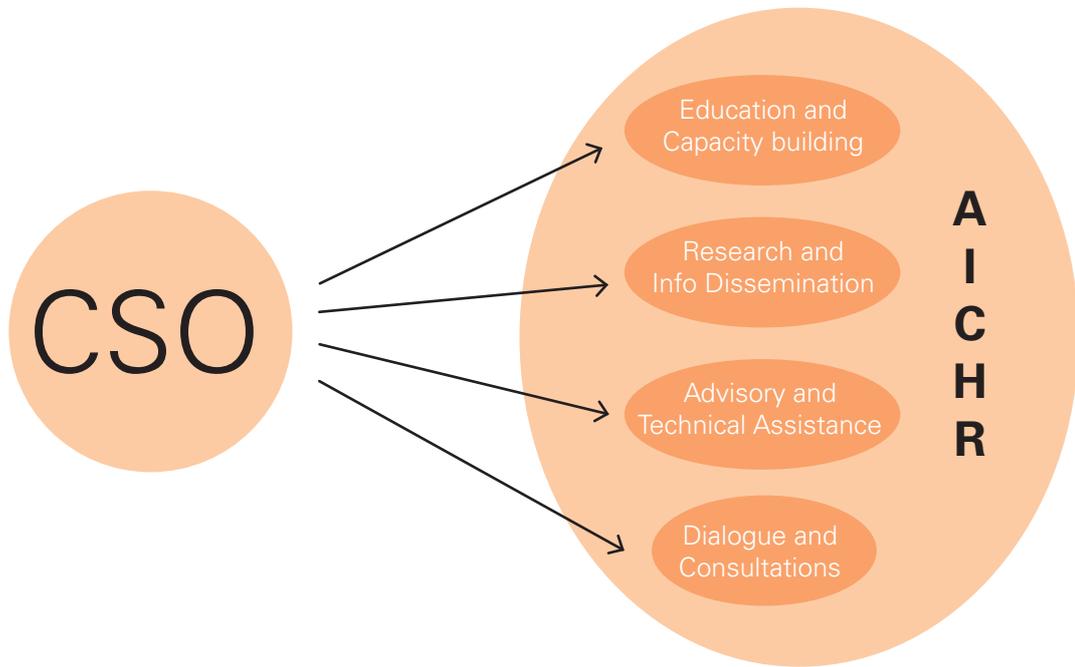


Conclusion:

- » Guidelines can serve as CSO’s organised entry points for national and regional engagement with the mandates of AICHR.
- » They must lead towards defining multi-faceted strategies and tactics based on conditions and capacity of civil society organisations.

Handout 6.7

Engaging AICHR Promotion Mandate



MODULE 6.8

Engaging and Utilising AICHR Protection Mandate



Objectives:

- » To come up with proposals on enhancing the protection mandate of AICHR.



Knowledge Acquired:

- » Details of the promotion mandate of AICHR.
- » Entry points for national and regional engagement with the mandate of AICHR.



Time: 1.5 hours

Materials:

Copy of the AICHR mandate, flip-chart papers, pens.



Procedures:

1. Hand out the AICHR ToR to all participants. Draw their attention to the articles that focus on the protection aspects of human rights in section 2 (Principles) and Section 4 (Mandate and Functions).
2. In plenary, discuss and emphasise that the protection function is minimal and hardly incorporated.
3. Ask participants how we can creatively interpret the mandate to read “protection” within the TOR. Ask for a few responses.
4. Then divide groups into four or five issue-based groups (e.g, indigenous peoples, migrants, police abuse, etc). Ask each group to propose a strategy that can make the AICHR respond to their particular issue. Strategies must have SMART objectives.

5. Groups will report in plenary after a 20-minute discussion. After each presentation ask participants to respond, be critical, to sharpen the strategy and get consensus on the workability of the strategy.
6. Suggest that the NGOs both national and regional use these ideas and get into action to engage AICHR.



Debriefing:

- » Are the guidelines exhaustive, practical and reflective of CSO 's capacity?
- » Do they have specific, measurable, achievable, realistic and time-bound (SMART) objectives?
- » CSOs need to be creative to put more meaning into the ToR language and advocate for it.

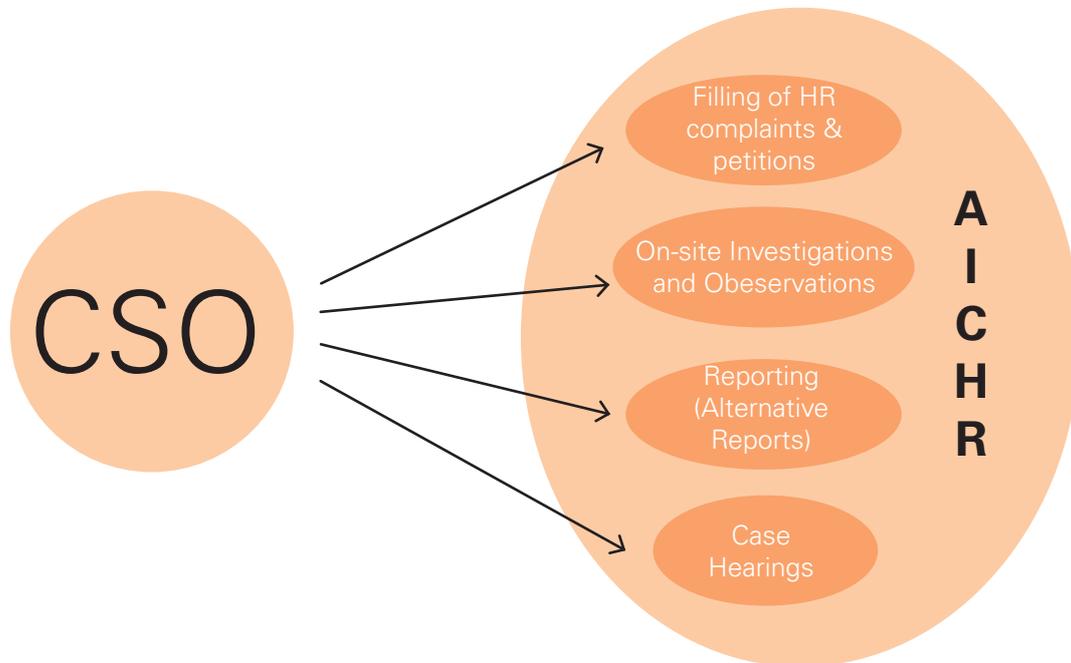


Conclusion:

- » The guidelines can serve as CSO's organised entry points for national and regional engagement with the mandates of AICHR.
- » They must lead to define multifaceted strategies and tactics based on concrete conditions and capacity of civil society organisations.

Handout 6.8:

Engaging AICHR Protection Mandate



MODULE 6.9

Engaging the ASEAN Secretary General's Mandate within AICHR



Objectives:

- » To carefully examine the mandate of the office of the ASEAN Secretary-General as a venue for engagement and dialogue between ASEAN and the peoples.
- » To determine strategies on human rights protection and promotion and continuing peoples' dialogue through the office of the ASEAN Secretary General.



Knowledge Acquired:

- » Knowledge on the internal and external processes of the office of the ASEAN Secretary-General.



Time: 45 minutes

Material: Flip Charts, Felt/Marker pens, copies of speech



Procedures:

1. Give the participants a few minutes to read the speech of the Secretary General (handout), asking them to identify phrases that show positive signs that encourage greater involvement of the community and the common ASEAN peoples into the regional body.

2. After reading, ask them which phrases are these and list down their answers on the flip chart. Emphasise that these positive statements represent opportunities that may be advantageous for our work with AICHR.
3. Refer to the section in the ToR of the AICHR about the role of the SG to “bring relevant issues to the attention of the AICHR in accordance with Article 11.2 (a) and (b) of the ASEAN Charter. In doing so, the Secretary-General of ASEAN shall concurrently inform the ASEAN Foreign Ministers of these issues”.



Debriefing:

- » Reaffirm the role of the SG that has strong and positive inter-linkage with the AICHR.
- » CSOs must actively engage the ASEAN SG, through regional initiatives and organising national meetings the SG is in the country.



Conclusion:

- » CSOs must maximise all opportunities to engage with the SG.
- » CSOs should also lobby the SG to pick up some of the grave and persistent issues that the AICHR may be reluctant to address directly.

Handout Material 6.9:**[Statement] 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 needs to be part of the ASEAN Intergovernmental Commission on Human Rights' (AICHR's) Terms of Reference, said the Asian Forum for Human Rights and Development (FORUM-ASIA) in a press release following a meeting with AICHR.

The rights group met virtually with the AICHR on 7 April 2021 on the sidelines 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's workplan should tackle the challenges brought by the digitalisation 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 processes on how cases are handled and resolved using the three-steps complaint mechanism established by AICHR for responding to cases of human rights violations in ASEAN;

Recommending that AICHR initiates 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 approaches 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 people in Myanmar, by condemning the brutality of the military junta and synergising its efforts with the

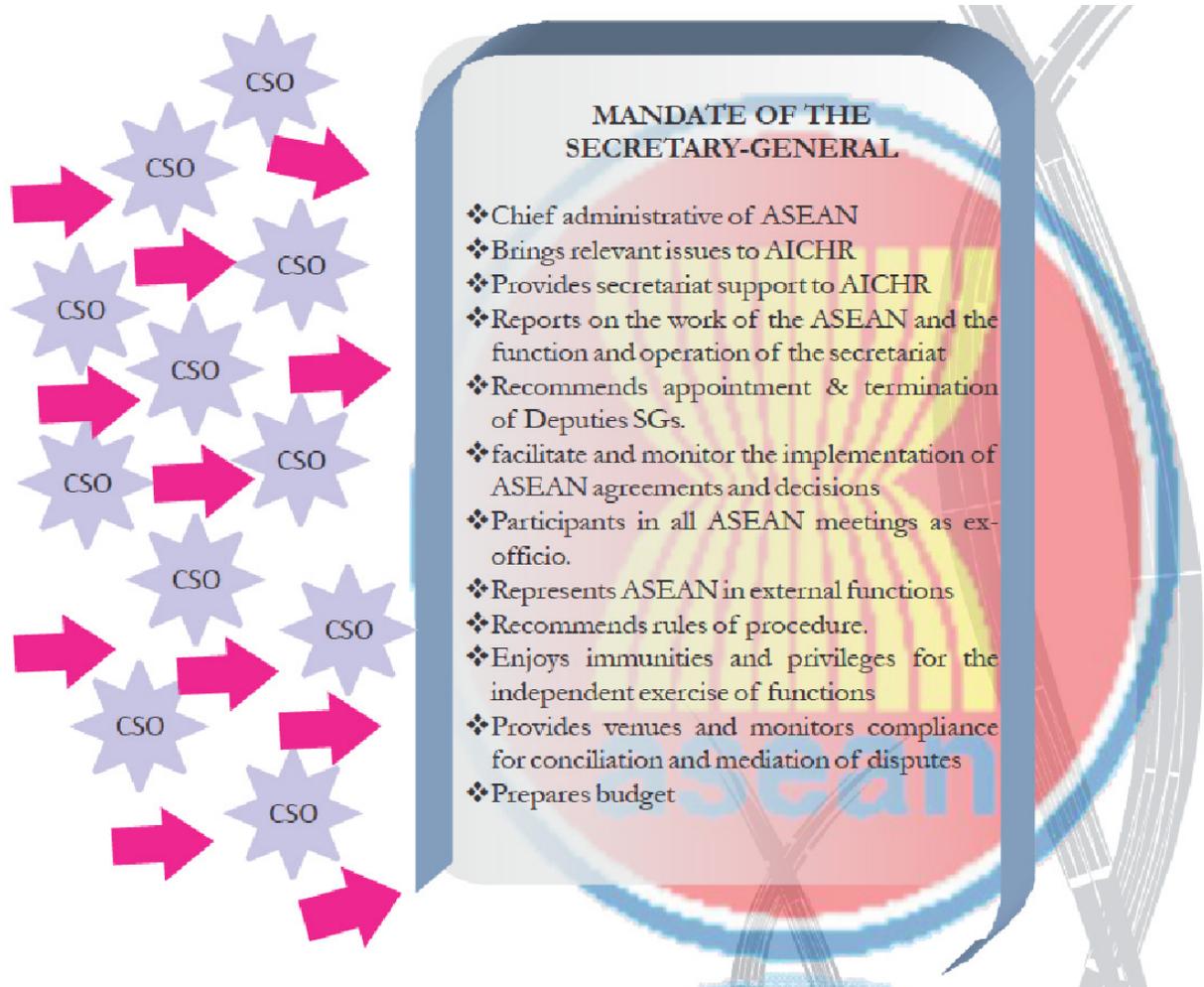
international community and civil society across the region, to immediately put an end to the gross human rights violations since the coup on 1 February.

Lastly, FORUM-ASIA reiterated its willingness 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 mechanisms 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 are scrutinised and responsive to the reality.

FORUM-ASIA thanks AICHR for the invitation to hold a dialogue. '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 aspirations can be prioritised in the policy-making process,' the rights group said.

(Source: Forum Asia, available at <https://www.forum-asia.org/?p=34431>)

ENGAGING THE ASEAN SECRETARY - GENERAL



Additional Reading Materials for Module 6 (see Module 6 Appendices)