

For Immediate Release

**Corporate Human Rights Abuses in ASEAN: Civil Society Calls for Corporate Accountability and Compliance with International Human Rights Law**

(Bangkok/Jakarta, 3 October 2013) – Civil society groups called for greater corporate accountability in the region, which requires a regulatory framework based on international human rights norms and standards, to address the escalation of corporate human rights abuses in ASEAN, during the launch of a report, titled “*Corporate Accountability in ASEAN: A Human Rights-Based Approach*”, in Jakarta yesterday. The report, published by regional human rights NGO Asian Forum for Human Rights and Development (FORUM-ASIA), was officially presented to the Thai representative to the ASEAN Intergovernmental Commission on Human Rights (AICHR), Dr. Seree Nonthasoot, during the 6<sup>th</sup> Regional Consultation on ASEAN and Human Rights held in Jakarta on 1-3 October 2013.

The ASEAN civil society’s call for greater corporate accountability comes against the backdrop of ASEAN governments’ continued push for the creation of an ASEAN Economic Community (AEC) by 2015 that would facilitate accelerated cross-border trade and investment in the region, which civil society claims is not accompanied by adequate safeguards set in place for those marginalized by the process.

Originating from cases gathered at two public hearings on the issue of corporate accountability in 2011, held in response to the ASEAN Intergovernmental Commission on Human Rights (AICHR)’s undertaking of a thematic study on the topic of Corporate Social Responsibility in ASEAN, the civil society report contains documentation of cases of corporate human rights abuses in the region. The publication of the report involved a wide variety of civil society networks and organizations, both at the national and regional levels.

One of the organizations involved in the preparation of the report, Focus on the Global South, highlighted that large-scale projects in the region, such as mining, dams, roads and industrial plantations, carried out in the context of ASEAN countries’ resource extractive model of economic growth, often without adequate human rights safeguards, have led to widespread environmental degradation and resulted in negative impacts on human rights, cultures and livelihoods of peoples and communities in the region.

“Land grabbing, involuntary resettlement, forced evictions, the loss of traditional livelihoods and access to natural resources and other human rights violations perpetrated by state and non-state actors in the context of business activities have become endemic in the region. Destructive projects are carried out despite strong opposition from affected communities,” said Dorothy Guerrero of Focus of the Global South.

The report makes a detailed list of recommendations to ASEAN governments and institutions, including its regional human rights mechanisms, businesses, and national human rights institutions in addressing the legal and institutional deficits in the protection of human rights in the region, the State-business nexus that has resulted in unaccountable decision-making, barriers to information and public participation, and access to justice and remedy in cases of corporate human rights abuses.

“Governments and businesses must ensure access to information, participation and consultation of affected groups in decision-making processes. There is also an increasing phenomenon of pursuing criminal prosecutions against human rights defenders working in the context of monitoring business activities and advocating for corporate accountability. ASEAN governments must immediately stop the criminalization of the legitimate work of human rights defenders,” said Evelyn Balais-Serrano, Executive Director of FORUM-ASIA, while deploring the most recent case of imprisonment of ten human rights defenders just last week for protesting against the Shwe Gas Project in Burma, one of the cases featured in the report.

The civil society report also highlights the urgent need for ASEAN governments and businesses to recognize and respect the right to Free Prior and Informed Consent (FPIC) of indigenous peoples as specifically stipulated in the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and other international instruments.

The report's main thrust is that existing voluntary Corporate Social Responsibility initiatives promoted by businesses and by ASEAN institutions, such as the AICHR, are insufficient to address the corporate human rights abuses. AICHR has since 2011 undertaken a thematic study on Corporate Social Responsibility in ASEAN, which is to date still a work-in-progress.

"ASEAN governments and institutions, including the AICHR, must move away from the voluntary Corporate Social Responsibility approach towards principles of Corporate Accountability, which places legally binding and enforceable requirements upon businesses to respect international human rights norms and standards and provides meaningful redress for human rights violations. Existing national laws across ASEAN should be reviewed to ensure this," said Corinna Lopa of the South East Asian Committee for Advocacy (SEACA).

*Corporate Accountability in ASEAN: A Human Rights-Based Approach* can be downloaded from: <http://www.forum-asia.org/?p=16404>

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