



## CONCLUDING STATEMENT

### Technical Working Group Meeting 1/2016 of the South East Asia National Human Rights Institutions Forum (SEANF) MNHRC, Yangon, Myanmar 27-28 January 2016

The South East Asia National Human Rights Institutions Forum (SEANF) held a Technical Working Group Meeting, which was hosted by the Myanmar National Human Rights Commission (MNHRC) as the Chair of SEANF in Yangon, Myanmar on 27-28 January 2016. The Members of the SEANF\_ the National Human Rights Commission of Indonesia (Komnas HAM), the Human Rights Commission of Malaysia (SUHAKAM), the Myanmar National Human Rights Commission (MNHRC), the Commission on Human Rights of the Philippines (CHRP) and the National Human Rights Commission of Thailand (NHRCT) attended the meeting. The Provedoria for Human Rights and Justice of Timor Leste (PDHJ) was not able to attend the meeting.

The main outcomes of the Meeting were as follows:

#### 1.0 Adoption of the Agenda

- 1.1 The Agenda for the TWG Meeting 1/2016 was adopted without amendment.
- 1.2 SEANF Members agreed to reflect the security measures and its impact on human rights in some of the ASEAN countries in the concluding statement. The statement is as follows:-  
*“In light of the recent terrorist attacks and threats in some of the Southeast Asian countries including Indonesia and Malaysia, SEANF Members acknowledge the need for stern and effective measures to combat terrorism. However, SEANF Members stress that such measures must not be in contravention with fundamental principles of human rights especially in the context of enacting counter-terrorism laws that include provisions for preventive detention.”*

#### 2.0 SEANF Permanent Secretariat

- 2.1 SEANF Members welcomed the report from KOMNAS HAM on the development of the registration of the Permanent Secretariat of SEANF under the Indonesian laws. SEANF Members requested more information regarding the establishment, function as well as its governance. SEANF Members tasked KOMNAS HAM to continue the process of registration for the Permanent Secretariat of SEANF in Jakarta.
- 2.2 SEANF Members congratulated KOMNAS HAM for the meaningful contribution in preparing the comprehensive draft of project proposal to raise funds necessary for the operationalization of the Permanent Secretariat. SEANF Members assigned KOMNAS HAM to proceed with fund raising initiatives.

- 2.3 SEANF Members agreed to
- a) focus on technical and administrative works in preparing for the establishment of the Permanent Secretariat in 2016 and in fully operationalizing it in 2017;
  - b) provide for a sustainability plan in the project proposal;
  - c) transfer the administration of the website of SEANF from CHRP to the Permanent Secretariat once it is established.
- 2.4 SEANF Members also highlighted the importance of revisiting the Rules of Procedure of SEANF to be in line with the establishment of the Permanent Secretariat of SEANF.

### **3.0 Initial work on the drafting of the SEANF Strategic Plan 2017-2022**

- 3.1 SEANF Members welcomed the report of Komnas HAM on the evaluation of the Strategic Plan 2012-2016 and tasked Komnas HAM to undertake initial work on the drafting of the SEANF Strategic Plan 2017-2022. SEANF Members agreed to hold a special meeting on the SEANF Strategic Plan 2017-2022, back to back with TWG meeting (2/2016) and also proposed for adoption at the 13<sup>th</sup> Annual Meeting of the SEANF.

### **4.0 SEANF's role in implementing the Sustainable Development Goals (SDGs)**

- 4.1 SEANF Members welcomed and appreciated the presentation on the SEANF's role in implementing the Sustainable Development Goals (SDGs) made by MNHRC. SEANF Members recognized the important role of NHRIs as mandated in implementing 2030 Agenda for Sustainable Development.
- 4.2 SEANF Members discussed the need for capacity building and agreed that the Chairman of SEANF shall communicate with the Director of APF to organize a regional workshop on SDGs.
- 4.3 SEANF Members agreed to discuss further developments at the TWG meeting (2/2016).

### **5.0 Rights of older persons**

- 5.1 SEANF Members welcomed and appreciated the presentation on the rights of older persons made by MNHRC and agreed to continue discussion on this matter at the TWG meeting (2/2016). SEANF Members agreed to issue a statement on the Rights of Older Persons at the end of the 13<sup>th</sup> Annual Meeting of SEANF.

### **6.0 Sharing of SEANF's experiences after the 12<sup>th</sup> Annual Meeting of the SEANF**

- 6.1 SEANF members welcomed the sharing of experiences by CHRP that, on 4 December 2015, it recognized a Petition calling for an Inquiry as to the responsibility of Carbon Majors for human rights violations arising out of business practices contributing to climate change.

The SEANF members acknowledged that the foregoing action is within the mandate of NHRIs to protect and promote human rights. It is, likewise, consistent with SDG No. 13, which urged "action to combat climate change and its impacts," as well as the communique issued by the SEANF on 30 September 2015, specifically in regard to item xxvi on Human Rights and Climate Change, which states:

"xxvi. That ASEAN Member States continue to give due attention to the potentially adverse impacts of climate change on the human rights of its peoples, and intensify

national and regional efforts to identify and adopt mitigation and adaptation measures that are not in contravention with human rights standards.”

- 6.2 CHRP shared the Palawan Statement on Human Rights and Agribusiness in South East Asia and requested for a continuous engagement of SEANF Members to have a common position on this matter.
  - 6.3 NHRCT made an update on the Constitutional drafting process in relation to the provision on the mandate of the NHRCT together with its plan to submit an alternative report on the ICCPR to the Human Rights Committee.
  - 6.4 Komnas HAM shared the developments on the abolition of Death Penalty, National Action Plan on Business and Human Rights and the matter related to migrant workers.
  - 6.5 SUHAKAM provided updates on re-accreditation of the Commission, the budget constraints, progress of the National Human Rights Action Plan, the proposed research on the pardon procedures, consultation on UPR mid-term review and the activities in relation to business and human rights.
  - 6.6 MNHRC shared its experiences on the organization, promotion, protection and international relations activities of the Commission including outreach activities at various levels of States, Regions and at the grass root levels, complaint handling procedures and prison visits.
  - 6.7 SEANF Members agreed to draft a statement with regard to budget reduction faced by SUHAKAM. It will be submitted to the Chairs of SEANF Members for approval by 5 February 2016.
- 7.0 The status of implementation of the graduated curriculum for the Police and Military**
- 7.1 CHRP shared its experiences on the status of the implementation of the South East Asian Law Enforcement, Security and Intelligence Agents graduated curriculum of human rights education for the Police.
  - 7.2 The participating NHRIs shall complete the report of the status of implementation of the human rights education curriculum drafted in 2010.
  - 7.3 SEANF Members agreed with the suggestion to conduct a reporting session or special meeting regarding the implementation of the human rights curriculum and to invite Myanmar and Timor Leste.
- 8.0 The ASEAN Convention Against Trafficking in Persons**
- 8.1 SEANF Members welcomed and appreciated the presentation made by a representative from the Union Attorney-General’s Office of Myanmar. It was agreed that SEANF Members will encourage the respective Governments which have not yet done so to ratify this Convention.
- 9.0 SEANF’s engagement with AICHR**
- 9.1 SEANF Members discussed and shared their experiences on their engagement with AICHR.
  - 9.2 It was also agreed to continue their efforts to engage with AICHR and to inform the developments at the TWG meeting (2/2016).

## **10.0 Additional Matters**

- 10.1 SEANF Members agreed that SEANF TWG Meeting (2/2016) will be held in Yangon, Myanmar on 2-3 June 2016, immediately after the Special Meeting on SEANF Strategic Plan (2017-2022) on 1 June 2016.
- 10.2 SEANF Members agreed that the 13<sup>th</sup> Annual Meeting of SEANF will be held in Nay Pyi Taw, Myanmar on 27-28 September 2016.

SEANF Members highly commended the excellent facilitation of the TWG meeting by the Chairperson of SEANF, as well as the hospitality extended to all the participants by MNHRC.

*Yangon, 28 January 2016*

Myanmar National Human Rights Commission (MNHRC)