

PRESS RELEASE

200 civil societies demand for an ASEAN human rights body with protection mandates and independent experts

(Bangkok, 23 June 2009) Two hundred civil societies have demanded that ASEAN establish a regional human rights body at par with international human rights standards. In an open letter addressed to ASEAN's High Level Panel and Secretary General today, civil societies urged that the Terms of Reference (TOR) of the ASEAN human rights body to include two vital elements for an effective human rights body - the mandates to carry out human rights protection and the provision for independent human rights experts to be appointed to run the body.

The High Level Panel appointed by ASEAN plans to submit the final draft of the TOR to the 10 ASEAN foreign ministers at the 42nd ASEAN Ministerial Meeting (AMM) in July 2009. The ASEAN human rights body is expected to be established in October during the 15th ASEAN Summit in Thailand.

“We are really concerned about the manner in which the negotiation is taking place right now, ASEAN may end up establishing a regional human rights body that lacks independence and is powerless in carrying out human rights protection. This will fall far too short of international standards”, said Yap Swee Seng, Executive Director of Asian Forum for Human Rights and Development (FORUM-ASIA), a network of 42 human rights organizations across Asia.

“Without the protection mandate and the independent experts, the ASEAN human rights body will be a toothless tiger. ASEAN peoples deserve a better regional human rights mechanism,” added Yap.

The open letter explicitly calls on the High Level Panel to include three protection mandates, namely for the human rights body to be able to carry out country visit, to receive complaints of human rights violations and initiate investigation and finally, to be able to conduct periodic review of the human rights situations of ASEAN member states.

Rafendi Djamin, the Convenor of the Solidarity for Asian People's Advocacy Task Force on ASEAN and Human Rights (SAPA TF-AHR) said ASEAN can be proud of the lead that they have established in being the first within the Asian region to establish legally binding human rights mechanism on themselves.

“However, to renege on the international human rights standards at this point would be really a shame. This would again affirm the widespread perception that ASEAN lacks the political will to protect human rights,” said Rafendi, who co-signed the letter with Yap on behalf of 200 civil societies.

Djamin added that this certainly does not bode well with ASEAN which recently celebrated the entry into force of the ASEAN Charter that enshrines the respect for fundamental freedom, the promotion and protection of human rights and the promotion of social justice.

The signatories of the letter consist of 176 Non-Governmental Organizations (NGOs) and 24 individuals, including Professor Amitav Acharya of International Relations, School of International Service, American University (US), Professor Thitinan Pongsudhirak, of Department of International Relations, Faculty of Political Science, Chulalongkorn University (Thailand) and Todung Mulya Lubis, a prominent Human Rights Lawyer in Indonesia.

Meanwhile, the SAPA TF-AHR has requested for a meeting with the 10 ASEAN Foreign Ministers during the coming AMM, while it continues to receive endorsements until 27 June 2009 from organizations and individuals from around the world, which should be sent to yuyun@forum-asia.org.

SAPA TF-AHR was established during the first Regional Consultation on ASEAN and Human Rights in Kuala Lumpur on 26-28 August 2007. It is a network of civil society organizations which aims a) to hold ASEAN member states accountable to their international and domestic human rights obligations, and b) to make the ASEAN human rights mechanisms more accountable and effective. Early in 2009, the SAPA TFAHR launched the campaign on “we want ASEAN human rights commission with teeth!: accountable, effective and independent”.

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