**Summary Report**

**ASEAN Community Councils Dialogue on Human Rights 2023**Multipurpose Room, ASEAN Secretariat, Jakarta, Indonesia
24 August 2023, Hybrid

**INTRODUCTION**

1. The ASEAN Community Councils Dialogue on Human Rights 2023 was organized by AICHR Indonesia as part of the implementation of the AICHR 2018 Priority Programme (P.A.). Due to COVID-19, this event could not be implemented immediately. Nevertheless, this activity has been included in the AICHR Five-Year Work Plan 2021-2025: P.A. 1.1 Facilitate the formulation of frameworks for human rights cooperation based on the AHRD and 1.1.2 Dialogue or related activities on the implementation of the AHRD among ASEAN sectoral bodies across pillars. This activity is also in coherence with P.A. 3.4 Provide policy support and technical assistance on human rights to ASEAN Sectoral Bodies in addressing cross-sector or cross-pillar issues. Especially on 3.4.1 Consultation with relevant ASEAN sectoral bodies to identify their needs for assistance.
2. This activity intended to consult the ASEAN Sectoral Bodies (ASB) on how human rights values, as stipulated in the ASEAN Human Rights Declaration (AHRD), could be mainstreamed in the three pillars of ASEAN. It also aimed to foster collaboration between AICHR and ASBs in three ASEAN Communities and advance the implementation of AHRD. The **Program** appears as **ANNEX 1**.
3. The activity collected and documented initiatives of the ASBs and Entities to uphold human rights in the ASEAN region. The complete **List of Participants** appears as **ANNEX 2.**

**OPENING SESSION**

1. **H.E. Wahyuningrum**, the Chair and Representative of Indonesia to the AICHR, delivered the opening or welcome remarks. She first recognised the participants joining on-site and online. She then proceeded to present the aims and flow or structure of the dialogue. H.E. Wahyuningrum reviewed the efforts or initiatives done in the past to establish collaboration between AICHR and the different ASBs in the implementation of the ASEAN Human Rights Declaration (AHRD). The main objective of the dialogue is to gather the views and recommendations of the ASEAN Sectoral Bodies in improving the implementation of the AHRD. These inputs can be important in coming up with a more action-oriented approach to crafting a new ASEAN Blueprint.

**SESSION #1: OVERVIEW OF THE IMPLEMENTATION OF THE ASEAN HUMAN RIGHTS DECLARATION AND THE WORK OF AICHR**

1. **H.E. Wahyuningrum**, the Chair and Representative of Indonesia to the AICHR, delivered a presentation on the work of AICHR since it was established. She began her sharing by emphasising the role of AICHR in popularising the AHRD and promoting its implementation in the region. AICHR has fourteen (14) mandates which can be summarised into six (6) thematic areas: (1) standard-setting; (2) cooperation and policy support; (3) protection; (4) human rights strategy; (5) research and capacity-building; and (6) dialogue and engagement. H.E. Wahyuningrum then presented the different activities conducted by the AICHR that tackle some of the rights and issues mentioned in the AHRD. Activities in relation to vulnerable groups such as women, children, migrant workers, and persons with disabilities are common. There are also initiatives concerning trafficking in persons, freedom of thought and religion, medical care, water and sanitation, business and human rights, and sustainable environment. In fact, AICHR is greatly involved in the development of a regional framework on environmental rights. However, there are also certain rights (e.g., rights of elderly persons, right to vote, right to participate, etc.) that have not been covered by AICHR so far. AICHR was also able to work on cross-cutting issues such as violent extremism and humanitarian action. Aside from these content or substance-specific initiatives, AICHR was also able to engage with the international human rights law regime particularly in improving awareness and building the capacity of stakeholders on different human rights mechanisms, obligations, and legal instruments. AICHR was also able to engage with civil society organisations and participated in the ASEAN-EU Dialogues. It also organised human rights dialogues within the ASEAN community. H.E. Wahyuningrum noted that the areas where there are gaps or lack of implementation or promotion can be filled up by the different ASBs. Hence, it is important to check the coherence of their mandate with the provisions of the AHRD so possible opportunities for collaboration may be identified.
2. **H.E. Prof. Dr. Aishah Bidin**, the Representative of Malaysia to AICHR, expressed the need to also conduct protection activities aside from promotional activities. This is known to be difficult thus collaboration with ASBs is crucial. It is important to identify common goals and challenges and the best ways to integrate human rights values into the mandates of ASBs.
3. **H.E. Amb. Yong Chanthalangsy**, the Representative of Lao PDR to AICHR, articulated that the promotion and protection of human rights is a challenge in itself, but is a responsibility shared by all sectors of society, not only AICHR nor ASEAN. Constraints and challenges need to be addressed. It is important for AICHR and ASBs to be constantly updated with trends and developments in human rights. New rights are coming up with a focus on the environment due to climate change. Measures and instruments that are imposed on states voluntarily or involuntarily need to be considered and studied. For example, the European Union’s promotion of the concepts of human rights and due diligence in the context of the environment can impact the economy, industry, and the living conditions of ASEAN peoples. Some products like Malaysia and Indonesia’s palm oil may no longer be allowed entry to the EU region due to their environmental impact.
4. **H.E. Hans Mohaimin Lim Siriban**, the Representative of the Philippines to AICHR, also expressed that most activities of AICHR are focused on the promotion aspect and the protection mandate remains a big challenge, especially given the ASEAN context. Despite this, there is significant space to work and improve. Furthering the promotion of human rights and improving how the protection mandate can be realised requires collaboration with ASBs. It is not something that the AICHR alone can achieve.
5. **H.E. Dr. Eugene Tan**, the Alternate Representative of Singapore to the AICHR, manifested enthusiasm towards the AHRD becoming a common reference point when talking about human rights in the region, despite it being a non-binding document. Perhaps in this lifetime, the AHRD can be seen as a regional agreement with a binding force. There is a common view that AICHR is the primary body responsible for the implementation of AHRD, while there is some truth to this, it is ASEAN’s collective responsibility to promote and protect human rights in the region. ASEAN can definitely do more in terms of its protection mandate. Instead of lamenting the limited ability of ASEAN Member States (AMS) to protect human rights, promotional activities should be maximised as these are crucial steps in the protection of human rights. Protection should not only be seen as a remedy for breaches, but also for breaches to be prevented. After all, greater public awareness and consciousness of rights help in the protection of human rights.
6. **H.E. Wahyuningrum**, the Chair and Representative of Indonesia to the AICHR, expressed their gratitude to the ASBs for reaching out to ask AICHR’s opinions or views on human rights issues. However, the response is usually delayed because there has not been an established mechanism to do this. So far, in-person or face-to-face meetings have been effective rather than written communication as this competes with existing AICHR activities/tasks.

**SESSION #2A: THE IMPLEMENTATION OF THE ASEAN HUMAN RIGHTS DECLARATION (AHRD) FROM THE PERSPECTIVE OF ASEAN SOCIO-CULTURAL PILLAR: CHALLENGES AND WAYS FORWARD**

1. **H.E. Prof. Dr. Aishah Bidin**, the Representative of Malaysia to the AICHR, chaired this session. She premised the session on the need for AICHR to collaborate with other institutions and stakeholders in the promotion and protection of human rights. The different Sectoral Bodies are given the opportunity to present how their mandates and activities cohere with the ASEAN Human Rights Declaration.
2. The first speaker for this session was **H.E. Datuk Dr. Maziah Binti Che Yusoff**, the Chair of the ASEAN Senior Official Meeting on Social Welfare and Development (SOMSWD) and the Vice-Chair of the ASEAN Committee on Women (ACW). SOMSWD is active in the development of regional policy frameworks that serve as guiding documents for national policies and programs. They also undertake joint projects and programs, lead and facilitate cooperation mechanisms, and have established partnerships with international organisations such as UN Women and UN Children’s Fund (UNICEF). H.E. Yusoff discussed the different challenges and gaps that their office has experienced over the years. These challenges include diversity and disparities where some countries have more capacity and resources to implement initiatives than others. Another challenge is cultural sensitivity and local context versus the universalisation of rights. There is also limited civil society engagement. She also noted that the AHRD is a non-binding document so its implementation and mainstreaming vary across ASEAN Sectoral Bodies. Sustained commitment and adaptability are therefore imperative for ASEAN Member States. In order to mainstream the principles espoused in the AHRD, H.E. Yusoff recommends the following: (1) incorporate human rights in policies and agreements; (2) guidelines and codes of conduct; (3) public awareness; and (4) engagement with civil society. In terms of improving the collaboration between AICHR and ASBs, she notes that (5) the AICHR can guide Sectoral Bodies on human rights concerns and issues using their expertise; (6) AICHR can facilitate activities and spaces where ASBs can share their best practices and experiences on success stories of human rights integration on different sectors; (7) AICHR can develop relevant guidelines; and 8) AICHR can also assist in raising awareness on human rights of different stakeholders. H.E. Yusoff reiterated SOMSWD’s commitment, willingness, and openness to engage in dialogue. ACW, on the other hand, is guided by and contributes to the implementation of the ASEAN Socio-Cultural Community (ASCC) Blueprint 2025. Crucial to its mandate is to protect and promote the rights of women through gender mainstreaming in the policies, pillars, and sectors of the ASEAN Community. The ACW Work Plan also primarily includes the empowerment of women and girls in different areas such as education and health. The collaboration between ACW and AICHR can be improved by (9) synergising work plans and (10) the regular conduct of interface meetings.
3. **Mr. Nay Win**, the Chair of the ASEAN Senior Officials Meeting on Youth (SOMY), was the second speaker. He discussed how the AHRD reflects on the work of SOMY. He started with its post-2020 vision statement of future-ready ASEAN youth by fostering 21st-century skills and digital skills. This is aligned with the ASCC Blueprint. SOMY has also formulated the ASEAN Work Plan on Youth 2021-2025. The activities implemented to realise these goals are in the areas of right to development, employment, health, and well-being. They also conduct several initiatives that encourage education, participation, and engagement among the youth. Mr. Win proposed the following recommendations for future coordinated efforts: (1) to create more platforms for a deeper understanding of human rights through debates, dialogues, and forums; and (2) to undertake an ASEAN survey or analysis on youth perspectives on mainstreaming human rights in youth policies.
4. **Mr. Nguyen Minh Thai**, the Chair of the ASEAN Committee on Disaster Management (ACDM), delivered a presentation on inculcating a whole-of-society approach to disaster management. He talked about their vision to build a region of disaster-resilient nations by enhancing and supporting ASEAN’s disaster management capacities through intersectoral cooperation, capacity-building, and coordination among ASEAN Member States. It is also crucial to use the guiding principles to realise their vision and mission. Their priority programs include risk assessment and monitoring, prevention, and mitigation, preparedness and response, resilient recovery, and global leadership. Human rights are highlighted in these programs through their focus on vulnerable groups and community-based disaster management. Mr. Thai also cited the ASEAN Regional Framework on Protection, Gender, and Inclusion (PGI) in Disaster Management 2021-2025. He recommends the following: (1) consolidate regional commitments for inclusive disaster risk management; (2) identify entry points for collaboration between national disaster management offices (NDMOs) and other organisations working on gender issues; and (3) support countries in setting priorities, indicators, and targets for measuring progress in PGI at the national level and regional levels.
5. **H.E. Wahyuningrum**, the Chair and Representative of Indonesia to the AICHR, raised a question for the ACDM representative. There are issues tackled by the ASEAN Sectoral Bodies that are complementary to the work of AICHR. What challenges does ACDM face in integrating human rights into its work? How can humanitarian actors also be protected in the performance of their work? What are possible recommendations for AICHR, AHA Center, and ACDM to collaborate? In response, the ACDM representative stated that disaster is quite a difficult time to protect and maintain human rights and dignity. PGI Working Group was established to make sure that no one is left behind, the primary guiding principle of ACDM. ACDM is always open to other Sectoral Bodies but internal coordination meetings must be made with the different ASEAN Member States first to get their perspective.
6. The ASEAN Senior Official Meeting on Social Welfare and Development (SOMSWD) Chair was requested to expound more on how cultural sensitivity and local context affect the implementation of human rights in the ASEAN context. In response, H.E. Yusoff elaborated that ASEAN Member States have different priorities and these have implications on budget and resources. Social work and human rights are rarely seen as priorities or significant issues in national policies. For some ASEAN Member States, social work may be significant, but they have limited capacity to implement activities or programs that address this. Another issue is that the understanding of the subject matter is not that pertinent, where the extent of implementation is also affected. Another issue is how social work is viewed. It is not seen with the same prestige as doctors or lawyers despite how crucial their work is. Some ASEAN Member States have clear parameters on what social work is as a profession. Varying understanding and appreciation of human rights and social work issues affect the work of SOMSWD. More specific parameters have to be developed to have a more cohesive regional understanding of human rights issues.
7. The ASEAN Committee on Disaster Management (ACDM) was asked to discuss the extent to which the rights of children are included in their work. The Chair of ACDM reiterated its primary guiding principle which is to leave no one behind. It is important to prioritise vulnerable groups such as the elderly, persons with disabilities, women, and children during disasters.
8. The ASEAN Senior Officials Meeting on Youth (SOMY) was asked how they are able to sustain youth involvement on a voluntary basis and keep their interest in human rights. The Chair of SOMY reiterated his recommendations to conduct dialogues, debates, and discussions and conduct surveys to reflect youth perspectives. It is also good to organise events that invite and incentivise youth participation.

**SESSION #2B: THE IMPLEMENTATION OF THE ASEAN HUMAN RIGHTS DECLARATION (AHRD) FROM THE PERSPECTIVE OF ASEAN SOCIO-CULTURAL PILLAR: CHALLENGES AND WAYS FORWARD**

1. **H.E. Amb. Yong Chanthalangsy**, the Representative of Lao PDR to AICHR, chaired this session. He noted the purpose of the session which is to follow up on the implementation of the AHRD and how the whole ASEAN community can be familiarised with human rights issues.
2. **H.E. Yanti Kusumawardhani**, the Chair of the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC), was the first speaker for this session. She began by introducing ACWC as a specialised body that is focused on women and children with respect to the ratification of key conventions such as the Convention on the Rights of the Child (CRC), Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and Convention on the Rights of Persons with Disabilities (CRPD). These conventions have cross-cutting principles with AHRD. She also stated that human rights principles have been integrated into existing ASEAN frameworks and policies. Specifically, ACWC was able to design activities for vulnerable groups and formulate a Regional Plan of Action for the elimination of violence against women and children. ACWC also supported several of AICHR’s activities during the COVID-19 pandemic and vice versa. ACWC also collaborates with other ASEAN Sectoral Bodies. It also works on emerging issues in human rights such as the online sexual exploitation of children and child migration. ACWC also conducts research to contribute to policy development, different capacity-building initiatives, and awareness-raising and public outreach activities. It has also established cooperation with international organisations and ASEAN’s Dialogue Partners. H.E. Kusumawardhani also shared some of their reflections: (1) there is a need to strengthen inclusive databases and data collection on VAW, VAC, and vulnerable groups; (2) document learning and promising practices across the region in promoting and protecting the rights of women and children; (3) identify gaps and potential collaboration with other ASBs where more specific guidelines and standard operating procedure for better collaboration have to be developed; (4) strengthen the implementation, monitoring, and evaluation of regional Plans of Action and other regional instruments; (5) strengthen institutional capacity with ASBs to meet the scope and demands; and (6) strengthen partnerships for practical and financial resources. In terms of ways forward and recommendations, ACWC intends to (7) accelerate the implementation of their work plan and other key regional frameworks and instruments; (8) continue improving the capacities of relevant Sectoral Bodies to integrate women and children’s rights in their programs; (9) strengthen partnerships with diverse stakeholders including women and children; (10) ensure interlink and complementation in the implementation of relevant regional plans of action to avoid overlap and duplication of efforts; (11) keep the momentum in strengthening institutional capacities of ACWC; and (12) pursue better evidence-based research across the ASEAN region.
3. **H.E. Dr. Ratchada Jayagupta** of the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) Thailand also shared her inputs. With regard to the database especially on Violence Against Women and Children (VAWC) and Trafficking in Persons (TIP), evidence-based data is indeed necessary to facilitate administrative and costing purposes. This can also guide gender budgeting in ASEAN. It is also important to tackle gender-based workplace exploitation. There are upcoming activities that seek to highlight gender inclusion and these have been endorsed by different ASEAN Sectoral Bodies.
4. **Mr. Nugroho** presented the experiences of the ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW). He underscored that the economic, social, and cultural rights of migrant workers are already embodied in the AHRD. But there are still challenges in the implementation including inadequate facilities, infrastructure, and resources. He discussed the priorities of ACMW Indonesia based on Indonesia’s ASEAN Chairmanship deliverables under the labour sector. They are working particularly on the protection of migrant workers in crisis situations and in fishing vessels. These were developed with the financial and technical support of different regional and international organisations such as the International Labour Organization (ILO) and the International Organization for Migration (IOM). ACMW is also working on enhancing the effectiveness of legal pathways for labour migration in ASEAN. In terms of collaboration with other ASEAN Sectoral Bodies, Mr. Nugroho highlighted that Indonesia is open to all parties working together and is willing to accept inputs, comments, and thoughts from partners to bring new initiatives on labour issues. AICHR can choose to partner with ACMW in the areas of education or information, protection, enforcement, recourse, and reintegration in migration issues.
5. A question was raised for the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW) on the possibility of AICHR collaborating with ACMW on an initiative to promote the rights of migrant workers in fishing vessels using a bigger framework of Human Rights at SEA or decent work for all instead of only focusing on rights of migrant workers. In response, Mr. Nugroho expressed that ACMW is open to collaborating with AICHR. They intend to invite AICHR during the official adaptation of the Declaration in the upcoming Lao PDR Summit.
6. **H.E. Hans Mohaimin Lim Siriban**,the Representative of the Philippines to AICHR, provided additional inputs. He recognised the active participation and support of ACWC in many AICHR activities, including discussions on the rights of the child. He further expressed that AICHR is crucial in keeping us attuned to the recent developments in international conventions, legal instruments, and theoretical foundations on human rights discussions. ACWC and AICHR’s collaboration is an indication that the promotion and implementation of AHRD is not the exclusive role of AICHR. The activity on the rights of children in a digital world is a concrete example of how AICHR and ASEAN Sectoral Bodies can complement each other’s work. It is crucial to constantly ensure complementarity and collaboration.
7. **H.E. Wahyuningrum**,the Chair and Representative of Indonesia to the AICHR, also noted AICHR’s activity with children on key climate change issues.
8. **H.E. Amb. Yong Chanthalangsy**, the Representative of Lao PDR to AICHR, concluded the session by pointing out that there are indeed a lot of activities and initiatives taking place in the ASEAN in all areas. There are significant developments in the regional and international commitments of the ASEAN. Discussions are important to minimise duplications, improve cooperation, and make programs and activities more effective.

**SESSION #3: THE IMPLEMENTATION OF THE ASEAN HUMAN RIGHTS DECLARATION (AHRD) FROM THE PERSPECTIVE OF ASEAN POLITICAL-SECURITY PILLAR CHALLENGES AND WAYS FORWARDS**

1. **H.E. Prof. Dr. Amara Pongsapich**, the Representative of Thailand to the AICHR, chaired this session. She stated that dialogues are a good avenue to exchange information about how to promote and protect human rights across the ASEAN community. She also highlighted the relevance of the dialogue vis-a-vis the ASEAN Blueprint being clear and committed to making the efforts and activities of ASEAN Sectoral Bodies more coherent and collaborative.
2. **COL. Amelia F. Devi**, a representative of the ASEAN Defence Senior Official Meeting (ADSOM), was the first speaker for this session. She noted that the primary right relevant to the defence sector is the right to peace. In line with this, ADSOM organised activities that aligned with AHRD, such as the establishment of expert working groups on maritime security, military medicine, etc., and the drafting of a joint statement on Women, Peace, and Security as one of deliverables of Indonesia’s Chairmanship in ASEAN 2023. Despite these efforts, there are still challenges including the increase of traditional and non-traditional threats such as arms smuggling, human trafficking, and extremism. To integrate human rights in ASEAN Sectoral Bodies and Entities, it is important to examine national laws, codes of conduct, and rules of engagement in different ASEAN Member States. COL. Devi articulated the following recommendations: (a) share best practices; (b) enhance practical cooperation and dialogue; and (c) conduct training, seminars, and capacity-building.
3. **Mr. Dennis Arvin L. Chan** presented on behalf of the ASEAN Senior Law Officials Meeting (ASLOM). He emphasised that the AICHR is the overarching body for human rights in ASEAN. He also said that human rights have been integrated into the political-security pillar as manifested in its 2025 vision of a rules-based community. ASLOM’s initiatives include experimenting with modalities that promote more effective legal cooperation between ASEAN Member States, the development of ASEAN instruments on sentenced persons, extradition cases, etc., and workshops on access to justice during the pandemic which will be included in the upcoming ASEAN Law Forum. In conclusion, Mr. Chan noted that ASLOM is open to proposals that seek to improve legal cooperation in the region and it also intends to pursue a deeper collaboration with AICHR.
4. **H.E. Wahyuningrum**, the Chair and Representative of Indonesia to the AICHR, expressed that the Sectoral Bodies must be the ones to identify which rights align with their mandate and not AICHR identifying such rights for them. She also noticed that ADSOM’s recommendations are mostly on the procedural aspect of rights. AICHR and ADSOM can discuss further how the AHRD can be substantively integrated into their work. In the case of ASLOM, H.E. Wahyuningrum said that they can work together with AICHR Thailand in the development of legal frameworks for environmental issues.
5. The representative from the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) also expressed that ASLOM and ACWC can also collaborate on a project that seeks to enhance gender-responsive treatment of women prisoners in ASEAN.
6. The representative from the ASEAN Institute for Peace and Reconciliation (ASEAN-IPR) asked about the speakers’ views, from the defence and legal perspectives, on the future of the Responsibility to Protect (R2P or RtoP) vis-à-vis ASEAN’s non-interference principle. The representative from ASLOM responded that it is open to proposals and ideas on how to best navigate these issues. R2P has not been extensively discussed in ASLOM. This issue can be tabled and included in future discussions. There are discussions on the transfer of sentenced persons but none on women prisoners in particular. This topic (and other issues) may be included since the agreement is still in the initial stage. The ADSOM representative also stated that there are no specific discussions on these topics. Mutual defence (or cooperation) agreement in ASEAN is followed. ASEAN Member States are not allowed to interfere in each other’s domestic issues. The status quo may not match with the concept of R2P.
7. A clarificatory question was addressed to ASLOM on the necessity of a formal communication (e.g. Letter of Recommendation) for the consideration of such topics. The representative affirmed that formal communication is greatly appreciated. Suggested wordings and specific recommendations may be put into writing.
8. **H.E. Amb. Yong Chanthalangsy**, the Representative of Lao PDR to AICHR, expressed that he agrees with the principle of R2P but there are aspects of ASEAN that prevent us from overpassing other Member States. These aspects include sovereignty and non-interference. At this stage, ASEAN cannot accommodate this principle.
9. A scenario in line with the R2P discussion was raised. In terms of environment, would it be possible for one ASEAN Member State to do something to help prevent a cross-border crisis? In response, the ASEAN-IPR Representative stated that the R2P is not only referring to human rights violations. It also links to non-traditional threats (e.g., migration, climate change, water or air pollution, and even cybersecurity issues). These may present not only cross-sectoral but also cross-border threats that require cross-border cooperation.
10. Lao PDR Representative to AICHR also noted that ASEAN cooperation has been very strong and apparent. There are mechanisms in the ASEAN region that allow cooperation among ASEAN Member States. One example is the regional task force tackling haze. Instead of focusing on extraterritorial jurisdiction or pursuing each other, it is better to maximise these available mechanisms.

**SESSION #4: THE IMPLEMENTATION OF THE ASEAN HUMAN RIGHTS DECLARATION (AHRD) FROM THE PERSPECTIVE OF ASEAN ECONOMIC PILLAR: CHALLENGES AND WAYS FORWARDS**

1. **H.E. Hans Mohaimin Lim Siriban**, the Representative of the Philippines to AICHR, chaired this session.
2. **Mr. Phonesavanh Vanmixay**, the Representative of the Senior Officials Meeting of the ASEAN Ministers on Agriculture and Forestry (SOM-AMAF), was the speaker for this session. His presentation emphasised the SOM-AMAF’s approach to gender mainstreaming in the food, agriculture, and forestry sectors. There are several working groups and expert groups that seek to address issues and concerns related to these sectors within the structure of ASEAN cooperation. Specifically, there is a working group dedicated to promoting and protecting the rights of women in the aforementioned sectors. SOM-AMAF officially adopted the gender mainstreaming approach in its 40th Meeting in 2018 in Vietnam. Its overall strategic objective is to facilitate and promote resilient agricultural policies, structures, and programs to promote gender equality toward sustainable development by 2025. Mr. Vanmixay also noted the overall gender issues that should be considered in such sectors such as the equal participation of women and men in policy discussions, capacity-building activities, and other national and regional activities. It is also important to ensure the collection of gender data in the different phases of projects and activities. Opportunities for women to access different financial services to scale up their food, agriculture, and forestry initiatives must be made available. Access to education and training including those that hone women’s leadership skills are also valuable. Mr. Vanmixay also underscored that it is important for ASEAN Sectoral Bodies and Entities to collaborate in advocating for gender mainstreaming in the region.
3. **H.E. Hans Mohaimin Lim Siriban**, the Representative of the Philippines to AICHR, noted that there indeed are existing mechanisms and avenues for collaboration with other ASEAN Sectoral Bodies.
4. **H.E. Wahyuningrum,** the Chair and Representative of Indonesia to the AICHR, shared that SOM-AMAF previously told AICHR to focus also on sociocultural and economic rights and not only on civil and political rights. H.E. Wahyuningrum asked for SOM-AMAF’s suggestions for AICHR in the areas of food, agriculture, and forestry. In response, the SOM-AMAF representative expressed that an area for collaboration could be on climate change issues. Disasters have increased yearly and their impact has worsened. Climate is warmer in most areas which affects agricultural productivity and patterns of food production.
5. **H.E. Hans Mohaimin Lim Siriban**, the Representative of the Philippines to AICHR, added that the recommendation confirms the relevance of AICHR’s current efforts on environmental rights. Moving forward, different bodies in the economic pillar need to be consulted or included in discussions.
6. The SOM-AMAF representative was also asked to clarify how far they have covered the issue of child labour. In response, Mr. Vanmixay stated that this issue has not been specifically tackled. But children’s rights have been recognised and considered in the policies and activities of SOM-AMAF.
7. To close the session, **H.E. Hans Mohaimin Lim Siriban** shared that during the July Senior Officials Meeting, it was underscored that human rights are not divorced from the economic field. ASEAN has to know how to respond to development outside the region, such as corporate responsibility and due diligence requirements in the European Union.

**SESSION 5: THE IMPLEMENTATION OF THE ASEAN HUMAN RIGHTS DECLARATION (AHRD) FROM THE PERSPECTIVE OF ASEAN ENTITIES: CHALLENGES AND WAYS FORWARD**

1. **H.E. Dr. Eugene Tan**, the Alternate Representative of Singapore to the AICHR, chaired this session. He noted that the different ASEAN Entities are crucial in the protection and promotion of human rights, although underappreciated.
2. **H.E. I Gusti Agung Wesaka Puja**, the Executive Director of the ASEAN Institute for Peace and Reconciliation (ASEAN-IPR) was the first speaker for this session. He expressed that while the ASEAN Charter does not contain the word ‘human rights’, ASEAN has continued to work for human rights. He further notes that ASEAN should view human rights in a positive light and not adopt a defensive attitude. ASEAN for the longest time has been in the comfort zone of promoting human rights, even when protection should be prioritised over promotion. Peace agreements are not enough to address conflict situations. The extent of human rights and dignity needs to be established. After all, there is no sustainable peace if the human rights of people are not respected and fulfilled. H.E. Puja added that human rights must not be viewed politically but as an obligation of the State. He notes that reparation is one of the most complex elements in peace negotiations. The guarantee of non-recurrence also requires a strong enabling environment. ASEAN-IPR shares the goal of AICHR in protecting and promoting human rights. All projects are in consonance with the principles of peace-building and reconciliation.
3. **Ms. Putri Maha Lima**, the Acting Deputy Secretary-General of the ASEAN Inter-Parliamentary Assembly (AIPA), also presented. She explained that in terms of advocacy and awareness, AIPA uses the AHRD as its primary reference in developing AIPA resolutions and their corresponding monitoring mechanisms. Currently, there are legislative initiatives on human security, migrant workers, economic development, child protection, and social security. However, despite these efforts, there are still challenges, particularly in harmonising approaches and perspectives given the diverse political systems in the ASEAN region. There is also a need for more coordinated efforts between and among ASEAN Centres, Sectoral Bodies, and Entities. Ms. Lima articulated the following recommendations: (a) organise awareness and capacity-building programs for parliamentarians and their staff on existing international and regional human rights instruments and developments; (b) conduct cross-sectoral dialogues and engagement; and (c) ensure more coordinated regional cooperation. Ms. Lima also noted that human rights are one of the priority strategic areas in AIPA’s Strategic Plan.
4. **H.E. Wahyuningrum,** the Chair and Representative of Indonesia to the AICHR, manifested interest in receiving past and future resolutions of AIPA pertinent to AHRD or human rights in general so these can be included in the inventory. This is highly valuable considering that the AIPA also has access to the extent AHRD has been reflected in existing laws in ASEAN Member States. In response, Ms. Lima stated that AIPA maintains a database of its activities, including resolutions, which can be accessed on its website. She added that data on implementation status (monitoring) are also available.
5. **H.E. Amb. Yong Chanthalangsy**, the Representative of Lao PDR to AICHR, addressed the ASEAN-IPR Representative. He stated that decades ago, ASEAN was hesitant or afraid to talk about human rights. But now, the current or common work of ASEAN already involves and utilises human rights. All ASEAN Sectoral Bodies and the entire ASEAN community should alert each other on emerging issues so we can learn and brainstorm solutions. Human rights should not only be an agenda given to us by others but an agenda of our own. In response, the ASEAN-IPR Representative affirmed that the ASEAN is at a more comfortable level in human rights dialogue and discussions than before. He also noted that the AHRD was adopted on the same day the ASEAN-IPR was established.
6. To end the session, **H.E. Dr. Eugene Tan**, the Alternate Representative of Singapore to the AICHR, posited that the promotion and protection of human rights is indeed a collective effort. Every Sectoral Body and every Entity in ASEAN has a role to play. It is important to have a better understanding of the spaces and opportunities where we can collaborate and work together.

**PRESENTATION OF THE SYNTHESIS ON AHRD AND THE IMPLEMENTATION OF ASEAN THREE COMMUNITIES: ENABLERS, CHALLENGES, AND WAYS FORWARD**

1. The Human Rights Division of the ASEAN Secretariat presented a synthesis of the dialogue. They noted that the event had a total of 5 panels and 12 presentations. There are progressive accomplishments in the full implementation of ASEAN instruments related to human rights, including the ASEAN Human Rights Declaration, according to the perspective of the ASCC, APSC, AEC, ASEAN Bodies, and Entities. Key elements in the promotion and protection of human rights in the ASEAN are: (a) understanding the mandate and roles of ASEAN Sectoral Bodies and Entities across the ASEAN Community Pillars; (b) the importance of mainstreaming human rights; (c) advocacy; and (d) advisory role of AICHR to ASEAN Bodies and mechanisms for the transformation of the commitments to work on the ground.
2. There are existing regional frameworks on human rights, gender, social inclusion, and protection of vulnerable groups, as well as regional plans of action for the rights of women, children, persons with disabilities, and migrant workers. There are also existing mechanisms such as ASEAN Community Councils (2015, 2023), ASEAN Dialogue on the 10th Anniversary of the AHRD (2022), the ASEAN Human Rights Dialogues, and the ASEAN/AICHR Regional Dialogues on different thematic issues.
3. There are also known implementation gaps. The level of implementation and progressive realisation of different human rights is not the same. Challenges such as diversity and disparities, cultural sensitivity and local context, limited civil society engagement, an increasing number of traditional and non-traditional threats, and environment and climate change also hinder the full implementation of AHRD.
4. Opportunities such as the identification of the areas of common interest for cooperation and setting priorities for collaboration within a time-bound framework were noted.
5. In terms of commonly held principles and approaches, the following were identified: complementarities, synergy and alignment among efforts to promote and protect human rights, incorporate human rights in policies and agreements, develop guidelines and codes of conduct, public awareness and advocacy, whole-of-community approach, and engagement with all stakeholders including civil society.
6. These are the possible actions and follow-ups that can be taken: (a) creation of a community of experts for cross-pillar and cross-sectoral cooperation on human rights; (b) sharing of best practices; (c) enhancement of practical cooperation and dialogue; (d) pursuing awareness and sensitisation on human rights; (e) conduct of joint activities on cross-cutting issues (youth survey, data collection, thematic studies); and (f) sustaining knowledge-sharing on a regular basis.
7. Further actions may include (g) strengthening inclusive database and data collection; (h) identifying gaps and potential collaboration with other ASEAN Sectoral Bodies on the promotion and protection of rights; (i) strengthening the implementation, monitoring, and evaluation of regional plans of action and other instruments; and (j) strengthening institutional capacities and partnerships.

**CLOSING SESSION**

1. **H.E. Wahyuningrum**, the Chair and Representative of Indonesia to the AICHR, stated that it is important to admit that very few people and ASEAN Sectoral Bodies are aware of the ASEAN Human Rights Declaration. AICHR must continue to make AHRD the framework for regional cooperation in ASEAN. It is crucial to promote first and provide meanings and specifics thereafter. AICHR also welcomes more official documents in ASEAN that integrate AHRD. However, she reminded the body that it is not the intention of the AHRD to pursue uniformity. It intends to provide the base for further strategic action. Finally, H.E. Wahyuningrum shared about ACIHR’s plan to pursue the ASEAN Human Rights Index.