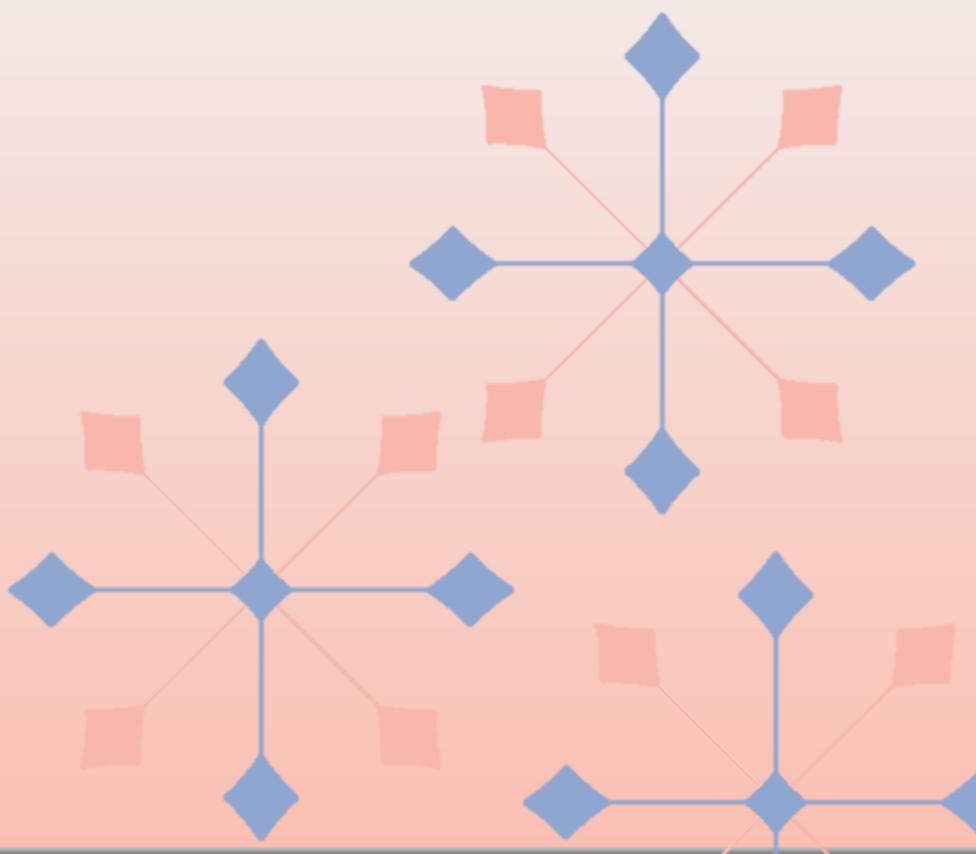


# **The ASEAN Intergovernmental Commission on Human Rights (AICHR) Annual Report 2019**

**July 2018 – June 2019**



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## 1. Executive Summary

This Annual Report covers the period between July 2018 and June 2019.

2019 marks another special year for ASEAN as it celebrates the 10<sup>th</sup> Anniversary of the establishment of the ASEAN Intergovernmental Commission on Human Rights (AICHR). Working to promote and protect human rights in this diverse region is an evolutionary process and AICHR has exhibited its efforts through a number of achievements that aim to strengthen its institutional capacity and contribute to the ASEAN Community building process. Examples of AICHR's notable works are the development of the ASEAN Human Rights Declaration (AHRD) adopted in 2012 and, the ASEAN Enabling Masterplan 2025: Mainstreaming the Rights of Persons with Disabilities adopted in 2018, among others. In brief, the first decade of AICHR has been encouraging. However, challenges remain in particular to the protection of human rights and mainstreaming human rights issues in all three pillars of the ASEAN Community.

Throughout the period of July 2018-June 2019, AICHR has convened 2 regular meetings and 2 special meetings. A series of activities were also organized in line with the AICHR's annual Priority Programmes/Activities in 2018/2019 comprising of 3 workshops, 9 meetings/dialogues, 2 meetings with CSOs and an external partner, and a youth debate. The Workshop on Transition between AICHR Representatives 2016-2018 and AICHR Representatives 2019-2021 was also held to ensure a smooth transition and continuity in the work of AICHR and to provide a platform for a frank and open discussion on the challenges facing AICHR.

Among the activities to highlight include the (1) AICHR Capacity Building Workshop on Article 14 of the ASEAN Human Rights Declaration, Semarang, Indonesia, 14-15 August 2018; (2) ASEAN Forum on Women's Economic Empowerment, Singapore, 27-28 August 2018; (3) AICHR Youth Debate on Human Rights, Phnom Penh, Cambodia, 8-10 September 2018; (4) AICHR CSO Symposium, Chiang Rai, Thailand, 13-15 October 2018, (5) ASEAN Dialogue on the UN Convention on the Rights of the Child and Its Related Instruments, Manila, Philippines, 25-26 October 2018; (6) 2018 AICHR Regional Dialogue on the Mainstreaming of the Rights of Persons with Disabilities in the ASEAN Community (Accessibility through Universal Design), Bangkok, Thailand, 3-5 December 2018; (7) AICHR Workshop on the Outcome of the Thematic Study on the Right to Peace, Vientiane, Lao PDR, 7 December 2018 and; (8) AICHR-CACJ High Level ASEAN Human Rights Dialogue: The Rights of Accused Persons in Criminal Cases, Putrajaya, Malaysia, 11 December 2018.

Prior to the above-mentioned reporting period, AICHR also conducted two important activities which were not included in the AICHR Annual Report 2018, namely (1) the AICHR Interregional Dialogue: Sharing Good Practices on Business

and Human Rights held from 4-6 June 2018 in Bangkok, Thailand which marked the first gathering between AICHR and regional human rights mechanisms and National Human Rights Institutions (NHRIs) from the Asia-Pacific Region and; (2) the AICHR Regional Workshop on Prevention Strategies to Combat Trafficking in Persons (TIP), Especially Women and Children: Enhancing Access to Information and Community-based Protection System held from 21-22 June 2018 in Hanoi, Viet Nam focusing on key challenges to raising awareness and sharing information among persons vulnerable to trafficking and providing a platform to share best practices among ASEAN Member States (AMS).

AICHR has continued to maintain its constructive engagement with the ASEAN Foreign Ministers' Meeting (AMM), the Committee of Permanent Representatives to ASEAN (CPR) and the Secretary-General of ASEAN. AICHR has also continued its efforts to deepen its constructive engagement with CSOs, in line with the Guidelines on the AICHR's Engagement with CSOs. The number of CSOs accredited with AICHR has recently reached 30.

Looking forward, AICHR will further strengthen its institutional capacity by streamlining, and standardising its work procedures for greater effectiveness. As guided by the AMM, AICHR will continue to enhance transparency, accountability, and good governance in its work. On public outreach, AICHR will continue using regional and national websites to disseminate information on its meetings, activities, and other relevant documents, and at the same time, stay active on social media. Lastly, AICHR will conclude the translation of the "AICHR: What You Need to Know" compendium into the national languages of AMS by this year.

## 2. 10 Years of the AICHR: An Overview

This year, ASEAN celebrates the 10<sup>th</sup> Anniversary of AICHR, a regional human rights mechanism that came into being in October 2009 pursuant to Article 14 of the ASEAN Charter. During the inauguration of AICHR, H.E. Abhisit Vejjajiva, Former Prime Minister of the Kingdom of Thailand emphasised that AICHR was established ultimately to enhance the quality of life of the ASEAN peoples, to empower and to engage them in ASEAN's community building process.

Ten years after its inauguration, AICHR has achieved laudable milestones in its institutional development efforts as well as notable contributions to complement the building of a rules-based, people-oriented, people-centred ASEAN Community. AICHR was a driving force behind the development of the ASEAN Human Rights Declaration (AHRD) adopted by the ASEAN Leaders in November 2012. Guided by the AHRD's core principles, AICHR has discharged its mandate to promote human rights in the region and actively advocated for the implementation of the AHRD

towards progressive social development and justice, and full realisation of the dignity and human rights for the people of ASEAN. Following is the progress of AICHR in the last ten years.

#### **a. AICHR's Mandate and Work Plans**

In its initial stages, AICHR focused on disseminating the AHRD and the Phnom Penh Statement, and on raising awareness of the significance of these documents, through translating these documents into the national languages of AMS; publishing, launching and uploading these translated versions to the AICHR Regional Website; and interacting with relevant stakeholders in an effort to mainstream the AHRD.

AICHR successfully implemented its first Five Year Work Plan (FYWP) 2010-2015 and the completion of its second FYWP 2016-2020 is forthcoming while the development of the post 2020 Work Plan is in the pipe line. Nine Priority Programmes/Activities have also been developed to support the implementation of the two FYWPs.

With the forthcoming completion of its second Five-Year Work Plan 2016-2020, AICHR has expanded its programmes and activities to cover a wider range of rights issues including various economic rights and civil political rights that are cross-sectoral and in the line with ASEAN priorities, such as trafficking in persons, safe drinking water and sanitation, environment and climate change, women's economic empowerment, freedom of expression, prevention of torture, and access to justice as well as highlighted the complementarity of the Sustainable Development Goals (SDGs) with the building of an inclusive ASEAN community where no one is left behind.

#### **b. AICHR, the ASEAN Community Vision 2025 and cross-pillar and cross-sectoral cooperation**

As an overarching human rights institution in ASEAN, AICHR plays a key role in contributing to the realisation of the ASEAN Community Vision 2025 of a politically cohesive, economically integrated, socially responsible, rules-based, people-oriented and people-centred ASEAN Community. To this end, AICHR has strengthened its cross-sectoral and cross-pillar cooperation in its efforts to mainstream human rights across the three pillars of ASEAN. Most notably, in the area of rights of persons with disabilities, the AICHR spearheaded the development of the ASEAN Enabling Masterplan 2025: Mainstreaming the Rights of Persons with Disabilities with relevant ASEAN Sectoral Bodies.

Through regular consultation with the Senior Officials Meeting on Transnational Crimes (SOMTC), AICHR introduced a human rights-based approach to the implementation of the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP). In addition, AICHR also collaborated with the Committee of Permanent Representatives to ASEAN (CPR) to raise awareness of ACTIP, including by organising an ASEAN Youth Video Competition: ASEAN Against Trafficking: Humans are Not for Sale as well as Youth Debates on Human Rights Issues.

Since 2010, AICHR has conducted 13 interfaces/meetings with relevant sectoral bodies with the aim to strengthen cross-pillar/sectoral collaboration and cooperation, enhance complementarity and avoid duplication of activities. A list of meetings between AICHR and ASEAN Sectoral Bodies appears as **Annex 1**.

### **c. AICHR's Engagement with External Parties**

Consistent with Article 8.6 of its Terms of Reference (TOR), AICHR has built engagement and cooperation with external parties on human rights promotion, education and capacity building, which have been strengthened through dialogues and study visits.

The AICHR conducted study visits to the United States in 2010, Japan in 2014, the European Union (EU) in 2015 and most recently Australia in 2017. These visits provided avenues to foster close relations between AICHR and external partners to share experiences and exchange views on human rights issues of mutual concerns, as well as to identify potential areas for future cooperation in the promotion and protection of human rights in the region.

In 2018, AICHR met with the Office of the United Nations (UN) and its agencies which marked the first engagement between AICHR and the UN. The Meeting saw interactive discussion between the two bodies on potential areas of future engagement, in line with the ASEAN-UN Plan of Action.

Regular ASEAN-EU Policy Dialogues on Human Rights have been convened since 2015, where AICHR, as the overarching human rights institution of ASEAN coordinates with other ASEAN bodies dealing with human rights. The Policy Dialogues aim to provide a forum for discussion and, exchange of best practices and lessons learned between ASEAN and the EU on human rights themes of common interests.

### **d. AICHR's Relations with Civil Society Organizations (CSOs)**

In 2015, AICHR adopted the Guidelines on the AICHR's Relations with CSOs which enables AICHR to build constructive and meaningful engagement and cooperation with accredited CSOs. To date, AICHR has accredited 30 CSOs with

a wide range of expertise on various human rights issues. The list of CSOs with “Consultative Relationship” with AICHR appears as **Annex 2**. Some modalities have been explored to harness the AICHR’s relationship with CSOs, including conducting a meeting with a CSO, inviting CSOs to relevant AICHR activities, partnering with a CSO in the conduct of an AICHR activity, and having Round Table Discussions (RTD) with accredited CSOs in 2017 and 2018.

In 2018, AICHR also expanded its collaboration with ASEAN working groups and entities including with the ASEAN Working Group on Water Resources Management (AWGWRM) on the AICHR Thematic Study on the Right to Safe Drinking Water and Sanitation in ASEAN, and with the Council of the Chief Justices of ASEAN (CACJ) on the AICHR-CACJ High Level ASEAN Human Rights Dialogue: The Rights of Accused Persons in Criminal Cases.

To conclude, the establishment of AICHR is an evolutionary process towards strengthening the human rights architecture within the region. Consistent with its Terms of Reference, AICHR has seen encouraging progress in its efforts to promote human rights; however challenges remain to the protection of human rights. There is a work in progress for AICHR in setting common targets and standards on institutional building that have affected AICHR’s efforts to implement certain functions, for instance, “to develop common approaches and positions on human rights matters of interest to ASEAN”. AICHR’s achievements and public outreach profile have generated greater expectations from the people of ASEAN of delivering its mandates and being impactful in addressing human rights issues in the region. To this end, AICHR must be able to respond to challenges and grow stronger in delivering its mandate, be responsive and have a stronger impact in addressing issues pertaining to human rights in the region in order to contribute to the vision of a people-centred and people-oriented ASEAN Community.

### 3. Work of AICHR

#### a. Recent Accomplishments

##### i. The ASEAN Enabling Masterplan 2025: Mainstreaming the Rights of Persons with Disabilities

The ASEAN Enabling Masterplan 2025: Mainstreaming the Rights of Persons with Disabilities (Enabling Masterplan), adopted by the ASEAN Leaders at the 33<sup>rd</sup> ASEAN Summit in November 2018 represents the culmination of a collaborative and cross-pillar initiative of ASEAN bodies and entities spearheaded by the AICHR, to attain ASEAN’s commitment to an inclusive community where independence, freedom of choice and full and effective participation of persons with disabilities in all areas of life are sustained and realised.

At the heart of the Enabling Masterplan is the fundamental belief that persons with disabilities are empowered agents of change, capable of significantly contributing to the growth and development of the ASEAN Community. The 76 Key Action Points identified in alignment with Key Results Areas of the ASEAN Political-Security Community (APSC), ASEAN Economic Community (AEC), and ASEAN Socio-Cultural Community (ASCC) blueprints are to be operationalised by relevant Sectoral Bodies according to their respective priority areas. The key action points of mainstreaming human rights of persons with disabilities will be translated into specific action lines, programmes, projects, and activities under Sectoral Bodies' respective work plans, and they shall report their progress to their respective conferences.

The Enabling Masterplan also sets forth mid-term and end-of-term evaluations to monitor its progress and evaluate outcomes/impacts, under the leadership of Senior Officials Meeting on Social Welfare and Development (SOMSWD).

## **ii. AICHR Activities**

During the past twelve months, AICHR conducted 15 activities which addressed six of its mandates, namely Mandates 4.1, 4.3, 4.4, 4.5, 4.11 and 4.12. Correspondingly, these activities also contributed to the implementation of the ASEAN Community Vision 2025, in particular twelve out of fourteen relevant action lines under key element 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" of the ASEAN Political-Security Community (APSC) Blueprint 2025. Below are brief descriptions of the activities.

1. 7<sup>th</sup> Task Force Meeting on the Mainstreaming of the Rights of Persons with Disabilities in the ASEAN Community, Jakarta, Indonesia, 6 July 2018: The Task Force discussed different options for overseeing the implementation of the Enabling Masterplan, and agreed for AMMSWD to be the focal point for inter-pillar cooperation to oversee the implementation of the Enabling Masterplan. Relatedly, the ASEAN Secretariat would be tasked to prepare an annual report on the progress of implementation of the Enabling Masterplan for the three communities to AMMSWD and the Joint Consultative Meeting (JCM). The Task Force also had an interface with the ASEAN Disability Forum (ADF) to discuss their recommendations to the draft Enabling Masterplan.
2. AICHR Capacity Building Workshop on Article 14 of the ASEAN Human Rights Declaration, Semarang, Indonesia, 14-15 August 2018: The workshop aimed to (1) explore the concept of preventing and combating torture, cruel, inhuman or degrading treatment or punishment in ASEAN, (2) enhance the capacity of AMS apparatus, (3) share views toward a common understanding among member

states of the Article 14 of AHRD, and (4) identify recommendations of ways forward on the prevention of torture. The workshop provided a platform for participants from law enforcement officers of AMS including police and correctional facilities officials, to share views and discuss challenges in promoting the prevention of torture, cruel, inhuman or degrading treatments or punishment in ASEAN.

3. ASEAN Forum on Women's Economic Empowerment, Singapore, 27-28 August 2018: The forum discussed the issues of empowering female employees at the workplace, breaking barriers and re-inventing traditional businesses, shaping corporate culture for women leadership development and female empowerment in the silver economy. More than 100 participants attended the forum including prominent women business leaders, young female entrepreneurs, and change-makers, ASEAN Women Entrepreneurs Network (AWEN), ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC), AICHR, ASEAN Secretariat, members of academe, private sector and CSOs.
4. The AICHR Youth Debate on Human Rights, Phnom Penh, Cambodia, 8-10 September 2018: This was the fifth youth debate on human rights organised by the AICHR aimed to raise awareness among ASEAN's youth on the ASEAN Human Rights Declaration and the work of the AICHR on the promotion and protection of human rights in the region, and to promote solidarity, empathy and camaraderie among the young people of ASEAN. Thirty undergraduate students from nine AMS participated as debaters. It witnessed the keenness of ASEAN organs, relevant ASEAN Sectoral Bodies, Entities Associated with ASEAN, United Nations' Agencies, prominent human rights experts as well as other pertinent stakeholders to take part in furnishing the knowledge of the bright debaters on the intersection of education with human rights; relevant international commitments and instruments on right to education, ways and means to overcome digital disruption, as well as various innovations in education.
5. 8<sup>th</sup> Task Force Meeting on the Mainstreaming of the Rights of Persons with Disabilities in the ASEAN Community, Bangkok, Thailand, 14-15 September 2018: The Task Force deliberated the final draft of the Enabling Masterplan which incorporated inputs from all ASEAN Sectoral Bodies on the second round of consultation, with possible inputs from ASEAN Senior Law Officials Meeting (ASLOM) and Senior Labour Officials Meeting (SLOM). The meeting also agreed on an indicative timeline for endorsement process of the Enabling Masterplan by relevant ASEAN Sectoral Ministerial Bodies and Councils, and subsequent submission to the ASEAN Leaders for adoption at the 33<sup>rd</sup> ASEAN Summit in November 2018

6. 2<sup>nd</sup> Coordination Meeting of the Thematic Study on the Right to Education: Promotion of Access to Tertiary Education in ASEAN, 1 October 2018, Luang Prabang, the Lao PDR: This was the last coordination meeting for this thematic study led by AICHR Lao PDR, for regional consultant, researchers and National Focal Points (NFPs) to review and discuss national reports submitted by the NFPs. The meeting discussed some challenges faced by AMS in terms of access to tertiary education, including: lack of sustainable investment in tertiary education, quality and relevancy of the tertiary education available vis-à-vis labour market needs, and disparities of access to tertiary education for students living in the rural areas resulted from a centralised education system. Inclusive education including for persons with disabilities and ethnic minority groups was discussed and highlighted as a focus of the research conducted by the NFPs.
7. AICHR CSO Symposium, Chiang Rai, Thailand, 13-15 October 2018: With the aim to foster understanding of current development context of human rights in ASEAN and to forge meaningful engagement between AICHR and CSOs with Consultative Relationship with the AICHR (accredited CSOs), the Symposium provided a platform for interactive discussion on different human rights issues in ASEAN such as the rights of women and children, the rights of persons with disabilities, trafficking in persons, as well as business and human rights. It also marked the second time the AICHR held a Roundtable Discussion with accredited CSOs, where the discussion focused on the way forward to enhance consultation, coordination and cooperation between AICHR and accredited CSOs in the promotion and protection of human rights in ASEAN.
8. ASEAN Dialogue on the UN Convention on the Rights of the Child and Its Related Instruments, Manila, Philippines, 25-26 October 2018: The dialogue, a follow-up to the AICHR-ACWC Training Workshop on the UN CRC in 2017 aimed to improve understanding on three UN CRC Optional Protocols (OPs) and General Comment (GC) No.20 on the implementation of the rights of the child during adolescence. It facilitated exchanges of information and sharing of experiences between representatives and senior officials working on women and children's rights, labour and social welfare and development, and members of UN Committee on the Rights of the Child (CRC Committee), the National Human Rights Institutions and NGOs.
9. 1<sup>st</sup> Coordination Meeting of the Thematic Study on the Right to Safe Drinking Water and Sanitation in ASEAN, Putrajaya, Malaysia, 18 November 2018: Building on results of the AICHR Regional Consultation on the Right to Safe Drinking Water and Sanitation in ASEAN (with emphasis on rural communities) held in 2017, the Thematic Study is a joint effort of AICHR and the ASEAN Working Group on Water Resources Management (AWGWRM) to strengthen the process of integration and development of the ASEAN community in

promoting and protecting human rights to secure safe drinking water and sanitation facilities in the region. This 1<sup>st</sup> coordination meeting brought together regional and national researchers to discuss the background, available data on water and sanitation in the region, methodology and timeline of the Thematic Study.

10. 2018 AICHR Regional Dialogue on the Mainstreaming of the Rights of Persons with Disabilities in the ASEAN Community (Accessibility through Universal Design), Bangkok, Thailand, 3-5 December 2018: This was the fourth in a series of dialogues organised by AICHR on mainstreaming the rights of persons with disabilities in the ASEAN Community. The dialogue focused on the concept of accessibility and universal design as means for persons with disabilities to enjoy human rights and fundamental freedoms fully and effectively. It brought together various ASEAN stakeholders including relevant ASEAN bodies, national human rights institutions, organisations of persons with disabilities, banking and finance representatives from leading institutions, and regional and international experts on disability rights. The event also hosted the launching and a roundtable discussion on the Enabling Masterplan.
11. AICHR Workshop on the Outcome of the Thematic Study on the Right to Peace, Vientiane, Lao PDR, 7 December 2018: The workshop provided a forum for representatives from AICHR and ASEAN sectoral bodies, national focal points of AMS, regional researchers and civil society organizations to exchange views and share experiences on the right to peace, and to provide their inputs to the draft outcome report of the thematic study produced by a team of regional consultants. It was highlighted that ASEAN's success in economic and social development depends on its ability to maintain peace and stability in the region.
12. AICHR-CACJ High Level ASEAN Human Rights Dialogue: The Rights of Accused Persons in Criminal Cases, 11 December 2018, Putrajaya, Malaysia: The dialogue was a follow up activity to the AICHR Judicial Colloquium on the Sharing of Good Practices Regarding International Human Rights Law held in 2017. Participated by Chief Justices, Senior Judges and members of the CACJ, representatives of AICHR and ASLOM, and regional human rights experts, the dialogue saw sharing of experiences and good practices on how judiciaries implemented the legal protection afforded to accused persons. It also discussed challenges facing each legal system and possible gaps between national legal standards and international human rights standards.
13. 1st Coordination Meeting of Thematic Study on Juvenile Justice, with particular emphasis on Interrogation Practices for Children in Conflict with the Law, Bangkok, Thailand, 16 December 2018: This was the first coordination meeting on the Thematic Study on Juvenile Justice, which aims to provide a comprehensive regional picture on the practice and conduct of interrogation by

officials toward children in conflict with the law, to identify good practices as well as issues of common concern, and to provide recommendations to enhance the protection of children in conflict with the law, including the application of and respect for the best interests of the child within the jurisdiction of AMS. The meeting was attended by national researchers appointed by AMS and selected regional researchers to discuss the outline for the thematic study.

14. AICHR Forum on Access to Justice, Bangkok, Thailand, 17-18 December 2018:  
The forum was a regional consultation on three interlinked thematic studies on justice and human rights in ASEAN, viz. legal aid, the right to life: protection of the rights of persons convicted of death penalty, and juvenile justice. The Forum was participated by representatives of AICHR, ASLOM, ACWC, UNDP, government officials, academia, national human rights institutions, CSOs from AMS, and the ASEAN Secretariat. The forum demonstrated the role of AICHR and its efforts to mainstream human rights in critical sectors within ASEAN, and as a convener on spearheading strategies for the implementation of the 2030 Agenda for Sustainable Development, particularly the SDG16 on peace, justice and strong institution.
  
15. Workshop on Transition between AICHR Representatives 2016-2018 and AICHR Representatives 2019-2021, Bangkok, Thailand, 19 March 2019: With the aim to facilitate smooth transition of the work of AICHR, the workshop saw interactive discussions between the incumbent and former AICHR Representatives on progress and challenges facing AICHR in discharging its mandates to promote and protect human rights in the region. The Representatives also discussed an overview of the institutional and operational framework of AICHR as well as the progress in the implementation of the AICHR Five Year Work Plan 2016-2020.
  
16. AICHR Interregional Dialogue: Sharing Good Practices on Business and Human Rights, Bangkok, Thailand, 10-11 June 2019: The two-day Dialogue put emphasis on two main objectives, i.e. to take stock of recent progress among ASEAN Member States in implementing the United Nations Guiding Principles on Business and Human Rights (UNGPs), particularly development of a national action plan on business and human rights as well as to discuss the interaction between the UNGPs and expansion of trade liberalisation through Free Trade Agreements. With around 180 participants attended from the region and beyond, the Dialogue saw notable progress that has been made worldwide including Southeast Asia to ensure the effective implementation of the UNGPs. [BHR]

## **b. AICHR Meetings**

AICHR convened four meetings between July 2018 and June 2019. At these meetings, AICHR discussed various matters including the implementation of its annual Priority Programmes/Activities, and reports of completed activities AICHR's engagement with the accredited CSOs and external partners, and facilitated the transition between AICHR Representatives of 2016-2018 and 2019-2021.

- Special Meeting 1/2018, 31 July – 3 August 2018, Singapore: The Meeting was updated on the progress of the implementation of the Priority Programmes/Activities of the AICHR 2018, which covers areas including right to health, children's rights, rights of persons with disabilities, and ICT and gender equality towards the sustainable development goals. The Meeting discussed the on-going effort by AICHR to mainstream human rights in all three pillars of ASEAN, notably on the mainstreaming of the rights of persons with disabilities and the implementation of the ASEAN Consensus on the Promotion and Protection of the Rights of Migrant Workers. At the request of AICHR, the ASEAN Secretariat briefed the Meeting on the ongoing work of the ASEAN Coordinating Centre for Humanitarian Assistance on Disaster Management (AHA Centre) with Myanmar to deliver humanitarian assistance and aid to all displaced persons.
- Special Meeting 2/2018, 27-29 November 2019, Singapore: It was the last meeting of the AICHR Representatives for the term 2016-2018, where the Meeting discussed preparations for the Workshop on Transition between AICHR Representatives 2016-2018 and AICHR Representatives 2019-2021 so as to ensure continuity of the work of AICHR. The Meeting was updated on the implementation of AICHR's activities and initiatives throughout 2018, most notably, the adoption of the ASEAN Enabling Masterplan 2025: Mainstreaming the Rights of Persons with Disabilities by the ASEAN Leaders at the 33<sup>rd</sup> ASEAN Summit in November 2018. AICHR also discussed the successful convening of its 5<sup>th</sup> annual Youth Debate on Human Rights in Cambodia and various activities covering a wide range of thematic areas.
- 28<sup>th</sup> Meeting of the AICHR, 20-21 March 2019, Bangkok, Thailand: This was the first meeting for the 4<sup>th</sup> group of AICHR Representatives which would serve for the period of 2019-2021, and the first meeting under Thailand's Chairmanship of AICHR. The Meeting discussed activities planned under AICHR's Priority Programmes/Activities 2019 which built on areas previously undertaken by AICHR, such as the rights of persons with disabilities, combatting trafficking in persons, business and human rights, human rights and the judiciaries, and the right to education. The

Meeting also discussed possible avenues to commemorate the 10<sup>th</sup> Year Anniversary of AICHR.

- 29<sup>th</sup> Meeting of the AICHR, 12-15 May 2019, ASEAN Secretariat, Jakarta: The Meeting discussed various issues regarding the work of AICHR including; (1) Concept Notes of the Priority Programmes/Activites of AICHR; (2) activities to commemorate the 10th Year Anniversary of AICHR; (3) preparation of AICHR's Five-Year Work Plan 2021-2025 and (4) ways and means to strengthen AICHR as an institution. The AICHR also held annual meetings with ASEAN organs, namely, the ASEAN Secretariat led by the ASEAN Secretary General and represented by the ASEAN Deputy Secretary-General for ASEAN Political-Security Community Department and the Committee of Permanent Representatives to ASEAN (CPR). AICHR also met with several Dialogue Partners, including Australia, the United States and the European Union to discuss mutual areas of interest for future cooperation. In addition, upon AICHR's request, the Meeting was briefed by the Disaster Management and Humanitarian Assistance Division of the ASEAN Secretariat on the conduct of the Preliminary Needs Assessment Mission to the Rakhine State in March 2019. The Meeting was also briefed by the United Nations High Commission on Refugees (UNHCR) on its work including those relating to refugees and human rights situation in ASEAN region.

### **c. Engagement with ASEAN Organs, Bodies and Entities**

During this period, AICHR had constructive engagements with the following ASEAN organs.

#### **1. The ASEAN Foreign Ministers' Meeting**

On 1 August 2018, the AICHR held its annual interface with the ASEAN Foreign Ministers' Meeting (AMM) during the 51<sup>st</sup> AMM and Related Meetings. The Interface saw candid exchanges between the Ministers and AICHR on human rights in the region. Recognising the important role of AICHR and its significant contribution to ASEAN Community-building, the AMM reaffirmed its support to AICHR's endeavours in the promotion and protection of human rights. AICHR also delivered its Statement and submitted its Annual Report 2018 to the AMM at the Interface.

## **2. Deputy-Secretary General for ASEAN Political-Security Community Department**

On 13 May 2019, AICHR held a meeting with Deputy-Secretary General for ASEAN Political-Security Community Department who represented Dato Lim Jock Hoi, Secretary-General of ASEAN. The Meeting discussed the implementation of AICHR's priority programmes and ways forward to further strengthen the work of AICHR as well as to mainstream human rights issues in all three pillars of ASEAN.

## **3. Committee of Permanent Representatives to ASEAN (CPR)**

On 15 May 2019, the Meeting between AICHR and CPR was co-chaired by Chair of AICHR and Chair of CPR. The Meeting discussed how CPR could assist with the AICHR's work and activities to streamline human rights to all three pillars of ASEAN, especially the implementation of Enabling Masterplan, and possible joint activities to celebrate the 10<sup>th</sup> anniversary of AICHR and CPR.

### **d. AICHR's Consultative Relationship with CSOs**

AICHR has taken steps to deepen its engagement with the 30 accredited CSOs, most notably with the convening of the AICHR-CSO Symposium - the second roundtable discussion with the accredited CSOs, in October 2018. Carried out in an environment of mutual respect, the Symposium focused on the way forward to enhance consultation, coordination and cooperation between AICHR and the accredited CSOs in the promotion and protection of human rights in ASEAN. Recommendations were enumerated and discussed in a frank and open manner, including to institutionalise the roundtable discussion.

In order to forge constructive engagement with its accredited CSOs as set forth in the Guidelines on the AICHR's Engagement with CSOs, AICHR collaborated with Child Rights Coalition Asia (CRC Asia) in convening the ASEAN Dialogue on the UN Convention on the Rights of the Child and its Related Instruments in October 2018. This marked AICHR's first collaboration with accredited CSOs in a substantive manner and towards a mutually satisfactory result.

### **e. External Relations**

- **The 3<sup>rd</sup> EU-ASEAN Policy Dialogue on Human Rights**

Regular ASEAN-EU Policy Dialogues on Human Rights have been convened since 2015. For this year, the Dialogue will be held in Brussels tentatively in the last quarter of 2019.

## 4. Observation and Future Directions

### a. Strengthening AICHR as an Institution

Since AICHR came into being in October 2009, various actions have been taken to strengthen its institutional capacity and improve its efficiency. The following actions are, among others, recent achievements to strengthen AICHR as an institution:

- AICHR as an intergovernmental body adheres to the practice of consultation in the implementation of its activities. This also applies to its communication with external parties of which AICHR has set the modality that internal discussion or dialogue among AICHR Representatives would take place before AICHR respond to respective parties. This is to follow the ASEAN's practice of consultation and the principle of consensus and to ensure the unity of AICHR.
- Since 2017, AICHR has achieved the standardisation of project proposal and project completion reports. Such standards allow for more comprehensive follow-up and monitoring of activities and ensure that AICHR implements its mandates, including action lines of the APSC Blueprints and the ASEAN Community Vision 2025;
- As to funding for AICHR activities, there are three main sources, namely, AICHR Funds, national funding and external funding. Following the AMM's decision in 2018, AICHR remains strongly committed to transparency, accountability and good governance in its work.

However, further efforts to streamline the work of AICHR, clarify and standardize its work procedures will continue to enhance AICHR's institutional capacity and effectiveness.

In addition, the ASEAN Secretariat also plays an important role in AICHR as an institution. Actions include monitoring the progress and implementation of AICHR's agenda, overseeing the management of AICHR's funds, and providing institutional support for AICHR. To comply with the AMM's decision, the ASEAN Secretariat is studying a modality that will allow more effective funding monitoring and management as well as facilitate the implementation of the work of AICHR.

Furthermore, mainstreaming human rights in all three pillars of ASEAN has been on top of AICHR's priorities. Efforts have been made in cross-sectoral and cross-pillar cooperation including joint activities, meetings, and inviting other sectoral bodies to participate in AICHR's activities. Moreover, the adoption of the ASEAN Enabling Masterplan 2025: Mainstreaming the Rights of Persons with Disabilities has undoubtedly helped to advance the work of AICHR. In this regard, AICHR will continue to work closely with other sectoral bodies under the APSC, AEC, and

ASCC to ensure that action points elaborated in the Enabling Masterplan are being implemented accordingly.

**b. Leveraging the AICHR’s Consultative Relations with CSOs**

To further leverage AICHR’s relations with CSOs, AICHR proposes to conduct a Round Table Discussion (RTD) between AICHR and the accredited CSOs in 2019 as a follow-up to the RTD in 2017 and AICHR-CSOs Symposium in 2018. Moreover, interaction with CSOs will be more frequent and constructive, in accordance with the Guidelines on AICHR’s Relations with CSOs, such as by enhancing involvement of accredited CSOs in AICHR’s activities and interfacing regularly with accredited CSOs to enhance the value of the consultative relationship to the ASEAN Community building process.

Additionally, since the new group of AICHR Representatives for the period 2019-2021 is now taking office, AICHR has agreed to open applications for CSOs interested in applying Consultative Relationship with AICHR.

**c. Public Outreach**

The AICHR website is the main platform to disseminate information on AICHR’s initiatives and activities, such as press releases of its activities and meetings as well as relevant documents and reports for public viewing. AICHR is of the view that the practice of sharing its Annual Report should be carried on to ensure that the public has a better understanding of the AICHR’s work. Besides the regional AICHR website, Indonesia, Malaysia, Myanmar, Thailand and Viet Nam also operate their own national AICHR websites to better reach their domestic audience.

With the rise of technology and social media nowadays, especially among the youth, AICHR will continue its presence in social media such as Facebook and Instagram (through the official account of the ASEAN Secretariat and AICHR’s national official accounts) as well as explore new potential platforms for more interaction with the public. This is to ensure that ASEAN’s citizens are well informed of work of the AICHR and educated on issues of human rights in the ASEAN region.

Moreover, AICHR will conclude the translation of “AICHR: What You Need to Know” into national languages of AMS by this year and disseminate both the online and printed versions, to raise people’s awareness of AICHR in each AMS.

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1. **Consultation Session between the AICHR, ASEAN Committee on Women (ACW) and ASEAN Senior Officials Meeting on Social Welfare and Development (SOMSWD), 30 March 2010, ASEAN Secretariat.** The Consultation Session affirmed the recognition of the AICHR as the overarching human rights institution in ASEAN and of the necessity for all ASEAN Sectoral Bodies dealing with human rights to align with the AICHR.
2. **Dialogue of the AICHR and ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) during the 7<sup>th</sup> Meeting of the AICHR, 30 November 2011, Bali, Indonesia.** The two parties had extensive exchange on (i) ACWC's draft proposal on the alignment between the ACWC and the AICHR, and (ii) the Representative of Indonesia to the AICHR's and ACWC's non-paper on Effective Alignment among Human Rights Institutions and Mechanisms.
3. **AICHR's Meeting with Representatives of ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection, and the Promotion of the Rights of Migrant Workers (ACMW) during the 10<sup>th</sup> Meeting of the AICHR, 23 September 2012, Siem Riep, Cambodia.** The Meeting discussed the ASEAN-EU Multiannual Indicative Programme (MIP) (which has now been replaced with the ASEAN-EU READI Human Rights Facility) Joint Programme Design Team (JPDT) on Human Rights and the draft Identification Fiche (ID Fiche). The intention of the Meeting was to identify a common understanding and approach among the participating bodies/organs before further engaging with the European Union (EU).
4. **Regional Consultation of the AICHR on the AHRD with ASEAN Sectoral Bodies, 10 May 2012, Thailand & 25 August 2012, Brunei Darussalam.** The first consultation meeting was attended by ASEAN Defense Senior Officials Meeting (ADSOM), Senior Officials Meeting on Transnational Crime (SOMTC), Senior Officials Meeting of the ASEAN Ministers on Agriculture and Forestry (SOM-AMAF), ACW, ACWC, ASEAN Senior Officials on the Environment (ASOEN), Senior Labour Officials Meeting (SLOM) – Malaysia, Senior Officials Meeting on Education (SOMED), Senior Officials Meeting on Rural Development and Poverty Eradication (SOMRDPE) and Senior Officials Meeting on Social Welfare and Development (SOMSWD). The second consultation meeting was attended by ADSOM, ACW, ACWC, SLOM and SOMHD. Throughout the two consultation meetings, the representatives of the Sectoral Bodies provided inputs to the draft AHRD.

5. **AICHR's Meeting with the ASEAN Sectoral Bodies, 8 May 2013, ASEAN Secretariat.** The Meeting was attended by the representatives from ACW and ACWC. The purpose of the meeting was to discuss possible collaboration between the AICHR and the two Sectoral Bodies to implement the AHRD, especially on issues pertaining to the elimination of violence against women and right to education.
6. **AICHR-ACWC Consultation Meeting, 25 April 2014, ASEAN Secretariat.** The Meeting identified four areas of possible joint collaborative projects, namely, human rights aspect of trafficking in persons, especially women and children, persons with disabilities, education with focus on human rights training and human rights education, right to peace – gender, peace and security including women and children in conflict and disaster areas.
7. **AICHR-SOMSVD Meeting, 24 April 2014, ASEAN Secretariat.** The Meeting exchanged views on the AHRD, Declaration on the ASEAN Declaration on Strengthening Social Protection, SOMSVD's mandates under the ASEAN Socio Cultural Community (ASCC) Blueprint and Bali Declaration on the Enhancement of the Role and Participation of the Persons with Disabilities on ASEAN Community. Several potential sectors of cooperation identified during the Meeting were rights for the elderly, sustainable development and social protection.
8. **Meeting of the AICHR with SOMSVD, 2 July 2016, Chiang Mai, Thailand.** During the Meeting, both parties agreed (i) to convene annual meetings to update on planned and implemented activities to ensure synergy and complementarity, and avoid duplication, (ii) for the AICHR to provide inputs to the Draft Strategic Framework on Social Welfare and Development 2016-2020, and (iii) for the AICHR to engage SOMSVD in the development of the Regional Plan of Action on the mainstreaming of the rights of persons with disabilities.
9. **Meeting of the AICHR and ACWC, Chiang Mai, Thailand, 2 July 2016:** The Meeting discussed six areas for collaboration: (i) trafficking in persons, especially women and children, (ii) persons with disabilities, (iii) human rights training/education, (iv) right to peace in respect to gender, peace and security, including women and children in conflict situations and disaster areas, (v) juvenile justice, and (vi) the social impact of climate change on women and children.
10. **Meeting of the AICHR and SOMSVD, Boracay, the Philippines, 13 February 2017:** The Meeting emphasised the importance of enhancing synergy between the AICHR and SOMSVD. The AICHR extended an invitation to the SOMSVD to the AICHR's 3rd Regional Dialogue on the Mainstreaming of the Rights of Persons with Disabilities in the ASEAN Community, which would be held in June 2017 in Phuket, Thailand.

11. **Meeting of the AICHR with the ASEAN Senior Officials Meeting Responsible for Information (SOMRI), ASEAN Secretariat, 17 May 2017:** The meeting agreed on the importance of collaboration and information sharing to promote cross-pillar synergy and to contribute to the implementation of their respective work plans.
12. **Meeting of the AICHR with the ASEAN Senior Law Officials Meeting (ASLOM), Phuket, Thailand, 18 June 2018:** The Meeting provided an opportunity for both to share information on their respective work and agreed on the importance of active cooperation and sharing of information.
13. **AICHR Interface with ASEAN Commission on the Promotion and Protection of Rights of Women and Children (ACWC) in the 16<sup>th</sup> ACWC Meeting, 27 March 2018:** The Interface provided a platform to deepen collaboration and partnership between AICHR and ACWC.

## ANNEX 2: List of Civil Society Organisations/Institutions with Consultative Relationship with AICHR

1. Asylum Access Malaysia (AAM)
2. ASEAN Service Employees' Trade Union Council (ASETUC)
3. Asia Indigenous Peoples Pact (AIPP)
4. Center for Reintegration of Ex-prisoners into Society
5. Child Rights Coalition Asia
6. Development Action for Women Network, Inc. (DAWN)
7. FORUM ASIA
8. Global Alliance Against Traffic in Women (GAATW)
9. Human Rights and Development Foundation
10. Human Rights Resource Centre (HRRC)
11. Institute for Workers and Trade Unions (IWTU)
12. Institute for Strategic and Development Studies, Inc.
13. Islamic Renaissance Front (IRF)
14. International Women's Rights Action Watch Asia Pacific
15. Malaysian Confederation of the Disabled (MCD)
16. MARUAH (Working Group for an ASEAN Human Rights Mechanism, Singapore)
17. Movement for the Intellectually Disabled of Singapore (MINDS)
18. Persatuan Kesedaran Komuniti Selangor (EMPOWER)
19. Persatuan Korban NAPZA Indonesia (PKNI)
20. Persatuan Penyandang Disabilitas Indonesia (Indonesia Disabled Association)
21. Persatuan Promosi Hak Asasi Manusia (Society for the Promotion of Human Rights or PROHAM)
22. Philippine Migrants Watch, Inc. (PMRW)
23. Pusat KOMAS
24. Raoul Wallenberg Institute of Human Rights and Humanitarian Law
25. Save the Children Philippines
26. The Singapore Council of Women's Organisation
27. Suara Inisiatif Sdn Bhd (SUARAM)
28. Thailand Association of the Blind (TAB)
29. The Vietnam Peace and Development Foundation
30. Women's Aid Organisation (WAO)

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