

**Report of the First Technical Working Group (TWG) Meeting
South East Asia National Human Rights Institutions Forum (SEANF)
15 - 16 February 2018
Best Western Plus Wanda Grand Hotel, Nonthaburi, Thailand**

The National Human Rights Commission of Thailand (NHRCT), as the current Chair of South East Asia National Human Rights Institutions Forum (SEANF), convened the first Technical Working Group (TWG) Meeting of the SEANF from 15 to 16 February 2018 in Nonthaburi, Thailand. The meeting was attended by the representatives of 5 SEANF members namely 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). The Provedoria for Human Rights and Justice of Timor Leste (PDHJ) was unable to attend the meeting due to political situation in the country. The meeting discussed several issues which can be summarized as follows:

1. Adoption of the minutes of the 14th SEANF Annual Meeting

1.1 The CHRP presented the summary records of the 14th SEANF Annual Meeting held in Manila from 8-11 November 2017 in Quezon City, the Philippines. The MNHRC recalled that SEANF members had already adopted the concluding statement of the 14th Annual Meeting circulated to all SEANF members as the official report of the meeting, and suggested that the summary records presented by the CHRP should be more properly treated as minutes of the 14th Annual Meeting.

1.2 The meeting discussed the format of records of SEANF meetings and agreed that for each TWG meeting, the discussion on substantive matters will be summarized in a “report,” which will be presented to SEANF members for adoption at the following SEANF TWG or annual meeting as the case may be. The outcome document of the Annual Meeting will be summarized in the “Concluding Statement,” which will be adopted at the end of that meeting.

1.3 The meeting then proceeded to adopt the minutes of the 14th Annual Meeting prepared by the CHRP with amendments of SUHAKAM and the NHRCT. The NHRCT would circulate the amended minutes to the members via e-mail for reference.

2. Sharing of major developments and activities since the 14th Annual Meeting

SEANF members shared major developments and activities they have undertaken or planned to undertake since the 14th Annual Meeting.

2.1 Komnas HAM informed the meeting of the taking of office of the new Commission in November 2017 and its cooperation with the European Union in strengthening its role in preventing torture, the setting up of a team to monitor regional elections, and the visit of the High Commissioner for Human Rights in February 2018.

2.2 SUHAKAM informed that the Malaysian government would launch the National Human Rights Action Plan in March 2018 but expressed concern that the Plan might fall short of international

standards. Some of the activities it had carried out were the conduct of a public inquiry into a disappearance case, the signing of MOU with an academic institution to strengthen cooperation on human rights in education, research and community service, and human rights training for immigration officials.

2.3 MNHRC shared some of its major activities which included meetings with the Human Rights Committees of both Houses of the Parliament, monitoring of detention facilities, training on child's rights for local government officials and meeting with the Special Representative of the UN Secretary-General on Sexual Violence in Conflict.

2.4 The CHRP informed the meeting of the Philippines' ratification of the OPCAT and its government's efforts to develop a national action plan on business and human rights, in which CHRP cooperation was welcome to ensure business compliance with the UN Guiding Principles. participation in the Workshop on SDGs and Human Rights hosted by Bangladesh Commission and submission of the recommendation on access to education for children with disabilities.

2.5 The NHRCT updated the meeting on the enactment of its new organic law which was more compliant with the Paris Principles, the meeting with members of the UN Working Group on Business and Human Rights during their official visit to Thailand from 26 March – 2 April 2018, and the follow-up of the seminar it organized on 31 May 2017 to promote implementation of the UN Guiding Principles by both the government and business organizations.

3. Updates on the Global Compact on Migration (GCM)

3.1 The meeting took note of the updates by the CHRP on the GCM process and the outcome of the Asia-Pacific Regional Preparatory Meeting of the Global Compact for Safe, Orderly and Regular Migration, which was held on 6 - 8 November 2018 at UNESCAP, Bangkok, Thailand. Key migration issues raised at the meeting include human rights of all migrants, inclusive society, non-discrimination, the need to address the root causes of migration as well as to stop human trafficking and modern slavery.

3.2 The CHRP also shared the draft outcome document of GCM called "Zero draft" which will be the basis for negotiation at the intergovernmental session in February 2018 in New York. The final document of GCM will be adopted by the Heads of States and Governments in December 2018 in Morocco.

4. Progress on the establishment of SEANF Permanent Secretariat

4.1 Komnas HAM informed the meeting that it was preparing an academic paper which was to be submitted to the Ministry of Foreign Affairs (MoFA) of Indonesia together with the SEANF Rules of Procedure (RoP) for approval by late March. A consultative meeting between Komnas HAM and the Working Group of Indonesia Membership in International Organizations will then be held in April 2018. Komnas HAM expected that the internal process would be completed and SEANF Secretariat could be launched within 2018 in line with the roadmap. For the first year of its establishment (2019), the annual fee per institution would be 3,000 US dollars.

4.2 The meeting reviewed the amendments made to SEANF RoP by CHRP in accordance with the directions given by the Chairpersons of SEANF members at 14th Annual Meeting. The meeting agreed to have the amended RoP circulated to the Chairpersons of all SEANF members for final approval by 9 March 2018. The NHRCT will then transmit the approved RoP to Komnas HAM for further submission to MoFA.

5. Possible Activities for 2018

The 2nd Raoul Wallenberg Institute (RWI) Workshop

5.1 The NHRCT recalled that the workshop was one of the two activities planned for 2017 by Komnas HAM in cooperation with RWI. The first workshop on “Human Rights Cities” was held in December 2017 in Jakarta, Indonesia, but the second workshop could not be completed by 2017. Komnas HAM thus requested the NHRCT to further pursue the second activity during its chairmanship of the SEANF.

5.2 The NHRCT informed the meeting of its discussion with RWI and presented the concept note about the workshop on the topic of “Human Rights Violations and its Cross-border Effect: Addressing the protection gap through extraterritorial obligations – ETOs” prepared by RWI for consideration of SEANF members.

5.3 The CHRP also presented a concept note of its proposal on a roundtable discussion in support of its efforts on the national inquiry on climate change for consideration as the subject matter of its proposal was related to the topic of RWI workshop. After deliberation, the meeting was of the view that the RWI workshop and the CHRP roundtable discussion on climate change could be merged and requested the NHRCT to have further discussion with RWI on the merging of the two activities as well as the financial support for the participation of both experts and participants from SEANF members and the appropriate time to convene the workshop. The NHRCT would report progress on its discussion with RWI at the 2nd TWG meeting.

Possible activities with the Association for the Prevention of Torture (APT)

5.4 The NHRCT informed the meeting that the APT had proposed, as a follow-up to the discussion on torture prevention during the 14th Annual Meeting, possible ideas for cooperative activities with SEANF in the following areas: (a) support to SEANF members on the ratification of CAT and OPCAT; (b) regional trainings on preventing torture in various themes; and (c) mainstreaming torture prevention in Southeast Asia through standard settings, e.g. developing guidelines on preventing torture.

5.5 The meeting deliberated on the proposed areas and agreed on cooperation in mainstreaming torture prevention in Southeast Asia through standard setting as it would best support the efforts of SEANF members to prevent torture at domestic level. The meeting requested the NHRCT to have further discussion with the APT during the GANHRI Annual Meeting in Geneva and to report progress at the 2nd TWG meeting.

6. Baseline Paper on the Rights of Older Persons in South East Asia

6.1 The CHRP informed the meeting that without additional inputs from SEANF members, it planned to submit the Baseline Paper to the GANHRI Working Group on Ageing to be held during the GANHRI Annual Meeting on 21 - 23 February 2018 in Geneva.

6.2 As some SEANF members needed more time to review the paper, it was agreed that the CHRP presented a summary of the Baseline Paper to the GANHRI Working Group on Ageing. In the meantime, SEANF members could provide additional inputs to the CHRP by the end of April 2018 for incorporation into the Baseline Paper. The revised Paper could then be submitted in full to the 9th session of the UN Open-ended Working Group on Ageing to be held on 23 - 27 July 2018 in New York as the common paper of the SEANF.

7. Action Plan to implement the SEANF Strategic Plan (2017 – 2021)

7.1 The meeting reviewed the Action Plan to implement the SEANF Strategic Plan (2017-2021) prepared by the CHRP, which the 14th Annual Meeting had referred to SEANF meetings in 2018 for final approval.

7.2 The meeting discussed and updated activities to be undertaken jointly as a group, including activities with RWI and APT under item 5 and the submission of the Baseline Paper on the Rights of Older Persons in South East Asia under item 6. Each SEANF member also shared activities it had carried out individually in 2017 and in the upcoming years. The NHRCT was requested to prepare the revised Action Plan accordingly.

8. Preparation for the 15th SEANF Annual Meeting

Commemoration of the 70th anniversary of the Universal Declaration of Human rights

8.1 Pursuant to a suggestion made by the CHRP Chairperson at the 14th Annual Meeting that SEANF should organize an activity in commemoration of the 70th anniversary of the Universal Declaration of Human rights (UDHR) in 2018, the NHRCT proposed that a seminar be held for such occasion during the 15th Annual Meeting of SEANF. The meeting discussed possible topics for the seminar and agreed that the seminar should focus on the “linkage between human rights and SDGs.”

8.2 The NHRCT shared the initial plan for the seminar which would be a half-day activity on the first day of the 15th Annual Meeting with approximately 60 - 80 participants from related government agencies, representatives of UN agencies in Thailand and civil society organizations. Speakers could include representatives of SEANF members, OHCHR Regional Office in Bangkok, concerned ministries and possibly Thai representative to AICHR. The CHRP suggested that there should be a speaker from civil society. The NHRCT informed the meeting that it would seek advice from the OHCHR and would report back to SEANF members at the 2nd TWG meeting.

Main theme of the 15th Annual Meeting

8.3 The meeting discussed possible themes for the 15th Annual Meeting as proposed by SEANF members which were: statelessness and responsibility of governments in Southeast Asia; a topic related to the situation of refugee; business and human rights; and a topic related to SDGs. However, SEANF members needed more time to consider the issue as well as to have further discussion in their respective

institutions. The NHRCT would send the email to inquire the members' proposals on the topic and the elements that the SEANF members would prefer to be included in the final statement.

Other arrangements

8.4 The NHRCT informed the meeting that the 2nd TWG meeting would be convened during the second week of July 2018 and the 15th Annual Meeting would be convened in the first or second week of September 2018.

9. Other Matters

Informal meeting between SEANF and the APT during GANHRI Annual Meeting

9.1 The meeting requested the NHRCT to coordinate with the APT on the possibility of having an informal meeting between SEANF members and the APT during GANHRI Annual Meeting from 21-23 February 2018 in Geneva to discuss cooperative activities, and inform SEANF members of the outcome.

ASEAN SOGIE Caucus letter on the human rights situation of LGBTI in Indonesia

9.2 The CHRP informed the meeting that it had received a letter from the ASEAN SOGIE Caucus, an NGO based in the Philippines, providing accounts of human rights violation among LGBTI in Indonesia and requesting the SEANF, through CHRP, to take appropriate action.

9.3 The MNHRC expressed the view that the TWG meeting had no authority to consider such a case as it concerned a policy issue which required approval from the Chairpersons of SEANF members and suggested that the matter be discussed between Komnas HAM and the CHRP. Komnas HAM informed the meeting that it had been monitoring the situation and could bring the case to the attention of relevant committees of Komnas HAM for their consideration.

9.4 The NHRCT expressed the view that the TWG meeting should respond to the request of ASEAN SOGIE Caucus to demonstrate SEANF concern on reports of human rights situation brought to its attention, and proposed that the Caucus letter be transmitted to Komnas HAM for possible action within its mandate. The meeting agreed with the proposal and request Komnas HAM to inform SEANF members of further development of the situation at the 2nd TWG meeting.
