

WORKING GROUP FOR AN ASEAN HUMAN RIGHTS MECHANISM
Workshop on the Human Rights Implications of the ASEAN Community
Blueprints
ASEAN Hall, ASEAN Secretariat, Jakarta
12-13 November 2013

SUMMARY OF PROCEEDINGS

I. Introduction

1. The Workshop on the Human Rights Implications of the ASEAN Community Blueprints was held at the ASEAN Hall, ASEAN Secretariat in Jakarta, Indonesia on 12-13 November 2013. The Workshop was co-organized and co-hosted by the Ministry of Foreign Affairs, Republic of Indonesia, UN Women, and the Working Group for an ASEAN Human Rights Mechanism (Working Group).
2. The Workshop was attended by participants representing the ASEAN Intergovernmental Commission on Human Rights (AICHR), the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC), the national human rights institutions of Malaysia, Myanmar, the Philippines, and Thailand, the ASEAN Secretariat, and civil society organizations from around the region. Also in attendance were observers from the United Nations, embassies and other international partners.
3. In his Welcome Remarks, H.E. Dr. A.K.P. Mochtan, ASEAN Deputy Secretary-General for Community and Corporate Affairs welcomed all the participants to the ASEAN Secretariat on behalf of the Secretary-General of ASEAN, H.E. Le Luong Minh. He commended the Working Group's efforts to continually engage the ASEAN Secretariat in its activities on human rights, and thanked the Ministry of Foreign Affairs, Indonesia for its leadership in actively leading activities on human rights in ASEAN. He also recognized the Government of Indonesia's commitment to human rights promotion and protection. He reiterated the objectives of the workshop, and explained that from the ASEAN Secretariat's point of view, this workshop will provide useful analysis on how the ASEAN Community Blueprints can employ a human rights based approach to strengthen the intersections of human rights in the targeted goals of the ASEAN Community. He acknowledged the importance of this dialogue on human rights, considering that ASEAN is already looking at developing the successor plan to the Roadmap for an ASEAN Community 2009-2015. He acknowledged the participation of representatives from different sectors across pillars, pointing out that this diversity will enrich the discussions, which could hopefully lead to concrete proposals. He expressed that the ASEAN Secretariat is open to share expertise, ideas and challenges, and is willing to engage in discussions that will help promote ASEAN as a politically cohesive, economically integrated, and socially responsible community. He encouraged all sectors of society to participate in and benefit from the process of integration and community building through engagement and dialogues.

Finally, he encouraged participants to look beyond the 2015 scenario.

4. In his Welcome Remarks, Mr. Jose Tavares, Director of Political Security for ASEAN Cooperation of the Ministry of Foreign Affairs, Indonesia recognized the Workshop as evidence of the contribution of civil society in enhancing human rights in the region. He acknowledged the presence of representatives from government, the diplomatic community, the academe, international organizations, and civil society, and recognized that this arrangement could help facilitate deliberation to better protect human rights in the region. He emphasized that the ASEAN Community Blueprints are essential in providing a roadmap for the establishment of an integrated society, and that it is also important to consider the ASEAN Community Blueprints in setting the way forward in the human rights agenda in the region. He pointed out that the ASEAN Political Security Blueprint presents seven action lines in relation to the promotion and protection of human rights, and that these action lines are not mere norm setting or mechanism set-up, but actual expressions of commitment and political will to promote and protect human rights in the region. He acknowledged the limitation in sharing information regarding the human rights situation between member states, but recognized that there is more work to be done and will require our collective effort. He expressed the Government of Indonesia's support for efforts such as this Workshop, which can provide a clearer picture of human rights in the region. He ended by saying that the advancement of human rights in ASEAN is more in terms of promotion mechanisms rather than protection, and expressed his hope that the Workshop can provide a fresh perspective on the balance between promotion and protection of human rights.
5. Dr. Sriprapha Petcharamesree, Co-Chairperson of the Working Group for an ASEAN Human Rights Mechanism started by thanking the Ministry of Foreign Affairs, Indonesia for co-hosting this Workshop, and extended her gratitude to the ASEAN Secretariat for facilitating the organization of the Workshop. She expressed her hope that this kind of dialogue will continue and strengthen in the future. She acknowledged the contribution of Workshop sponsors, the Swedish International Development Agency; Foreign Affairs, Trade and Development Canada through UN Women; and the Friedrich Naumann Foundation. She took the opportunity to express solidarity to the people who were devastated by the super typhoon that hit the Philippines, and called to action not only the Philippine government but also specifically ASEAN as a group to respond to such a disaster occurring in an ASEAN member state. Such unified response is called for by the ASEAN Community Blueprints, which mandates strengthening cooperation in disaster management and emergencies.
6. She explained that this Workshop is the second of its kind, the first having been organized in Luang Prabang, Lao P.D.R., in cooperation with the Ministry of Foreign Affairs of Lao P.D.R. She explained that this Workshop is timely not only because 2015 is approaching, but also because all three Blueprints have already undergone their respective midterm reviews. She explained the three objectives the organizers set out for the Workshop, which are: to discuss

updates on the status of the implementation of the ASEAN Community Blueprints, with particular focus on issues and action points which are human rights in nature or have implications on human rights; to identify human rights themes that cut across the three Community Blueprints, and to encourage dialogue and coordination among the different agencies that implement these related action points; and to identify priority human rights areas that can lead towards the strengthening of long-term and forward-looking human rights agenda in ASEAN. She explained that while the term "human rights agenda" may be new to the ASEAN region, the ASEAN Charter and the ASEAN Community Blueprints clearly express commitment for the promotion and protection of human rights in ASEAN. She further explained that the adoption of the ASEAN Human Rights Declaration is an expression of political will to promote and protect the human rights of ASEAN people. She pointed out that while not all the action lines in the ASEAN Community Blueprints have direct relevance to human rights programming, the impacts of these Blueprints on human rights cannot be overlooked. She then proceeded to outline good practices for the dialogue, which include: dialogue with a view to sharing and moving the human rights agenda forward together; being constructively critical, where participants are encouraged to take critique positively and should refrain from naming and shaming; assisting each other to identify challenges and to find ways to overcome those challenges; and finding ways to support each other. She encouraged participants to move the human rights forward, both at national and regional levels. Finally, she expressed her hope that this workshop will help all participants to see how each can contribute their strengths and expertise, and that while different attitudes and perspectives will be conveyed at the Workshop, she encouraged all to see how these differences can be bridged to strengthen our common human rights agenda.

II. Workshop Sessions

7. The Workshop was divided into six sessions covering the following topics: (a) Overview of the Implementation of the Roadmap for an ASEAN Community 2009-2015; (b) Political Security Blueprint; (c) Economic Blueprint; (d) Socio-Cultural Blueprint; (e) Synthesis of Human Rights Issues in the Implementation of the ASEAN Community Blueprints; and (f) Conclusions and Recommendations.
8. In Session One, "Overview of the Implementation of the Roadmap for an ASEAN Community 2009-2015," Dr. A.K.P. Mochtan, ASEAN Deputy Secretary-General for Community and Corporate Affairs began by reiterating the ASEAN Community Goal, which is "to have an economically integrated, politically cohesive and socially responsible community and to ensure ASEAN's place in the international community by 2015 and beyond." He said that for this purpose, ASEAN has come up with the three Community Blueprints to help guide the community building process. He also mentioned that another important document would be the ASEAN Charter as it gives the Association legal status and an institutional framework, and it reaffirms the common vision

and commitment to develop an integrated community. He said that the ASEAN Community is a process, not an event, and that it will continue to evolve even beyond 2015. He reported that an average of 82.5% of all action lines have been completed or are being implemented. He also reported the completion or implementation rates of each Blueprint, where Political Security Blueprint is at 78%, Economic Blueprint is at 79.7%, and Socio Cultural Blueprint is at 90%. He emphasized the need for ASEAN to strengthen its existing mechanisms, and that through the integrated community, ASEAN can take measures to protect itself from international or global crises. He said that with the adoption of the ASEAN Human Rights Declaration, we should be looking at how the Blueprints can be enhanced through a human rights based approach. He gave some updates on the implementation of the Political Security Blueprint, which include the establishment of the ASEAN Institute for Peace and Reconciliation; the publication of the ASEAN Security Outlook 2013; efforts towards a drug-free ASEAN by year 2015; and the establishment of two regional human rights mechanisms, the ASEAN Intergovernmental Commission on Human Rights and the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children, which have both developed their respective work plans, commenced work, and are now both in their second terms. He also reported that the Economic Blueprint is now generating a lot of interest and excitement, with efforts to encourage the free flow of goods and services, bringing down the cost of doing business in the region, and narrowing the development gap. He likewise reported that the impact of the ASEAN Economic Community 2015 is being observed and that it is crucial to engage relevant sectoral bodies and for businesses to understand the workings of ASEAN in order to seize the opportunities of integration, understand its challenges, and develop strategies to overcome these challenges. He then went on to report that the Socio Cultural Blueprint has become the center of ASEAN's concern as it takes steps to become a people oriented ASEAN. Around 90% of action lines have already been addressed, covering a range of issues, including health, social welfare, education, labor, disaster management, environment, and specially vulnerable groups such as women, persons with disability, and the elderly. He discussed the need to expand civil society engagement as the Community Blueprints mandate ASEAN to ensure the participation of all sectors of society in the development and implementation of programs. He explained that community building does not happen overnight or in silos, and that it should go beyond 2015 to maintain momentum and benefit from the gains. He outlined some obstacles that slow down community building such as diversity, differences in language and culture, different levels of education and development, but he said that these obstacles are the very reasons for ASEAN member states to open up, connect, and engage regionally. He also discussed that it is crucial to expedite the ratification of ASEAN agreements and to transpose these into national plans and policies. He also discussed how equally important it is to engage in capacity building and the sharing of experiences and best practices in the region. He highlighted the need for greater communication, coordination, and synergy among all sectors, as well as the need to increase the level of understanding of businesses and the general public on ASEAN by broadening participation in ASEAN activities. He encouraged engaging public

and private sectors in dialogue, as meaningful engagement will pave the way for more support, confidence, and participation in ASEAN and a more people oriented community. He also called for the strengthening of the ASEAN Secretariat in order to effectively monitor, coordinate and facilitate mechanisms. Finally, he encouraged all to continue reflection on and envisioning of an ASEAN human rights agenda beyond 2015.

9. The first reaction was delivered by Mme. Eva K. Sundari, President of the ASEAN Parliamentarians for Human Rights, and began by outlining some of the human rights issues and violations that persist in ASEAN, such as land grabbing, the disappearance of activists, and violations against labor rights of migrant workers. She called for the improvement of government responses to these issues. She expressed that the ASEAN Charter and the ASEAN Human Rights Declaration fall below international standards and cannot be used as the framework to oversee governments. She also expressed that ASEAN must continue to strengthen the protection and enforcement mandates of ASEAN human rights mechanisms.
10. The second reaction was delivered by Ms. Yuyun Wahyuningrum, Senior Adviser on ASEAN and Human Rights of the Human Rights Working Group, and began by saying that ASEAN has achieved some progress, as evidenced by the midterm reviews. She shared a study conducted by the Human Rights Working Group, which yielded that ASEAN people make no specific rejection on the idea of regionalism, and that civil society agrees that regionalism will serve the people at large; however, civil society is disappointed in the way ASEAN is planning and implementing the integration. She discussed "alternative regionalism," which civil society has begun to shape by identifying the basic universal values which they believe should be adopted and mainstreamed, such as democracy, good governance, the rule of law, equality, non-discrimination, people participation and engagement, and the ratification of international human rights standards. She also reported that people rarely know about ASEAN as an Association, while they are aware that they are part of the Southeast Asian region. She said that this is more apparent when talking about the Economic Blueprint, where ASEAN is perceived to be only for economic cooperation and having no human face. She also observed that human rights discussions are left to AICHR and ACWC, and that human rights is virtually invisible in talks of free trade, labor movement, security, trafficking in persons, and even in the issue of identity. She emphasized that human rights is cross-cutting, inherent, interrelated, and indivisible, and is the business of everyone. She further emphasized that if ASEAN would like to improve the prosperity of all the people, planning, implementation, and monitoring of its programs and actions should consider human dignity and human rights. She pointed out that there is now a new opportunity to integrate equality and human rights agenda into post-2015 documents, and that this time, ASEAN should view its people as human beings and not just contributors to the economy. She explained that as human beings, ASEAN people should be treated as rights holders and key actors in the decisions that affect them, and that communication and consultation must be established without delay. She

ended by saying that it is time to take a different point of view by not seeing the Community Blueprints as separate pillars, but rather as a whole.

11. Among the issues raised during the open forum were: the need to expand civil society engagement and the barriers to this, including the onerous conditionalities to registration; the complimentary role of parliamentarians in resolving the human rights situation; the role of workers in negotiating Free Trade Agreements; how sectoral bodies tend to be very technical in their discussions, so it is important to share knowledge on human rights; the need to benchmark human rights in the region against international standards; the principle of non-interference vis-à-vis regional integration; the relationship between trade and human rights; the limitations of the role of the ASEAN Secretariat in the facilitation of the implementation of the Community Blueprints; looking for commonalities that will facilitate integration; the possibility of drafting a Roadmap for Human Rights in the ASEAN Community, together with civil society and other stakeholders; the need to translate ASEAN documents into the ASEAN languages; measuring the impact of the implementation of the Community Blueprints on the ASEAN people; inclusion of persons with disabilities; and defining the elements of environmental justice vis-à-vis developmental projects. This session was chaired by Mr. Wigberto Tanada, Chairperson of the Philippine Working Group for an ASEAN Human Rights Mechanism.
12. In Session Two, "Political Security Blueprint," Director Pratap Parameswaran, ASEAN Director for Political Security Directorate, began by observing that the level, pace, and intensity of integration across all sectors has increased in the last couple of years. He observed that ASEAN was just a venue to share experiences and knowledge, but now it is building institutions. He reported on some developments in the Political Security Blueprint, which include the establishment of the ASEAN Institute for Peace and Reconciliation; the publication of the ASEAN Security Outlook, which should promote greater transparency on security and defense policies; and the conduct of live exercises and sharing of standard operating procedures. He also reported that there are now nearly 75 non-ASEAN states and organizations who have assigned ambassadors to ASEAN, who are interested to engage with, learn from and interact with ASEAN. He reported that ASEAN has elevated strategic partnerships with China and India, and that ASEAN is beginning to engage in "second generational external relations," which includes engagements with African and Latin American countries. He said that it is now crucial for ASEAN to determine how it will manage these new relationships and how to maximize learning and gains from these new avenues of growth. He also shared some challenges in the implementation of the Blueprint, such as the capacity to follow through on commitments, the quickening pace of community building and struggling to meet the targets set; addressing new and emerging issues, such as climate change, disasters, and good governance; and getting everyone onboard with the idea of an ASEAN Community. On the issue of human rights, he pointed out that the work does not end with the establishment of the AICHR and the adoption of the ASEAN Human rights Declaration, but that ASEAN

must begin adopting a human rights based approach to addressing issues like trafficking in persons, peace building, and disaster management. He ended by saying that ASEAN's commitment to human rights must always be read together with its commitment to the principles of good governance and the rule of law.

13. The first reaction was delivered by H.E. Amb. Rosario Manalo, Philippine Representative to AICHR. She said that to date, integration has been successful only as far as governments are concerned, but the people hardly know about the integration and have not been sufficiently consulted. She also pointed out that it is not only civil society that is kept in the dark, but sectoral bodies, including the AICHR, as well. She explained that it seems that only the Political Security Community is informed. She also discussed natural disasters, and took the example of the typhoon that has hit the Philippines. She observed that ASEAN member states extended assistance to the Philippines, but that they acted as individual member-states and not as an ASEAN Community. She also mentioned that among the crucial steps towards integration is updating national law to conform to what the ASEAN community requires.
14. The second reaction was delivered by Ms. Pranom Somwong of the Southeast Asia Women's Caucus. She emphasized the role that women should play in the peace building process and conflict management, and called for gender mainstreaming in the peace process and conflict resolution, including a supporting a broader framework of genuine reconciliation process for power sharing and mechanism for dispensation of justice, respect of human rights, accountability and transparency. She pointed out the reality in ASEAN, where through ASEAN itself claims to support principles of human rights, its Charter may prove to be a challenge or deadlock as it explicitly says that the domestic law of member states apply when they are inconsistent with the contents of the Charter. She however noted that it should in fact be the obligation of member states to amend national laws to make them consistent with the Charter. There must also be a consequence for non-compliance. However, this could be a challenge considering the consensus decision making requirement in ASEAN, where even one dissenting Government may block any ASEAN decision.
15. She also commented on the matter of strengthening ASEAN cooperation in disaster management and emergency response. She expressed disappointment in the slow reaction of ASEAN member states to the disaster in the Philippines. She said that since the ASEAN has developed guidelines for humanitarian assistance and disaster relief, it was expected that ASEAN member states should be among the first to provide immediate assistance to the Philippines. She pointed out that the Asia Pacific Forum on Women, Labour and Development (APWLD), as a convener of the Women's Caucus has been working on issues of women rights in disaster areas and has produced "Tsunami Aftershocks: Gender Perspective Needed in Disaster Management."

16. She also pointed out that women's rights are human rights, and that one cannot arbitrarily separate and look at the issues concerning women from just one of the three perspective, i.e. the Political-Security, Economic, and Socio-Cultural. She urged all to understand that women's issues are cross-cutting and must be seen from a unified holistic view point rather than the present artificial separation in the approach undertaken by ASEAN. She said that the Women's Caucus has always pointed out the need for coherence among the three pillars.
17. The third reaction was delivered by Ms. Chalida Tajaroensuk of the People's Empowerment Foundation, who began by saying that human rights is important to everyone and hence, there should be a regular updating meeting on the implementation of the ASEAN Community Blueprints. She made the observation that there is a lack of transparency in ASEAN and information is not readily shared, leading to the lack of meaningful participation by civil society and other stakeholders. She also expressed that ASEAN member-states should consider the interests of human beings and not only the interests of states, because if they only consider states, they will not always have common perspective. She moved for greater cooperation between ASEAN and civil society in reviewing the ASEAN Community beyond 2015, as well as a more integrated approach in reading the Blueprints.
18. Among the issues discussed at the open forum include: seeing ASEAN as a work in progress and acknowledging that there is more work to be done moving forward with integration; identifying flag bearers to push things into a possible ASEAN human rights agenda; the need to measure impact of what ASEAN is doing for its people; the role of women in the political and security community; the responsibility of the ten ASEAN member-states to move the agenda forward; looking for avenues for dialogue to include civil society and the academe on non-traditional security issues such as trafficking in persons; extent that civil society is approaching own governments and ministries to find ways to help; considering the ASEAN Community beyond 2015; finding the relevance of the ASEAN Community when the initial response to issues is still to revert to member-states; three different levels of scrutiny across the three Blueprints, where the Economic Community has only released a summary of its review, the Socio-Cultural Community released a report which is more or less complete, and the Political Security Community has not shared any report; ASEAN activities are still government centered and not people centered; the need for capacity building for government officers; provision of more protection mandates in the AICHR Terms of Reference; calling on member-states to send delegations to the review of the AICHR Terms of Reference ready to support greater human rights protection; greater transparency in the work of the Political Security Community, informing not only just civil society but also co-workers within the structure of ASEAN. The moderator for this session was Ms. BraemaMathiapparanam, Chairperson of the Singapore Working Group for an ASEAN Human Rights Mechanism.
19. In the Third Session, "Economic Blueprint," Dr. PitchayaSirivunnabood of the

ASEAN Integration Monitoring Office shared updates on the implementation of the Economic Blueprint. She started by giving the ASEAN Key Indicators for the year 2012, as well as by explaining the history of the ASEAN Economic Community. She discussed the four pillars of the ASEAN Economic Community, namely, the Single Market and Production Base, Competitive Economic Region, Equitable Economic Development, and Integration into the Global Economy. She also reported progress updates for each of the pillars. She reported that the ASEAN Economic Blueprint has completed about 79.7% of its action lines since August 2008. She discussed the impacts of the Economic Blueprint on the ASEAN Community through five channels: achieving trade integration as a "building block" rather than a "stumbling block" through trade creation; facilitation trade and lowering trade costs; promoting and attracting foreign direct investments; pushing the services integration agenda; and encouraging policy and logistical improvements in CLMV countries. She discussed policy challenges, which include rebalancing economic growth; maintaining accommodative policies, fiscal disciplines, and financial stability; and promoting long-term regional integration. She shared that most of the bottlenecks in the implementation of the remaining measures are due to delays in ratification of the signed ASEAN agreements, failure to align regional initiatives to domestic laws and regulations, and insufficient commitment by countries for successful ASEAN Economic Community. She ended by giving two recommendations which are to establish a good monitoring system to ensure that commitments are timely implemented, and to create capacity building and technical assistance programs for the newer ASEAN member-states.

20. The first reaction was given by H.E. Dr. Sereenonthasoot, Representative of Thailand to AICHR. He made the observation that in the ASEAN Community, there is compartmentalization or pillarization, which leads to lack of understanding among agencies and stakeholders. He commented that the percentages reported denote completion or process of implementation, and not all action lines may achieve success by 2015, which is why it is important to look beyond the year 2015. He shared that many people fear the year 2015 as a deadline for the completion of the ASEAN Community, but ASEAN is in fact pondering post-2015, which is something that must be conveyed to the people of ASEAN. He pointed out that there are both positive and negative implications of an integrated ASEAN Economic Community, but that focus should be given to the opportunities that this integrated Community can create for the member-states and the people of ASEAN. He shared however, that some negative impacts of development projects may lead to human rights violations such as forced relocation, lack of consultation, and the absence of compensation. He emphasized the importance of the principle of free prior and informed consent and the need for environmental and health impact assessments before carrying out development projects. He also pointed out that border trade does not limit its impacts to economic change, but extends its reach even to political and social changes. He discussed the free flow of "skilled" labor, but pointed out that ASEAN cannot deny that non- or semi-skilled labor is already moving around the region, and that these groups of people experience human rights violations, such as discrimination against

migrant workers. He ended by emphasizing the need for ASEAN connectivity, not only through physical infrastructure, but also in terms of harmonized regulations and people to people connections.

21. The second reaction was delivered by H.E. Mr. Ahmad Taufan Damanik, Representative of Indonesia to ACWC. He discussed how ASEAN economic growth is usually affected by foreign investment, which can sometimes create instability. He discussed several human rights issues that come about in the process of implementing the Economic Blueprint, including migrant workers, trafficking in persons, trafficking in children for sexual exploitation, child labor, and consumerism. He identifies the unequal quality of education and corruption as a challenge. He emphasized the need to support the implementation of international human commitments made by the ASEAN member-states, which includes translating such commitments into domestic law. He also brought up the need to come up with a standard of child protection for the region, enhance documentation and data sharing, and popularize the UN Convention on the Rights of the Child and its optional protocols so the public can participate in the promotion and protection of the rights of the child.
22. The third reaction was delivered by Ms. Dorothy Guerrero of Focus on the Global South. She began by expressing her opinion that the ASEAN has a very insulated view in terms of charting its ASEAN Economic Community building. She pointed out that the power to negotiate agreements is given to consultants who have no accountability to the people, as their loyalties lie in their own business agenda. She pointed out that because of this set-up, parliamentarians are sometimes unaware of what is being negotiated. She identified a striking imbalance, where ASEAN has weak documents or agreements for the promotion of human rights, but economic agreements that have claws and teeth. She also shared how human right violations are committed against leaders of indigenous peoples because they question economic and development priorities in their areas.
23. Among the issues discussed at the open forum were: the perception that the Economic Community is for corporations and not for the people; the problem of land grabbing for infrastructure development; coming up with a human rights framework for the Economic Blueprint; the impacts of development projects on people relying mainly on the environment for their livelihood; the need to infuse the ASEAN Economic Community with human rights; the need to shift into a low carbon society without sacrificing development; production and the use of energy; food sovereignty, environmental justice, and the right to decide what goods to produce; corporate accountability and binding mechanisms; there is no direct statement about human rights in the ASEAN Economic Community but there are three Blueprints, all of which have to work together to result in maximum positive impact on the people; long term development cannot be met by short term business agenda; giving up responsibilities of the state and civil society to private corporations; and the right to sustainable development as a right that can be claimed by groups of

people. The session was moderated by Mr. Ray Paolo J. Santiago, Secretary-General of the Working Group for an ASEAN Human Rights Mechanism.

24. In Session Four, "Socio Cultural Blueprint," Mr. Kamal Mamat, from the ASEAN Socio-Cultural Directorate, hinged his discussion on the Midterm Review conducted on the ASEAN Socio Cultural Blueprint. He described the review mechanism, which includes an implementation monitoring system to monitor all the activities in the action lines, and a scorecard, which looks at the results and outcome of the Blueprint implementation. The scorecard looks at the objectives and measures the implementation against a set of indicators, whether adopted from global standards or created specifically for the Blueprint. He shared that the review was conducted on both regional and national levels, in parallel, and that the results of the regional review have been published. He discussed that the review was conducted against six different characteristics, namely: Human Development, Social Welfare and Protection, Social Justice and Rights, Ensuring Environmental Sustainability, Building the ASEAN Identity, and Narrowing the Development Gap. He reported that the mid-term review yielded that 90% of the action lines have been addressed. He also shared that there are continuing efforts to improve and fast track meeting the 2015 targets and prepare for post-2015 challenges. Also among the key findings of the report is that there is more programmatic and cross-sector cooperation and the governance system is gearing up to be more dynamic and accountable. He also reported that national assessments yielded a list of challenges in the implementation, namely: lack of funding for projects, lack of expertise, lack of well functioning systems and work flows, simplification of scorecard and monitoring systems, and limited awareness among officials and the general public. Based on these challenges, the following recommendations were made: enhancement of ASCC monitoring tools, knowledge management system, coordination and cross-sectoral mechanisms, resource mobilization, multi-sectoral and stakeholder approaches, communication strategy, special consideration for CLMV countries, and commitment to implement recommendations. He also shared what the report yielded to be emerging cross-cutting issues, namely, climate change and disaster management, food security and safety, healthy security, education, poverty reduction, and social protection.
25. The first reaction was delivered by Mr. Apichai Sunchindah, who was part of the team that undertook the ASEAN Socio Cultural Community Mid-term Review. He gave the caveat that the report that is publicly available is the official report and what was submitted by the team was somewhat different. He pointed out that the Socio Cultural Blueprint is the most diverse among the three, and that it covers about 20 sectoral bodies. He also said that this Blueprint is the most people oriented and socially responsible, and that it involved the most stakeholders, including private corporations, international and regional partners, civil society, the academe, development partners. He shared that this Blueprint also makes the most reference to civil society and NGOs. Of the 637 actions in the Community Blueprints, more than half is found in the Socio Cultural Blueprint. He also made the observation that there were

different approaches to the midterm reviews of the three Blueprints – the Economic Community published only an executive summary, the Political Security Community has not made its review publicly available, and the Socio Cultural Community was the only one to publish a full report, and that they should be commended for doing so, despite releasing a “sanitized” report. He observed that in using the monitoring system and the scorecard, there was a lot of unevenness and non-uniformity among sectors and countries. He also shared that some of the actions in the Blueprints are couched in general terms, while there are others that are very specific, measurable and with timelines. He said that the publication of the midterm report allows ASEAN and its people to start doing something to address shortcomings and deficiencies. He explained that around 20 years ago, there was no Socio Cultural Community – it was then called the Functional Cooperation, to which issues not falling under Political Security and Economic were included. Because of this, there is no clear driver in the Socio Cultural Community as different ministries compose it. He also observed that progress would come a bit slower because the Socio Cultural Community is subject to less external influences, less pressure, and therefore less responsive. He ended by saying that this is work in progress and that the Socio Cultural Community must be commended for trying to engage as much as it can with other sectors and civil society.

26. The second reaction was delivered by Ms. Braema Mathiaparanam, Chairperson of the Singapore Working Group for an ASEAN Human Rights Mechanism. She began by saying that there has been a lot of moving forward in the past five to six years in ASEAN. She observes that there has been a lot of framework and institution building taking place, but the people of ASEAN continue to face huge challenges, such as poverty. She also observed that this region is always buffeted by natural disasters and ASEAN is still slow on moving towards humanitarian rehabilitation relief processes. In responding to the challenge of lack of funding, she discussed how some countries have a lot of funds coming in from grant makers, but there is a lack in coordination of the grants. She also observed that there are many tools to measure improvements on meeting human rights commitments, and that these can help ASEAN sharpen and develop its own tools at the regional level. She said that there is a need to unify assessment tools, and that countries should aim for best practices rather than minimum bottomline. She pointed out that the Socio Cultural community is heavily burdened by the diversity of issues it covers, and that perhaps environment should go into a fourth pillar. She also said that there is a need to examine the role of the ASEAN Secretariat, and whether it should be given more executive decision making. She called for greater transparency in reviewing the implementation of the Blueprint and amplifying the role of research for greater accountability. She also emphasized the need to respect civil society and other stakeholders, and how they should be seen as an integral part of improving ASEAN.
27. The third reaction was delivered by Ms. Premrudee Daoroung, Director of TERRA. She shared that it is important for ASEAN to have a real understanding of the human rights issues in the region. She recalled that the primary purpose

of ASEAN when it was established was to maintain prosperity in the region, but she observed that this is no longer happening due to the abuse and misuse of natural resources in the region. The region is also at the heart of natural disasters, and this has caused the loss of life and resources. She explained that environmental degradation leads to poverty and food security problem, which affect people's lives directly every day. She advocated a separate pillar for environment, and proposed to include corporate accountability in this pillar.

28. Among the issues taken up at the open forum were: whether any of the midterm reviews looked into the compatibility among the three pillars, particularly between the Economic and the Socio Cultural; mainstreaming of human rights in the actions post 2015; the seeming incompatibility of economic and development growth and the respect, promotion, and protection of human rights; the relationship between the Socio Cultural Community and the Millennium Development Goals; the need to sharpen monitoring mechanisms; an ASEAN Community disaster response plan; and the role of national development planning agencies. The moderator of this session was Commissioner Nyunt Swe of the Myanmar National Human Rights Commission.
29. In Session Five, "Synthesis of Human Rights Issues in the Implementation of the ASEAN Community Blueprints," Dr. Sriprapha Petcharamesree said that the ASEAN Charter has legalized and legitimized human rights and fundamental freedoms, as it has recognized human rights in the purposes and principles and prescribed the regional human rights body, which became the AICHR. She pointed out that these issues were considered divisive and controversial now find their place in ASEAN agenda. She said that in assessing and discussing human rights implications of the ASEAN Community Blueprints, both human rights related elements and action lines identified in different Blueprints and the impacts of the implementation of the ASEAN Community Blueprints should be discussed.
30. In the Political Security Community Blueprint, some action lines that were identified as related to human rights are the items that address the rule of law, democracy, good governance, respect, promotion and protection of human rights and fundamental freedoms; building a people oriented ASEAN; peace and stability; comprehensive approach to security, including non-traditional security issues. The Blueprint likewise outlines seven action points under A.1.5 specifically on the promotion and protection of human rights.
31. In the Economic Blueprint, while there are no action lines with direct relevance to human rights programming in ASEAN, there are links with regard to the action lines' implications on human rights. Some issues that have links with human rights are the free flow of skilled labor and the impacts of trade liberalization. It was also raised as a concern that the Economic Community does not mandate human rights impact assessment, specially because opening up the market does not necessarily lead to sharing of benefits with all sectors and may aggravate poverty and inequality factors. Also related to human rights are consumer protection and food safety.

32. The Socio Cultural Blueprint is more explicit in identifying themes relevant to human rights, such as human development, decent work, social welfare and protection, poverty alleviation, environment, climate change, narrowing the development gap, and addressing the needs of groups of special concern under Heading C.
33. With regard to the implementation, the different methods of monitoring and the fact that the release of the national review is subject to the discretion of the ASEAN member-states poses questions on transparency. It must be remembered that 2015 is the start of the ASEAN Community, and not the end of it. That the ASEAN Community is a work in progress must be emphasized, and new and emerging issues must be given attention in chartering the roadmap beyond 2015.
34. Some challenges that were identified include cross sectoral coordination; not enough awareness and understanding by stakeholders; lack of capacity to follow through with the work load; addressing new and emerging issues; bringing ASEAN people on board; linking human rights to action lines that have no direct relevance; lack of segregated data, monitoring system, expertise; and that national interest still prevails over regional.
35. Other challenges identified by reactors include: difficult access to information and lack of meaningful participation of ASEAN people in the process of planning, decision making and implementation; low level of transparency in decision making and planning; not enough protection mandate in the ASEAN Charter; impact assessment systems (environment, social, health, human rights) missing in the Blueprint; ASEAN way of working, especially the principle of non-interference; human rights is considered by many as international concern; lack of clear regulations of corporate accountability and redress mechanisms; no mechanism for sharing knowledge and expertise; and compartmentalization, where human rights, a cross cutting issue, is not seen in all Blueprints.
36. Some recommendations brought up in the sessions include: greater transparency; systematic participation and formation of civil society partnership; review ASEAN Charter to make it more human rights based and to strengthen human rights bodies; strengthen the protection mandates of human rights bodies; impact assessment of the implementation of the Blueprints; review of the accreditation guidelines and process for civil society; consider rights based approach in planning, monitoring and implementation; AICHR to work with stakeholder to draft Roadmap beyond 2015; inclusion of impact assessment and negative impact mitigation; language barrier; training on human rights based approach for ASEAN officers; democratic selection for AICHR and ACWC, emphasizing knowledge, expertise, and commitment; transforming non binding declarations to binding agreements, taking into account ASEAN not going below international human rights standards; and the ASEAN Secretariat to consider forming operational unit to deal with cross

cutting issues.

37. Some questions that remain to be considered are whether the protection of human rights can be discussed in tandem with economic issues; balancing national interests with human rights; balancing national security with human security; where is the ASEAN Community and is it truly people oriented; how to make ASEAN institutions function well for the benefit and protection of ASEAN people; how are declarations enforced.

III. Conclusions and Recommendations

38. The Workshop notes the progress made by ASEAN and its Member States in implementing the ASEAN Community Blueprints leading to the ASEAN Community in 2015. The workshop also acknowledges that the process of community-building is not an event but a process that goes beyond 2015. In coming up with successor plans, the workshop recommends that a Human Rights-Based Approach be employed in the planning, decision-making, implementation and review, bearing in mind that the three communities are interdependent and interrelated and that human rights issues cut across the three pillars of the ASEAN Community.
39. The workshop recommends that the ASEAN-led activities and discussions on Community-Building process towards 2015 should be from a human rights-based approach.
40. The workshop recommends that each of the ASEAN Community Blueprints be further analyzed on how it impacts the human rights of ASEAN peoples with a view of coming up with recommendations for the successor plans; and for the inclusion of appropriate mitigation measures, where necessary, in the relevant blueprint.
41. The workshop recommends the ASEAN Economic Community Council to consider safeguarding measures to respond to the potential negative impacts of the ASEAN Economic Community Blueprint on human rights, the environment, and to communities.
42. The workshop recommends that there should be a mechanism to ensure the consistency, synchronization and assessment of national and regional development goals and strategies across the three community pillars.
43. The workshop acknowledges that there is a need to further promote awareness on ASEAN, especially on its efforts in community-building. The workshop recommends that not only national but also local government officials should be informed and involved in the community-building process of ASEAN.

44. The workshop recommends the review of the ASEAN Charter to make it more human rights based and people-centered. Furthermore, the workshop recommends the adoption of legally-binding or enabling documents that will strengthen human rights promotion and protection in ASEAN, which may also include the strengthening of the protection mandate of the ASEAN human rights mechanisms.
45. The workshop recognizes the importance of the environment as a cross-cutting issue which needs to be seen from a development, justice and human rights perspectives. In this light, the workshop recommends that a human rights mechanism for the environment and sustainable development be considered. When the ASEAN Charter is reviewed, it is recommended that the Environment be studied as a possible separate pillar within the ASEAN Community.
46. The Workshop acknowledges that the advancement of human rights in ASEAN is more focused on the promotion aspect than protection. The workshop recommends that the review and amendment of the terms of reference of the AICHR and ACWC should focus towards stronger protection mandates.
47. The workshop recommends that the rights of vulnerable and marginalized groups be discussed and included in respective/specific work plans and programs of AICHR and the other ASEAN sectoral bodies in the various communities.
48. The workshop recognizes the important role of stakeholders in ASEAN in its community-building. As such, the workshop recommends strengthening the role of stakeholders.
49. The workshop notes the offer made to civil society to submit a draft of a roadmap on how to promote and protect human rights in ASEAN for the consideration of AICHR.
50. The workshop recommends that concrete proposals be considered and discussed on how the ASEAN Human Rights Declaration and other human rights-related declarations of ASEAN, can be realized, implemented and further strengthened by the ASEAN Member States and CSOs.
51. The workshop recommends that in the new roadmap for an ASEAN Community, there must be a program on the freedom of movement of all ASEAN peoples, including all laborers, so that it will be consistent with the provisions of the ASEAN Charter.
52. The workshop recommends that there should be formal engagement by the ASEAN Community Pillars with the ASEAN human rights bodies, particularly the ASEAN Intergovernmental Commission on Human Rights and the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children.

53. The Workshop reiterates that there should be stronger engagement on human rights in ASEAN among ASEAN human rights mechanisms, sectoral bodies, the ASEAN Community Pillars, civil society and other relevant stakeholders. To this end, the workshop recommends that there must be an institutionalization of dialogue among and with civil society, other relevant stakeholders and ASEAN bodies to discuss human rights issues and concerns.
54. The workshop encourages the dialogue and exchange between ASEAN officials and CSOs on issues of ASEAN community-building and human rights.
55. The workshop recommends that ASEAN consider a system of sharing relevant information and documents, especially when it relates to human rights, among ASEAN bodies and also with civil society.
56. The workshop recognizes the need to mainstream human rights and its discourse in the work of ASEAN. It recommends that there should be institutionalized human rights trainings and dialogue within the ASEAN Secretariat, among ASEAN bodies and even Member States so that there would be better understanding on human rights issues and concerns that confront the region.
57. The workshop recommends a more strengthened and empowered ASEAN Secretariat that can give timely and relevant recommendations for the consideration of the ASEAN Member States.

IV. Acknowledgment

58. The Workshop participants expressed their appreciation to the Ministry of Foreign Affairs of the Republic of Indonesia and the Working Group for an ASEAN Human Rights Mechanism for co-hosting and co-organizing the Workshop on the Human Rights Implications of the ASEAN Community Blueprints; to the ASEAN Secretariat for its invaluable support in ensuring a relevant and successful workshop; to the Friedrich Naumann Foundation, the Swedish International Development Agency, and UN Women through the support of the Foreign Affairs, Trade and Development Canada, for providing crucial financial support; and to the members of the Workshop secretariat for all their hard work.