

**Open Letter to the 47<sup>th</sup> ASEAN Foreign Ministers Meeting  
on the Review of the Terms of Reference of the ASEAN Intergovernmental Commission on  
Human Rights**

**Re: Open Letter to the 47<sup>th</sup> ASEAN Ministerial Meeting on the Review of the ToR of the  
AICHR, Myanmar (8-10 August 2014)**

**To. H.E. U Wunna Maung Lwin (Minister of Foreign Affairs of the Union of Myanmar/ the  
chair of the 47<sup>th</sup> ASEAN Ministerial Meeting)**

Cc:

- **H.E. Prince Mohamed Bolkiah** (*Minister of Foreign Affairs and Trade of Brunei Darussalam*)
- **H.E. Mr. Hor Namhong** (*Deputy Prime Minister/ Minister of Foreign Affairs and International Cooperation of the Kingdom of Cambodia*)
- **H.E. Dr. R.M. Marty M. Natalegawa** (*Minister of Foreign Affairs of the Republic of Indonesia*)
- **H.E. Thongloun Sisoulith** (*Deputy-Prime Minister, Minister of Foreign Affairs of Lao PDR*)
- **Y.B. Dato' Sri Anifah Haji Aman** (*Minister of Foreign Affairs of Malaysia*)
- **H.E. Albert F. Del Rosario** (*Secretary of Foreign Affairs, Department of Foreign Affairs of the Republic of the Philippines*)
- **H.E K. Shanmugam** (*Minister of Foreign Affairs of Singapore*)
- **H.E. Sihasak Phuangketkeow** (*Permanent Secretary/ Acting Minister of Foreign Affairs of the Kingdom of Thailand*)
- **H.E Mr. Pham Binh Minh** (*Deputy Prime Minister/ Minister of Foreign Affairs of Socialist Republic of Vietnam*)
- **H.E Le Luong Minh** (*Secretary General of ASEAN*)
- **H.E Nyan Lynn** (*Deputy Secretary General of ASEAN for Political Security Community*)
- **H.E Kyaw Tint Swe** (*Myanmar Representative to the AICHR/ the chair of AICHR*)
- **ASEAN Secretariat**

Excellency,

At the outset, pursuant to article 9.6 of the Terms of Reference (ToR) of the ASEAN Intergovernmental Commission on Human Rights (AICHR), the ToR shall be reviewed five years after its entry into force.

We, the undersigned civil society organizations across ASEAN region and beyond, recognise the role of the ASEAN Foreign Ministers Meeting (AMM) in shaping the future of the AICHR in the course of the review of its ToR.

We reiterate the spirit as prescribed in article 9.6 of the ToR of the AICHR that the review aims to further enhancing the protection and promotion of human rights within ASEAN.

We appreciate the initiative by the AICHR to hold two regional consultations in Jakarta and Bangkok, which allowed civil society organisations (CSOs) to submit and share their views on the performance of the AICHR and ways to enhance this human rights body in promoting and protecting human rights.

We, however, observe that all CSOs' submissions have called for a substantial review of the ToR that could provide grounds for significant improvements in the ToR in the future which:

- will equip the AICHR with stronger protection mandates and support to address human rights situations in the region;
- will provide the AICHR with stronger secretariat support;
- will give more independency to the AICHR;
- will enhance AICHR's relationship with, but not limited to, other ASEAN bodies - particularly the ACWC, the NHRIs, and civil society.

We note the call from CSOs for a participatory and transparent review process of the ToR at all stages at national and regional levels.

We believe that the AICHR has collected all submissions and aspirations from CSOs to be considered in their internal assessment which will be submitted to the AMM at the 47<sup>th</sup> AMM.

In relation thereto, we call on the AMM:

1. To conduct the review process on the ToR of the AICHR through a transparent, accountable, and participatory process, which is opened to wider stakeholders at national and regional levels.
2. To ensure a substantial review which would provide stronger mandates and support to the AICHR as will be stipulated in the future ToR.
3. To invite broader contribution from human rights experts, NHRIs and CSOs with regard to their expertise and experience in the field of human rights, notably in the set-up of any task force for the review of the ToR.

Finally, we reiterate our commitment to further engage with the AICHR and other ASEAN bodies, including the three pillars of ASEAN – the political-security, the economic and the socio-cultural - so as to present all matters related to human rights to and ensure that AICHR will be developed into a comprehensive, effective and independent human rights body, particularly in the upcoming ASEAN Community in 2015.

4 July 2014, in solidarity:

1. Asian Forum for Human Rights and Development (FORUM-ASIA)
2. Asia Indigenous People's Pact (AIPP)
3. Altsean Burma
4. Action Committee for Democracy Development (ACDD) - Myanmar
5. Arakan Rivers Network (ARN) – Myanmar
6. Arakan Students' & Youths' Congress (AASYC) – Myanmar
7. Association of Human Rights Defenders and Promoters(HRDP) - Myanmar
8. Ain O Salish Kendra (ASK) - Bangladesh
9. ASEAN SOGIE Caucus
10. ASEAN SOGIE Caucus and Indonesia for Human's - Indonesia
11. Assistance Association for Political Prisoners - Myanmar

12. Boat People SOS
13. Burma Partnership
14. Business and Human Rights Resource Centre
15. CamASEAN Youth's Future (CamASEAN) – Cambodia
16. Cambodian Human Rights Action Committee (CHRAC) – Cambodia
17. Campaign for a Life of Dignity for All (KAMP)
18. Child Rights Coalition Asia
19. Coalition to Abolish Modern-day Slavery in Asia
20. Coalition to Abolish Torture in Vietnam
21. Commission for the Disappeared and Victims of Violence (KontraS) – Indonesia
22. Diakonia Asia
23. Dignity International
24. Equality Myanmar - Myanmar
25. Forum for Democracy in Burma (FDB) - Myanmar
26. Globe International – Mongolia
27. Hawaii Center for Human Rights Research & Action – Hawaii, US
28. IGLHRC Asia Pacific
29. INDIGENOUS – Hawaii, US
30. Indonesian Women's Coalition for Justice and Democracy - Indonesia
31. INFORM Human Rights Documentation Centre - Srilanka
32. International NGO Forum on Indonesia Development (INFID) – Indonesia
33. Kabataan Consortium – Philippines
34. Karen Human Rights Group - Myanmar
35. Luna Legal Resource Center for Women and Children – Philippines
36. Mandaripur Legal Aid Association - Bangladesh
37. Mindanao Action Group for Children's Rights and Protection (MAGCRP) – Philippines
38. Network for Democracy and Development (NDD)
39. Pax Romana - ICMICA
40. Philippines Alliance of Human Rights Advocates (PAHRA) – Philippines
41. People's Empowerment Foundation - Thailand
42. People's Watch – India
43. Radanar Ayar Rural Development Association – Myanmar
44. Sarawak Dayak Iban Association (Sadia) - Malaysia
45. School of Acting Justly. Loving Tenderly, Treading Humbly (SALT) - Malaysia
46. Solidarity for Asian Peoples' Advocacies (SAPA) Working Group on ASEAN
47. Solidarity for Asian Peoples' Advocacies (SAPA) Task Force on ASEAN and Human Rights
48. South East Asian Committee for Advocacy (SEACA)
49. Suara Rakyat Malaysia (SUARAM) – Malaysia
50. Task Force Detainees of the Philippines (TFDP) - Philippines
51. Taiwan Association for Human Rights – Taiwan
52. The Cambodian Human Rights and Development Association (ADHOC) – Cambodia
53. The Indonesia Legal Aid Foundation/ Yayasan Lembaga Bantuan Hukum Indonesia (YLBHI) – Indonesia
54. The Vietnam Committee on Human Rights
55. Think Centre – Singapore
56. Woman Health Philippines - Philippines
57. Yayasan Mandiri Kreatif Indonesia (Yamakindo) – Indonesia
58. Yayasan Transformasi Lepra Indonesia (YTLI) - Indonesia

**Contact person:**

**Atnike Nova Sigiro (FORUM-ASIA)/** email: [atnike@forum-asia.org](mailto:atnike@forum-asia.org) / [asean@forum-asia.org](mailto:asean@forum-asia.org)