

ASSOCIATION OF SOUTHEAST ASIAN NATIONS (ASEAN)

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I. OVERVIEW

The Association of Southeast Asian Nations (ASEAN) is a politico-economic organisation in South-East Asia which was set up in 1967. 'Asean has ambitions to create a single market by 2015 among its 10 member nations, which have a combined population of nearly 600 million people, twice the population of the United States.'¹

According to the provisions of the ASEAN Declaration, the aims of the organisation include the acceleration of economic growth, social progress, cultural development in the region, the protection of regional peace and stability, adherence to the rule of law and the principles of the UN Charter, promoting active collaboration and mutual assistance on matters of common interest in the economic, social, cultural, technical, scientific and administrative fields, etc.

The ASEAN Charter entered into force on 15 December 2008 giving the organisation a new legal framework and establishing a number of new organs to boost its community-building process.

<http://www.asean.org/publications/ASEAN-Charter.pdf>

II. ASEAN INTERGOVERNMENTAL COMMISSION ON HUMAN RIGHTS (AICHR)

<http://www.asean.org/22769.htm>

Pursuant to Article 14 of the ASEAN Charter, the member states set up the AICHR at the 15th ASEAN summit in October 2009. Its purposes, function and rules of procedure are set out in a single document entitled 'Terms of Reference' (ToR).

Term 6.8. specifies that AICHR is the overarching human rights institution in ASEAN with overall responsibility for the promotion and protection of human rights in ASEAN. Section 3 of ToR states that the AICHR is a consultative inter-governmental body and an integral part of the ASEAN organisational structure.

¹ Thomas Fuller, Asean Inaugurates Human Rights Commission, *The New York Times* (23.10.2009). See also Cebu Declaration on the Acceleration of the Establishment of an ASEAN Community by 2015, <http://www.asean.org/19260.htm>

AICHR's functions include:

- To encourage ASEAN Member States to consider acceding to and ratifying international human rights instruments [ToR: 4.5]
- To develop an ASEAN Human Rights Declaration with a view to establishing a framework for human rights cooperation through various ASEAN conventions and other instruments concerned with human rights [ToR: 4.2]
- To obtain information from ASEAN Member States on the promotion and protection of human rights [ToR: 4.10]
- To develop strategies for the promotion and protection of human rights and fundamental freedoms to complement the building of the ASEAN Community [ToR: 4.1]

<http://www.asean.org/publications/TOR-of-AICHR.pdf>

III. ASEAN COMMISSION ON THE PROMOTION AND PROTECTION OF THE RIGHTS OF WOMEN AND CHILDREN (ACWC)

The ACWC was inaugurated on the occasion of the 16th ASEAN Summit in April 2010. Its functions include: the promotion of the implementation of international instruments, ASEAN instruments and other instruments related to the rights of women and children; the development of policies, programmes and strategies to promote and protect the rights of women and children in ASEAN.

IV. WORKING GROUP FOR AN ASEAN HUMAN RIGHTS MECHANISM

Other relevant bodies include the Working Group for an ASEAN Human Rights Mechanism. This is a coalition of national working groups from ASEAN states which are composed of governmental representatives, parliamentary human rights committees, academics, NGOs. It also publishes the Human Rights Herald twice per year.

<http://www.aseanhrmech.org/index.html>

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V. CONCLUSION

While the past few years appear to have witnessed an increasing concern for human rights in Southeast Asia and an expansion of initiatives aimed at their protection, the ASEAN human-rights system is still at a very early stage of development, and an assessment of its main institutions, only recently established, is undoubtedly premature.