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# Thoughts on Engagements with AICHR

# Scope

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- New Normal
  - AICHR TOR
    - Windows of Opportunities
  - Strategies forward
    - Viewing the TOR
    - Going back to Anchors



# New Normal

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- AICHR as a body
  - No protection mandate
    - Maguindanao Massacre
  - “Non- confrontational”
  - Opaqueness in process and documents



# AICHR TOR

- Start in 2014 the review of the TOR of AICHR, and in this process, identify ways and means that will strengthen the functions of AICHR in the promotion and protection of human rights
- Strengthen the ASEAN Secretariat's support for AICHR, and consider the establishment of a dedicated secretariat that should evolve with the work of AICHR
- Exchange visit(s) with international and other regional human rights bodies (as necessary or on invitation)



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- Take stock of and assess status of existing human rights mechanisms and instruments in ASEAN
  - Work towards ASEAN conventions on Human Rights upon the adoption of the ASEAN Human Rights Declaration
  - Support the development of other ASEAN legal instruments on human rights undertaken by other ASEAN sectoral bodies
  - Support and strengthen the framework of legal cooperation on ASEAN human rights



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- Organise workshops/seminars with track I, II and III, either on its own or in cooperation with other institutions/organization at regional and national levels
  - Taking stock of existing human rights education/studies programs in the region
  - Support the efforts of ASED to develop a regional education programme on human rights
  - Support the efforts to develop common media programmes on AICHR and ASEAN human rights, in close consultation and cooperation with AMRI and AMCA



# Viewing the TOR

- Score card
  - Country Level Commitments
  - Representatives' Action Plan
- As template for
  - mapping of CSOs who can engage in each or a combination of activities
  - mapping of ASEAN mechanisms beyond AICHR
  - Engagement platforms – Manifold, vertical and horizontal
- As an outline for agenda setting
  - Thematic concerns
  - Networking with those who currently have access to the ASEAN



# Anchors

- Values
  - 'adherence to the principles of democracy, the rule of law and good governance, **respect for and protection of human rights and fundamental freedoms**'.
- Purpose
  - 'to strengthen democracy, enhance good governance and the rule of law to **promote and protect Human Rights and Fundamental Freedoms** with due regard to the rights and responsibilities of the Member States of the ASEAN'.



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- Principles

- ASEAN Members must 'act in accordance with the principles of **Fundamental freedoms, the promotion and protection of Human Rights and the promotion of social justice**'

- Article 14

- 'in conformity with the purposes and principles of the **ASEAN Charter relating to the promotion and protection of human rights and fundamental freedoms, ASEAN shall establish an ASEAN Human Rights Body; this ASEAN Human Rights Body shall operate in accordance with the terms of reference . . .**



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- Despite the absence of the ‘protection’ mandate, the AICHR can respond by creatively using its mandate on promotion, such as carrying out activities on security sector reform, thematic trainings on human rights, promotion of dialogues between stakeholders, conduct of research – many of which are already found in the TOR. The Review in 2014 is crucial as we Work together towards evolving the REAL NORMAL in human rights promotion, protection and cooperation in ASEAN.





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**Thank you!**