Keynote speech at the

4th Regional Civil Society Consultation

on ASEAN and Human Rights

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Colleagues,
Ladies and Gentlemen,
Dear friends

It is with great pleasure that I address all of you today at the start of the 4th Regional Consultation on ASEAN and Human Rights.

Meeting you today reminds me that the creation of a human rights system for the ASEAN region is so much more than the establishment of an intergovernmental mechanism. As I look around and see faces from across Southeast Asia, I am reminded that in this region of great diversity, it is the creation of regional civil society networks that has been one of the most important and encouraging developments in recent years.

I was also pleased to meet this morning with representatives of the four national human rights institutions in ASEAN countries, and encouraged to see them working together closely with you.

This is a region that has undergone fundamental changes in the past two decades and which can inspire and assist the
process of change currently unfolding in other parts of the world. Many of you have been at the forefront of democracy movements that ended decades of military rule. You have campaigned against restrictive security laws, for increased freedom of expression and for the release of political prisoners.

You have sought to raise the profile and participation of women in the region, and to end all forms of exploitation and violence against women and girls. You have also shown concern for those most at risk in your society - the migrant workers, refugees, indigenous people, disabled persons, gays and lesbians and other vulnerable groups. Yet while recognizing these achievements, today I would like to galvanize you all for the next challenge, the development of a truly credible and effective regional human rights system.

I am visiting this region for the first time in my capacity as High Commissioner at a time when ASEAN’s human rights mechanisms are taking shape. It is now that their identities are being defined, and it is now that your energy and efforts are most needed.

This is happening against the backdrop of some significant changes, for instance the new political dynamics that
seem to be developing in Myanmar and the reform of drachonian national security laws in Malaysia. At the same time, freedom of expression continues to be threatened in many countries and increasing religious intolerance has placed pressure on women and minorities. I will be very interested to hear your views this afternoon on these opportunities, challenges and trends.

Yesterday, I was pleased to have the chance to speak by telephone with Daw Aung Suu Kyi in Myanmar. Of course, we have rejoiced with you at her release and newfound political freedom, and are equally concerned for the release of remaining political prisoners. The message she wanted me to convey to you all was that we cannot stop working, that the process of improving the protection of human rights goes on, even while milestones like her release are achieved. She urged that Myanmar be encouraged to make concrete progress against human rights benchmarks by the time it chairs ASEAN and the AICHR in 2014, particularly in the rule of law.

To move the human rights agenda forward in a manner that ensures positive outcomes for people in the region, the active and sustained engagement of civil society is imperative. Now more than ever is the time for civil society to utilize their
newfound regional interconnectedness and solidity to engage
with and shape these regional developments for the better.

Over the coming months, the focus will be on the drafting
of an ASEAN Declaration for Human Rights, which will set the
tone for the emerging ASEAN human rights system. This
declaration should serve as a common standard of
achievement for all ASEAN peoples and nations. I hope to see
it firmly based on universal human rights standards as
contained in international human rights instruments, including
the Universal Declaration of Human Rights. At the very least,
regional human rights instruments must maintain international
human rights standards, and at their best they can enrich these
standards and help to bring home their relevance to the people
of the region.

What is common to the people of all regions is an
aspiration for democracy, the rule of law and human rights.
And what is common to the intergovernmental bodies that
represent these regions is a desire to be seen as credible, both
by the people they represent and by the international
community. Without credibility, regional bodies quickly lose
their authority and legitimacy and fade into insignificance. The
process of reform in ASEAN since 1997 shows this desire to stay
credible and relevant in addressing the challenges faced by the region.

ASEAN must be commended for its efforts to bring human rights into the heart of this process of reform. ASEAN should also be praised for launching the first regional human rights mechanisms in the Asia-Pacific region, which it has emphasised is only the beginning of an evolving process.

What ASEAN needs to do now is to unlock that potential by opening the doors to fuller engagement with the dynamic civil society in this region as a source of new ideas and energy. This has been the way other regional mechanisms – in Europe, Africa and the Americas – have expanded their scope and become more effective.

I recognize the challenges that civil society and national human rights institutions face in engaging at the regional level, including the institutional obstacles to direct engagement with ASEAN institutions. Yet each region faces its own unique challenges, and groups in this region have been creative in the past in overcoming these obstacles.
I am pleased to see civil society in ASEAN has been organising itself for this task, and there is now a proliferation of civil society groups, national institutions and international organisations working on human rights at the regional level.

One of the key civil society networks has been the Solidarity for Asian People’s Advocacy Task Force on ASEAN and Human Rights, and I am very impressed by the advocacy campaigns and documents you have produced to influence the development of AICHR.

I am also pleased to see here representatives from the Working Group for an ASEAN Human Rights Mechanism. In the mid-1990s, it was this group that followed up on the commitment made by ASEAN governments to consider the establishment of a regional arrangement on human rights, following the 1993 World Conference on Human Rights in Vienna. Engaging with governments, but not detaching themselves from their civil society roots, the Working Group developed a “track 2” process which civil society in other regions now look to and learn from.

Further, the creation of the South East Asia National Human Rights Institution Forum has set an example to other
regions of how national institutions can look beyond their national borders and join together in solidarity for a common cause.

Each of the national institutions and civil society groups has its own style and strategy, but all of you are united in the common goal to create a region that respects human rights. And there is no stronger, more persuasive argument for a credible and effective regional human rights system than one that comes from the people of the region themselves.

I have just come from the Maldives, where President Nasheed has taken up the idea of creating regional human rights mechanism for the SAARC region. In sharing with him some of the best practices from the ASEAN region, I referred to the work of civil society that helped to drive this process forward. I am pleased that some of you are beginning to share your experience with and lend support to your South Asian NGO colleagues for a similar endeavour.

Of course, we are not yet at the point where the ASEAN model has proved itself as a best practice. But we need to continue with our engagement until we achieve that goal. In particular, we need to encourage the two ASEAN human rights
mechanisms to entrench the principle of broad consultation with all of civil society, as a requirement in their work. An effective ASEAN human rights system that is responsive to civil society can play a vital role in addressing human rights problems common to all countries of the region, including in relation to discrimination, freedom of expression, torture and impunity, migration and human trafficking. I hope we can work together in the coming two years, before the scheduled review of AICHR in 2014 (when interestingly it will now be chaired by Myanmar) to ensure these institutions are onto the right path.

My Office stands ready to continue its engagement with you in your work, including through the Regional Office in Bangkok. In the past we have worked with many of you to bring experiences from the other regions of the world and to support your interaction with the international human rights system.

I am here today to listen to you. This consultation presents me with a good opportunity to hear your concerns and to reflect on how best we can together engage with ASEAN to advance human rights in the region. Furthermore, our discussions today will help to prepare me for my meeting with the AICHR members tomorrow morning, when I will discuss
with them how OHCHR can cooperate with and support them in their work.

Thank you.