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# The ASEAN Intergovernmental Commission on Human Rights (AICHR) Annual Report 2022

AUGUST 2021 – JULY 2022

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## 1. Executive Summary

This Annual Report covers the period between August 2021 and July 2022.

The year 2022 sees the world as well as the ASEAN region reeling and recovering amidst the global pandemic of COVID-19 and the new emergence of tensions which led to on-going armed conflict in some regions. In this context, AICHR has adapted and continued to fulfill its mandates in promoting and protecting human rights in ASEAN by promptly adapting to the new normal with renewed commitment. 2022 also marked the second year of the implementation of the Five-Year Work Plan (FYWP) of the AICHR 2021-2025 which was approved and adopted in 2020.

Throughout these twelve months, AICHR has convened 2 regular meetings and 1 special meeting, an annual interface with the ASEAN Foreign Ministers, and annual interface with the Committee of Permanent Representatives to ASEAN (CPR) and various meetings with dialogue partners and relevant stakeholders. A number of activities in line with its Priority Programmes have also been organised during this period. The Workshop on Transition between AICHR Representatives 2019-2021 and AICHR Representatives 2022-2024 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.

AICHR's programmes and activities in 2021-2022 covered a wide range of thematic areas. Among those to highlight are rights of the child, right to health, rights of person with disabilities, freedom of religion and belief, right to safe drinking water and sanitation, business and human rights, freedom of opinion and expression, right to nationality, right to development, trafficking in person, environment and climate change, prevention and countering the rise of radicalisation and violent extremism, rights of migrant workers, human rights dialogue, as well as the commemoration of the 10<sup>th</sup> anniversary of the ASEAN Human Rights Declaration (AHRD) and the Phnom Penh Statement on the Adoption of the AHRD.

In taking part with the recovery phase against COVID-19 pandemic, AICHR has initiated activities and programmes under the Implementation Plan of the ASEAN Comprehensive Recovery Framework (ACRF) and maintained the dialogue on AICHR's contribution towards the realisation of the Strategic and Holistic Initiative to Link ASEAN Responses to Emergencies and Disasters (ASEAN SHIELD). In the same vein, AICHR has continued its constructive engagement with the ASEAN Foreign Ministers' Meeting (AMM), the Committee of Permanent Representatives to ASEAN (CPR), and the Secretary-General of ASEAN. In alignment with the Guidelines on the AICHR's Engagement with civil society organisations (CSOs), AICHR has continued its efforts to deepen constructive engagement with accredited CSOs. AICHR has also continued to strengthen transparency, accountability, good

governance, and cooperation in its work with the AICHR's External Partners and regional human rights entities.

AICHR has set up the framework for human rights cooperation in ASEAN; has fully discharged its mandates and functions; has contributed instrumentally to the promotion and protection of human rights; and has enhanced cooperation with regional, international and relevant stakeholders. These efforts are reflected through the implementation of various initiatives and programmes/activities under the AICHR's Five-Year Work Plans, the annual AICHR's Priority Programmes/Activities and the classifications of rights encapsulated in the AHRD.

AICHR Monitoring and Evaluation (M&E) framework of the FYWP 2021-2025 was developed and adopted ad-referendum by AICHR on 2 March 2022 in order to meet the reporting requirements on the implementation of the AICHR Five-Year Work Plan as well as to facilitate a robust process that allows for a timely generation and use of data and information to inform AICHR's annual work-planning, implementation review, and contribution to the ASEAN Political-Security Community (APSC) Blueprint 2025 priorities and broadly the ASEAN Community Vision "ASEAN2025: Forging Ahead Together".

## **2. Work of the AICHR**

### **2.1. AICHR Meetings**

During the reporting period, AICHR has held 3 meetings via videoconference:

#### **2.1.1. Special Meeting 2/2021**

AICHR convened its Special Meeting 2/2021 on 23-24 November 2021 via videoconference. The Meeting was chaired by H.E. Hajah Nor Hashimah Haji Mohammed Taib, Representative of Brunei Darussalam to AICHR, and was attended by Representatives/Alternate Representatives of AICHR, and the ASEAN Secretariat.

AICHR discussed progress of the implementation of the AICHR Priority Programmes/Activities of 2021, especially the ASEAN Human Rights Dialogue and some thematic areas, such as rights of the child, rights of persons with disabilities, human rights and migration, human rights and the environment, and trafficking in persons. AICHR also discussed the development of the Monitoring and Evaluation (M&E) framework of the AICHR Five-Year Work Plan 2021-2025, and preparation for the transition between the AICHR Representatives of 2019-2021 and the incoming AICHR Representatives of 2022-2024.

AICHR was updated on recent developments and initiatives on human rights by the AICHR Representatives of Indonesia and the Philippines in their respective countries. At this meeting, AICHR took note of the information submitted by the civil society organisations (CSOs) having consultative relationship with AICHR, as well as of the handling of letters of correspondence to AICHR by the ASEAN Secretariat. AICHR also held its meetings with Australia and the Southeast Asia National Human Rights Institutions Forum (SEANF) respectively.

The Meeting concluded with a handover ceremony from Brunei Darussalam as the Chair of AICHR to Cambodia.

### **2.1.2. 34<sup>th</sup> Meeting of AICHR**

AICHR convened its 34<sup>th</sup> Meeting on 30-31 March 2022 via videoconference. The Meeting was chaired by H.E. Keo Remy, Representative of Cambodia to AICHR, and was attended by the Representatives/Alternate Representatives of AICHR, and the ASEAN Secretariat.

AICHR was updated on recent developments and initiatives on human rights in some ASEAN Member States by the AICHR Representatives of Indonesia, Malaysia, Myanmar, and the Philippines respectively.

AICHR discussed on the preparation for AICHR's programmes and activities in 2022, which include thematic areas of rights of the child, rights of persons with disabilities, freedom of religion and belief, trafficking in persons, business and human rights, freedom of opinion and expression, prevention of torture, environmental rights, right to health, right to nationality, right to development, as well as the commemoration of 10<sup>th</sup> Anniversary of the ASEAN Human Rights Declaration (AHRD) and the Phnom Penh Statement on the Adoption of the AHRD, and the ASEAN Human Rights Dialogue 2022.

AICHR also welcomed the Representatives of Cambodia, Malaysia and Thailand as new members of the Screening Panel for Consultative Relationship with AICHR.

### **2.1.3. 35<sup>th</sup> Meeting of AICHR**

AICHR convened its 35<sup>th</sup> Meeting of AICHR on 21-22 June 2022 via videoconference. The Meeting was chaired by H.E. Keo Remy, Representative of Cambodia to AICHR, and was attended by the

Representatives/Alternate Representatives of AICHR, and the ASEAN Secretariat.

AICHR was updated on recent developments and initiatives on human rights in some ASEAN Member States by the Representatives of Indonesia and the Philippines respectively.

AICHR deliberated its Annual Report of 2022, the Statement to the 55<sup>th</sup> ASEAN Foreign Ministers' Meeting (AMM) and the AICHR Priority Programmes/Activities of 2023 in preparation for the annual interface meeting between the ASEAN Foreign Ministers and AICHR Representatives to be held in August 2022. Progress on the preparation and implementation of AICHR's programmes and activities in the areas of environmental rights, business and human rights, right to health, trafficking in persons, the rights of the child and the ASEAN Human Rights Dialogue 2022, as well as the Strategies to Implement the AICHR Five-Year Work Plan 2021-2025 and the recommendations from the Regional Dialogue: Self-Assessment of AICHR Progress After 10 Years were discussed.

## **2.2. AICHR Activities**

From the period of August 2021 to July 2022, AICHR has held thirteen activities from the approved Priority Programmes and Activities of AICHR which include:

### **2.2.1. AICHR Capacity Building on Trafficking in Persons and Human Rights: Community Policing Approach to Victim Identification and Prevention of Trafficking in Persons, 23-25 August 2021, videoconference**

This activity was attended by over 150 participants from relevant ministries, national agencies and task forces focused on combating trafficking in persons, national agencies of witness and victim's protection, national human rights institutions, ASEAN Sectoral Bodies (ASBs) and CSOs from all ASEAN Member States (AMS). It was the first AICHR's activity that invited participation of Timor-Leste for capacity building in line with the Guidelines for Timor-Leste's Participation in ASEAN Activities for Capacity Building Purposes.

It provided an avenue for participants to exchange views, experiences and good practices on victim identification, human rights and gender

perspectives to trafficking in persons, trafficking in persons case handling, community policing approaches, police-public partnership, national and regional referral mechanisms for trafficked persons and their challenges due to COVID-19. The activity highlighted the importance of integrating human rights and gender perspectives in combating trafficking in persons; and establishing cooperation between the police and community to enhance the perception of public security and early detection of crimes, particularly in relation to the trafficking in persons.

The activity attributed to the implementation of the Bohol Work Plan on Trafficking in Person 2017-2020 and the AICHR Five-Year Work Plan 2021-2025.

### **2.2.2. 2<sup>nd</sup> Session of the Regional Dialogue: Self-Assessment of AICHR Progress After 10 Years, 14 September 2021, videoconference**

Dialogue aims at supporting the AICHR on self-assessment and discussing on recommendations to strengthen functions of the AICHR in realising principles under provisions of the AHRD and the Phnom Penh Statement on the Adoption of the AHRD, as well as the goals and commitments shared with ASBs and other ASEAN stakeholders towards enhancing a people-oriented, people-centered community.

The activity is a follow-up to the first Session of the Dialogue which took place on 23 July 2021. The Dialogue provided a platform for exchange of views on structural and operational challenges during the first decade of AICHR, issues of regional concerns in relation to human rights, and the implementation of the Terms of Reference (TOR) of AICHR. Experts on regional human rights arrangements from the Inter-America, European and African regions were also invited to share experiences and practical lessons on the institutional building of the respective regional human rights mechanisms and the implementation of its mandates.

Taking everything into account, the Regional Dialogue is an essential and robust platform for the AICHR to exchange views and gather inputs and recommendations from prominent speakers and relevant stakeholders in order to strengthen the AICHR's functions of promoting and protecting human rights and fundamental freedoms in the ASEAN region.

Consolidated recommendations from the Dialogue were submitted to AICHR for consideration on possible review of AICHR's mandate and functions, and strategies to implement AICHR's programmes and activities to promote and protect human rights in ASEAN. These recommendations are also aimed to support the work of a Panel of Experts to be established by the ASEAN Senior Officials' Meeting (SOM) as tasked by the 52<sup>nd</sup> ASEAN Foreign Ministers' Meeting (AMM) for a review of the TOR of AICHR.

**2.2.3. ASEAN Human Rights Dialogue 2021, 21 September 2021, videoconference**

The Dialogue served as a platform to exchange information and best practices on the implementation of human rights commitments in accordance with ASEAN Human Rights Declaration (AHRD) and obligations under regional and international human rights instruments. It discussed several areas of human rights, including freedom of religion and belief, freedom of opinion and expression, freedom of association, rights of migrant workers, rights of women, rights of children, rights of persons with disabilities, rights of older persons, trafficking in persons, SDGs, business and human rights, measures to protect human rights during the COVID-19 pandemic, right to health, right to education, right to peace, right to life, and prevention against racial discrimination, among others.

Representatives of the AMS discussed the progress of their respective countries on ratification of international human rights conventions, cooperation with the United Nations (UN) and strategies in implementing the Universal Periodic Review (UPR) recommendations, as well as other initiatives to the promotion and protection of human rights.

**2.2.4. AICHR Regional Consultation on Migration and Human Rights - Validating AICHR Study on Migration and Human Rights: "Migration Management for the Most Vulnerable Groups within ASEAN", 1 November 2021, videoconference**

The Consultation gathered inputs and comments for the AICHR Study on Migration and Human Rights report from migration experts and representatives from universities, think tanks, and CSOs in ASEAN. The study addressed issues on labour migration management in ASEAN by examining state practices in promoting and protecting the



human rights of migrant workers, and cooperation mechanism and the role of various stakeholders. It also identified best practices and recommendations to protection of the rights of migrant workers and improvement of labour migration management in ASEAN.

The study report could complement existing ASEAN initiatives on the rights of migrant workers, such as: ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers; ASEAN Declaration on the Rights of Children in the Context of Migration; and ASEAN Guidelines on Effective Return and Reintegration of Migrant Workers, among others.

**2.2.5. AICHR Workshop on Human Rights, SDGs, and ASEAN Recovery from COVID-19, 8-9 November 2021, videoconference**

The workshop discussed the mainstreaming of human rights in the implementation of SDGs in the context of the COVID-19 response and recovery. Data gaps on the Sustainable Development Goals (SDGs) and human rights continued an issue to be addressed. Thus, the need to involve CSOs and other stakeholders in contributing to the improvement of data collection and analysis was underlined.

Participants of the workshop suggested that in light of the pandemic and other emergencies, mitigation and recovery plans need to be reviewed and improved on issues of vulnerable populations. Partnerships are essential in advancing the implementation of SDGs. Furthermore, ASEAN needs to ensure the definition of vulnerable is inclusive.

**2.2.6. AICHR Training on Human Rights, Gender-Sensitive, and Child-Friendly Approaches on TIP Cases Handling for the Frontline Officers of Relevant Agencies, 15-17 November 2021, videoconference**

The Training was part of the implementation of the Bohol Work Plan on Trafficking in Person 2017-2020 and the AICHR Five-Year Work Plan 2021-2025. It was designed based on the premise that well-trained frontline officers are an indispensable part of the anti-trafficking responses and have a pivotal role in countering trafficking in person, and promoting human rights and gender perspectives.

The training comprised of modules related to contemporary forms and challenges in countering trafficking in persons, including how to cope

with COVID-19 and ASEAN mechanisms in addressing trafficking in persons. Other components of the training focused on assistance and protection for trafficked persons, practical skills for interviewing victims and investigating and prosecuting traffickers, and assistance to trafficked persons in the court proceeding and providing care for the cares.

**2.2.7. AICHR Consultation Workshop on Achieving a Disability Inclusive Post COVID-19 World, 3 December 2021, videoconference**

The activity focused on the inclusivity of persons with disabilities (PWDs) in the regional efforts to achieve the SDGs through the implementation of the ASEAN Enabling Masterplan 2025: Mainstreaming the Rights of Persons with Disabilities (EMP), and the integration of disability rights in the ASEAN Comprehensive Recovery Framework (ACRF). It was also a venue for consultation among representatives of ASBs, Organisations of Persons with Disabilities, government agencies, National Human Rights Institutions (NHRIs), representatives of the UN Treaty Bodies, and relevant stakeholders on the strategies to build equal, inclusive, and resilient communities in the post-pandemic era.

Inequalities in terms of accessing health services and vaccines and the intersection between disability and other vulnerabilities on specific topics such as health, education, and work were identified as issues to be addressed. Stakeholder engagement to ensuring a meaningful participation of the PWDs community is considered key for ASEAN to realise an inclusive and sustainable recovery.

In addition, the development of a results-based monitoring and evaluation (M&E) framework of the EMP and discussions on indicators for the implementation of the ACRF were noted as important milestones toward achieving the goal of a disability inclusive recovery in ASEAN.

**2.2.8. Dialogue on the United Nations Convention on the Rights of the Child General Comments, 7-8 December 2021, videoconference**

The Dialogue was held to continue discussions of the General Comments of the UN Convention on the Rights of the Child (CRC). It discussed the importance of properly interpreting the Convention and

coordinating between different stakeholders to avoid duplication of the reporting process. It further noted that existing inequalities have been exacerbated by the COVID-19 pandemic and highlighted the landmark shift in perceiving children as rights holders and not just merely subjects, and that the business sector is an important agent and duty bearer in upholding children's rights.

The Dialogue tackled the correlation between public budgeting and the realisation of children's rights. It also discussed issues of human capital index, malnutrition, the quality of education as matters to be addressed in capital development, and public budgeting vis-a-vis children's rights advocacies and programs. Best practices in upholding public budgeting principles were also shared at the Dialogue.

**2.2.9. Workshop on Transition between AICHR Representatives 2019-2021 and AICHR Representatives 2022-2024, 29 March 2022, videoconference**

The Workshop provided a forum for AICHR Representatives to exchange views, share experiences, good practices as well as challenges in promoting and protecting human rights in ASEAN. It is aimed to facilitate the sustainability of AICHR's work, share information and discuss challenges related to the promotion and protection of human rights in ASEAN.

The Workshop also discussed institutional and operational matters of AICHR, such as engagement with stakeholders, cooperation with external partners, thematic study and research, capacity building, human rights strategies in the region, self-assessment on the implementation of the AICHR's Terms of Reference, among others.

**2.2.10. AICHR Consultation on the Right to an Effective Remedy in ASEAN (Article 5 of ASEAN Human Rights Declaration), 18 May 2022, hybrid**

The consultation aimed to develop a greater understanding of the concept of the right to an effective remedy, exchange views, practices, and experiences. It also explored possible common approaches, principles, and practices in implementing such right in the ASEAN region. Over 120 participants representing ASEAN sectoral bodies, relevant ministries of the ASEAN Member States, national human rights institutions, UN bodies, academes, and civil society

organisations attended the Consultation which is part of the implementation of the AICHR Five-Year Work Plan 2021-2025.

In conclusion, participants underscored the need to build capacity of policymakers and practitioners in ASEAN Member States to implement the right to an effective remedy. In addition, they pointed out the importance of developing legislation and policies to overcome legal and procedural barriers to make judicial remedies accessible to victims of corporate abuse. At the same time, participants noted the need to establish gender-sensitive grievance mechanisms particularly to address violence against women, among other recommendations.

**2.2.11. The ASEAN Forum on Human Rights and SDG 11: Making Cities and Human Settlements Inclusive, Safe, Resilient and Sustainable in the Post-pandemic Time, 31 May 2022, hybrid**

This forum is the implementation of the AICHR Five-Year Work Plan 2021-2025 and the ASEAN Comprehensive Recovery Framework. More than 80 participants representing the ASEAN sectoral bodies, relevant ministries of the ASEAN Member States, national human rights institutions, UN bodies, academes, youth, and civil society organisations participated in the forum.

They discussed SDG 11 as a framework for long-term COVID-19 recovery strategies, the role of local governments in building post-pandemic world, urban governance and innovations and the role of stakeholders to shape the human rights-friendly 'Cities of Tomorrow' in ASEAN. Participants emphasised the need to improve public participation and inclusion; establishing a crisis early warning system; building the capacity of local authorities on human rights-based approached to SDG 11; working in collaboration with the existing initiatives at the national levels such as the right to the city project, human rights city, woman and child-friendly city as well as with ASEAN Smart Cities Network at the regional level; strengthening digital platform and data governance, and conducting more learning platforms for local governments in ASEAN.

**2.2.12. Inception Workshop for Preparation of a Work Plan to Develop a Regional Declaration on Environmental Rights in ASEAN, 16 June 2022, videoconference**

The Inception Workshop was the first in a series of consultative and cross-sectoral meetings among AICHR, relevant ASEAN Sectoral Bodies, UN agencies and other regional stakeholders to take stock on ASEAN cooperation on the promotion and protection of the right to a safe, clean and sustainable environment as prescribed in Article 28 of the ASEAN Human Rights Declaration (AHRD) and discuss a roadmap towards the development of a regional declaration on environmental rights in ASEAN.

The workshop participants deliberated on the recent developments on environmental rights instruments, including the Escazú Agreement and the UN Human Rights Council resolution 48/13 adopted on 8 October 2021, which underscored the importance of capacity-building and awareness-raising activities, strategic-engagement and inclusive participation of all stakeholders highlighted as part of the process for the development and consultation of a regional declaration on environmental rights in ASEAN. The next consultation meetings are planned for September and November 2022 consecutively.

**2.2.13. AICHR Regional Dialogue: Sharing Good Practices on Business and Human Rights and Recovery from COVID-19 in ASEAN, 20-21 July 2022, videoconference.**

Based on the previous work of AICHR on business and human rights to raise awareness on the implementation of the UN Guiding Principles on Business and Human Rights (UNGPs), the AICHR Regional Dialogue on business and human rights in 2022 focused on promoting good practices in the context of the COVID-19 recovery towards building smarter, better, and more equitable sustainable development in the region.

The Regional Dialogue provided an opportunity for stocktaking of the recent progress and initiatives undertaken by AMS and for discussions on the role of AICHR as a Regional Human Rights Mechanism (RHRMs) in implementing the UNGPs, including the development of a national action plan on business and human rights (NAP), discussions on global progress and trend towards mandatory business and environmental due diligence, access to remedy in ASEAN and beyond, in the context of the COVID-19 pandemic response and recovery.

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

On 8 August 2021, AICHR held its annual Interface with the ASEAN Foreign Ministers' Meeting (AMM). At the Interface, the AICHR presented the AICHR Annual Report 2021, which included key milestones and developments on the work of AICHR during the reporting period. The Interface expressed its concerns on the situation in Myanmar, and called upon Myanmar to stop the violence immediately and start to pave the way to negotiating in good faith, in finding a durable and peaceful solution, striving towards reconciliation and returned stability. AICHR reiterated their readiness to support AMM on any given tasks and on the implementation of the Five-Point Consensus of the ASEAN Leaders' Meeting.

Further, the Interface also explored AICHR activities in contributing to the COVID-19 pandemic response and its alignment to the Five-Year Work Plan (FYWP) of AICHR 2021-2025, ACRF Implementation Plan, as well as the Strategic and Holistic Initiative to Link ASEAN Responses to Emergencies and Disasters (ASEAN SHIELD). The AMM commended AICHR's efforts to proceed with implementing its programmes and activities amidst the pandemic, and recommended for AICHR to continue the good practice of publishing the AICHR Annual Report on its website to inform more people and the general public about AICHR's work. Further, AICHR was encouraged to continue its work on mainstreaming human rights across sectors and pillars, while also to strengthen its internal government through the adoption of new guidelines, among others.

During the 35<sup>th</sup> Meeting of AICHR, AICHR held its annual interface with the CPR which discussed ways to strengthen the cooperation of the two bodies, including possible joint activities to be conducted by AICHR and CPR.

### **2.4. Engagement with CSOs and Other Stakeholders**

During the Special Meeting 2/2021 of AICHR on 23-26 November 2021, an annual update was provided regarding information submitted by the CSOs accredited with consultative relationship with AICHR, which included updated information on the CSOs' contact, representative, governing board and membership, as well as information on their activities and annual report. In general, AICHR continued to explore new initiatives and modalities in stakeholder engagement with CSOs as well as other stakeholders, for instance, to regularise meetings between AICHR with relevant regional bodies and entities on human rights.

AICHR had a meeting with SEANF during the Special Meeting 2/2021 of AICHR on 23-26 November 2021 and the 35<sup>th</sup> Meeting of AICHR on 21-22 June 2022. At the Special Meeting 2/2021 of AICHR, AICHR held its first formal meeting with the SEANF, where SEANF explored the possibilities to convene joint programmes with AICHR, e.g., in the areas of public health and human rights, business and human rights, rights of vulnerable groups, and environment and human rights. Since not all AMS have established their national human rights institutions (NHRI), the Meeting discussed ways to strengthen AICHR cooperation with national institutions on human rights, including not only the NHRIs but also those responsible for human rights in the respective countries. Further discussions between AICHR and SEANF were conducted during the 35<sup>th</sup> Meeting of AICHR, which explored further cooperation on thematic issues and joint activities of mutual interests.

## **2.5. External Relations**

AICHR had a meeting with Australia during the Special Meeting 2/2021 of AICHR on 23-26 November 2021. Australia expressed their interest on collaboration in the areas of rights of persons with disability, business and human rights, public health emergencies and human rights, technology (ICT) and human rights, trafficking in persons, countering violent extremism, and rights of the child, among others, in addition to previous themes of cooperation between AICHR and Australia, such as WPS, trafficking in persons, business and human rights, and persons with disabilities.

On the cooperation with the European Union (EU), the 4<sup>th</sup> ASEAN-EU Policy Dialogue on Human Rights is scheduled to take place in the fourth quarter of 2022. AICHR has taken the lead in developing the concept note for the 4<sup>th</sup> Dialogue in coordination with the relevant ASBs, including The ASEAN Commission on the Promotion and the Protection of the Rights of Women and Children (ACWC), ASEAN Committee on Women (ACW) and ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW).

## **3. Ten Years of the ASEAN Human Rights Declaration**

With the entry into force of the ASEAN Charter on 15 December 2008, as stipulated in Article 14 of the ASEAN Charter, about one year later, on 23 October 2009 at the 15<sup>th</sup> ASEAN Summit in Cha-Am Hua Hin, Thailand, the ASEAN Intergovernmental Commission on Human Rights (AICHR), as the overarching institution responsible for the promotion and protection of human rights in ASEAN of over 660 million

people, was inaugurated in the Cha-Am Hua Hin Declaration on the Intergovernmental Commission on Human Rights by the ASEAN Leaders.

Pursuant to AICHR's TOR, AICHR has mandates 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. As a result, ASEAN Human Right Declaration (AHRD) and the Phnom Penh Statement on the Adoption of the AHRD were adopted in Phnom Penh on 18 November 2012. These two documents have not only created a comprehensive framework for human rights cooperation in ASEAN, but also provided an added value to the international norms and standards of human rights and fundamental freedoms. It is clear that both the AHRD and the Phnom Penh Statement on the Adoption of the AHRD have embodied the commitments of the Governments of the Member States of ASEAN in safeguarding human rights and fundamental freedoms of the people of ASEAN.

Over more than 10 years of the adoption the two aforementioned documents, the AICHR has implemented numerous programmes/activities pertaining to, among others, the rights of women, children, persons with disabilities, and vulnerable groups which are an inalienable, integral and indivisible part of human rights and fundamental freedoms.

The year 2022 marks a unique year for the AICHR to commemorate its 10<sup>th</sup> Anniversary of the AHRD and the Phnom Penh Statement on the Adoption of the AHRD. Therefore, Cambodia—as the Chair of the AICHR—will organise the 10<sup>th</sup> Anniversary of the AHRD and the Phnom Penh Statement on the Adoption of the AHRD in Siem Reap on 18 November 2022.

#### **4. Implementation Assessment, Monitoring and Evaluation (M&E)**

##### **4.1. Self-assessment of AICHR Progress**

Since its inception in October 2009, the AICHR has noticeably accomplished and clearly set a historical trajectory in promoting and protecting human rights and fundamental freedoms in the ASEAN region. There has been a lot of efforts made through the implementation of various initiatives and programmes/activities under the AICHR's Five-Year Work Plans, the annual AICHR's Priority Programmes/Activities and the classifications of rights encapsulated in the AHRD.

In compliance with the ASEAN Community Vision 2025, there have been efforts on mainstreaming human rights issues through the three community



pillars of ASEAN. However, there is a need to further strengthen a cross-pillar and cross-sectoral collaboration.

Pertaining to the review of the TOR, AICHR noted that the 52<sup>nd</sup> ASEAN Foreign Ministers Meeting (AMM) has tasked the Senior Officials Meeting (SOM) to establish a Panel of Experts to discuss the suggestion to review the Terms of Reference of the AICHR.

#### **4.2. Implementation of the M&E Framework of the Five-Year Work Plan 2021-2025 of the AICHR**

The Monitoring and Evaluation (M&E) Framework of the AICHR Five-Year Work Plan (FYWP) 2021-2025 was developed and adopted ad-referendum by AICHR on 2 March 2022. It provides practical steps and tools in taking an integrated approach to monitor and evaluate the implementation of the AICHR FYWP 2021-2025.

The framework aims to meet reporting requirements on the implementation of the AICHR FYWP as well as to facilitate robust processes that allow timely generation and use of data and information to inform AICHR's annual work-planning, implementation review, and contribution to the ASEAN Political-Security Community (APSC) Blueprint 2025 priorities and broadly the ASEAN Community Vision "ASEAN 2025: Forging Ahead Together".

As guided by the M&E Framework of the AICHR FYWP 2021-2025, monitoring the implementation of AICHR programmes/activities is conducted on an annual basis, while results monitoring will be conducted in a mid-term review in 2023 and in a final review in 2025.

In 2021, AICHR has conducted 13 activities, of which 3 activities were in the Priority Programmes/Activities (PP) of AICHR 2021, and 10 activities were from the PPs of 2017-2020. All the activities were attributed to the implementation of Action Line A.2.5. of the APSC Blueprint 2025, and also contributed to the implementation of the following ASEAN regional frameworks and plans of action:

- The ASEAN Comprehensive Recovery Framework (ACRF) and its Implementation Plan;
- The ASEAN Enabling Masterplan 2025: Mainstreaming the Rights of Person with Disabilities;
- The ASEAN Plan of Action Against Trafficking in Persons, Especially Women and Children; and

- The ASEAN Plan of Action to Prevent and Counter the Rise of Radicalisation and Violent Extremism (2019 – 2025).

## **5. Observations and Future Directions**

The Covid-19 pandemic has continued to cause tremendous challenges for AICHR to implement its programmes/activities. Nonetheless, as an overarching institution with overall responsibility for the promotion and protection of human rights in ASEAN, AICHR has adapted to the new normal by organising and conducting its programmes/activities and discharging the mandates virtually and via hybrid format. Issues exacerbated by the pandemic are also further highlighted and included to ease the harm repercussion resulted from the pandemic.

As this year marks the 10<sup>th</sup> Anniversary of the ASEAN Human Right Declaration (AHRD) and the Phnom Penh Statement on the adoption of the AHRD to celebrate the two documents and the vital role they play for human rights cooperation in ASEAN, AICHR will conduct the event in Cambodia. This celebration will be an opportunity to reflect a period of over a decade that AICHR has conducted a number of activities to fulfill its mission pertaining to the AHRD and the Phnom Penh Statement on the adoption of the AHRD.

To ensure the effectiveness of the implementation of the AICHR's Five-Year Work Plan (FYWP) 2021-2025, AICHR has initiated the Monitoring and Evaluation (M&E) Framework of the FYWP 2021-2025. This document was adopted ad-referendum by the AICHR in 2022. The AICHR shall pursue to the Framework by conducting the mid-term review in 2023 and the final review in 2025.

The AICHR has regularly engaged with ASEAN organs and ASEAN Sectoral Bodies to exchange views on human rights issues. AICHR shall continue to uphold close relation with ASEAN organs and ASEAN Sectoral Bodies in the purpose of mainstreaming the human rights across the three pillars in ASEAN.

Regarding the external relations, AICHR has interfaced with relevant dialogue partners in order to exchange views on human rights issues. The AICHR will continue to strengthen its cooperation with dialogue partners to explore further areas of common interests.