The ASEAN Intergovernmental Commission on Human Rights (AICHR) Annual Report 2017

July 2016 - June 2017

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1. Executive Summary

This Annual Report covers the period between July 2016 and June 2017.

1.1. ASEAN's 50th Year

The first six months of 2017 fall within the Golden Anniversary Year of ASEAN. On its 50th Year, ASEAN has seen significant achievements in terms of advancing the cause of human rights. Article 14 of the ASEAN Charter of 2008 called for the establishment of a human rights body in the region. This body came into being in 2009 in the form of the ASEAN Inter-Governmental Commission on Human Rights (AICHR). Three years later, the ASEAN Heads of State/Government adopted the ASEAN Human Rights Declaration (AHRD).

Consistent with its mandate "to develop strategies for the promotion and protection of human rights and fundamental freedoms to complement the building of the ASEAN Community," the AICHR has undertaken various activities at the regional and national levels since its establishment. Seminars, workshops, and consultations were made; thematic studies were conducted; and partnerships were forged.

ASEAN's milestone this year has also created greater expectations on the part of the peoples of the region as ASEAN tries to advance its efforts to establish a rules-based, people-oriented, people-centred ASEAN Community. The AICHR must be able to respond to this challenge and take a more active role in advancing its advocacy for greater awareness on and respect for human rights.

<u>Annex 1</u> shows the notable achievements of the AICHR contributing to the development and implementation of the ASEAN Community in its eight years of existence.

The AICHR has chosen three projects to commemorate the 50th Anniversary of ASEAN; these are: a) the development and launch of the Regional Action Plan on the Mainstreaming the Rights of Persons with Disabilities in the ASEAN Community; b) the AICHR Youth Debate; and c) the publication of a compendium of three individually printed AICHR documents, namely, the AICHR: What You Need to Know Booklet; the ASEAN Human Rights Declaration (AHRD) and the Phnom Penh Statement on the Adoption of the AHRD; and the AICHR Terms of Reference, as well as the production of a short video on AICHR: What You Need to Know.

1.2. Recent Accomplishments

The AICHR convened three Regular Meetings¹ and three Special Meetings² during the past 12 months. A series of activities were also organised in line with the AICHR's annual Priority Programmes/Activities 2016/2017. These included 12 seminars/workshops; 5 cross-pillar/sectoral meeting/consultations; 5 meetings with external partners; and 3 meetings with CSOs.

The AICHR and the Senior Officials Meeting on Transnational Crime (SOMTC) coorganised a Consultation on Human Rights—Based Approach in the Implementation of the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP) on 29-30 September 2016. The ACTIP eventually entered into force on 8 March 2017. To date, seven ASEAN Member States have submitted their instruments of ratification.

There was a meeting between the Chair of the AICHR and the Senior Officials Meeting on Social Welfare and Development (SOMSWD) on 26 January 2017 in Bangkok, Thailand and a meeting between the AICHR and SOMSWD on 13 February 2017 in Boracay, Philippines to discuss SOMSWD's participation in the Task Force on the Mainstreaming of the Rights of Persons with Disabilities in the ASEAN Community. The Task Force is responsible for the drafting of the Regional Action Plan on the Mainstreaming the Rights of Persons with Disabilities in the ASEAN Community. The Chair of the AICHR also had a consultation meeting with the Senior Economic Officials Meeting (SEOM) on 29 March 2017 in Bangkok, Thailand to explore possible areas of cooperation.

During its Special Meeting in Hanoi, Viet Nam on 27-28 October 2016 and the 22nd AICHR Meeting in Luang Prabang, Lao PDR on 23-25 November 2016, the AICHR agreed to confer consultative relationship status to five CSOs. These are: a) Human Rights Resource Centre; b) International Women's Rights Action Watch Asia Pacific; c) Movement for the Intellectually Disabled of Singapore; d) Raoul Wallenberg Institute of Human Rights and Humanitarian Law; and e) Asia Indigenous Peoples Pact. As of June 2017, the AICHR has conferred 16 CSOs with the status of Consultative Relationship.

<u>Annex 2</u> provides a list of summary of the meetings and activities of the AICHR between July 2016 and June 2017.

¹ 22nd AICHR Meeting on 23-25 November 2016 in Luang Prabang, Lao PDR; the 23rd AICHR Meeting on 13-15 February in Boracay, Philippines; and the 24th AICHR Meeting on 15-19 May 2017 in Jakarta, Indonesia.

² Special AICHR Meeting on 23-24 July 2016 in Vientiane, Lao PDR; Special AICHR Meeting on 27-28 October 2016 in Hanoi, Viet Nam; and Special AICHR Meeting on 17-18 June 2017 in Phuket, Thailand.

2. Public Information

The AICHR website (www.aichr.org) is a key platform to disseminate information on AICHR's initiatives and activities in the region. The AICHR publishes its press releases of its activities and meetings, and uploads relevant documents/reports for public viewing (e.g. the AICHR Five-Year Work Plans and the Summary of Activity Report of the AICHR – SOMTC Consultation Meeting on Human Rights Based-Approach in the Implementation of ACTIP and APA).

Aside from the regional AICHR website, Indonesia, Malaysia, Myanmar, the Philippines, Thailand, and Viet Nam have their respective national AICHR websites to better reach their domestic audiences. The AICHR is also producing a video on "AICHR: What You Need to Know" to raise peoples' awareness of the AICHR. The video version will be released in August 2017.

3. Observations and Challenges

3.1. Funding for AICHR Activities

In recent years, the AICHR has increased its capacity by maximising the utilisation of its fund and leveraging the same with the funds from Dialogue Partners. From 2011 to 2016, the average utilisation of the AICHR's budget was 71.68% of its budget.

3.2. Regularisation of Activities

The AICHR continues to regularise some of its activities such as on corporate social responsibility and human rights, environment, climate change and human rights, rights of persons with disabilities, trafficking in persons and education; as well as the youth debate and training of trainers programmes, as these activities are useful platforms in promoting human rights awareness and cross-sectoral cooperation in ASEAN. The regularisation of these activities was based on AICHR's internal process and agreement from ASEAN Sectoral Bodies.

The AICHR Youth Debate on Human Rights was first organised by the Philippines in 2013. It was also held in Singapore in 2015 and in Malaysia in 2016. Thailand will organise the 2017 edition, which has been included as one of the AICHR's commemorative activities for the 50th anniversary of ASEAN. Cambodia has already committed to host it in 2018. The AICHR has decided to make this a regular event within the AICHR programme of activities where Member States may propose to host. The AICHR Youth Debate on Human Rights helps to create an AICHR "brand" among the youth and students.

These projects, when conducted regularly, help ASEAN's efforts to promote human rights.

3.3. External Relations

The AICHR continues its active engagement with external partners, which in return has supported the AICHR to fulfil its mandate and Five-Year Work Plan. This year, the AICHR met with the Australian, Canadian and United States Missions to ASEAN.

The AICHR recognises the importance of maintaining good relations with regional and international institutions that can be effective partners of the AICHR in promoting human rights in ASEAN. The organisations that the AICHR engaged with this period included the United Nations Educational, Scientific and Cultural Organisation (UNESCO) and the United Nations Development Programme (UNDP).

4. Future Directions

4.1. Strengthening the AICHR as an Institution

The AICHR has taken the following actions to strengthen its institutional capacity and improve its efficiency.

4.1.1. Utilisation of the AICHR Funds

To make it a credible body capable of implementing funded projects, the AICHR had initial discussions to increase its efficiency in utilising funds by having the following guidelines:

- a. Setting a limit of 1 year for project implementation as soon as the project concept note is approved;
- If the project is not completed in 1 year, the project proponent, after submitting a formal request to the AICHR Chair, will be given a 1-year extension to implement the project;
- c. Should the project remain unimplemented by the end of the second year, the project could be proposed again for the AICHR's consideration, or otherwise the funds could be reallocated for other activities;
- d. Unexpended balances from completed projects should be returned first to the AICHR Fund before an AICHR Representative is allowed to tap a new allocation of funds for its next project; and
- e. The AICHR will decide on the reallocation of funds.

4.1.2. Standardisation of Project Proposal and Project Completion Report

The AICHR will begin using standard templates for preparing project concept notes. This will simplify the project proposal preparation and evaluation process. The concept note, for example, will clearly indicate the targets of AICHR's Five-Year Work Plan, the action lines of the ASEAN Political Security Community Blueprint, and the AHRD that the project will attempt to meet. This is to strengthen the role of the AICHR in contributing to the implementation of its mandates and functions, and the ASEAN Community Vision 2025.

4.2. Strengthening Cross-Sectoral and Cross-Pillar Coordination

During this period, the AICHR met with other sectoral bodies of ASEAN, such as the ASEAN Senior Law Officials Meeting (ASLOM), ASEAN Senior Officials Responsible for Information (SOMRI), and ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) to discuss possible collaboration and future engagement.

The AICHR is now working with SOMSWD and ACWC within the Task Force on the Mainstreaming of the Rights of Persons with Disabilities in the ASEAN Community to come up with a Regional Action Plan (RAP) on Mainstreaming the Rights of Persons with Disabilities in the ASEAN Community this year. Likewise, the AICHR is actively participating in the development of the Bohol Multi-Sectoral Action Plan for the Implementation of ACTIP.

On the other hand, the AICHR just started having preliminary meetings this year with the ASEAN Economic Community (AEC). There are no concrete projects identified yet under the AEC where the AICHR can be an active partner.

As the overarching human rights institution in ASEAN, the AICHR will continue to engage with the other sectoral bodies in the mainstreaming of human rights in all the three pillars of ASEAN. In order to do so, it is pertinent that the AICHR meets and holds consultations with relevant sectoral bodies on the application of a human rights-based approach in contributing to the implementation of the ASEAN Community 2025.

4.3. Social Media Presence

ASEAN's citizens, especially the youth, are some of the most technologically savvy people in the world. Their social interactions are centred on popular web-based platforms where they constantly communicate with their peers and others. Most also get their news and other information from their social media feeds.

To better engage this important demographic, the AICHR has its website which regularly publishes information and press releases. AICHR activities are also communicated through ASEAN social media channels.

The importance of a strong social media presence at this time cannot be overstated especially in measuring the impact of a well-crafted online campaign espousing a specific human rights—related message that can be shared numerous times in a short period across the region. AICHR's video projects such as the AICHR: What You Need to Know and the ASEAN Youth Video Competition: "ASEAN Against Trafficking: Humans are not for Sale" are steps in the right direction.

ANNEX 1: Achievements of the AICHR from 2009 to June 2017

Since inception, the AICHR has been actively promoting human rights in the region. The early years have been focused on the institutionalisation of its operations by the adoption of several guidelines on its modalities.

The following lists some of the AICHR's major achievements and decisions between 2009 and June 2017.

ASEAN Human Rights Declaration

The ASEAN Leaders adopted the ASEAN Human Rights Declaration (AHRD) and signed the Phnom Penh Statement on the Adoption of the AHRD (Phnom Penh Statement) on 18 November 2012. The Declaration is the embodiment of the commitment of the Governments of ASEAN to safeguard the human rights and fundamental freedoms of the people of ASEAN. The AHRD emulates the essence of the Universal Declaration of Human Rights (UDHR) and several international human rights instruments, yet it is also uniquely ASEAN. The AHRD was developed with a view to establish a framework for human rights cooperation through various ASEAN conventions and other instruments dealing with human rights.

The AICHR has focused on disseminating the AHRD and the Phnom Penh Statement. Dissemination activities include raising awareness of the significance of these documents, translating these documents into the national languages of the AMS, interacting with relevant stakeholders in an effort to mainstream the AHRD, as well as publishing, launching and uploading these translated versions to the AICHR Website. Notable activities include the following.

- In August 2013, the AICHR convened a joint event with the CPR themed "Contributing to the ASEAN Community Building through the Implementation of the ASEAN Human Rights Declaration (AHRD)". It officially launched the "ASEAN Human Rights Declaration (AHRD) and the Phnom Penh Statement on the Adoption of the AHRD, and its Translations".
- The AICHR conducted the "Dialogue with ASEAN Community Councils on the AHRD and the Phnom Penh Statement" in May 2015. It aimed at identifying means to mainstream human rights as stipulated in the two documents into the three pillars of ASEAN.
- The AICHR actively contributed to the ASEAN Political-Security Community Blueprint 2025, on the actions lines to promote and protect human rights, fundamental freedoms and social justice to ensure the people of ASEAN live with dignity, in peace, harmony and prosperity.
- The AICHR organised the Regional Workshop on Domestication of Human Rights Obligations in Lao PDR, where participants shared their national experiences on the implementation of human rights treaty obligations in ASEAN

Member States particularly on the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Convention on the Rights of the Child (CRC) which have been ratified by all 10 ASEAN countries.

AICHR Five Year Work Plans (FYWP) and Priority Programmes/Activities

The AICHR has successfully implemented its first FYWP 2010-2015 and is in the second year of its second FYWP 2016-2020. The following achievements were noted throughout this period:

- Regularisation of activities with an underlying principle to create an impact in ASEAN, on issues such as corporate social responsibility and human rights, environment, climate change and human rights, rights of persons with disabilities, trafficking in persons and education, and conducting youth debates and training programmes;
- <u>Inclusion of new topics and target groups</u> such as peace, environment and climate change, journalists, and judiciaries; and
- Application of a programmatic approach in pursuing the mainstreaming of the rights of persons with disabilities in the ASEAN Community, which consisted of three regional dialogues, a training programme, and the establishment of a task force to draft a Regional Action Plan on Mainstreaming the Rights of Persons with Disabilities in the ASEAN Community.

Mainstreaming Human Rights in the Implementation of the ASEAN Community Vision 2025

At the 27th Summit in Kuala Lumpur on 22 November 2015, ASEAN was proclaimed a Community through the Kuala Lumpur Declaration on ASEAN 2025: Forging Ahead Together signed by ASEAN Leaders. The ASEAN 2025: Forging Ahead Together ('ASEAN 2025'), which was simultaneously endorsed by the Leaders, charts the path for ASEAN Community building over the next ten years. It consists of specific action lines and strategic measures to realise the targets identified.

As an overarching human rights institution in ASEAN, the AICHR has a key role in contributing to the realisation of the ASEAN Community Vision 2025. It has addressed 7 of the actions lines under the ASEAN Political-Security Community (APSC) Blueprint 2025 key element A.2.5 "Promote and protect human rights, fundamental freedoms and social justice to ensure our peoples live with dignity, in peace, harmony and prosperity".

Engagement with ASEAN Organs and Bodies

With the cross-cutting nature of human rights, the AICHR has constructively engaged with relevant ASEAN Organs/Sectoral Bodies and other relevant stakeholders in the conduct of its activities. Since 2010, the AICHR has conducted 12 interfaces/meetings with relevant sectoral bodies with the aim to strengthen cross-pillar/sector collaboration and cooperation, enhance complementarity and avoid duplication of activities. The AICHR also held two consultations with ASEAN Sectoral Bodies during the drafting of the AHRD. A list of meetings between the AICHR and ASEAN Sectoral Bodies appears as **Annex A**.

On 13 February 2015, the AICHR adopted the "Guidelines on Alignment between AICHR and ASEAN Sectoral Bodies dealing with Human Rights". The purpose of the document is to establish a coordination process between the AICHR and ASEAN Sectoral Bodies related to human rights with a view to enhancing synergy and coherence in the promotion and protection of human rights in ASEAN.

The AICHR has been active in mainstreaming human rights-based approach in the implementation of the ACTIP and APA. In 2015, the AICHR and SOMTC organised a joint Workshop, which provided a platform to deliberate on the application of rights-based approaches in the prevention and protection from trafficking in persons (TIP). This was followed by the first AICHR-SOMTC Consultation on Human Rights-based Approach in the Implementation of ACTIP and APA in 2016. The first Consultation focused on ways to understand and mainstream the ACTIP and APA in the implementation of existing ASEAN human rights instruments related to the TIP, and the roles of the AICHR, ACWC and other relevant ASEAN sectoral bodies in this endeavour. The second Consultation will be convened in the later part of 2017.

AICHR's Engagement with External Parties

The AICHR has stressed the importance of ensuring the principle of ASEAN centrality in engagement with external parties. It has also reiterated that cooperation with external parties will focus on three areas, namely human rights promotion, education and capacity building as stipulated in Article 8.6 of the TOR of the AICHR. In its endeavour to strengthen relations with external parties, the AICHR conducted study visits to the U.S., Japan, and the E.U.

In November 2010, the AICHR visited the U.S. upon the invitation of then President Obama, to engage with the U.S. Government, relevant United Nations (UN) agencies, international organisations, international CSOs, and the Inter-American Commission on Human Rights about the work of the AICHR. It allowed for the exchange of views on human right issues of mutual concern and explored possibilities for future

collaborations with the U.S. State Department, UN agencies, and the Inter-American Commission on Human Rights.

The AICHR had a study visit to Europe in May 2011 at the invitation of the External Relations Directorate General of the European Commission. In this study trip, the AICHR visited Brussels, Strasbourg and Vienna where they met with various European institutions dealing with human rights, including those in the Council of Europe, Fundamental Rights Agency and the Organisation for Security and Cooperation in Europe. The visit provided the AICHR with the opportunity to have preliminary discussions with people responsible for and experienced in human rights in the European system. The discussions focused primarily on issues such as migration and trafficking in persons.

In April 2014, the AICHR conducted a study visit to Japan. The aim was to deepen understanding on how to promote and protect human rights and to enhance regional cooperation between ASEAN and Japan by sharing experiences and good practices. The study trip resulted in the identification on the common areas for cooperation between the AICHR and Japan namely, on women's rights, rights of persons with disabilities and trafficking in persons.

In October 2015, the AICHR Representatives and the Chairs/Alternate Representative of the ACW, ACWC and ACMW were invited to the 1st ASEAN-EU Policy Dialogue on Human Rights. The Policy Dialogue allowed both parties to engage in open and constructive exchanges on themes of common interest, including the recent human rights developments in the EU and ASEAN. The second Policy Dialogue will convene in 2017.

AICHR's Relations with Civil Society Organisations (CSOs)

The AICHR convened two regional consultations with CSOs to seek their inputs during the drafting of the AHRD. The first regional consultation was conducted in June 2012 and the second was in September 2012. The AICHR received inputs from representatives of national, regional and international CSOs on the AHRD. In 2014, the AICHR held two regional consultations on the review of the Terms of Reference of the AICHR inviting relevant ASEAN bodies and CSOs. The consultations allowed the CSOs to share their inputs on strengthening AICHR's mandates and functions.

Throughout the implementation of its Priority Programmes/Activities, the AICHR invited CSOs to participate and share their knowledge and experiences. For example, the AICHR invited relevant CSOs to all their regional dialogues on the mainstreaming of the rights of persons with disabilities in the ASEAN Community. For that specific subject area, the AICHR actively engaged with disabled persons' organisations (DPOs), some of which hold Consultative Relationship with the AICHR.

On 11 February 2015, the AICHR adopted the Guidelines on the AICHR's Relations with CSOs. The Guidelines enables the AICHR to establish constructive interactions with CSOs. The Guidelines has been operationalised with the setting up of a screening panel to assess CSOs' applications for Consultative Relationship with the AICHR and make recommendations to the AICHR. To date, 16 CSOs have been granted "Consultative Relationship" with the AICHR appears as **Annex B**.

List of Other Major Decisions of the AICHR

- 1. Adoption of Rules of Procedure (ROP) for AICHR's Fund, on 28 April 2011
- 2. Endorsement of Guidelines on the Operations of the AICHR, in January 2012
- 3. Adoption of Guidelines on Budget Standardisation for the AICHR's Priority Programmes/Activities, on 15 August 2013
- 4. Adoption of Guidelines for the AICHR Website Editorial Board, on 17 December 2013
- 5. Adoption of Screening Panel Procedure, on 17 September 2015
- 6. Adoption of Rules of Procedure (ROP) of the AICHR Programme Account, on 27 November 2015

ANNEX 2: Meetings of the AICHR

The AICHR conducted six meetings between July 2016 and June 2017. The AICHR discussed various matters including the implementation of activities under their annual Priority Programmes and Activities, reports of their completed activities, collaborative work with relevant ASEAN Bodies and external partners, and ways forward to further discharge their mandates and functions as ASEAN's overarching human rights mechanism. The AICHR adopted five concept papers and noted ten reports of completed AICHR activities. Table 1 provides a list of meetings of the AICHR and the documents that were adopted and noted by the AICHR.

1	Special Meeting of the AICHR,	[Noted reports]
	Vientiane, Lao PDR, 23 to 24 July	Report of the AICHR Regional
	2016	Forum on Media and Human Rights in ASEAN
		Summary Report of the AICHR Workshop on Effective
		Communication Strategies to
		Combat Trafficking in Persons
		• Report on the Workshop of
		Developing ASEAN Legal Human
		Rights Instruments
2	Special Meeting of the AICHR, Ha	[Noted reports]
	Noi, Viet Nam, 27 to 28 October	Report of the AICHR Workshop on
	2016	the Implementation of Human Rights

		Obligations related to the Environment and Climate Change Report of the "AICHR Youth Debate on Human Rights 2016 Summary of Activity Report of the AICHR-SOMTC Consultation on the Implementation of the ASEAN Convention and Plan of Action Against Trafficking in Persons, especially Women and Children (ACTIP and APA)
3	22 nd Meeting of the AICHR, Luang Prabang, Lao PDR, 23 to 25 November 2016	 [Adopted concept papers] Thematic Study on the Right to Education: Promotion of Access to Tertiary Education in ASEAN AICHR Judicial Colloquium on the Sharing of Good Practices regarding International Human Rights Law 3rd Regional Dialogue on the Mainstreaming of the Rights of Persons with Disabilities in the ASEAN Community (Access to Justice, Entrepreneurial Enterprises & Disaster Management) AICHR Youth Debate on Human Rights 2017 – 50th Anniversary of ASEAN: Forging Ahead Together Towards a Sustainable Community AICHR Regional Dialogue on Mainstreaming the Right to Education in ASEAN Community (ad referendum) [Noted reports] Summary Report and Matrix of Summary of Findings and Recommendations of Ways Forward of the AICHR-SOMTC Consultation on Human Rights-Based Approach in the Implementation of ACTIP and APA Report of the 2nd AICHR Regional
		Dialogue on the Mainstreaming of

4	23 rd Meeting of the AICHR, Boracay,	the Rights of Persons with Disabilities Report of the AICHR Training Programme on the Rights of Persons with Disabilities [Adopted concept papers]
	Philippines, 13 to 15 February 2017	 AICHR Workshop – ASEAN: Realising the Right to Health through Achieving Universal Health Coverage AICHR Workshop on Enhanced Access to Education for Children with Disabilities (ad referendum)
		[Noted report]
		 Report of the AICHR Seminar on Promoting Corporate Social Responsibility and Human Rights in ASEAN
5	24th Meeting of the AICHR, ASEAN	[Adopted documents]
	Secretariat, Jakarta, Indonesia, 15 to 19 May 2017	 Priority Programmes/Activities of the AICHR 2018
		AICHR Concept Note Template and Guidelines for AICHR Concept Note Template
		AICHR-ACWC Training Workshop on the UN Convention on the Rights of the Child
6	Special Meeting of the AICHR,	[Adopted concept papers]
	Phuket, Thailand, 17 to 18 June 2017	 2nd Workshop on Developing ASEAN Legal Human Rights Instruments
	1 - 2 · ·	AICHR Regional Consultation on the
		Right to Safe Drinking Water and
		Sanitation in ASEAN (with emphasis on rural communities)
		[Adopted document]
		Storyboard of the AICHR: What You Need to Know Video
		NEED TO MIDW VIDEO

Table 1: List of Meetings of the AICHR and the adopted and noted documents

In celebration of ASEAN's 50th Anniversary, the AICHR agreed to publish the *AICHR:* What You Need to Know - ASEAN 50th Anniversary Edition, A Compendium and to produce a video based on it. The objective of releasing the video is to increase awareness of the AICHR and its work among the ASEAN youths. Another activity adopted by the AICHR to commemorate the golden anniversary of ASEAN is the AICHR Youth Debate on Human Rights with the theme of "50th Anniversary of ASEAN: Forging Ahead Together Toward a Sustainable Community". The AICHR is also organising the ASEAN Youth Video Competition: "ASEAN Against Trafficking: Humans are not for Sale", in collaboration with the CPR. Both activities put the ASEAN youths at the centre and aim to enhance public awareness of the AHRD and human rights issues in the region. The AICHR plans to launch the Regional Action Plan (RAP) on the Mainstreaming of the Rights of Persons with Disabilities in the ASEAN Community as part of its commemorative series of activities. This RAP is a joint collaboration between the AICHR, SOMSWD, and ACWC.

Implementation of the AICHR's Priority Programmes/Activities and AICHR's Contribution to the ASEAN Community Vision 2025

Over the one-year period, the AICHR convened twelve activities, which delivered five mandates of the AICHR, namely Mandates 4.1, 4.3, 4.4, 4.6, and 4.12. These activities also contributed to the implementation of the ASEAN Community Vision 2025, specifically seven of the action lines under the ASEAN Political-Security Community (APSC) Blueprint 2025 key element A.2.5 "Promote and protect human rights, fundamental freedoms and social justice to ensure our peoples live with dignity, in peace, harmony and prosperity" namely action lines A.2.5.i, v, vi, vii, viii, ix and x. Below are brief descriptions of the activities.

- 1. Panel Discussion: Socialisation of the ASEAN Convention Against Trafficking in Persons, Especially for Women and Children (ACTIP) Focusing on Sharing of Good Practices on Anti-trafficking Initiatives, ASEAN Secretariat, Jakarta, Indonesia, 15 August 2016: The Panel Discussion was a joint event between the AICHR and the CPR. It aimed to socialise and contribute to the implementation of the ACTIP and APA focused on sharing of good practices in anti-trafficking initiatives and to support activities conducted by the SOMTC and other relevant ASEAN Bodies.
- 2. AICHR Youth Debate on Human Rights 2016, Kuala Lumpur, Malaysia, 22 to 23 September 2016: It was the AICHR's third youth debate on human rights and -the theme was "Realising the 2030 Agenda for Sustainable Development in the Context of the ASEAN Human Rights Declaration 2012". The event aimed to increase public awareness of the AHRD, and to provide a platform for ASEAN youths to express their views on issues surrounding human rights such as abortion,

child marriages, climate change, the rights of migrant workers and the right to peace.

- 3. AICHR-SOMTC Consultation on Human Rights-Based Approach in the Implementation of the ACTIP and APA, Jakarta, Indonesia, 29 to 30 September 2016: The event was a follow up of the AICHR-SOMTC Joint Workshop on "Human Rights-based Approach to Combat Trafficking in Persons, Especially Women and Children", which was held in November 2015 in Yogyakarta, Indonesia. The objectives of the Consultation included (i) to collate best practices on how human rights-based approach has been implemented in the prevention, protection and assistance programmes to victims of trafficking in some ASEAN Member States from the perspective of the ACTIP, (ii) to discuss and exchange ideas of how the AICHR, ACWC, ACMW, SOMSWD and other relevant ASEAN Sectoral Bodies could contribute to the development of a roadmap on the implementation of the ACTIP and APA, and (iii) to learn best practices of cooperation from other regional organisations on the implementation of the human rights-based approach in combating trafficking in persons.
- 4. AICHR Training Programme on the Rights of Persons with Disabilities, Bangkok, Thailand, 11 to 14 October 2016: The training programme was a continuation of the 1st and 2nd Regional Dialogues on the Mainstreaming of the Rights of Persons with Disabilities in the ASEAN Community, which were held in December 2015 and June 2016, respectively. The objectives of the training were (i) to create a better understanding on the rights of persons with disabilities and (ii) to introduce a regional platform among relevant stakeholders in ASEAN with a view of sharing experiences and practices on the promotion and protection of the rights of persons with disabilities in the region.
- 5. AICHR Seminar on Promoting CSR and Human Rights in ASEAN, Singapore, 3 to 4 November 2016: The Seminar aimed to discuss and develop follow-up actions for the recommendations from the AICHR's baseline study on the nexus between business and human rights, which was completed in 2014. The seminar explored the role of governments, businesses, trade unions and CSOs in promoting CSR, as well as possible elements of a regional strategy on CSR and Human Rights in ASEAN.
- 6. AICHR Regional Workshop on Strengthening National Plans of Action on Trafficking in Persons to Ensure Effective Implementation of the ACTIP and APA, Phnom Penh, Cambodia, 1 to 2 December 2016: The Workshop was part of the AICHR's continued commitment to facilitate the mainstreaming of human rights-based approach in the implementation of the ACTIP and APA. The Workshop's objectives included among others: (i) to strengthen national plans of action on human trafficking by sharing good practices and challenges of ASEAN Member States, including identifying key policies and programmes against TIP, (ii) to

promote regional cooperation to enhance cohesiveness and engender a comprehensive approach in addressing TIP to ensure that ASEAN Member States' national action plans are consonant with the ACTIP and APA, and (iii) to create a platform to strengthen regional cooperation and coordination to combat TIP through synergising national plans of action. It also discussed whether and how human rights-based approach has been incorporated into these national action plans and encourage the remaining member states to ratify the ACTIP.

- 7. First Meeting of the Task Force on the Mainstreaming of the Rights of Persons with Disabilities in the ASEAN Community, Bangkok, Thailand, 5 to 6 December 2016: The Task Force was established to implement the ASEAN Community Vision 2025 on the mainstreaming of the rights of persons with disabilities across the three pillars of the ASEAN Community through consultation among relevant ASEAN Sectorial Bodies and stakeholders in the region, including DPOs. In the Meeting, the members of the Task Force discussed current situations of persons with disabilities in the ASEAN region, and exchanged views regarding the gaps in the implementation of regional frameworks pertaining to disability rights and relevant challenges.
- 8. AICHR Judicial Colloquium on the Sharing of Good Practices Regarding International Human Rights Law, Kuala Lumpur, Malaysia, 13 to 15 March 2017: The objectives of the Colloquium, amongst others, were to encourage greater peer-to-peer interaction, share good practices and challenges in the implementation of international human rights laws and to strengthen judicial co-operation between relevant stakeholders. The event gathered high-level participation by senior judges, representatives from Prosecution and Attorney General offices, ASEAN Law Ministers' Meeting (ALAWMM), ASLOM, and relevant ASEAN Sectoral Bodies.
- 9. 2nd Coordination Meeting for the Thematic Study on the Right to Peace, Lao PDR, 5 April 2017: The Meeting was updated on the progress on the conduct of the thematic study on the right to peace in ASEAN. The Meeting conceptualised the right to peace as an emerging human right and gathered inputs and suggestions from the National Focal Points for the purpose of finalisation of the thematic study. The Thematic Study on the Right to Peace is one of the AICHR priority programmes contributing to the implementation of the ASEAN Human Rights Declaration, especially Article 38 on the Right to Peace and to the realisation of the ASEAN Charter's purposes and principles, including the shared commitment by ASEAN Member States towards lasting peace, security, stability and prosperity in the ASEAN region.
- 10. <u>Second Meeting of the Task Force on the Mainstreaming of the Rights of Persons with Disabilities in the ASEAN Community, Jakarta, Indonesia, 19 April 2017:</u> The second meeting marked the first joint undertaking of the AICHR, SOMSWD and

ACWC, which also signifies the first cross-pillar collaboration on disability rights between the ASEAN Political-Security Community and the ASEAN Socio-Cultural Community. The Meeting continued its work on developing a regional action plan which takes its foundation from existing ASEAN documents, namely the Bali Declaration on the Enhancement of the Role and Participation of the Persons with Disabilities in ASEAN Community and the Mobilisation Framework of the ASEAN Decade of Persons with Disabilities 2011-2020. The Task Force agreed to learn from the experiences of ASEAN Member States by exchanging national action plans on persons with disabilities.

- 11. 3rd AICHR Regional Dialogue on the Mainstreaming of the Rights of Persons with Disabilities in the ASEAN Community (Access to Justice, Entrepreneurial Enterprises & Disaster Management), Phuket, Thailand, 19 to 21 June 2017: The Dialogue provided a platform for various stakeholders to give inputs to the development of a regional action plan on the mainstreaming of the rights of person with disabilities. It aimed to bring together relevant ASEAN sectoral bodies such as SEOM, ASLOM, SOMSWD, ACWC and ASEAN Committee on Disaster Management (ACDM) to mainstream the rights of persons with disabilities across the three pillars of ASEAN and to further develop cooperation among the relevant ASEAN sectoral bodies on the issues of persons with disabilities in ASEAN, particularly on access to justice, persons with disabilities as entrepreneurs and disaster risk management.
- 12. Third Meeting of the Task Force on the Mainstreaming of the Rights of Persons with Disabilities in the ASEAN Community, Phuket, Thailand, 22-23 June 2017: The Task Force extensively discussed the outline for the Regional Action Plan on Mainstreaming of the Rights of Persons with Disabilities in the ASEAN Community. The Meeting was briefed by the Statistics Division of the ASEAN Secretariat on the existing data collection mechanism in ASEAN and noted the lack of disability disaggregated data. The Task Force also met with a representative of the ASEAN Disability Forum and noted some recommendations on ways forward for ASEAN, including a comprehensive representation of DPOs and the importance of a monitoring and evaluation framework for the regional action plan.

A list of activities of the AICHR from July until December 2017 appears as ANNEX C.

The AICHR's Interactions with

1. ASEAN Foreign Ministers' Meeting (AMM)

During the 49th ASEAN Foreign Ministers' Meeting (AMM), in Vientiane, Lao PDR, the AMM met with the AICHR on 23rd July 2016. It was the fifth interface between the AMM

and the AICHR. The AICHR proposed two recommendations for the AMM's consideration: (i) uploading of the AICHR Annual Report 2016 to the AICHR website and (ii) reviewing the Terms of Reference (TOR) of AICHR. The AMM agreed on the uploading of the AICHR Annual Report 2016 and requested the AICHR to consult the AMM on future uploading of its annual reports; and took note of the recommendation related to the reviewing of the TOR of AICHR. The AMM requested the AICHR to continue strengthening its existing mandate and functions under its current TOR.

2. Committee of Permanent Representatives to ASEAN (CPR)

The AICHR met with the CPR on 17 May 2017. The Meeting approved a joint-activity ASEAN Youth Video Competition: "ASEAN Against Trafficking: Humans are not for Sale". The AICHR in its role as the overarching human rights institution in ASEAN has the mandate to mainstream human rights in all the three pillars of ASEAN. The AICHR expressed its intention to provide a rights-based perspective to the economic integration in ASEAN. The CPR, which is also the coordinating mechanism overseeing the three pillars of ASEAN, conveyed its support to mainstream human rights in the pillars of ASEAN and informed that the ASEAN Joint Consultative Meeting (JCM) in March 2017, identified human rights as one of the issues common to the three pillars. The Meeting underscored the importance of close cooperation between the AICHR and the CPR.

3. Secretary-General of ASEAN

The AICHR's meeting with the Secretary-General of ASEAN, H.E. Le Luong Minh, took place on 16 May 2017. It marked their fifth meeting and was the AICHR's last meeting with the current Secretary-General of ASEAN. The Secretary-General of ASEAN noted the AICHR's work to enhance cross-sectoral and cross-pillar collaboration in areas such as disability rights and trafficking in persons. The AICHR expressed its hope that the ASEAN Secretariat would continue to promote disability rights through equal opportunity for people with disabilities. The Secretary-General of ASEAN informed that the new ASEAN Secretariat building will incorporate universal-friendly design ensuring accessibility to persons with disabilities.

Interactions with ASEAN Sectoral Bodies

The AICHR continues to strengthen cross-pillar cooperation in its effort to mainstream human rights across the three pillars of ASEAN. The AICHR convened two meetings with SOMSWD on 2 July 2016 and 13 February 2017 to discuss their respective work plans and possible areas of collaboration on human rights and social protection. They emphasised the importance of enhancing synergy and their collaborative effort in the area of disability rights.

The AICHR met with ACWC on 2 July 2016 and shared information on their respective work. They discussed six areas for collaboration: (i) trafficking in persons, especially women and children, (ii) persons with disabilities, (iii) human rights training/education, (iv) right to peace in respect to gender, peace and security, including women and children in conflict situations and disaster areas, (v) juvenile justice, and (vi) the social impact of climate change on women and children.

The AICHR met for the first time with the ASEAN Senior Officials Meeting Responsible for Information (SOMRI) on 17 May 2017. Both agreed on the importance of collaboration and information sharing to promote cross-pillar synergy, and to contribute to the implementation of their respective work plans.

The AICHR met for the first time with ASLOM on 18 June 2017, and both shared information on their respective work. Recognising the interconnectedness of human rights and law, both agreed on the importance of active cooperation and sharing of information.

External Parties

On 3 July 2016, the AICHR met with UNDP and UNESCO to exchange information regarding their work on human rights and expressed interest in exploring areas of cooperation. The AICHR and UNDP discussed six areas for potential collaboration: (i) access to justice and human rights, (ii) marginalised and vulnerable groups, (iii) human trafficking, (iv) women political participation, (v) gender-based violence, and (vi) strengthening national human rights institutions (NHRIs)

During the 24th Meeting of the AICHR in May 2017, the AICHR met with the Australian Mission to ASEAN and the U.S. Mission to ASEAN. In both interfaces, the AICHR shared its priorities and activities for 2017 and gained further understanding of the priorities of Australia and the U.S. in the area of human rights. Both meetings demonstrated the AICHR's continued effort to strengthen partnership with ASEAN Dialogue Partners in the promotion and protection of human rights in the region.

Civil Society Organisations (CSO)

On 28 October 2016, the AICHR had meetings with Raoul Wallenberg Institute of Human Rights and Humanitarian Law (RWI) and the Working Group for and ASEAN Human Rights Mechanism (WG-AHRM). The AICHR expressed its interest in coorganising training events with RWI on human rights topics of mutual interest in ASEAN. The meeting with WG-AHRM allowed the AICHR and the WG-AHRM to share information on their respective work and priorities. They expressed their interest to continue their engagement and explore areas of cooperation.

During the 24th Meeting of the AICHR in May 2017, the AICHR met with Human Rights Resource Centre (HRRC), Due Diligence Project (DDP) and ASEAN CSR Network (ACN). The AICHR was briefed on the work being done by the three organisations in the promotion and protection of human rights and shared its priorities and work.