



## SUMMARY REPORT

### AICHR WORKSHOP ON IMPLEMENTATION OF HUMAN RIGHTS TREATIES TO WHICH ALL ASEAN MEMBER STATES ARE PARTIES

Vientiane, Lao PDR, 6-7 March 2025

#### INTRODUCTION:

1. The AICHR Workshop on Implementation of Human Rights Treaties to which All ASEAN Member States are Parties was convened as part of the AICHR's Five-Year Work Plan (2021-2025), aiming to promote effective implementation of international human rights obligations among ASEAN Member States. It provided a platform for government officials, National Institutions, civil society organizations (CSOs), and external partners to exchange experiences, lessons learned, and best practices on implementing of human rights treaties to which all ASEAN Member States are parties. The Workshop sought to 1) share best practices among ASEAN Member States regarding their transition of human rights treaty to domestic legislation; 2) identify practical, internal legal procedures among ASEAN Member States on how the legal drafting process may be undertaken to ensure the implementation of human rights treaty obligation at the national level, where applicable; 3) share best practices on drafting and presenting the report before the treaty bodies; 4) exchange lessons learned on considering the Concluding Observations of treaty bodies; and 5) encourage ASEAN's relevant sectoral bodies, to undertake cross-sectoral cooperation that contributes to the implementation and realization of human rights for the peoples of ASEAN in line with the ASEAN Charter and the AHRD. The agenda of the Workshop appears as **ANNEX 1**.

2. The Workshop was co-chaired by H.E. Amb. Yong Chanthalangsy, Representative of Lao PDR to AICHR, H.E. Asst. Professor. Dr. Bhanubhatra Jittiang, Representative of Thailand to AICHR and Ms. Benita Sommerville, Deputy Head of Mission, Australian Embassy to Lao PDR.

3. The Workshop brought together representatives from ASEAN Member States, including government officials, CSOs, and experts such as AICHR Representatives, representatives from the Australian Embassy in Vientiane, the OHCHR Regional Office for Southeast Asia and the Australian Human Rights Commission. The list of participant appears as **ANNEX 2**.

## OPENING SESSION

4. At the Opening Session, **H.E. Ambassador Yong Chantalangsy**, Representative of Lao PDR to AICHR delivered his opening remarks. He welcomed the participants by sharing the objectives of the Workshop which is aligned with AICHR's Five-Year Work Plan (2021–2025). The Workshop also focuses on sharing best practices among ASEAN Member States regarding their translating human rights treaty obligations into domestic legislation, drafting and presenting the report to the UN Committee under the treaty bodies; identifying practical, internal legal procedures among ASEAN Member States; exchanging lessons learned on considering the Concluding Observations of treaty bodies; and encouraging ASEAN's relevant sectoral bodies to undertake cross-sectoral cooperation. With contributions from OHCHR, the Australian Human Rights Commission, and ASEAN Member States, the Workshop fosters cooperation and consultation with all stakeholders for the implementation of the human rights conventions to which all ASEAN Member States are parties. Lastly, the special appreciation was extended to Australia for its financial and technical support, emphasizing the significance of active participation and shared insights for collective progress.

5. The Workshop continued with the remarks from **H.E. Asst. Professor. Dr. Bhanubhatra Jittiang**, Representative of Thailand to AICHR, reaffirming ASEAN Member States commitments to promote and protect human rights in the region in which the Workshop's topics reflect the realities of diverse national contexts and backgrounds presenting challenges and effectiveness of the implementation of the human rights conventions to which all ASEAN Member States are parties. In 2024, Thailand officially withdrew its reservation to Article 22 of the Convention on the Rights of the Child (CRC). He also highlighted the opportunities to hear from a range of countries and stakeholders on various aspects of treaty implementation from decisions to ratify until translating those obligations into actions and sustaining progress with advancing the effective implementation of international human rights treaties.

6. **Ms. Benita Sommerville**, Deputy Head of Mission, Australian Embassy in Vientiane, emphasizing the significance of promoting human rights in ASEAN as the human rights are fundamental to peace, stability, and prosperity in the region. She also mentioned that all people, regardless of their background, are afforded the dignity and justice in which international human rights law is central to international efforts to the protection, promotion and fulfillment of human rights. No country has a perfect record but in recent decades states have made genuine progress in implementing their human rights obligations and international cooperation that is why this workshop is very helpful to share experiences and learn from each other with all ASEAN Member States are party to three international human rights treaties (CEDAW, CRC and CRPD) and turning commitments into actions.

7. Lastly **Mr. Arnaud Chatlin**, Human Rights Officer, OHCHR Regional Office for Southeast Asia, continued with his keynote address, focusing on the significance of

the Universal Declaration of Human Rights, reaffirming ASEAN Member States' commitment to principles contained in the Charter of the United Nations and the Universal Declaration on Human Rights following the Bangkok Declaration adopted by Vienna Conference in 1993. He emphasised that the treaty bodies are mechanisms put in place by the respective Conventions to monitor the implementation of the Conventions, despite the efforts by ASEAN States over the past few years to comply with their reporting obligations, countries mostly submit the reports overdue for many years. He concluded by stressing that OHCHR stands ready to support Member States in the process of reporting, convening of stakeholders, preparing for the constructive dialogue or strengthening the NMIRF as well as supporting state capacities to implement recommendations.

## SESSION 1: TREATY RATIFICATION

8. **H.E. Ambassador. Phoukhong Sisoulath**, Director-General of the Department of Treaty and Law, Ministry of Foreign Affairs of Lao PDR, moderated the Session 1.

9. **H.E. Assoc Prof Eugene Tan**, Representative of Singapore to AICHR, emphasised the importance of the treaty ratification process and its incorporation into domestic laws. He presented an overview of Singapore's approaches on advancing women's development and protecting children's issues, including in emerging areas of concern such as violence and online harms, and climate change. On women's development, he emphasised that Singapore took its CEDAW commitments seriously. Singapore's delegation at the 88<sup>th</sup> CEDAW session in 2024 was the largest since Singapore signed on to CEDAW in 1995. Through various policies that place women's well-being at the centre across various domains of life, Singapore has put in place safeguards against violence and online harms against women, fostered fairer and more inclusive workplaces for women, and taken steps to ensure access to justice for all. A key recent development was the Singapore Government's year-long nationwide Conversations on Singapore Women's Development in 2020 amidst the pandemic, with a wide range of stakeholders. The conversations culminated in the White Paper on Singapore Women's Development that was published in 2022, which sets out a 10-year roadmap with 25 concrete action plans to advance women's development.

10. On the children's rights front, he said that Singapore adopted a three-pronged approach to improving children's well-being. First, Singapore recognises the importance of the family in children's development. Second, Singapore provides its children with a good foundation for learning and development, and opportunities for growth regardless of their background. This includes enhanced learning support for children with developmental needs and giving students the freedom to exercise flexibility to pursue their strengths and interests. Third, Singapore protects and uplifts vulnerable and disadvantaged children, especially those who are abused or are from lower-income families. He noted that according to Singapore's sixth Periodic Review to the UN Convention on the Rights of the Child, Singapore was one of the few countries to have introduced specific legislation to minimise children's exposure to

harmful online content. Singapore has also launched efforts to mitigate climate change and adapt to its effects under the Singapore Green Plan 2030. This is to ensure that Singapore's children can continue to thrive in a climate-resilient home.

11. **Ms. Nareeluc Pairchaiyapoom**, Director of International Human Rights Division, Rights and Liberties Protection Department, Ministry of Justice of Thailand, presented Thailand's commitments under international human rights treaties, identifying the ratification process and responsible agencies for each 8 key international human rights treaties which Thailand is party, as well as main duties as a State Party to guarantee fundamental human rights, implement treaty obligations, disseminate and draft the state reports, including the challenges faced such as enactment of law to comply with the treaties, understanding of the treaties, engagement with relevant stakeholders and implementation at domestic level.

12. **Mr. Sackpaseuth SISOUK**, Deputy-Director of Foreign Affairs and Legislation Division, Department of Treaty and Law, Ministry of Foreign Affairs of Lao PDR, outlined the overview on the implementation of treaties which Lao PDR is party and process of conclusion the treaties, in accordance with the Law on Treaties and International Agreement (2017), such as negotiation, signing, ratification, acceptance, accession and exchange of instruments, and highlighted legal process and terms of treaty for implementation in each level.

13. During the interactive Q&A segment, participants discussed the consideration of ratification the remaining core international human rights treaties and other optional protocols to some international human rights treaties which the ASEAN member states are parties. The reporting process was noted as a burden and a big challenge, particularly for states with limited capacity, emphasizing the need for streamlined processes and prioritization, especially the cooperation and contribution of all stakeholders, including Government agencies, CSOs, etc. However, the submission of state reports of countries under international human rights treaties has never been on time, except for the UPR. The discussion also underscored the importance of collaboration with national development agencies to advance human rights commitments effectively.

## **SESSION 2: TRANSLATING TREATIES INTO DOMESTIC LEGISLATION**

14. **H.E. Ambassador Yong Chanthalangsy**, Representative of Lao PDR to AICHR, moderated the Session 2.

15. **Ms. Vatthana Inlorkham**, National Commission for the Advancement of Women, Mothers and Children (NCAWMC), Child Rights Representative to ACWC, shared the experiences since the establishment of the NCAWMC following the ratification of CEDAW and CRC which is the fundamental step for implementing the obligations and aligning to national laws. She demonstrated the progress of amending the domestic legislation in more specific and effective manners such as Law on the Development and Protection of Women and Law on the Protection of Rights and Interests of Children. She highlighted the Government's efforts to guarantee the best interests of children and fostered the coordination of all stakeholders to fulfill commitments in harmonising domestic legislation with the international human rights

treaties and enhancing the capacities of national bodies for implementing treaties despite the challenges.

16. **Mr. Piseth Leav**, Deputy Director General, General Department of International Affairs and Judicial Development, Ministry of Justice of Cambodia, highlighted the significance of the Peace Agreement (1991), Cambodian Constitution (1993) and Constitutional Council Ruling (2007) which plays a pivotal role in ensuring that international human rights treaties are recognized as part of domestic law and applied by judges in the courts; the Cambodian internal procedures of treaty conclusion such as signing the treaty, ratification, promulgation by the king and implementation, as well as giving examples of translation CEDAW and CRC into domestic legislation and policies.

17. During the interactive Q&A part, Participants raised key issues regarding the fulfillment of human rights obligations, the process of the different committees performing in terms of monitoring the implementation of international human rights treaties which have already been translated into domestic law, the reporting system and collaboration between Cambodian Government's bodies and Human Rights Committee, the consideration of Cambodian Constitutional Council Ruling, and how international treaties ratified by Cambodia are considered part of domestic legal framework and should be apply by judges in the court.

### **SESSION 3: SHARING EXPERIENCES OF REPORTING TO TREATY BODIES FROM BOTH GOVERNMENT AND NHRI/CSO PERSPECTIVES**

18. **Ms. Umavathni Vathanaganthan**, representative from AICHR Malaysia, moderated the Session 3.

19. **Ms. Mashita Insani Kamilia**, First Secretary, Directorate of Law and Political Treaties and Territoriality, Indonesia, presented Indonesian experiences for reporting to treaty bodies, particularly CEDAW, CRC, and CRPD. She outlined the legal basis on human rights such as the constitution, laws, notably Law No. 39 on Human Rights (1999) and laws concerning ratifying international human rights instruments, and other related legislation. In addition, she demonstrated some key takeaways and common challenges in reporting to treaty bodies such as changes in governmental structures and legislations, coordination and data collection, and cross-cutting/emerging issues.

20. **Ms. Nareeluc Pairchaiyapoom**, Director of International Human Rights Division, Rights and Liberties Protection Department, Ministry of Justice of Thailand, shared experiences of reporting to treaty bodies by giving an example of implementing the CAT convention which Thailand is party in 2007, submitted its 1<sup>st</sup> report in 2007 and 2<sup>nd</sup> report in 2021, and joined the verbal report with CAT Committee in 2024. She presented the process of developing the 2<sup>nd</sup> report of CAT, including consultations, preparation of the Thai Delegation, concluding observations, next steps and challenges particularly in implementing some concluding observations and collaboration among different agencies.

21. **Ms. Yanti Kusuma Wardhani**, Child Rights Representative to ACWC, highlighted the significance of key human rights treaties and their reporting obligations focusing on treaty ratification, commitments and ongoing reporting process, particularly the preparation of State Reports involving national coordination, multi-stakeholder involvement, data collection, analysis and submission. She also presented Indonesian

experiences on CEDAW and CRC implementation, including the executive summary regarding the constructive dialogues between Indonesian delegation and CEDAW and CRC Committee, concerning issues, received recommendations, implementation and follow-up.

22. **Ms. Megan Spindler-Smith, Deputy CEO at People with Disabilities Australia**, discussed the role of civil society organizations, particularly People with Disability Australia (PwDA), in advocating for the rights of people with disabilities in Australia. PwDA, founded in 1981, provides systemic and individual advocacy, emphasizing the "Nothing About Us Without Us" principle. The organization collaborates with the Australian government and other civil society organizations to ensure the voices of people with disabilities are heard in treaty reporting processes, such as the CRPD and CEDAW. The PwDA highlighted the importance of accessibility, including easy-to-read formats to ensure inclusive participation. The organization also advocated for a standardized approach to engage civil society proactively in treaty reporting.

23. During the Q&A session, the discussion highlighted the exchanged experiences of Thailand in preparing the state report to the CAT Convention, in dealing with the List of Issues Prior to Reporting (LOIPR), as well as issues raised during the verbal report with CAT Committee, the challenges in developing the state report, especially the initial report, such as dissemination to line ministries and concerned agencies, and complicated specific vocabularies and terms and the collaboration with relevant agencies. The exchange also touched on the opportunities for contribution and the modalities of different categories of persons with disabilities in Australia to provide their opinions and comments into the shadow reports.

#### **SESSION 4: TRANSLATING CONCLUDING OBSERVATION INTO ACTION**

24. **H.E. Ambassador Nguyen Trung Thanh, Representative of Vietnam to AICHR**, moderated the Session 4.

25. **Ms. Vatthana Inlorkham, NCAWMC, Child Rights Representative to ACWC**, exchanged the translating the Concluding Observations into actions in Lao PDR, given experiences from the CEDAW and CRC, by highlighting the priorities included in the NCAWMC's action plans aligning with national socio-economic development plans, coordinating gender equality policies, appropriating gender mainstreaming and eliminate the violence against women and children in all sectors, disseminating Concluding Observations to equivalent organisations and local administration to integrate recommendations with their responsibilities. She also highlighted the Government's efforts to review the national legislation and policies, foster the international and regional cooperation which is crucial for sustainable progress of development.

26. **Ms. Nguyen Thi Thanh Hai**, Associate Professor, Doctor of Philosophy, Deputy Director the Institute for Human Rights, Ho Chi Minh National Academy of Politics, presented the implementation of human rights obligations under UPR (in the 4<sup>th</sup> Cycle UPR, Vietnam accepted 253 out of 320 recommendations) and 7 human rights conventions which Vietnam is party. Regarding the UPR, she highlighted that Vietnam adopted the Master Plan for the Implementation of Human Rights Recommendations aiming to review and improve legal framework, strengthen the effectiveness of enforcement, and strengthen international collaboration for the implementation of the

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treaty. Furthermore, she added information on the progress of improving domestic law and policy on human rights, lessons learned and challenges especially the implementation of some recommendations that Vietnam has not yet ready, the monitoring of implementation and the current major restructuring of the Government.

27. **Ms. Pg Siti Rahmah Pg Mohamad**, Assistant Solicitor General, Attorney General's Chambers of Brunei Darussalam, expressed gratitude for the opportunity to learn from colleagues about ratifying, implementing, and reporting on human rights treaties. They highlight Brunei's vision for 2035, which aims to develop a self-sufficient nation with a high quality of life and dynamic economy. She outlined the role of the Oversight Office, chaired by the Sultan of Brunei, in managing and monitoring the vision's progress through three blueprints: manpower, social, and economic. She demonstrated the alignment of the UPR recommendations with Brunei's national vision and the preparation of the United Nations Report, emphasizing the importance of constructive engagement with national stakeholders for better coordination and tracking of UPR recommendations.

28. **Mr. Bolivar L. Bao**, Alternate Representative of the Philippines to AICHR, discussed the Philippines is committed to international human rights by being a party to eight out of nine core treaties. It employs two mechanisms to implement recommendations: the National Recommendation Tracking Database (NRTD) and the Philippines Human Rights Action Plan (PHRAP). The NRTD, launched in 2022, streamlines the tracking and implementation of recommendations. The launching of International Human Rights Day 2024 addressed various rights, including civil and political, economic, social, and cultural, and gender equality. The Philippines also collaborates internationally, sharing best practices and lessons learned.

29. During the interactive Q&A part, the session highlighted diverse perspectives and practical challenges in implementing the Concluding Observations under the international human rights treaties, as well as UPR recommendations. Key challenges were raised, such as integrating international recommendations into domestic frameworks and addressing resource constraints in implementing recommendations. Participants also emphasized the digital burdens and the importance of NRTD which the relevant ministries and organisations should take responsibilities to upload the information on the activities that they have carried out for the implementation.

## **SESSION 5: IMPLEMENTATION OF TREATY OBLIGATIONS, INCLUDING NATIONAL SYSTEMS TO TRACK AND FOLLOW UP PROGRESS**

30. **H.E. Asst. Professor Dr. Bhanubhatra Jittiang**, Representative of Thailand to AICHR, moderated the Session 5.

31. **Mr. Berthor Tongpaothor**, Director of Division, Department of Policy for Devotees, Disabilities and Older Persons, Ministry of Labour and Social Welfare of the Lao PDR, discussed the implementation of the CRPD in Lao PDR, highlighted the challenges faced by persons with disabilities, particularly in rural areas. Key points included the ratification of the CRPD in 2009, the development of a National Policy Strategy and Action Plan focusing on wellness, education, employment, and social protection, and the CRPD Committee's 97 concerns and recommendations. The National Committee for Persons with Disabilities, comprising various ministers and social organizations, is tasked with promoting disability inclusion. The meeting

emphasized the need for policy development, legislation, and awareness to ensure equal opportunities and participation for persons with disabilities.

32. **Ms. Sochetra Nhean**, Director General of the General Department of Social Development, Ministry of Women's Affairs of Cambodia, shared Cambodian experience on implementing of human rights, highlighting the Cambodian mechanisms, legal and policy frameworks, sharing CEDAW implementation, reporting and concluding observations (COBs) lately issued in 2019 following up the 6<sup>th</sup> Periodic Report which has significantly improved in some sectors such as women participation in decision-making position in the national and sub-national levels increased, gender gap in education has narrowed, maternal mortality rate decreased, etc; sharing CRC implementation and reporting which COBs lately issued in 2022 following up the 4<sup>th</sup> and 5<sup>th</sup> Periodic Report; and sharing challenges and next steps especially setting priorities, strengthening cooperation and reviewing/amending national laws.

33. **Mr. Kevin Geh Kein Meng**, Director of the Legal Affairs Division, Prime Minister's Department of Malaysia, shared Malaysian experiences on the implementation of treaty obligations, especially CEDAW, CRC and CRPD which are all oversights by the Ministry of Women, Family, and Community Development; and highlighted legal framework, Government's initiative policies and programs for implementing CEDAW, CRC, and CRPD, along with developing system to track recommendations received from different treaty bodies, national treaty monitoring and reporting systems, as well as national recommendation tracking database.

34. In Q&A session, several key points were discussed and shared insights regarding the challenges and difficulties of Malaysia for the consideration of reviewing the fundamental legislation, such as the Constitution, to implement the treaty obligations; Cambodian good practices in promoting gender equality and increasing number of women participation and women in decision-making positions; how AICHR performs across the region supporting for the implementation of treaty obligations and the national tracking system of ASEAN Member States. Recommendations and priorities were raised for addressing systemic challenges ensuring effective implementation of international human rights treaties.

## **SESSION 6: NHRIs AND CSOs CONTRIBUTIONS TO MONITORING THE IMPLEMENTATION OF TREATIES**

35. **Ms. Joanna Mansfield**, Team Leader International Engagement, Australian Human Rights Commission, moderated the Session 6.

36. **Ms. Anne Hollands**, Australian National Children's Commissioner, shared that the population of children under 18 is approximately 5.7 million out of 27.1 million (around 21%). Around 6% of children are Aboriginal and Torres Strait Islander. The Australian Government prioritises child safety and well-being as Australian National Children's Commissioner serves to make sure children and young people can express the issues that affect them. She also highlighted the incorporation of the CRC into laws and policies in Australia, shared the initiatives of Australian youth system and incarceration system, and introduced some UN CRC Guiding Principles and the concept of National Principles for Child Safe Organisations in Australia, comprising of 10 key principles for children.



37. **Dr. Alisa Sivathorn**, Disability Inclusion Specialist (UNDP) and Board Executive of Good Friends Association, shared CSO's roles in implementing of treaties with more connected and understanding of issues, as well as advocating for the rights of marginalised groups, such as disability, gender diversity, youth, indigenous, etc; and providing recommendations to the Government sectors. These recommendations focus on strengthening accountability mechanisms, fostering an equitable platform for grassroots CSOs to have dialogues with the Government; calling for national and international corporations to end any forms of human rights violation.

38. **Mr. Sreang Chenda**, Member of the Cambodian Human Rights Committee (CHRC), outlined that CSOs can freely submit shadow reports and engage with international human rights mechanisms to review the implementation of treaties, as well as preparing the recommendations. He also emphasised the need of capacity building for CSOs to encourage the CSOs' participation and promote understanding of human rights among others by sharing relevant information to reporting process, implementation of treaties and focusing on all fields of concern.

39. **Mr. Thongdam Phongphichith**, Lao CSO Coordination Committee (LCCC), Director of Sustainable Agriculture and Environment Development Association, shared Lao CSOs' contributions to monitoring the implementation of treaties with highlighted activities organised and participated by Lao CSOs in recent years; sharing CSOs experiences engagement with CEDAW, CRC and CRPD, especially active participations and submissions of parallel reports. He highlighted that Lao CSOs are strong to partnership with the Government to contribute in the policies, strategies, plans and laws, particularly for developing, implementing, monitoring, and reporting, as well as addressing some challenges/limitations and some recommendations, especially on building capacity of Lao CSOs.

40. During the Q&A, participants discussed on Australian experiences regarding the increase of legal age for criminal responsibility or detention, the kind of complaints received by the Australian Human Rights Commission and Australian National Children's Commissioner, issues of bullying and harassment of children, online safety protection and LGBTQ children protection. Participants also discussed on lessons learned and ways to strengthen treaty implementation at the national level.

## CLOSING SESSION

41. In his closing remarks, **H.E. Ambassador Yong Chanthalangsy** concluded the Workshop with a heartfelt acknowledgment of participants' active participation and great contributions, emphasizing the success of the event in enlightening conversations, experiences exchanged and a common dedication to strengthening the ASEAN Member States' implementation, reporting, translating concluding observation into action and follow-up mechanisms. Participants gained deeper insights into their roles and responsibilities in upholding these commitments, supported by the expertise of esteemed speakers who provided valuable perspectives on national reporting frameworks. Gratitude was also extended to the Australian Embassy to the Lao PDR, the Australian Human Rights Commission, the OHCHR Regional Office for Southeast Asia, the ASEAN Secretariat, and ASEAN Member States for their technical and

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financial support. The chairperson officially closed the Workshop by wishing all participants good health, happiness, and success, and encouraging them to carry forward the knowledge and inspiration gained from the event.