

**AMNESTY  
INTERNATIONAL**



## **Submission of Amnesty International-Thailand on the rights to be included in the ASEAN Declaration on Human Rights**

February 2011

### **Introduction**

Below is a list of those human rights which Amnesty International-Thailand believes must form the skeleton of the ASEAN Declaration on Human Rights (ADHR). In view of the early stage in the drafting process at which this submission is made, rights are listed in their bare form, without the substantive content which the final Declaration itself will contain.

The list is based on the rights enshrined in the Universal Declaration of Human Rights (UDHR). The Declaration, adopted in 1948, has since become the universally accepted foundation of all subsequent international and regional human rights standards, as well as domestic human rights legislation, and AICHR is obliged under Article 1.6. of its Terms of Reference to uphold the standards it prescribes. Moreover, many of the UDHR's provisions are considered either to have been declaratory of customary international rules at the time it was made or to have matured into such rules since. The UDHR's provisions must therefore form an irreducible minimum for the rights to be provided for in the ADHR. The list below also builds on some later developments which have elaborated on the UDHR's provisions.

The list of rights is organized by categories. This, however, is for ease of reference only and must not be understood as in any way indicating priorities or prejudicing the universality, indivisibility and interdependence and interrelatedness of all human rights. The list is annotated by references, regarding each right, to the relevant provision in the UDHR, as well as to provisions in the two human rights Covenants (and to a lesser extent in other key international (UN) treaties and declarations), as well as in regional treaties and in the Constitutions of ASEAN member states. The list of sources is indicative rather than exhaustive of provisions for human rights in international and regional instruments, and does not extend to provisions for human rights in the domestic legislation of ASEAN member states beyond Constitutional ones.

It should be noted that whereas Amnesty International has consistently called on all states worldwide to incorporate the provisions of the UDHR and other international human rights instruments into their law and implement them in policy and practice, reference here to human rights provided for in regional instruments and state Constitutions does not imply that Amnesty

International necessarily endorses the particular substantive content given to these rights within the instruments and Constitutions cited, or that they fully accord with international standards.

Amnesty International calls on AICHR members and any others tasked with drafting the ADHR to give careful and thorough consideration to this list when carrying out that task. In doing so, they should take into account the fact that the rights listed here are accepted universally, and feature in existing regional human rights protection systems as well as in Constitutions of ASEAN member states. The people of ASEAN, and human beings everywhere in the world, inherently hold the same rights and therefore deserve the same level of respect for, protection of and fulfilment of their rights. An ASEAN Declaration of Human Rights enshrining all these rights will be a crucial step towards ensuring that the people of ASEAN do indeed enjoy their human rights to the full.

## 1. General provisions

- “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood”;
- Freedom from discrimination in the enjoyment of rights;
- Equal rights for men and women.
- Right to a social and international order in which rights and freedoms can be fully realized;
- Right to an effective remedy for acts violating human rights.

### SOURCES

International: UDHR Art. 1.

International: UDHR Art. 2; ICCPR Art. 2(1); ICESCR Art. 2(2).

Regional: Af. Charter Art. 2; Am. Convention Art. 1; Arab Charter Art. 3; Eur. Convention Art. 14; Eur. Prot 12, Art. 1.

Constitutions: Cambodia Art. 31; Indonesia Art. 28(i)(2); Malaysia Arts. 8(2), (3), (4), 12(1); Myanmar Art. 348; Singapore Art. 12(2).

International: UDHR, Preamble; ICCPR Art. 3; ICESCR Art. 3; CEDAW. Regional: Af. Charter Art. 18(3); Arab Charter Art. 3(3).

Constitutions: Cambodia Art. 45; Lao PDR Art. 37; Philippines Art. II(14); Thailand Art. 30; Viet Nam Art. 63.

International: UDHR Art. 28.

International: UDHR Art. 8; ICCPR Art. 2(3).

Regional: Am. Convention Arts. 10, 25; Arab Charter Art. 23; Eur. Convention Art. 13.

Constitutions: Cambodia Art. 39; Lao PDR Art. 41; Philippines Arts. III(4), III(12)(4); Thailand Arts. 28, 59, 60; Viet Nam Art. 74.

## 2. Civil and political rights

- Right to life;

### SOURCES

International: UDHR Art. 3; ICCPR Art. 6.

Regional: Af. Charter Art. 4; Am. Convention Art. 4; Arab Charter Art. 5; Eur. Convention Art. 2.

Constitutions: Cambodia Arts. 32,

- 38; Indonesia Art. 28(a); Lao PDR Art. 6; Malaysia Art. 5; Myanmar Art. 353; Philippines Art. III(1); Singapore Art. 9(1); Thailand Art. 32; Viet Nam Art. 71.

International: UDHR Art. 3; ICCPR Art. 9.

Regional: Af. Charter Art. 6; Am. Convention Art. 7; Arab Charter Art. 14; Eur. Convention Art. 5.

Constitutions: Cambodia Art. 32; Lao PDR Art. 42; Malaysia Art. 5; Myanmar Art. 353; Philippines Art. III(1).
- Right to liberty and security of person;

International: UDHR Art. 4; ICCPR Art. 8.

Regional: Af. Charter Art. 5; Am. Convention Art. 6; Arab Charter Art. 10; Eur. Convention Art. 4.

Constitutions: Indonesia Art. 28(i); Malaysia Art. 6; Myanmar Art. 358; Philippines Art. III(18)(2); Singapore Art. 10; Thailand Art. 38.
- Prohibition of slavery and forced labour;

International: UDHR Art. 5; ICCPR Art. 7; UNCAT.

Regional: Af. Charter Art. 5; Am. Convention Art. 5; Arab Charter Arts. 8, 9, 20; Eur. Convention Art. 3.

Constitutions: Cambodia Art. 38; Indonesia Art. 28(g)(2); Philippines Art. III(12)(2), III(19)(1),(2); Thailand Art. 32; Viet Nam Art. 71.
- Prohibition of torture or other cruel, inhuman or degrading treatment or punishment;

International: UDHR Art. 6; ICCPR, Art. 16.

Regional: Am. Convention Art. 24; Arab Charter Art. 22.

Constitutions: Cambodia Art. 31; Indonesia, Art. 27; Indonesia Art. 28(d)(1); Malaysia Art. 8(1); Myanmar Art. 347; Singapore Art. 12(1); Thailand Art. 30.
- Right to recognition everywhere as a person before the law;

International: UDHR Art. 7; ICCPR Art 26.

Regional: Af. Charter Art. 3; Arab Charter Art. 11.

Constitutions: Indonesia, Art. 27; Indonesia Art. 28(d)(1); Lao PDR Art. 35; Malaysia Art. 8(1);
- Right to equality of protection before the law;

- Myanmar Art. 347; Philippines Art. III(1); Singapore Art. 12(1); Thailand Art. 30; Viet Nam Art. 52.
- Right to protection against incitement to discrimination;  
International: UDHR Art. 7; ICCPR Art. 20(2); ICERD Art. 4.
  - Prohibition of arbitrary arrest and detention (including arrest only on ground and by procedures established by law, right to be informed of reasons for arrest, right to challenge lawfulness of detention in front of a court without delay, right of those charged with a criminal offence to be promptly brought before a court); prohibition of arbitrary exile;  
International: UDHR Art. 9; ICCPR Arts. 9, 12(4).  
Regional: Af. Charter Art. 6; Am. Convention Art. 7; Arab Charter Arts. 14, 20; Eur. Convention Art. 5.  
Constitutions: Cambodia Art. 38; Malaysia Art. 9(1); Myanmar Art. 378(a)(1), (2); Philippines Arts. III(12)(1), (2), III(14), III(15); Singapore Arts. 9(2), (3), (4), 13(1); Thailand Arts. 32, 34; Viet Nam Arts. 71, 72.
  - Fair trial rights (including a fair and public hearing by an independent and impartial tribunal, presumption of innocence until proved guilty, guarantees for defence, principle of non-retroactivity (*nullum crimen sine lege*), right of appeal, no heavier penalty than at time of commission);  
International: UDHR Arts. 10, 11; ICCPR Arts. 14, 15.  
Regional: Af. Charter Arts. 7, 26; Am. Convention Arts. 8, 9; Arab Charter Arts. 12, 13, 15, 16, 19; Eur. Convention Arts. 6, 7.  
Constitutions: Cambodia Arts. 38, 128, 129; Indonesia, Art. 24(1); Lao PDR Arts. 82, 83; Malaysia Art. 7; Myanmar Art. 373-5; Philippines Arts. III(12)(3), III(13), (14), (16), (17), (21), (22); Singapore Art. 11; Thailand Arts. 40, 197; Viet Nam Arts. 72, 130-3.
  - Right to privacy;  
International: UDHR Art. 12; ICCPR Art. 17.  
Regional: Am. Convention Art. 11; Arab Charter Art. 21; Eur. Convention Art. 8.  
Constitutions: Cambodia Art. 40; Lao PDR Art. 42; Myanmar Art. 357; Philippines Arts. III(2), III(3)(1); Thailand Arts. 33, 35; Viet Nam Art. 73.
  - Freedom of movement and residence within the country; right to leave any country and to return to one's own country;  
International: UDHR Art. 13; ICCPR Art. 12.  
Regional: Af. Charter Art. 12; Am. Convention Art. 22; Arab Charter Art. 26(1), 27; Eur. Convention, Prot. 4, Arts. 2, 3.  
Constitutions: Cambodia Art. 40; Indonesia Art. 28(e)(1); Lao PDR

- Art. 40; Malaysia Art. 9; Philippines Art. III(6); Singapore Art. 13; Thailand Art. 34; Viet Nam Art. 68.
- Right to seek and to enjoy in other countries asylum from persecution (including not to be returned to face torture, arbitrary loss of life or freedom *et al.*);
 

International: UDHR Art. 14; 1951 Geneva Refugees Convention Art. 33; UNCAT Art. 3.  
Regional: Af. Charter Art. 12; Arab Charter Art. 28.  
Constitutions: Indonesia Art. 28(g)(2); Viet Nam Art. 82.
  - Right to a nationality (including not to be deprived of one's nationality arbitrarily);
 

International: UDHR Art. 15.  
Regional: Am. Convention Art. 20; Arab Charter Art. 29.  
Constitutions: Cambodia Art. 33.
  - Right of adults to marry with free and full consent and found a family; equal rights to marriage, during marriage and at its dissolution;
 

International: UDHR Art. 16; ICCPR Art. 23; ICESCR Art. 10(1), CEDAW Art. 16.  
Regional: Am. Convention Art. 17(3); Arab Charter Art. 33(1); Eur. Convention Art. 12; Eur. Convention Prot. 7 Art. 5.  
Constitutions: Cambodia Art. 45; Indonesia Art. 28(b); Viet Nam Art. 64.
  - Right of the family to protection;
 

International: UDHR Art. 16; ICCPR Art. 23(1), ICESCR Art. 10.  
Regional: Af. Charter Art. 18(1), (2); Am. Convention Art. 17(1); Arab Charter Art. 33(2); Eur. Social Charter, Art. 16.  
Constitutions: Indonesia Art. 28(g)(1); Philippines Art. II(12); Thailand Art. 52; Viet Nam Art. 64.
  - Right to freedom of thought, conscience and religion;
 

International: UDHR Art. 18; ICCPR Art. 18.  
Regional: Af. Charter Art. 8; Am. Convention Art. 12; Arab Charter Art. 30; Eur. Convention Art. 9.  
Constitutions: Brunei Darussalam Art. 3(1); Cambodia Art. 43; Indonesia Art 28(e)(1), (2); Lao PDR Art. 43; Malaysia Art. 11; Myanmar Art. 34; Philippines Art. III(5); Singapore Art. 15(1); Thailand Art. 37; Viet Nam Art. 70.
  - Right to freedom of opinion and expression (including right to seek, receive, and impart information and ideas;
 

International: UDHR Art. 19; ICCPR Art. 19.  
Regional: Af. Charter Art. 9; Am. Convention Arts. 13, 14; Arab

- Charter Art. 32; Eur. Convention Art. 10.

Constitutions: Cambodia Art. 41; Indonesia Art. 28(e)(2), (3), 28(f); Lao PDR Art. 44; Malaysia Art.10(1)(a); Myanmar Art. 354(a); Philippines Arts. III(4), III(7); Singapore Art. 14(a); Thailand Arts. 36, 45, 46, 56, 57; Viet Nam Art. 69.
- Right to freedom of peaceful assembly and association; no compulsion to belong to an association;

International: UDHR Art. 20; ICCPR Arts. 21, 22.

Regional: Af. Charter Arts. 10, 11; Am. Convention Art. 15, 16; Arab Charter Art. 24(5), (6); Eur. Convention Art. 11.

Constitutions: Cambodia Arts. 37, 41; Indonesia Art. 28; Lao PDR Art. 44; Malaysia Art. 10(1)(b), (c); Myanmar Art. 354(b), (c); Philippines Arts. III(4), III(8); Singapore Art. 14(b), (c); Thailand Arts. 63, 64, 65; Viet Nam Art. 69.
- Right to take part in the in the government of one's country, directly or through freely chosen representatives (including right to take part in the conduct of public affairs, equal access to public service, universal and equal suffrage, the will of the people, expressed in periodic and genuine elections, as the basis of the authority of government).

International: UDHR Art. 21; ICCPR Art. 25.

Regional: Af. Charter Art. 13; Arab Charter Art. 24; Am. Convention Art. 23; Eur. Prot. 1 Art. 3.

Constitutions: Cambodia Art. 34, 35; Indonesia Art. 22(e), Lao PDR Arts. 4, 36; Myanmar Arts. 38, 369; Philippines Arts. V, XII(16); Thailand Arts. 58, 87(5); Viet Nam Arts. 7, 53, 54.

### 3. Economic, social and cultural rights

- Right to property;

**SOURCES**

International: UDHR Art. 17.

Regional: Af. Charter Art. 14; Am. Convention Art. 21; Arab Charter Art. 31; Eur Prot. 1 Art. 1.

Constitutions: Cambodia Art. 44; Indonesia Art. 28(g)(1); Indonesia Art. 28(h)(4); Lao PDR Arts. 16, 17; Malaysia Art. 13; Myanmar Art. 372; Philippines Art. III(1); Thailand Art. 41, 42; Viet Nam Arts. 23, 58.
- Right to social security;

International: UDHR Art. 22; ICESCR

- Art. 9.  
Regional: Am. Charter Art. 45(h); Arab Charter Art. 36; Eur. Social Charter Part II Art. 12.  
Constitutions: Cambodia Art. 36; Indonesia Art. 28(h)(3), 34(2); Philippines Art. XIII(1).
- Entitlement to realization of economic, social and cultural rights;  
International: UDHR Art. 22; ICESCR Art. 2(1).  
Regional: Am. Charter Art. 45(a).  
Constitutions: Philippines Art. XIII(1).
- Right to work (including free choice of work, just and favourable work conditions, protection against unemployment, equal pay for equal work, remuneration ensuring for themselves and their families an existence worthy of human life with dignity, safe and healthy working conditions, social protection, trade unions, rest and leisure, and the right to form and join trade unions);  
International: UDHR Arts. 23, 24; ICESCR Arts. 6, 7, 8.  
Regional: Af. Charter Art. 15; Am. Charter Arts. 45(b),(c); Arab Charter Arts. 34, 37; Eur. Social Charter, *passim*.  
Constitutions: Cambodia Arts. 36, 37; Indonesia Arts. 27, 28(d)(2); Lao PDR Art. 39; Philippines Art. II(18); Thailand Art. 43, 44; Viet Nam Art. 55.
- Right to an adequate standard of living (including food, clothing, housing, water, necessary social services, right to security in the event of lack or loss of livelihood in circumstances beyond one's control);  
International: UDHR Art. 25; ICESCR Art. 11.  
Regional: Arab Charter Art. 38; Eur. Social Charter, Part II Art. 31 (housing).  
Constitutions: Indonesia Art. 28(h)(1).
- Right to the enjoyment of the highest attainable standard of physical and mental health;  
International: UDHR Art. 25(1); ICESCR Art. 12.  
Regional: Af. Charter Art. 16; Arab Charter Art. 39; Eur. Social Charter Part II Arts. 11, 13(1).  
Constitutions: Cambodia Art. 72; Indonesia Art. 28(h)(1), 34(3); Myanmar Art. 367; Philippines Art. II(15) ; Thailand Art. 51; Viet Nam Art. 61.
- Entitlement of motherhood and childhood to special care and assistance, right of all children, whether born in or out of wedlock to enjoy same social protection;  
International: UDHR Art. 25(2); ICESCR Arts. 10(2), 10(3); CRC, *passim*.  
Regional: Am. Convention Art. 17(5); Arab Charter Art. 34(3).  
Constitutions: Indonesia Art. 28(b)(2); Thailand Art. 52; Viet Nam Art. 40.
- Right to education (free, at least in the  
International: UDHR Art. 26; ICESCR



elementary and fundamental stages, compulsory elementary education, including education directed to the full development of the human personality and strengthening respect for human rights, promote understanding, tolerance and friendship among all nations, racial or religious groups, right of parents to choose children's education);

- Right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits; right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which one is the author.

Arts. 13, 14.

Regional: Af. Charter Art. 17; Am. Charter Art. 49; Arab Charter Art. 41; Eur. Prot. 1, Art. 2.

Constitutions: Cambodia Arts. 65-8; Indonesia Art. 28(c)(1), 31(1); Lao PDR Art. 38; Myanmar Art. 366; Thailand Art. 49; Viet Nam Art. 59.

International: UDHR Art. 27; ICESCR Art. 15.

Regional: Arab Charter Arts. 32(2), 42.

Constitutions: Cambodia Art. 35; Indonesia Art. 28(c)(1); Lao PDR Art. 45; Myanmar Art. 366(c); Viet Nam Art. 60.

#### 4. Rights of specific categories of individuals, groups or peoples; new formulations of rights

In addition to the rights listed about, the ADHR should include provisions for the protection, respect and fulfilment of the rights of categories of individuals, groups or peoples who are inherently vulnerable, and/or are likely to suffer discrimination on grounds of belonging to these categories, such as children,<sup>1</sup> women,<sup>2</sup> asylum-seekers and refugees,<sup>3</sup> the elderly,<sup>4</sup> internally displaced persons,<sup>5</sup> Indigenous Peoples,<sup>6</sup> minorities,<sup>7</sup> migrant workers,<sup>8</sup> persons deprived of liberty,<sup>9</sup> and persons with disabilities<sup>10</sup> – the list is not exhaustive.

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<sup>1</sup> International: ICCPR Art. 24, ICESCR Art. 10(3), CRC.

Regional: Af. Charter Art. 18(3); Af. Children's Charter; Am. Convention Art. 19; Arab Charter Art. 17; Eur. Social Charter Part II Art. 17.

Constitutions: Cambodia Art. 48; Indonesia Art 28(b)(2); Lao PDR Art. 29; Myanmar Art. 351; Thailand Art. 52.

<sup>2</sup> International: UDHR Preamble; ICCPR Art. 3; ICESCR Art. 3; CEDAW.

Regional: Af. Charter Art. 18(3); Af. Prot. on women's rights; Arab Charter Art. 3(3).

Regional: Inter-Am. Convention against VAW.

Constitutions: Cambodia Art. 45; Lao PDR Arts. 29, 37; Philippines Art. II(14); Thailand Art. 30; Viet Nam Art. 63.

<sup>3</sup> International: UDHR Art. 14; 1951 Geneva Refugees Convention and its 1967 Protocol.

Regional: Af. Charter Art. 12; Arab Charter Art. 28.

Constitutions: Indonesia Art. 28(g)(2); Viet Nam Art. 82.

<sup>4</sup> Regional: Af. Charter Art. 18(4); Eur. Social Charter, Part II, Art. 23.

<sup>5</sup> International: UN Guiding Principles on Internal Displacement.

Regional: Af. IDP Convention.

<sup>6</sup> International: UN Declaration on the Rights of Indigenous Peoples.

Constitutions: Philippines Art. II(22).

<sup>7</sup> International: ICCPR Art. 27; UN Minorities Declaration.

Regional: Arab Charter Art. 25; Eur. Minorities Convention.

Constitutions: Viet Nam Art. 5.

<sup>8</sup> International: Migrant Workers Convention.

Regional: ASEAN Declaration on Migrant Workers.

Further, the ADHR should include more recent formulations of rights which are enshrined in the principles of the UDHR whilst addressing specific human rights or their violations, such as the prohibition of enforced disappearances<sup>11</sup> and trafficking in persons.<sup>12</sup> Here too the list is not exhaustive.

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<sup>9</sup> International: UDHR Art. 5; ICCPR Arts. 7, 10; UNCAT, *passim*, UN Standard Minimum Rules, UN Body of Principles, UN Basic Principles.

Regional: Af. Charter Art. 5; Am. Convention Art. 5; Arab Charter Arts. 8, 9, 20; Eur. Convention Art. 3.

Constitutions: Cambodia Art. 38; Indonesia Art. 28(g)(2); Philippines Art. III(12)(2), III(19)(1),(2); Thailand Art. 32; Viet Nam Art. 71.

<sup>10</sup> International: UN Convention on the Rights of Persons with Disabilities.

Regional: Arab Charter Art. 40; Eur. Social Charter Part II Art. 15.

Constitutions: Thailand Art. 54; Viet Nam Art. 67.

<sup>11</sup> International: Enforced Disappearance Convention.

Regional: Inter-American Enforced Disappearance Convention.

<sup>12</sup> Regional: Arab Charter Art. 10; ASEAN Declaration Against Trafficking; Eur Trafficking Convention.

Constitutions: Myanmar Art. 358.

## 5. List of Instruments used in this submission (abbreviations)

### **5(1) International**

*N.B.: arranged chronologically (after the Bill of Rights)*

- Universal Declaration of Human Rights, UNGA res. 217 A(III). Adopted 10 December 1948 (UDHR);
- International Covenant on Civil and Political Rights. Adopted by General Assembly resolution 2200A (XXI) of 16 December 1966, entered into force 23 March 1976 (ICCPR);
- International Covenant on Economic, Social and Cultural Rights, adopted by General Assembly resolution 2200A (XXI) of 16 December 1966, entered into force 3 January 1976 (ICESCR);
- Convention relating to the Status of Refugees, done at Geneva on 28 July 1951, entered into force 22 April 1954 and the 1967 Protocol relating to the Status of Refugees (1951 Geneva Refugees Convention and its 1967 Protocol);
- UN Standard Minimum Rules for the Treatment of Prisoners. Adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Geneva in 1955, and approved by the Economic and Social Council by its resolution 663 C (XXIV) of 31 July 1957 and 2076 (LXII) of 13 May 1977 (UN Standard Minimum Rules);
- International Convention on the Elimination of All Forms of Racial Discrimination. Adopted by General Assembly resolution 2106 (XX) of 21 December 1965, entry into force 4 January 1969 (ICERD);
- Convention on the Elimination of All Forms of Discrimination against Women. Adopted by General Assembly resolution 34/180 of 18 December 1979, entered into force 3 September 1981 (CEDAW);
- UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, UNGA res. 39/46. Adopted 10 December 1984, entered into force 26 June 1987 (UNCAT);
- UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, adopted by General Assembly resolution 43/173 of 9 December 1988 (UN Body of Principles);
- UN Convention on the Rights of the Child. Adopted by UN General Assembly resolution 44/25 of 20 November 1989, entered into force 2 September 1990 (CRC);
- UN Basic Principles for the Treatment of Prisoners. Adopted and proclaimed by General Assembly resolution 45/111 of 14 December 1990 (UN Basic Principles)
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Adopted by UN General Assembly resolution 45/158 of 19 December 1990; entered into force 1 July 2003 (Migrant Workers Convention);
- UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. Adopted by General Assembly resolution 47/135 of 18 December 1992 (UN Minorities Declaration);
- Guiding Principles on Internal Displacement, UN Doc. E/CN.4/1998/53/Add.2 (1998);
- UN Convention on the Rights of Persons with Disabilities. Adopted by the General Assembly resolution 61/106 on 13 December 2006, entered into force 3 May 2008;

- International Convention for the Protection of All Persons from Enforced Disappearance, adopted by UN General Assembly resolution 61/177 on 20 December 2006, entered into force 23 December 2010 (Enforced Disappearance Convention);
- UN Declaration on the Rights of Indigenous Peoples. Adopted by General Assembly Resolution 61/295 on 13 September 2007.

## 5(2) Regional treaties

*N.B. arrange by region (alphabetically), and chronologically within each region*

- African Charter on Human and Peoples' Rights, OAU Doc. CAB/LEG/67/3 rev. 5 adopted 27 June 1981, entered into force 21 October 1986 (Af. Charter)
- African Charter on the Rights and Welfare of the Child, OAU Doc. CAB/LEG/24.9/49 (1990), entered into force 29 November 1999 (Af. Children's Charter);
- Protocol to the African Charter on the Rights of Women in Africa. Adopted in Maputo – Mozambique on 11 July 2003, entered into force 25 November 2005 (Af. Prot. on women's rights);
- African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), adopted by the special summit of the Union held in Kampala, Uganda, 22 October 2009, as yet to enter into force (Af. IDP Convention);
- Charter of the Organization of American States (as amended), OAS Treaty Series No. 1-A. Adopted 27 February 1967, entered into force March 12, 1970 (Am. Charter);
- American Convention on Human Rights, O.A.S. Treaty Series No. 36, 1144. Adopted at San Jose, Costa Rica, on 22 November 1969, entered into force 18 July 1978 (Am. Convention);
- The Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women. Adopted in Belém do Pará, Brasil on 9 June 1994, entered into force 5 March 1995 (Inter-Am. Convention on VAW);
- Inter-American Convention on Forced Disappearance of Persons. Adopted by Resolution AG/RES. 1256 (XXIV-O/94) on June 9, 1994, entered into force on 28 March 1996 (Inter-American Enforced Disappearances Convention);
- League of Arab States, Arab Charter on Human Rights. Adopted 22 May 2004, entered into force 15 March 2008 (Arab Charter);
- ASEAN Declaration Against Trafficking in Persons Particularly Women and Children. Adopted by the ASEAN Summit in Vientiane, 29 November 2004 (ASEAN Declaration Against Trafficking);
- ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers, adopted by the ASEAN Summit in Cebu, Philippines, 13 January 2007 (ASEAN Declaration on Migrant Workers);
- European Convention for the Protection of Human Rights and Fundamental Freedoms, ETS No. 5 (as amended). Adopted 4 November 1950, entered into force 3 September 1953 (Eur. Convention) and its protocols (Eur. Prot.);
- Council of Europe Framework Convention for the Protection of National Minorities, ETS No. 157. Adopted 1 February 1995, entered into force 1 February 1998 (Eur. Minorities Convention);
- European Social Charter (Revised), ETS No. 163. Adopted 3 May 1996, entered into force 1 July 1997 (Eur. Social Charter);

- Council of Europe Convention on Action against Trafficking in Human Beings. ETS No. 197. Done at Warsaw 16 May 2995, entered into force 1 February 2008 (Eur Trafficking Convention).

### **5(3) ASEAN member states' Constitutions**

*N.B. arranged alphabetically.*

- The Constitution of Brunei Darussalam (1959);
- The Constitution of the Kingdom of Cambodia (1993);
- The Constitution of the Republic of Indonesia (1945, as amended);
- The Constitution of the Lao People's Democratic Republic (1991, as amended);
- The Federal Constitution of Malaysia (1957, as amended);
- The Constitution of the Republic of the Union of Myanmar (2008);
- The Constitution of the Republic of the Philippines (1987);
- The Constitution of the Republic of Singapore (1965, as amended);
- The Constitution of the Kingdom of Thailand (2007);
- The Constitution of the Socialist Republic of Viet Nam (1992, as amended).