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ASEAN human rights commission stumbles at first hurdle

Amnesty International has expressed disappointment at the refusal by the ASEAN Inter-governmental Commission on Human Rights (AICHR) to look into complaints brought by victims, families and civil society organizations of human rights abuses in ASEAN member states.

Amnesty International calls upon the Commission to reverse its decision and apply its mandate, which includes protection of human rights, in line with international law and standards. Otherwise AICHR risks reducing itself to an irrelevant and futile exercise in public relations.

According to a press release by Solidarity for Asian Peoples' Advocacy Task Force on ASEAN and Human Rights (SAPA TF-AHR), Noemi E. Parcon, the widow of one of the 32 Filipino journalists killed in Ampatuan, Maguindanao in November 2009 said: "I appeal to the Commission to help our families to seek justice," adding that "the Philippines government is not responsive to our petition. We, therefore, come here to appeal to the AICHR."

However, on 29 March 2010 during the AICHR's meeting, a Commissioner reportedly met Noemi E. Parcon, other victims of human rights violations and representatives of civil society, only to inform them that the Commission will receive thematic reports on human rights issues, but not individual complaints, and therefore no further action will be taken on any petitions.

The fact that the Commission decided, in its very first official meeting, that it cannot help victims of the deadliest single attack on journalists in history to seek redress clearly does not bode well for its future.

The Commission's mandate clearly calls for it to 'develop strategies for the promotion and protection of human rights and fundamental freedoms'. Investigating complaints is an essential strategy, applied widely by regional and international human rights bodies all around the world.

The Commission should meet individuals and groups who wish to submit complaints of human rights abuses within ASEAN, be they individual complaints; complaints relating to national laws, policies or practices violating human rights; cross-border human rights issues; or regional ones. It should study each of these complaints thoroughly, including by communicating with relevant governments and, where needed, carrying out further research, and make every attempt to put an end to the violations reported.

Background

The ASEAN Inter-governmental Commission on Human Rights (AICHR) was launched in October 2009, in accordance with Article 14 of the ASEAN Charter. It is formed of ten government representatives, one from each member state. It works under Terms of Reference agreed by ASEAN's member states, which describe AICHR's key purpose as "To promote and protect human rights and fundamental freedoms of the peoples of ASEAN." This month, AICHR is holding its first official meeting in Jakarta.

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