



Malaysia

Permanent Mission to the United Nations



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**STATEMENT BY H.E. AMBASSADOR HUSSEIN HANIFF
PERMANENT REPRESENTATIVE OF MALAYSIA**

**ON BEHALF OF
THE ASSOCIATION OF SOUTHEAST ASIAN NATIONS (ASEAN)**

**COMPRISING BRUNEI DARUSSALAM, THE KINGDOM OF CAMBODIA,
THE REPUBLIC OF INDONESIA, LAO PEOPLE'S DEMOCRATIC REPUBLIC,
MALAYSIA, THE REPUBLIC OF THE UNION OF MYANMAR,
THE REPUBLIC OF THE PHILIPPINES, THE REPUBLIC OF SINGAPORE, THAILAND AND
THE SOCIALIST REPUBLIC OF VIET NAM**

ON

**AGENDA ITEM 69 (B): HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE
APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS
AND FUNDAMENTAL FREEDOMS**

AND

**AGENDA ITEM 69 (C): HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL
RAPPORTEURS AND REPRESENTATIVES**

**OF THE THIRD COMMITTEE OF
THE 67TH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY**

NEW YORK, 6 NOVEMBER 2012

Mr. Chairman,

I am making this statement on behalf of the 10 Member States of the Association of Southeast Asian Nations (ASEAN) namely, Brunei Darussalam, Cambodia, Indonesia, Lao People's Democratic Republic, Myanmar, the Philippines, Singapore, Thailand, Viet Nam and my own country Malaysia.

2. ASEAN is appreciative of the Committee's continuing work in the promotion and protection of human rights and wishes to reaffirm ASEAN's full support in this regard.

Mr. Chairman,

3. During the 26th ASEAN Ministerial Meeting (AMM) in Singapore, in July 1993, the Foreign Ministers of ASEAN welcomed the international consensus achieved during the World Conference on Human Rights in Vienna, held in June 1993. ASEAN Member States also stated in the Joint Communiqué their collective views on human rights, which remain valid and relevant today.

4. The Joint Communiqué reaffirmed ASEAN's commitment to and respect for human rights and fundamental freedoms as set out in the Vienna Declaration. The Declaration stressed that human rights are interrelated and indivisible, comprising civil, political, economic, social and cultural rights, which are of equal importance. These rights should be addressed in a balanced and integrated manner, protected and promoted with due regard for specific cultural, social, economic and political circumstances. The promotion and protection of human rights should not be politicized.

5. The work of the international community in the promotion and protection of human rights should take into account principles of respect for national sovereignty, territorial integrity and non-interference in the internal affairs of states. Freedom, progress and national stability are promoted by a balance between the rights of the individual and those of the community, through which many individual rights are realized, as provided for in the Universal Declaration of Human Rights.

6. ASEAN has made remarkable progress in the promotion and protection of human rights since we reaffirmed our support for the Vienna Declaration in 1993. The adoption of the ASEAN Charter in 2007 provided additional impetus and paved the way for enhancing ASEAN's structured and sustained engagement on a wide range of issues and areas, including human rights. Article 14 of the ASEAN Charter states that "In conformity with the purposes and principles of the ASEAN Charter relating to the promotion and protection of human rights and fundamental freedoms, ASEAN shall establish an ASEAN human rights body".

7. To fulfill its commitment in the promotion and protection of human rights, ASEAN established an ASEAN Human Rights Body (AHRB), which eventually saw the creation of the ASEAN Intergovernmental Commission on Human Rights or AICHR in October 2009. Since its establishment, AICHR has completed its Five-Year Work Plan 2010-2015, and the annual high priority programmes and activities, which was endorsed by the ASEAN Foreign Ministers in January 2012.

8. AICHR plans to conduct thematic studies for each year in the Five-Year Work Plan. The topics of the thematic studies include Corporate Social Responsibility, Migration, Trafficking in Persons particularly women and children, Child soldiers, Women and children in conflicts and disasters, Juvenile justice, Right to information in criminal justice, Rights to health, Rights to education, Right to life and Right to Peace.

9. Beginning 2011, AICHR has focused on the drafting of the ASEAN Human Rights Declaration (AHRD). The document will be a landmark political document in terms of human rights in the region, reflecting the aspirations of the people of ASEAN. It will set the landscape for human rights cooperation in the South East Asia region. The AHRD will incorporate a framework for human rights cooperation through various ASEAN conventions and other instruments dealing with human rights. During the development of this very important document, AICHR met with representatives of ASEAN Sectoral Bodies, civil society and experts on human rights. The draft AHRD will be adopted by the ASEAN Leaders in November 2012 in Cambodia.

Mr. Chairman,

10. We are proud to highlight the progress of the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC), which was established in April 2010. The ACWC seeks to promote the well-being, development, empowerment and participation of women and children in the ASEAN Community building process. It would also promote public awareness and education of their rights. The ACWC takes into consideration the different historical, political socio-cultural, religious and economic context in the region and the balance between rights and responsibilities.

11. Despite the different levels of development within ASEAN, the region's commitment to advancing the status of women is clearly demonstrated by the fact that all ASEAN Member States are party to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). A recent example of the work being actively undertaken by the ACWC is the convening of a consultative meeting with the CEDAW Committee experts on violence against women and the Secretary General's Special Representative on Violence against Children in Manila, the Philippines in January 2012. The Consultation provided an opportunity to exchange views on a rights-based approach to initiatives designed to prevent and address all forms of violence against women and against children.

12. Additionally, the consultation also helped to highlight good practices and experiences on the implementation of laws, policies and actions aimed at overcoming the invisibility of violence. It also promotes an integrated agenda for violence prevention and elimination, improving the availability and quality of data and research and incidence of violence against children and violence against women.

13. The ACWC held its Fifth Meeting from 2-5 July 2012 in Jakarta, Indonesia. During this meeting, ACWC deliberated on the operationalisation of its Work Plan 2012-2016 including on concept papers for 12 projects and activities for implementation in the period 2012-2014.

14. These planned projects, among others, include the following:

- (i) publication of ASEAN best practices in eliminating violence against women and violence against children in ASEAN Member States;

- (ii) development of a regional network of social services agencies aiming at empowering victims of violence against women and children in ASEAN; and
- (iii) promoting convergence in the implementation of cross-cutting issues in the CEDAW and CRC Concluding Observations.

Mr. Chairman,

15. With regard to children in particular, the activities planned include:

- (i) the development of standards for quality early childhood care development and education and child development index;
- (ii) creating an enabling environment for children to participate in the decision making process;
- (iii) setting performance standards on an ASEAN integrative child protection system; and
- (iv) convening a consultative meeting on cultural and religious practices impacting the rights of children.

16. On 4 July 2012, the Commission also convened a dialogue with child representatives from ASEAN Member States. The children highlighted the outcomes of the 2nd ASEAN Children's Forum held in June 2012 in Singapore, as well as articulated the views and aspirations concerning their lives. They also reminded the Commission of their tagline: "Don't speak about us without us!" The Commission also held a dialogue with 39 national and regional civil society organizations (CSOs). The CSOs provided feedback to the Commissions' draft declaration on Violence Against Women and Violence Against Children and shared their views on several issues related to the rights of women and children.

Mr. Chairman,

17. In conclusion, human rights cooperation requires full participation of all its Member States. While we seek to set the agenda for the promotion and protection of human rights in the region, there is a need to take into account the non-confrontational and constructive manners of engagement in view of regional particularities, variegated cultures, religions and traditions. Nonetheless, as ASEAN is geared towards realizing an ASEAN Community by 2015, it is crucial to ensure an effective promotion and protection of human rights and fundamental freedoms, which will enable an ASEAN Community that is inclusively strong and its peoples empowered.

I thank you, Mr. Chairman.