

3<sup>rd</sup> Edition

# AICHR

ASEAN Intergovernmental Commission on Human Rights

## What You Need to Know



One Vision  
One Identity  
One Community





# **AICHR**

**ASEAN Intergovernmental Commission on Human Rights**

## **What You Need to Know**

**(3<sup>rd</sup> Edition)**

**The ASEAN Secretariat  
Jakarta**

The Association of Southeast Asian Nations (ASEAN) was established on 8 August 1967. The Member States of the Association are Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, Philippines, Singapore, Thailand and Viet Nam. The ASEAN Secretariat is based in Jakarta, Indonesia.

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## INTRODUCTION

For over four decades since its establishment, ASEAN as an intergovernmental organisation has always endeavoured towards improving the lives of the peoples in the region, particularly in the economic, political-security and socio-cultural aspects. Human rights are an integral part of the ASEAN Community and are reflected in the ASEAN Charter (Articles 1.7, 2.2.i, and 14), the ASEAN Political-Security Blueprint 2009-2015 (section A.1.5), and the ASEAN Political-Security Community Blueprint 2025 (section A.2.5).

ASEAN established regional human rights bodies reflecting its strong commitment to the promotion and protection of human rights and fundamental freedoms and to further ensure the wellbeing of its people. The ASEAN Intergovernmental Commission on Human Rights (AICHR) and the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) were established in 2009 and 2010 respectively.

The AICHR, as the overarching human rights body in ASEAN with a cross-cutting mandate that handles matters related to human rights cooperation with other ASEAN Bodies, external partners and stakeholders, had set the tone for cooperation in human rights promotion and protection in ASEAN.

Yet how many people within the ASEAN region know of the AICHR? And how many are aware of how the AICHR came about and what mandates it holds? This booklet is intended to provide quick facts regarding the AICHR and the development of human rights in the ASEAN region.

## ASEAN

ASEAN was established on 8 August 1967, through the signing of the ASEAN Declaration (Bangkok Declaration) by the five founding members of ASEAN: Indonesia, Malaysia, Philippines, Singapore and Thailand. Additional membership of five countries—Brunei Darussalam (1984), Viet Nam (1995), Lao PDR and Myanmar (1997), and Cambodia (1999)—raised the number of ASEAN Member States to ten.

The purposes of ASEAN, as encapsulated in the ASEAN Charter, include among others:

- To maintain and enhance peace, security and stability and further strengthen peace-oriented values in the region;

- To enhance regional resilience by promoting greater political, security, economic and socio-cultural cooperation;
- To ensure that the peoples and Member States of ASEAN live in peace with the world at large in a just, democratic and harmonious environment;
- To alleviate poverty and narrow the development gap within ASEAN through mutual assistance and cooperation;
- To strengthen democracy, enhance good governance and the rule of law, and to promote and protect human rights and fundamental freedoms, with due regards to the rights and responsibilities of the Member States of ASEAN;
- To develop human resources through closer cooperation in education and life-long learning, and in science and technology, for the empowerment of the peoples of ASEAN and for the strengthening of the ASEAN Community;
- To enhance the well-being and livelihood of the peoples of ASEAN by providing them with equitable access to opportunities for human development, social welfare and justice;
- To promote a people-oriented ASEAN in which all sectors of society are encouraged to participate in, and benefit from, the process of ASEAN integration and community building;
- To promote an ASEAN identity through the fostering of greater awareness of the diverse culture and heritage of the region;

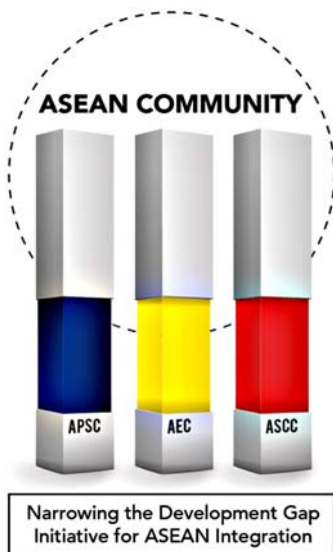
The ASEAN Charter's entry into force in 2008 provides legal status and institutional framework for ASEAN.

Codifying ASEAN norms, rules and values, the Charter also ensures accountability and compliance and sets clear targets for ASEAN.

ASEAN has committed itself to establish an ASEAN Community by 2015, and has adopted a “Roadmap for an ASEAN Community 2009-2015”. This Community has been supported by the three Community Pillars, along with their respective Blueprints: the ASEAN Political-Security Community (APSC) Blueprint, the ASEAN Economic Community (AEC) Blueprint, and the ASEAN Socio-Cultural Community (ASCC) Blueprint. Each Community has its own Community Council which coordinates the work of different sectors under its purview.

At the 27<sup>th</sup> ASEAN Summit in Kuala Lumpur, Malaysia, ASEAN welcomed the formal establishment of the ASEAN Community and adopted the “ASEAN 2025: Forging Ahead Together” which succeeds the aforementioned Roadmap. It consists of the Kuala Lumpur Declaration on ASEAN 2025: Forging Ahead Together, the ASEAN Community Vision 2025, the ASEAN Political-Security Community Blueprint 2025, the ASEAN Economic Community Blueprint 2025 and the ASEAN Socio-Cultural Community Blueprint 2025. These integral documents will chart the path over the next decade to further strengthen the ASEAN Community and to enable the realisation of a politically cohesive, economically integrated and socially responsible community – an ASEAN that is truly people-oriented, people-centred and rules-based.





The ASEAN Summit, which is composed of the ASEAN Heads of State/ Government, is the highest policy-making body in ASEAN. They meet twice every year at the ASEAN Summit Meetings. The ASEAN Leaders are supported by their respective Foreign Ministers who meet as the ASEAN Coordinating Council (ACC) and in the ASEAN Foreign Ministers' Meeting (AMM). Further into the structure of ASEAN, the ASEAN Member States appoint representatives to

ASEAN with the rank of ambassadors, who sit as members of the Committee of Permanent Representatives (CPR). The CPR is tasked to coordinate with the ASEAN National Secretariats and the ASEAN Sectoral Ministerial Bodies and to facilitate ASEAN's cooperation with external partners.

Supporting the work and efforts undertaken by ASEAN is the ASEAN Secretariat. The ASEAN Secretariat is headed by the Secretary-General of ASEAN (who is accorded the same level as a Minister) and is assisted by four Deputy Secretaries-General, one for each of the ASEAN Communities and one for the Community and Corporate Affairs of ASEAN.

## HUMAN RIGHTS ON THE ASEAN AGENDA

In 1993, the United Nations convened the World Conference on Human Rights in Vienna, Austria. The Member Countries of ASEAN, back then only consisting of six members, all participated at the World Conference. The Conference resulted in the Vienna Declaration and Programme of Action.

### Development of human rights in ASEAN



Subsequently, the ASEAN Foreign Ministers in their Joint Communiqué of the 26<sup>th</sup> AMM (July 1993) stated the following:

- The Foreign Ministers welcomed the international consensus achieved during the World Conference on Human Rights in Vienna, 14-25 June 1993, and reaffirmed ASEAN's commitment to and respect for human rights and fundamental freedoms as set out in the Vienna Declaration of 25 June 1993. They stressed that human rights are interrelated and indivisible comprising civil, political, economic, social and cultural rights. These rights are of equal importance. They should be addressed in a balanced and integrated manner and protected and promoted with due regard for specific cultural, social, economic and political circumstances.*

*They emphasized that the promotion and protection of human rights should not be politicized.*

- 17. The Foreign Ministers agreed that ASEAN should coordinate a common approach on human rights and actively participate and contribute to the application, promotion and protection of human rights. They noted that the UN Charter had placed the question of universal observance and promotion of human rights within the context of international cooperation. They stressed that development is an inalienable right and that the use of human rights as a conditionality for economic cooperation and development assistance is detrimental to international cooperation and could undermine an international consensus on human rights. They emphasized that the protection and promotion of human rights in the international community should take cognizance of the principles of respect for national sovereignty, territorial integrity and non-interference in the internal affairs of states. They were convinced that freedom, progress and national stability are promoted by a balance between the rights of the individual and those of the community, through which many individual rights are realized, as provided for in the Universal Declaration of Human Rights.*
- 18. The Foreign Ministers reviewed with satisfaction the considerable and continuing progress of ASEAN in freeing its peoples from fear and want, enabling them to live in dignity. They stressed that the violations of basic human rights must be redressed and should not be tolerated under any pretext. They further stressed the importance of strengthening international*

*cooperation on all aspects of human rights and that all governments should uphold humane standards and respect human dignity. In this regard and in support of the Vienna Declaration and Programme of Action of 25 June 1993, they agreed that ASEAN should also consider the establishment of an appropriate regional mechanism on human rights. For the first time, ASEAN set itself towards the development of regional human rights regime.*

The Second ASEAN Informal Summit, held in Kuala Lumpur on 15 December 1997, adopted the ASEAN Vision 2020 which sets out a broad vision for ASEAN in the year 2020: an ASEAN as a concert of Southeast Asian Nations, outward looking, living in peace, stability and prosperity, bonded together in partnership in dynamic development and in a community of caring societies. In order to implement the long-term vision, the Hanoi Plan of Action (HPA) 1997 was drawn up.

Under Section IV, paragraph 4.8 of the HPA, ASEAN commits itself to enhance exchange of information in the field of human rights among ASEAN Countries in order to promote and protect all human rights and fundamental freedoms of all peoples in accordance with the Charter of the United Nations, the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action.

To support the realisation of an ASEAN Vision 2020, the ASEAN Member States drew up the 2004 Vientiane Action Programme. In the Action Programme, under the sub-section 'Political Developments', the Member States agree to "promote human rights and obligations".

Five years later, ASEAN Member States decided to accelerate the establishment of an ASEAN Community by 2015. The Member States adopted the Roadmap for an ASEAN Community 2009-2015 and the three ASEAN Community Blueprints.

Human rights components, which were included in the 2004 Vientiane Action Programme were reiterated in the Action Programme under the ASEAN Political-Security Community (APSC) Blueprint 2009-2015, section A.1.5. “Promotion and Protection of Human Rights”, consisting of seven (7) action lines.



*The AICHR with the Committee of Permanent Representatives (CPR) to ASEAN*

ASEAN's commitment to realise an inclusive and responsive community that ensures the peoples' enjoyment of human rights and fundamental freedoms is further emphasised under

the APSC Blueprint 2025, section A.2.5 “Promote and protect human rights, fundamental freedoms and social justice to ensure our peoples live with dignity, in peace, harmony and prosperity” with the following action lines:

## **ACTIONS:**

- i. Encourage ASEAN Member States to strengthen domestic legislation and institutions, promote human rights education and hold consultations with relevant stakeholders;
- ii. Encourage ASEAN Member States to ratify or to accede to core international human rights instruments and ensure their effective implementation;
- iii. Encourage ASEAN Member States to enhance engagement with the UN and relevant human rights mechanisms to which ASEAN Member States are parties, including on the Universal Periodic Review and relevant Treaty Bodies as well as share experiences and best practices;
- iv. Support the ASEAN Intergovernmental Commission on Human Rights (AICHR) in the discharge of its mandate, in accordance with its Terms of Reference (TOR);
- v. Enhance exchange of information on efforts to advance human rights and fundamental freedoms among ASEAN Member States in accordance with the ASEAN Charter, ASEAN Human Rights Declaration (AHRD) and Phnom Penh Statement on the Adoption of AHRD as well as international human rights declarations and instruments to which ASEAN Member States are parties;

- vi. Strengthen the implementation of the AHRD and the Phnom Penh Statement on the Adoption of the AHRD, including dissemination of information and promotion of public awareness on this Declaration;
- vii. Promote the mainstreaming of human rights across all three pillars of the ASEAN Community, through consultation among relevant ASEAN Sectoral Bodies;
- viii. Encourage interaction and consultation, where appropriate among AICHR, relevant ASEAN Sectoral Bodies and other stakeholders, including CSOs concerned with the promotion and protection of human rights;
- ix. Continue the work of AICHR in conducting collaborative research on thematic human rights issues in accordance with its TOR;
- x. Continue the work of AICHR in obtaining information from ASEAN Member States on the promotion and protection of human rights;
- xi. Enhance public awareness of human rights, among the peoples of ASEAN, including publication of periodic updates of AICHR activities and public information activities by relevant ASEAN Sectoral Bodies;
- xii. Consider, as appropriate, the review of the TOR of AICHR as provided in the TOR, consistent with the purposes and principles of the ASEAN Charter, with a view to further enhancing the promotion and protection of human rights within ASEAN;
- xiii. Strengthen the interaction between the network of existing human rights mechanisms as well as other CSOs, with relevant ASEAN Sectoral Bodies;
- xiv. Encourage coordination and consultation among relevant ASEAN Organs and Bodies with a view to enhancing the implementation of the AHRD, the Ha Noi

Declaration on the Enhancement of Welfare and Development of ASEAN Women and Children as well as the Bali Declaration on the Enhancement of the Role and Participation of Persons with Disabilities in the ASEAN Community, while maintaining their respective reporting lines; and

- xv. Cooperate closely with the relevant Sectoral Bodies, while maintaining the respective reporting lines, to expedite the work of the ASEAN Committee on the Implementation of the Declaration on the Protection and Promotion of the Rights of Migrant Workers in developing an instrument to ensure the rights of migrant workers are well protected within the region, in accordance with the laws, regulations and policies of respective Member States.



The image features the AICHR logo centered on a vibrant, abstract background. The background is composed of large, flowing, curved shapes in shades of blue, teal, and pink. The logo itself consists of the letters 'AICHR' in a bold, sans-serif font. Each letter is a different color: 'A' is orange, 'I' is dark blue, 'C' is red, 'H' is yellow, and 'R' is light green. The letters are slightly shadowed, giving them a three-dimensional appearance as if they are floating above the background.

AICHR

# AICHR

*“In conformity with the purposes and principles of the ASEAN Charter relating to the promotion and protection of human rights and fundamental freedoms, ASEAN shall establish an ASEAN human rights body” (ASEAN Charter, Article 14).*





The High Level Panel on an ASEAN Human Rights Body drafted the Terms of Reference of AICHR (the TOR of the AICHR), which was adopted by the ASEAN Foreign Ministers' Meeting in July 2009. On 23 October 2009, the ten AICHR Representatives, one from each Member State, were appointed and the AICHR was inaugurated at the 15th ASEAN Summit in Cha-am Hua Hin, Thailand.

*In the Cha-am Hua Hin Declaration on the Inauguration of AICHR*, the ASEAN Leaders stated that the AICHR is part of the intergovernmental cooperation among ten ASEAN Member States to develop regional cooperation on human rights. The establishment of the AICHR demonstrates ASEAN's commitment to pursue forward-looking strategies to strengthen regional cooperation on human rights. It is designed to be an integral part of ASEAN organisational structure and an overarching institution with overall responsibility for the promotion and protection of human rights in ASEAN.

Decision-making of the AICHR is based on consultation and consensus. The AICHR engages in dialogues and consultations with Entities associated with ASEAN, and also consults other national, regional and international institutions and entities concerned with the promotion and protection of human rights.

The AICHR holds two regular meetings in a year and additional meetings if and when necessary. They have produced several foundation documents as a framework and basis for their operationalisation such as:

- AICHR Five-Year Work Plan 2010-2015, AICHR Five-Year Work Plan 2016-2020, and indicative budgets;
- AICHR Priority Programmes/Activities (2010-2011, 2012, 2013, 2014, 2015, and 2016) with the respective annual budgets;
- Guidelines on the Operations of the AICHR (also known as the Guidelines of the AICHR);
- Rules of Procedure of the AICHR Fund (also known as the ROP of the AICHR Fund);
- Guidelines on Budget Standardisation;
- Guidelines on the AICHR Website's Editorial Board;
- Guidelines on Alignment between AICHR and ASEAN Sectoral Bodies dealing with Human Rights;
- Guidelines on the AICHR's Relations with Civil Society Organisations; and
- Rules of Procedure of the AICHR Programme Account (also known as the ROP of the AICHR Programme Account).

*ASEAN Foreign Ministers' Interface with the Representatives of the AICHR at the 48<sup>th</sup> ASEAN Foreign Ministers' Meeting*



## MANDATES AND FUNCTIONS OF THE AICHR

The TOR of the AICHR lists out the fourteen (14) mandates of the AICHR.

- i. To develop strategies for the promotion and protection of human rights and fundamental freedoms to complement the building of the ASEAN Community;
- ii. To develop an ASEAN Human Rights Declaration with a view to establishing a framework for human rights cooperation through various ASEAN Conventions and other instruments dealing with human rights;
- iii. To enhance public awareness of human rights among the peoples of ASEAN through education, research and dissemination of information;
- iv. To promote capacity building for the effective implementation of international human rights treaty obligations undertaken by ASEAN Member States;
- v. To encourage ASEAN Member States to consider acceding to and ratifying international human rights instruments;
- vi. To promote the full implementation of ASEAN instruments related to human rights;
- vii. To provide advisory services and technical assistance on human rights matters to ASEAN Sectoral Bodies upon request;

- viii. To engage in dialogue and consultation with other ASEAN Bodies and Entities associated with ASEAN, including civil society organisations and other stakeholders, as provided for in Chapter V of the ASEAN Charter;
- ix. To consult, as may be appropriate, with other national, regional and international institutions and entities concerned with the promotion and protection of human rights;
- x. To obtain information from ASEAN Member States on the promotion and protection of human rights;
- xi. To develop common approaches and positions on human rights matters of interest to ASEAN;
- xii. To prepare studies on thematic issues of human rights in ASEAN;
- xiii. To submit an annual report on its activities, or other reports if deemed necessary, to the ASEAN Foreign Ministers Meeting; and
- xiv. To perform any other task as maybe assigned to it by the ASEAN Foreign Ministers Meeting.

Each Representative of the AICHR is appointed by the respective government for the term of three years and is renewable once. The AICHR Representatives, in the discharge of his or her duties, shall act impartially in accordance with the ASEAN Charter and the TOR of the AICHR.

The TOR of the AICHR also sets out the line of reporting of the AICHR, the conduct of meeting(s), the role of the Chair of the AICHR, decision-making process, the release of public information and the AICHR's relationship with other human rights bodies within ASEAN.

The TOR of the AICHR can be accessed on the ASEANWEB. You can also browse AICHR's Regional Website at [www.aichr.org](http://www.aichr.org).

## **PROGRAMMES AND ACTIVITIES OF THE AICHR**

The AICHR's priority areas on human rights are found in the Five-Year Work Plan, which is based on the 14 mandates of the AICHR outlined in their TOR. Each year, the AICHR specifies their high priority programmes and activities for the year based on the Work Plan and in response to emerging exigencies on human rights in the region. The AICHR has completed its first Five-Year Work Plan 2010-2015.

The AICHR has begun the implementation of its second Five-Year Work Plan 2016-2020, which was endorsed at the 48<sup>th</sup> AMM. The second Five-Year Work Plan builds on the first to further promote and implement the AHRD and the Phnom Penh Statement on the Adoption of the AHRD. It also aims to further enhance the synergy between the AICHR and relevant ASEAN Organs and Bodies to mainstream human rights in the three pillars of ASEAN.



The activities of the AICHR in the short and medium term include, among others:

- Undertake needs assessment for capacity building;
- Complete a stocktaking of existing human rights instruments acceded and ratified by ASEAN Member States;
- Conduct workshops on various themes related to human rights;



*AICHR-SOMTC Joint Workshop on Human Rights-based Approach to Combat Trafficking in Persons, Especially Women and Children*

- Conduct trainings on human rights for specific target groups, such as government officials, law enforcement officers, journalists, etc.;
- Strengthen the ASEAN Secretariat's support for the AICHR;
- Disseminate information relating to the work of the AICHR including publications in both English and national languages of the ASEAN Member States;
- Share best practices of effective implementation of international human rights treaty obligations among ASEAN Member States;



*The AICHR Regional Dialogue on the Mainstreaming the Rights of Persons with Disabilities in the ASEAN Community*

- Coordinate and consult with relevant ASEAN Sectoral Bodies to ensure the effective implementation of ASEAN instruments related to human rights;
- Identify current and potential human rights matters of interest to ASEAN;
- Develop regional plan of actions, recommendations, or ASEAN policy framework on human rights for women, children and persons with disabilities to mainstream and enhance human rights across the Community pillars, organs and bodies;
- Engage in dialogues with regional stakeholders on emerging human rights issues of interest to ASEAN pertaining to the promotion and protection of human rights in accordance with the AHRD, the Phnom Penh Statement on the Adoption of AHRD and the TOR of the AICHR;



*The Workshop on Transition between the AICHR Representatives 2013-2015 and the AICHR Representatives 2016-2018*

- Conduct studies on thematic issues of human rights in ASEAN; and
- Dialogue and consult with the three Communities on their respective activities in the ASEAN Community Vision 2025 and the Community Blueprints 2025 concerning the promotion and protection of human rights.

The AICHR in its seventh year of existence remains steadfast in its endeavours towards the advancement of human rights in ASEAN. Recognising that promotion and protection of human rights in ASEAN can only be holistically addressed through a close coordination between ASEAN institutions, the AICHR adopted Guidelines on Alignment between AICHR and ASEAN Sectoral Bodies dealing with Human Rights. Through the adoption of the Guidelines, the AICHR aims to enhance synergy and coherence with other bodies in ASEAN dealing with human rights, namely the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC), the ASEAN Committee on Women (ACW) as well as the ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW). The AICHR also works together with relevant ASEAN Organs and Bodies on targeted human rights issues, for example with the Senior Officials Meeting on Transnational Crime (SOMTC) on trafficking in persons.

## **THE ASEAN HUMAN RIGHTS DECLARATION (AHRD)**

Article 4.2 of the TOR of the AICHR states that the AICHR is mandated to develop an ASEAN Human Rights Declaration



*The AICHR at the Signing Ceremony of the Phnom Penh Statement on the Adoption of the AHRD*

(AHRD) with a view to establishing a framework for human rights cooperation through various ASEAN conventions and other instruments dealing with human rights.

In 2011, the AICHR commenced to discharge this mandate by setting up a Drafting Group to prepare the basic draft of the AHRD. Upon receiving the basic draft of the AHRD from the Drafting Group, the AICHR submitted their first Progress Report on the drafting of the AHRD to the AMM at the AMM Retreat in January 2012. In their first Progress Report, the AICHR set out the ways forward in drafting the AHRD—which includes scheduling meetings regularly dedicated to the drafting of the AHRD, engagement with the relevant stakeholders, including experts on human rights, submitting progress reports to the AMM, and setting the deadline of submitting the final version of the AHRD to

the AMM before the 21<sup>st</sup> ASEAN Summit in November 2012.

In the drafting of the AHRD, the AICHR consulted and dialogued with representatives of ASEAN Sectoral Bodies, national, regional and international CSOs, and human rights experts. The AICHR was very appreciative of the participation and contributions by the representatives of Sectoral Bodies, CSOs and the Experts, which helped make the draft AHRD a comprehensive declaration reflecting not only the aspiration of the peoples of ASEAN but also adding value to the international norms and standards of human rights by the inclusion of the right to peace, right to development and the avoidance of stigma for those suffering from communicable diseases such as HIV.

The AICHR submitted the first draft of the AHRD to the AMM at the 45<sup>th</sup> AMM in July 2012. With the submission of the first draft, the AICHR sought further guidance and instructions from the AMM on the next steps in drafting the AHRD. A refined second draft of the AHRD was presented to the Foreign Ministers during their Informal Meeting (IAMM) in September 2012, before it was submitted to the ASEAN Leaders. The ASEAN Leaders adopted the AHRD on 18 November 2012 and signed the “Phnom Penh Statement on the Adoption of the ASEAN Human Rights Declaration” (the “Phnom Penh Statement”). The AHRD is a landmark ASEAN document, which sets the framework for further promotion and protection of human rights and fundamental freedoms in the region. The AHRD represents the aspirations and determination of the ASEAN Member States and their populaces for a people-oriented ASEAN Community, as stipulated in the ASEAN Charter. The AHRD also reflects ASEAN’s commitments to the Charter of the United Nations, the Universal Declaration of Human Rights,

the Vienna Declaration and Programme of Action, and other international human rights instruments, to which ASEAN Member States are parties to as well as to other relevant ASEAN declarations and instruments pertaining to human rights.

Given the significance of the AHRD and the Phnom Penh Statement, the AICHR gave priority to the dissemination of these documents, including raising awareness on their importance and relevance, conducting their translation into national languages of the AMS and uploading the translated versions to the AICHR Website ([aichr.org](http://aichr.org)). The AICHR also discussed and consulted relevant ASEAN Sectoral Bodies on the possibility of developing ASEAN legal instruments on human rights to implement the protection and promotion of human rights enshrined in the AHRD.

To raise awareness on the significance of these documents, the AICHR, in partnership with the CPR, held a joint event themed “Contributing to the ASEAN Community Building through the Implementation of the ASEAN Human Rights Declaration (AHRD)”. The event was organized in conjunction with the Celebration of the 46<sup>th</sup> ASEAN Day at the ASEAN Secretariat in Jakarta, Indonesia. At the event, the AICHR also launched the “*ASEAN Human Rights Declaration (AHRD) and the*



*Phnom Penh Statement on the Adoption of the AHRD and its Translations*” (AHRD Book), which contains the translation of the AHRD to the main languages of the ASEAN Member States. The Launching was marked with the presentation of the AHRD Book to representatives from parliamentarians, business organisations, think tanks and academia, civil society organisations, and youth leaders. During the event, a panel discussion on “The AHRD and the ASEAN Community Building by 2015” was also convened with Representatives from the AICHR and CPR as panel discussants.

## THE AICHR’S ENGAGEMENT WITH EXTERNAL PARTIES

Since its establishment, the AICHR has been putting efforts to institutionalise cooperation with external partners at national, regional and international levels. The dialogues with the Inter-American Commission on Human Rights, the Fundamental Rights Agency, the European Court of Human Rights, government agencies of the European Union, Japan, and the United States as well as other agencies/actors including CSOs have paved the way for the AICHR to further cooperate with different stakeholders at all levels.

The AICHR has conducted a study visit to the United States in November 2010 at the invitation of the President of the United States, H.E. Barack Obama. The visit provided the AICHR with a timely opportunity to inform the United States government, relevant United Nations agencies, international organisations and international civil society organisations about the work of the AICHR since its inauguration as well as its proposed programs and activities for the years to come. It allowed for the exchanged views on human rights



issues of mutual concerns and explores possibilities of future cooperation with the US State Department, the relevant United Nations agencies and the Inter-American Commission on Human Rights and civil society organisations.

The AICHR also conducted a study visit to Europe in May 2011 by invitation of the External Relations Directorate General of the European Commission. AICHR visited three European cities, Brussels, Strasbourg and Vienna, and met with various European institutions dealing in human rights. They met with European External Action Service (EEAS) of the European Union, the European Commission, the relevant divisions of the Council of Europe, the Fundamental Rights Agency and the Organisation for Security and Cooperation in Europe (OSCE), especially those dealing with Freedom of Media, and the OSCE Special Representative and Coordinator for Combating Trafficking in Human Rights. They also met with various European civil society organisations and exchanged information about activities.

The second visit to the European Union was conducted in October 2015. The AICHR along with the Chairs of the ACWC, the ACW and the ACMW participated in the ASEAN-EU Policy Dialogue on Human Rights. This was the first policy dialogue on human rights between ASEAN and the EU. During the policy dialogue both sides exchanged open and constructive views on human rights issues of mutual interests and on recent human rights developments in the EU and ASEAN, and identified the potential areas of human rights cooperation. The ASEAN Delegation met with Members of the European Parliament, Brussels-based Human Rights and Democracy NGO network. They also



*ASEAN Delegates at the ASEAN-EU Policy Dialogue on Human Rights*

met with various European businesses at the round table organised by The Shift and CSR Europe. They attended a seminar on “Pan European Human Rights Mechanism” hosted by the Belgian Ministry of Foreign Affairs with the participation of representatives from the Council of Europe and the Organisation for Security and Cooperation in Europe (OSCE). The Delegation also visited several Belgian institutions dealing with migrants, persons with disabilities and equal opportunities.

The AICHR was invited to Japan in 2014 for a study visit where they met with several key interlocutors. The AICHR met with Parliamentary Senior Vice-Minister for Foreign

Affairs, the Vice-Minister for Foreign Policy and Deputy Chief Cabinet Secretary/Secretary General of National Security Secretariat. The AICHR met also with human rights experts from Japan such as Dr. Yozo Yokota, the President, Center for Human Rights Education and Training and member of the UN Sub-Commission on the Promotion and Protection of Human Rights, Ambassador in charge of UN Affairs, Director of the Kyoto Human Rights Research Institute, among others. The AICHR was also able to observe an example of Japan's employment of persons with disabilities at the Isetan Mitsukoshi Soleil.

As of 2014, AICHR has jointly organised several activities and workshops with various external partners concerned with promotion and protection of human rights such as UN Women, United Nations Development Programme, United Nations Population Fund (UNFPA), United Nations High Commissioner for Refugees (UNHCR), European Union (EU) and the Working Group for an ASEAN Human Rights Mechanism.

The AICHR had also met the United Nations High Commissioner for Human Rights, Ms. Navanethem Pillay, at its 7<sup>th</sup> Meeting in November 2011 in Bali, Indonesia, and the European Union (EU) Special Representative for Human Rights, Mr. Stavros Lambrinidis, at its 12<sup>th</sup> Meeting in May 2013 at the ASEAN Secretariat.

The AICHR has engaged with CSOs in a number of occasions, most importantly in the consultations during the drafting of the AHRD, and the consultations aiming at contributing to the review of the TOR of the AICHR. 2015 marked a significant development on interaction between

the AICHR and CSOs with the adoption of the Guidelines on the AICHR's Relations with Civil Society Organisations. These Guidelines prescribe the types and modalities of engagement, and thereby further institutionalise the interactions between the AICHR and CSOs.

The AICHR will continue the operationalisation of these Guidelines periodically for a strengthened ASEAN cooperation in the promotion and protection of human rights and fundamental freedoms. The list of CSOs which have been granted Consultative Relationship with the AICHR is available at [www.aichr.org](http://www.aichr.org).



# **FREQUENTLY ASKED QUESTIONS**

## FREQUENTLY ASKED QUESTIONS (FAQS)

### 1. What does intergovernmental mean?

A. Intergovernmental means that the organisation is established by the agreement among the nation-states. Members of the organisation are composed of sovereign states (referred to as Member States).

### 2. Why are the AICHR members referred to as Representatives and not Commissioners?

A. The members of the AICHR are Representatives of the Member States of ASEAN, accountable to their respective Governments, appointed with full mandate, with due respect to the principles of the ASEAN Charter, their Terms of Reference, international human rights standards and bear the responsibility to promote and protect human rights and fundamental freedoms of the peoples of ASEAN.

### 3. What are the duties of the AICHR?

A. The Terms of Reference (TOR) of the AICHR stipulates the 14 mandates of AICHR. The AICHR is a principal organ of ASEAN and the overarching institution on human rights with overall responsibility for the promotion and protection of human rights in ASEAN.

The AICHR as the overarching institution in ASEAN on human rights shall work with other ASEAN Bodies dealing with human rights to align with the AICHR as well as other ASEAN Bodies on common areas of interest. Through its cooperation with other ASEAN Bodies and with external partners, the AICHR will develop a regional cooperation on human rights.

4. The AICHR often uses the term “overarching” when describing their mandate. What does it mean?

A. Although there are other ASEAN Bodies dealing with human rights, such as those specializing on the issue of the rights of women and children or of migrant workers, the AICHR has the overall responsibility in ASEAN to promote and protect human rights and fundamental freedoms. The AICHR also deals with all categories of human rights such as political, civil, economic, social, and cultural rights including rights of different groups.

5. How will the AICHR work with other entities, such as the civil society organisations, non-government organisations, the national human rights institutions, other human rights organisations, and UN, regional sectoral bodies as well as private sector?

A. As a consultative body, the AICHR shall consult and cooperate with other entities as deemed appropriate. The AICHR needs to subscribe a method for engagement with the different types of organisation or entity.

6. If my rights are violated, can I submit my grievances to the AICHR or to the AICHR Representative of my country? How does the public communicate with the AICHR?

A. As an intergovernmental body, the AICHR focuses its work on the regional cooperation of the promotion and protection of human rights. In its current TOR, endorsed in July 2009 by the ASEAN Foreign Ministers, the AICHR does not have the mandate to handle individual cases.



*The AICHR's meeting with the Secretary-General of ASEAN*

Organisations or individuals may send letters for the attention of the AICHR through the AICHR Chair, and copying all the other AICHR Representatives and the ASEAN Secretariat.

7. To what extent does the work of the AICHR contribute or create an impact on human rights in the region and the human rights of the people in the Southeast Asian region?

A. The impact on human rights can be derived by creating awareness in the peoples of ASEAN on their rights. In addition, the systematic approach of thematic studies with deliverable results to the public will surely create an impact on human rights. The annual report of the AICHR, presented to the Foreign Ministers, opinions given by the AICHR, public information on the work of the AICHR could certainly create an impact on human rights.



8. The AICHR seems to focus more on the promotion side rather than the protection of human rights, is it true?

A. The AICHR works under the spirit of consultation and consensus. However, it is not an obstacle to the promotion and protection of human rights, especially on educating and raising awareness on human rights to the people of ASEAN. The promotion of human rights should be done in parallel with other developments, to ensure that strong protection mechanisms are created.

9. What is the role of the Secretary-General of ASEAN and the ASEAN Secretariat (ASEC)?

A. The Secretary-General of ASEAN may bring relevant issues to the attention of the AICHR with regards to carrying out his/her duties and responsibilities in accordance with the provisions of the ASEAN Charter. The Secretary-General can also raise attention to issues related to the implementation of ASEAN agreements and decisions.

The ASEAN Secretariat currently serves as the regional secretariat of the AICHR. The ASEAN Secretariat maintains effective lines of communication between the AICHR with other ASEAN Bodies, external parties and other relevant stakeholders, as well as disseminates information on the latest developments of ASEAN and the AICHR to those concerned. The ASEAN Secretariat is the custodian of the AICHR Fund and the institutional memory of ASEAN and of the AICHR. The ASEAN Secretariat supports the implementation of the AICHR's priority programmes and activities, as well as propose, assess, and assist in project formulation and implementation of the AICHR's Work Plan.

## 10. Where can I find more information about the AICHR?

A. General information and the latest news updates about ASEAN, including the press releases of the AICHR, can be accessed through the ASEANWEB ([www.asean.org](http://www.asean.org)). The AICHR also has its own regional website ([aichr.org](http://aichr.org)).



# **AICHR REPRESENTATIVES 2016-2018**

## THE REPRESENTATIVES OF THE AICHR (2016-2018)

The Representatives of the AICHR are selected and appointed by their respective Governments with due consideration to gender equality, integrity and competence in the field of human rights. The AICHR Representatives have a term of office of three years, and may be re-appointed for one more term.



### Brunei Darussalam

H.E. Pehin Haji Hazair bin Haji Abdullah



### Education:

- BA (Hons) Modern Studies, North Staffordshire Polytechnic, U.K.
- Courses attended: Oxford University – Foreign Service Diploma Programme.
- Australian Foreign Service Course, Canberra.
- Senior Executive Course, London Business School.

## **Career:**

- 1979-1981: Administrative Officer, Establishment Office.
- 1981: Administrative Officer, Office of the General Adviser to His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam.
- 1981: Administrative Officer, Diplomatic Service Department.
- 1982-1984: Second Secretary, Brunei Darussalam Commission/High Commission, Kuala Lumpur.
- 1984-1985: First Secretary Brunei Darussalam High Commission, London.
- 1986-1991: Senior Administrative Officer, Office of the Special Adviser to His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam in the Prime Minister's Office.
- 1991-1996: Director of Information, Prime Minister's Office.
- 1996-1997: Senior Administrative Officer, Prime Minister's Office.
- 1997-2005: Permanent Secretary, Prime Minister's Office.
- 2003-2005: Chairman of Royal Brunei Airlines (RBA) and RBA subsidiaries.
- 2005-2010: Deputy Minister of Health.
- 2010-2015: Minister of Culture, Youth and Sports.
- 2010-2015: Chairman of Employee Trust Fund Board.
- 2010-2015: Chairman of National Committee on Social Issues.
- 2010-2015: Chairman of Special Committee on Family and Women.
- 2010-2015: Chairman of Special Committee on Elderly and Disabled.
- 2010-2015: Co-Chairman of the Humanitarian Disaster Fund.



## Cambodia

H.E. Mrs. Polyne Hean



### Education:

- B.Ed. in TEFL, Royal University of Phnom Penh, Cambodia.
- B.A. in Economics, Royal University of Law and Economics, Cambodia.
- M.A. in Democracy and Governance, Georgetown University, USA.
- M.A. in Development Studies, University of East Anglia, UK.

### Career:

- Representative of Cambodia to the AICHR.
- Director, ASEAN Department, Office of the Council of Ministers.
- Board Member, iAB Group.

- Vice President, iAB Architecture and Construction Co., Ltd.
- CM Focal Point, National Committee on NTMs and NTR.
- Member, National Committee to Counter Trafficking.
- Member, the Cambodia-China Relations Research Group.



## Indonesia

H.E. Mrs. Dinna Wisnu, Ph.D.



### Education:

- BA in International Relations, the University of Indonesia, Jakarta, Indonesia.
- MA in Political Science, the Ohio State University, USA.
- Ph.D. (Doctor of Philosophy) in Political Science, the Ohio State University, USA.

### Career:

- 1996-1998: Writer & Journalist, Suara Karya Weekly Newspaper.
- 1998-2001: From Program Officer to ad-interim Program Director, National Democratic Institute. Managing programs of election, political parties, legislative politics, women programs.
- 2001-2007: Teaching Associate/Lecturer, Department of Political Science and Faculty of TA Development, the Ohio State University, USA.
- 2007-2008: Deputy Director & Civil Society Expert,



RESPECT Project on Religious and Social Pluralism, Equity and Tolerance (World Learning & USAID).

- 2007-2008: Research Director, Center for East Asia Cooperation Studies, University of Indonesia.
- September 2008-present: Co-founder & Director, Paramadina Graduate School of Diplomacy & Paramadina Graduate Schools.
- 2009-2014: Advise the Government of Indonesia and involved in various projects to develop National Social Security System Programs (Health & Employment Insurance), including at the Transition Team of Joko Widodo-Jusuf Kalla and TNP2K (The National Team to Accelerate Poverty Alleviation).
- 2012: Lead, design and organise activities for ILO, UN-ESCAP, GRM International on social protection development, specific focus on reaching universal coverage in National Health and Employment Insurance.
- 2013 (Nov-Dec), 2014 (Nov), 2015 (Oct-Nov): Train journalists in 7 cities about social protection, funded by Friedrich Ebert Stiftung, Germany.
- 2009-now: Advise or train the Indonesian officials on aspects of foreign policy and diplomacy (the Ministry of Foreign Affairs, Ministry of Defense, Bank of Indonesia).
- 2015: Co-founder Master Degree program in Social Policy at the Faculty of Public Health, University of Indonesia.
- 2015-now: Develop training programs for officials from the Government of the Democratic Republic of Timor Leste (Ministry of Social Solidarity) on social protection.
- 2015: Advise the Parliament of Cambodia (Commission VIII on Healthcare, Women and Veteran) on lesson learned in building Universal Health Insurance System.
- 2001-now: Conduct various research on political economy, social protection, diplomacy with various partners across Indonesia, South Korea, Australia, USA.



## Lao PDR

H.E. Mr. Phoukhong Sisoulath



### Education:

- MA in International Law, Moscow State Institute of International Relations (MGIMO).
- PGDip in International Law, Nottingham University.
- Fulbright American Studies Institute: Reform in American History and Law at Boston College.
- Higher Diploma in Politics and Public Administration, Lao National Academy of Politics and Public Administration.

### Career:

- 1996-2010: Joined the Department of Treaties and Laws, Ministry of Foreign Affairs (MoFA), having served in capacities as Desk Officer, Legal Officer, Human Rights Officer, Deputy Director of the Legal Affairs Division, Director of the Multilateral Treaties Division, Director of the Human Rights Division, Deputy Director-General, National Project Manager of the International Law Project, Phase I, II and III.

- 2011-2012: Assistant to the Lao PDR Representative to the AICHR, then Lao PDR Alternate Representative to the AICHR.
- 2013: Representative of the Lao PDR to the AICHR (for the term 2013-2015).
- 2014: Participant of EU Visitor Programme (EUVP).
- Since 2014: Director General, Department of Treaties and Law, Ministry of Foreign Affairs.
- Since 2014: Secretary General, Lao National Steering Committee on Human Rights.
- Since 2014: Head of Output 5: International Law and Human Rights, Legal Sector Master Plan on the Rule of Law.
- 2015: Member of the Lao Delegation to the UPR 2<sup>nd</sup> Cycle of the UN Human Rights Council.



## Malaysia

H.E. Mr. Edmund Bon Tai Soon



### Education:

- LL.B. Laws Honours, University College of London, England (Malaysian Scholarship).
- MSt in International Human Rights Law, University of Oxford, England (British Chevening Scholarship).

### Career:

- 1997: Utter Barrister, the Honourable Society of Lincoln's Inn (Admitted to the Bar of England & Wales in September 2007).
- 1998: Advocate and Solicitor, the High Court of Malaya (Admitted to the Bar of Malaya in June 1998).
- 1998-2002: Associate, Chooi & Company, Advocates & Solicitors, Kuala Lumpur.
- 2002-2012: Senior Associate, Chooi & Company, Advocates & Solicitors, Kuala Lumpur.

- 2012-2014: Partner, Chooi & Company, Advocates & Solicitors, Kuala Lumpur.
- 2014-2016: Head of Chambers, BON Advocates, Kuala Lumpur.
- 2016: Head of Chambers (Civil), AmerBON Advocates, Kuala Lumpur.
- 2004-2014: Member, National Human Rights Society (HAKAM).
- 2005-2008: Legal Counsel, United Nations High Commissioner for Refugees (UNHCR).
- 2006-2008: Secretariat member, Suara Rakyat Malaysia (SUARAM).
- 2006: Co-founder of blawg (legal blog), [www.loyarburok.com](http://www.loyarburok.com).
- 2006-2011: Elected member, Bar Council, Malaysia.
- 2006-2008: Chairperson, National Young Lawyers' Committee, Bar Council.
- 2007-2009: Chairperson, Human Rights Committee, Bar Council.
- 2009-2011: Chairperson, Constitutional Law Committee, Bar Council.
- 2010: Co-author of Halsbury's Laws of Malaysia on "Citizenship, Immigration, National Security & the Police" (Volume 27).
- 2011: Co-founder of the Malaysian Centre for Constitutionalism & Human Rights (MCCHR).
- 1998-2016: More than 50 public interest cases reported in the media and law journals, and more than 800 hours of training and capacity-building programmes conducted locally and regionally.



## Myanmar

H.E. Amb. Hla Myint



### Education:

- B.A., Yangon University.
- Master in Public Policy, John Hopkins University, USA.

### Career:

- 1970-1974: Ministry of Education.
- 1974-1980: Ministry of Home Affairs.
- 1980: Ministry of Foreign Affairs.
- 1984-1988: Third Secretary, Myanmar Permanent Mission, Geneva, Switzerland.
- 1992-1998: First Secretary, Myanmar Permanent Mission, New York, USA.
- 1998-2002: Director, International Organizations and Economic Department, Ministry of Foreign Affairs.
- 2002-2005: Minister Counsellor, Myanmar Embassy, Pretoria, South Africa.

- 2005-2006: Deputy Director-General, International Organizations and Economic Department, Ministry of Foreign Affairs.
- 2007-2008: Director-General, International Organizations and Economic Department, Ministry of Foreign Affairs.
- 2008-2010: Ambassador Extraordinary and Plenipotentiary to the Commonwealth of Australia.
- 2011-2014: Member of Myanmar National Human Rights Commission.
- 2011-2012: Expert and Eminent Person of Myanmar to ASEAN-U.S.
- 2008-present: ASEAN Regional Forum of Experts and Eminent Persons.
- 2015: Myanmar Representatives to High Level Task Force on the ASEAN Community's Post-2015 Vision.



## Philippines

H.E. Mrs. Loretta Ann Pargas-Rosales



### Education:

- Bachelor of Science, Foreign Service, University of the Philippines.
- Master of Arts, Asian Studies, University of the Philippines.

### Career:

- March 2016-present: Undersecretary, Office of the President.
- January 2016-present: Philippine Representative to the AICHR.
- 2010–2015: Chairperson, Commission on Human Rights of the Philippines.
- Chair, South East Asian National Human Rights Institutions Forum (SEANF).



- Chair Emeritus, AKBAYAN Citizens Action Party.
- Co-chair, Philippine Coalition for the International Criminal Court.
- President, Institute for Political and Electoral Reform (IPER).
- Chair, Claimants 1081.
- Chair, First Quarter Storm Foundation.
- Honorary Chair, TEACHERS, Inc.
- Vice-President, Freedom from Debt Coalition (FDC).
- Member, Philippine Working Group, ASEAN Human Rights Mechanism.
- Council Member, The Asian Federation Against Involuntary Disappearances (AFAD).
- Senior Advisor, ASEAN Inter-Parliamentarians Myanmar Caucus (AIPMC).
- College Instructor and University Lecturer on Philippine Social Sciences, History and the Philippine Constitution.



## Singapore

H.E. Amb. Barry Desker



### Education:

- B.A. (First Class Honours), University of Singapore (President's Scholarship).
- M.A., University of London (Ford Foundation Fellowship).

### Career:

- 1982-1984: Deputy Permanent Representative to the United Nations, New York.
- 1984-1986: Deputy Secretary and Director, Policy, Planning and Analysis Division, Ministry of Foreign Affairs.
- 1986-1993: Ambassador of Singapore to Indonesia.
- 1994-2000: Chief Executive Officer, Trade Development Board.
- 2000-2014: Director of the Institute of Defence and Strategic Studies.

- 2007-2014: Dean of Rajaratnam School of International Studies, Nanyang Technological University (RSIS).
- Distinguished Fellow at RSIS.
- Member of Governing Board of the Economic Research Institute for ASEAN and East Asia.
- Deputy Chairman, Trilateral Commission.
- Member of the Presidential Council for Minority Rights.
- Member of the Board of Directors of the Lee Kuan Yew Exchange Fellowship.
- Expert and Eminent Person (EEP) of Singapore, ASEAN Regional Forum.
- Non-Resident Ambassador of Singapore to the Holy See and Spain.



## Thailand

H.E. Dr. Seree Nonthasoot



### Education:

- LL.B., Thammasat University, Bangkok, Thailand.
- Barrister-at-Law, Bar Association of Thailand.
- LL.M. (International Trade Law), Columbia University School of Law, New York, USA (Fulbright Scholarship).
- Magister Juris (European and Comparative Law), University of Oxford (Chevening Scholarship).
- Doctor of Philosophy, University of Oxford, England, United Kingdom.

### Career:

- Representative of Thailand to the ASEAN Intergovernmental Commission on Human Rights [[www.AICHR.or.th](http://www.AICHR.or.th)].
- Director and Audit Committee Member, SME Development Bank of Thailand.

- Director and Chairman of Audit Committee Member, KTB Law Co., Ltd.
- Director, Krungthai Computer Services, Co., Ltd.
- Senior Executive Vice President, Institute of Research and Development for Public Enterprises [www.IRDP.org].
- Special lecturer in the Master Degree in Human Rights Studies (International Programme), Mahidol University (1999-Present).
- Special lecturer at Thammasat University, Faculty of Law (2004-Present).
- Previous position: 1995-2000: Legal Advisor, Office of the Council of State, Office of the Prime Minister.
- 2003-2013: Legal Counsel, State Enterprise Policy Office, Ministry of Finance.
- 2011: Member, Drafting Group for the ASEAN Human Rights Declaration.



## Viet Nam

H.E. Amb. Nguyen Thi Nha



### Education:

- Bachelor's Degree in International Relations, Diplomatic Academy of Viet Nam – Hanoi.
- TESOL Diploma - Canberra, Australia.
- Master Degree in Law & Diplomacy – Tufts University, Fletcher School of Law & Diplomacy, Massachusetts, United States.

### Career:

- Ambassador, Representative of Viet Nam to the ASEAN Intergovernmental Commission on Human Rights (AICHR) for the term 2016-2018.
- Ambassador, Ministry of Foreign Affairs of Viet Nam since 2013.
- Director-General, Ministry of Foreign Affairs (2011-2014).
- Consul-General of Viet Nam to Hong Kong & Macau -

China's Special Administrative Regions (2011-2014).

- Minister Counselor, Deputy Head of Mission, Embassy of Viet Nam to the United Kingdom and Northern Ireland (2005-2008).
- First Secretary, Permanent Mission of Viet Nam to the United Nations, New York, USA (1995-1999).
- Third Secretary, Permanent Mission of Viet Nam to the United Nations Office and other international organizations in Geneva, Switzerland (1990-1992).
- Official, General Affairs and International Organizations Department (1980-1990).

## AICHR ACTIVITIES



*The AICHR Regional Forum on Media and Human Rights in ASEAN, 16-17 May 2016, Kuala Lumpur, Malaysia.*



*The AICHR Youth Debates on Human Rights 2015, 5-6 September 2015, Singapore.*









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