

A Brief Landscape and Analysis of the Impacts of ASEAN Human Rights Declaration in 10 Years

The emergence of ASEAN Human Rights Declaration has been indeed a great initiative for ending Human Rights violations within ASEAN region but there has been only few impacts since 2012. Member countries do not take the Declaration seriously due to the lack of law enforcement and all promises are just on the paper.

According to World Reports 2022 by Human Rights Watch, in Thailand democracy protests against the Authoritarian regime have been handled violently and many protesters were injured and prisoned in 2020 and 2021. In Singapore, till today the right to freedom of assembly and expression is still restricted under the Public Order Act and people need a police permit for their human rights. Also, the Drug War in the Philippines is quite threatening and infamous for the government's accountability and its numerous killings of people's lives.

Moreover, State Sharia Laws in Malaysia frequently arrest transgenders for expressing their sexualities and gays in Aceh region in Indonesia are being arrested for their sexual orientations. The Cambodian government also takes advantage of the Covid 19 Pandemic and limits media freedom by declaring that only State Media will announce the news and anyone who disobeys the degree has been warned legally and the right to information has been violated. Most importantly, in Myanmar, the rise of authoritarian rule in the 21st Century makes fun of the presence of ASEAN and AHRD, and is presently threatening the lives of each Myanmar citizen, arresting human rights defenders, and political and democracy activists, and blocking the access to information and the internet for the whole country.

Therefore, AHRD is not regionally realistic and practical and not more than a set of documents because looking at all reported human rights violations cases in ASEAN over the past 10 years, each country is violating human rights of their citizens and even not protecting and fulfilling their rights. In the most recent Myanmar case of Military Coup in 2020, ASEAN can just issue a "5-Point Consensus" but do nothing and let Myanmar people suffer from human rights violations, arbitrary arrest, and restrictions on the right to freedom of expression, information and press freedom.

Moreover, AHRD is such a shallow document in its own concept of "Declaration" that when reviewing, the lack of seriousness and legal importance make all principles invisible and ineffective; for instance, although Principle 38 - Right to Peace should provide a set of guidelines for ASEAN countries to ensure peace for all and to end armed violence, it is just a rough reflection of ASEAN Charter and does not

call for the responsibility and accountability of member countries in promotion and protection of Human Rights. The same analysis goes for Principle 38 and 39 which do not ensure what kinds of particular ways to promote, protect and fulfill human rights but instead the principles are not more than statements.

Failures to secure Member Countries' full commitment to promote, protect and fulfill Human Rights in AHRD will always repeat human rights violations in press freedom, religious freedom, freedom of expression, gender-based violence towards LGBT+ communities and Women, and also towards human rights defenders within the region.

Therefore, specifically for AHRD, there should be an official working committee or council for facilitating Human Rights situations regionally, working closely with AICHR which warns member countries of their human rights violations and then even takes actions for serious violations such as sanctioning or limiting economic opportunities. Also, a Digital Public Reporting System is a great approach to receive direct public voices and grassroots cases rather than organizational or government reports. Additionally, a AHRD-Youth Committee should be initiated to empower youths within the region to collect ground voices from people, to report back to the ASEAN Secretariat or AICHR and possibly even to lead human rights promotion activities.

To conclude, regardless of downsides, AHRD is still undeniably an important initiative for next steps to achieve human rights and peace for each ASEAN citizen but still it is up to ASEAN governments to decide whether to take these steps or not.

Total Words – 671 Words

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