



Joint Statement

The ASEAN Human Rights Declaration: Drafts must be published and subject to meaningful consultations with local, national and regional civil society and human rights defenders

May 2nd, 2012

We, the undersigned international human rights organizations, are concerned that the ASEAN Intergovernmental Commission on Human Rights (AICHR) has yet to take the necessary steps to ensure that the process of drafting the ASEAN Human Rights Declaration (AHRD) is transparent and fully consultative with civil society organizations in the ASEAN region.

In a joint statement released on April 8th ([full text below](#)), over 130 local, national and regional civil society organizations across the ASEAN region called on AICHR to implement the following steps:

- 1) *To immediately publicize the draft AHRD so that the public can meaningfully participate in the drafting process. Consultations will remain meaningless if the draft declaration is kept confidential and out of reach of the peoples.*
- 2) *AICHR representatives who are already conducting national consultations in their respective countries must continue to do so, and ensure that these consultations are held nation-wide and in an inclusive and more regular manner. They should further encourage other AICHR representatives that have not taken such initiatives to do the same. The AICHR should also conduct consultations both at national and regional levels, especially if national consultations are not applicable yet in particular places.*
- 3) *To translate the draft AHRD into national languages and other local languages of the ASEAN countries in order to encourage broader public participation in the region.*

- 4) *To ensure that consultation meetings of the AICHR will be inclusive of all stakeholders, especially civil society organizations and national human rights institutions.**

On 12 April, AICHR announced that it would finalize the draft of the AHRD by July 2012 and hold one consultation with civil society organizations in late June 2012. A single consultation, conducted not at the outset but rather towards the very end of the drafting process, cannot be considered consultative and transparent. In addition to being non-transparent and non-consultative, this process has been clearly rushed with little thought provided on some of the key elements that have been articulated by ASEAN civil society for decades. An instrument of this importance and magnitude needs more time for adequate deliberation and discussion.

We fully endorse the April 8th statement made by national and regional civil society organizations and strongly urge all representatives of the AICHR to fully and immediately implement these recommendations. This would ensure that the AHRD reflects the legitimate concerns of civil society and human rights defenders in ASEAN and reflects existing international human rights standards.

The drafting of the AHRD is a litmus test of AICHR's willingness to constitute a credible, respected, and effective regional human rights body. Principles of transparency, accountability, and consultation are applied by the United Nations and all other regional bodies when they engage in human rights standard-setting and the ASEAN must not fall below well established international standards and practice.

This joint statement is endorsed by (in alphabetical order):

1. Amnesty International
2. Asian Legal Resource Centre
3. Association for the Prevention of Torture (APT)
4. Christian Solidarity Worldwide
5. Civil Rights Defenders
6. Freedom House
7. Human Rights Now
8. Human Rights Watch
9. International Commission of Jurists
10. International Federation for Human Rights (FIDH)
11. International Gay and Lesbian Human Rights Commission (IGLHRC)
12. Protection International
13. Reporters Without Borders
14. World Organisation Against Torture (OMCT)

* These four demands are as they appear in the 8 April 2012 statement of national and regional NGOs, "*Joint Statement Calling AICHR to Release ASEAN Human Rights Declaration*"

Statement released on 8 April by national and regional NGOs:

Joint Statement on Calling AICHR to release ASEAN Human Rights Declaration

8th April 2012

We, the undersigned civil society organizations and networks from Southeast Asia, express our grave concern and disappointment over the continuing secrecy in the drafting process of the ASEAN Human Rights Declaration (AHRD).

The ASEAN Intergovernmental Commission on Human Rights (AICHR) is mandated under Article 4.2 of its Terms of Reference to develop an ASEAN Human Right Declaration with a view to establishing a framework for human rights cooperation through various ASEAN conventions and other instruments dealing with human rights. At the 6th meeting of the AICHR in Vientiane on 28 June – 2 July 2011, a Drafting Group was officially established by the AICHR to prepare a draft of the ASEAN Human Rights Declaration. In January 2012, the Drafting Group submitted to the ASEAN Inter-governmental Commission on Human Rights (AICHR) a draft AHRD for deliberation and debate.

To this date, the draft AHRD remains confidential while the public has been excluded from any meaningful participation in the drafting process. There has not been any substantive and broad-based regional consultation with the peoples in the region on the draft AHRD.

While we commend the representatives of the AICHR from Thailand, Indonesia, Malaysia and the Philippines for holding consultation with their civil society at national level, we are disturbed that no such initiative has taken place in the rest of the ASEAN countries.

If ASEAN's aspiration to be "People-Oriented" is to be achieved, the AICHR that is tasked to defend the fundamental freedoms of the peoples in the region must set a good example in ensuring meaningful and substantive consultation and people's participation in the drafting of the historic AHRD.

We therefore strongly urge the AICHR to heed the recommendation of the United Nations High Commissioner for Human Rights, Navi Pillay, that "no discussion of human rights can be complete or credible without significant input from civil society and national human rights institutions" and immediately begin dialogues and consultations with civil society organizations on the AHRD.

We further call upon AICHR to implement the following steps to ensure that the drafting process of the ASEAN Human Rights Declaration will be credible, inclusive, transparent, reflective and consistent with universal human rights standards:

- 1) To immediately publicize the draft AHRD so that the public can meaningfully participate in the drafting process. Consultations will remain meaningless if the draft declaration is kept confidential and out of reach of the peoples.
- 2) AICHR representatives who are already conducting national consultations in their respective countries must continue to do so, and ensure that these consultations are held nation-wide and in an inclusive and more regular

manner. They should further encourage other AICHR representatives that have not taken such initiatives to do the same. The AICHR should also conduct consultations both at national and regional levels, especially if national consultations are not applicable yet in particular places.

3) To translate the draft AHRD into national languages and other local languages of the ASEAN countries in order to encourage broader public participation in the region.

4) To ensure that consultation meetings of the AICHR will be inclusive of all stakeholders, especially civil society organizations and national human rights institutions.

Until and unless the AICHR consults and engages with all stakeholders in a transparent, meaningful and substantive manner, the AICHR should postpone its submission of the final draft of AHRD to the AESAN Ministerial Meeting (AMM), which is scheduled to take place in July 2012.

This call is made to public as wide as possible in the ten countries of ASEAN and is endorsed by different sectors of civil society organizations such as youth organizations, women's organizations, child rights organizations, LGBT organizations, migrant workers network organizations, labour unions, farmers organizations, environmental organizations, human rights organizations, development organizations and some academic institutions. The joint statement is also translated into ASEAN major languages, Burmese, Bahasa-Indonesian, Bahasa-Malay, Khmer, Lao, Thai and Vietnamese to indicate our commitment to promote the basic human rights of the people that they are entitled to receive information and awareness about ASEAN and its works.

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List of endorsers:

1. Aceh Human Rights Coalition of NGO, Indonesia
2. Action for Environment and Community (AEC), Cambodia
3. All Arakan Students and Youth Congress (AASYC), Burma
4. All Burma Students Democratic Front (ABSDF), Burma
5. All Burma Students League (ABSL), Burma
6. All Kachin Students and Youth Union (AKSYU), Burma
7. All Women's Action Society (AWAM), Malaysia
8. Alternative ASEAN Network on Burma (Altsean Burma)
9. Arakan League for Democracy (Exile) Youth (ALD-Youth), Burma
10. ASEAN WATCH, Thailand

11. Asian Forum for Human Rights and Development
12. Asian Indigenous People's Pact
13. Assistance Association for Political Prisoners - Burma
14. Back Pack Health Worker Team
15. Banteay Srei, Cambodia
16. Boat People SOS
17. Building Community Voice (BCV), Cambodia
18. Burma Issues, Burma
19. Burma Medical Association, Burma
20. Burma Partnership, Burma
21. Burmese Women Union, Burma
22. Cambodia Indigenous Youth Association (CIYA), Cambodia
23. Cambodian Centre for Human Rights (CCHR), Cambodia
24. Cambodian Confederation of Unions (CCU), Cambodia
25. Cambodian Food Service Workers Federation (CFSWF), Cambodia
26. Cambodian Independent Teachers' Association (CITA), Cambodia
27. Cambodian League for the promotion and defense of Human Rights (LICADHO), Cambodia
28. Cambodian Watchdog Council (CWC), Cambodia
29. Cambodian Youth Network (CYN), Cambodia
30. Center for Migrant Advocacy Philippines
31. Child Rights Coalition-Asia
32. Chin Human Rights Organization (CHRO), Burma
33. Chin Students Union (CSU), Burma
34. Christians for Social Justice (CJS), Cambodia
35. Coalition of Cambodian Farmer Community (CCFC), Cambodia
36. Commission for Disappeared and Victims of Violence (Kontras), Indonesia
37. Community Action Network, Malaysia
38. Community Resource Centre (CRC), Thailand
39. Democratic Party for a New Society (DPNS), Burma
40. Dignity International, Malaysia
41. EarthRights International, Burma
42. Ecological Alert and Recovery Thailand (EARTH), Thailand
43. Education and Research Association for Consumers (ERA Consumer), Malaysia
44. EMPOWER Foundation, Thailand
45. Empowering Youth in Cambodia (EYC), Cambodia
46. Ethnic Community Development Forum (ECDF-Burma)
47. FOKER LSM, Papua
48. Foundation for Consumers (FFC), Thailand
49. Foundation for Ecological Recovery, Thailand
50. Foundation for Sustainable Development, Thailand
51. Foundation for Women, Law and Rural Development (FORWARD), Thailand
52. Foundation for Women, Thailand

53. EMPOWER Foundation, Thailand
54. Highland Peoples Task force (HPT), Thailand
55. Homenet, Thailand
56. Housing Rights Task Force, Cambodia
57. Human Rights Documentation Unit, Burma
58. Human Rights Education Institute of Burma
59. Human Rights Foundation of Monland, Burma
60. Human Rights Lawyers Association, Thailand
61. Humanum, Indonesia
62. Independent Democracy of Informal Economic Association (IDEA), Cambodia
63. Indigenous People Task Force on ASEAN
64. Institute for Policy Research and Advocacy (ELSAM), Indonesia
65. International Gay and Lesbian Human Rights Commission (IGLHRC)
66. JATAM, Indonesia
67. Kachin Women's Association – Thailand (KWAT), Burma
68. Karen Youth Organization (KYO), Burma
69. Kayan New Generation Youth (KNGY), Burma
70. Khmer Ahimsa Organisation, Cambodia
71. KIARA, Indonesia
72. KontraS (National Office, Jakarta, Indonesia)
73. Kuki Students Democratic Front (KSDF), Burma
74. Lahu Women's Organization, Burma
75. Lao Movement for Human Rights (MLDH)
76. LPSHAM, Indonesia
77. M Plus Foundation, Thailand
78. Messenger Band (MB), Cambodia
79. Migrant Forum in Asia
80. Migrante International, Philippines
81. Mon Youth Progressive Organization (MYPO), Burma
82. My Village Organization (MVi), Cambodia
83. Naga Youth Organization (NYO), Burma
84. National League for Democracy-Liberated Area (Youth), Burma
85. Network for Democracy and Development (NDD), Burma
86. Network for Human Rights Documentation in Burma
87. Network of Eastern Democracy, Thailand
88. NGO Coordinating Committee on Development (NGO-COD), Thailand
89. Northern Development Foundation, Thailand
90. One-2-One, Cambodia
91. Pa O Youth Organization (PYO), Burma
92. Palang Thai, Thailand
93. Palaung Women's Organization, Burma
94. People's Action for Change (PAC), Cambodia

95. People's Defense Force (Burma)
96. People's Empowerment Foundation
97. Persatuan Masyarakat Selangor & Wilayah Persekutuan (PERMAS), Malaysia
98. Pokja 30, Indonesia
99. Project for Ecological Awareness Building (EAB), Thailand
100. Pro Rights Foundation, Thailand
101. Pusat Komunikasi Masyarakat (PUSAT KOMAS), Malaysia
102. Quê Me: Action for Democracy in Vietnam
103. Rainbow Community Kampuchea (RoCK), Cambodia
104. Sahakum Teang Tnaut (STT), Cambodia
105. Sex Workers Organization, Thailand
106. Shwe Gas movement
107. SILAKA, Cambodia
108. Social Action for Change (SAC), Cambodia
109. Social Agenda Working Group, Social Research Institute, Chulalongkorn University, Thailand
110. Society of Transsexual Women of the Philippines (STRAP), Philippines
111. South East Asia Working Group/ Asia-Pacific Refugee Rights Network
112. South East Asian Committee for Advocacy (SEACA)
113. Southeast Asia Coalition to stop Child Soldiers
114. Southeast Asia Popular Communications Programme (SEAPCP)
115. Students and Youth Congress of Burma
116. Suara Rakyat Malaysia (SUARAM), Malaysia
117. Sustainable Agriculture Foundation, Thailand
118. Sustainable Development Foundation, Thailand
119. Ta'ang Students and Youth Organization (TSYO), Burma
120. Tavoy Youth Organization (TYO), Burma
121. Thai Committee for Refugees Foundation, Thailand
122. Thai Working Group for Climate Justice (TCJ), Thailand
123. The Cambodian Center for Human Rights, Cambodia
124. The Cambodian Human Rights and Development Association (ADHOC), Cambodian
125. The Northeastern Women's Network, Thailand
126. Think Centre, Singapore
127. Union for Civil Liberty (UCL), Thailand
128. United Lahu Youth Organization, Burma
129. Vietnam Committee on Human Rights
130. Volunteers for Sustainable Development (VSD), Cambodia
131. Women and Children Protection Foundation, Thailand
132. Women's Global Network for Reproductive Rights (WGNRR)
133. YLBHI, Indonesia
134. Yoma3 News Service, Burma
135. Youth for Social Change, Myanmar
136. Zomi Students and Youth Organization (ZSYO), Burma