

SOUTH-EAST ASIA

Field presence	OHCHR Regional Office for South-East Asia, based in Bangkok, Thailand Operation established in 2002
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Countries of engagement

Brunei Darussalam, Indonesia, Lao PDR, Malaysia, Myanmar, Philippines, Singapore, Thailand and Viet Nam (complementing OHCHR field presences in Cambodia and Timor-Leste), conducting regional activities for and engaging with the Economic and Social Commission for Asia and the Pacific (ESCAP) and the United Nations Development Group.

Engagement with the human rights mechanisms

See overview table on page 216

Specific mandates of the Human Rights Council

Special Rapporteur on the situation of human rights in Myanmar

The South-East Asia region is economically and politically diverse. It has experienced significant economic growth and yet Cambodia, Lao PDR, Myanmar and Timor-Leste remain Least Developed Countries. Despite areas of economic growth, inequality continues to rise and poverty rates remain significant. Inadequate social security in the majority of countries leaves the poor vulnerable. The concentration of wealth also points to long-standing and deeply entrenched elites within many societies in South-East Asia. The political structures vary widely, consisting of constitutional monarchies with parliamentary representative democracies, presidential republics, communist single party socialist republics and a constitutional sultanate. The military has played a significant political role in a number of countries. In countries that suffer from insurgency, namely Indonesia, Myanmar, the Philippines and Thailand, the military and security forces have been implicated in serious human rights violations, including torture, arbitrary detention and extrajudicial killings with impunity. Accountability processes are ongoing in several countries. National security legislation, restrictions on freedom of expression, assembly and association lead to arbitrary detention and other rights violations. The region includes both abolitionist and retentionist States with respect to the death penalty, although there is an overall trend towards restriction in its use. Undocumented migrant workers, victims of human trafficking and asylum-seekers suffer from poor legal protections, making them vulnerable to serious human rights violations. Gender inequality expresses itself in the feminization of poverty, low levels of representation and participation of women in public life and discriminatory laws and violence against women. The

impact of religious fundamentalism has exacerbated some forms of discrimination and violence.

The Regional Office for South-East Asia was established in Bangkok in 2002. Bangkok is the UN's regional centre for Asia and the Pacific. One of the main objectives of the Regional Office is to strengthen engagement with the international human rights mechanisms and support the progressive implementation of international human rights law and standards in the region. This includes advocacy for increased ratification of international human rights instruments and follow-up to recommendations from various human rights mechanisms. After more than a decade of work, the Regional Office has established a solid network of cooperation with States, government agencies, national human rights institutions (NHRIs), civil society and United Nations Country Teams (UNCTs) in the region. The Bangkok RO will continue its engagement in Myanmar in line with the six thematic priorities of the Office.

The Secretariat of the Association of Southeast Asian Nations (ASEAN) is based in Jakarta. There are four accredited NHRIs in the region, with a fifth now established in Myanmar. The ASEAN Intergovernmental Commission on Human Rights (AICHR) and the ASEAN Commission on Women and Children have been in operation for nearly five years and will be reviewed in 2015 and 2016, respectively. The AICHR does not have a clear protection mandate and operates as an intergovernmental body. The Regional Office collaborates with the AICHR and facilitates and encourages the participation of NGOs in its activities.

In 2014, a regional human rights adviser will be deployed under the United Nations Development Group-Human Rights Mainstreaming Mechanism (UNDG-HRM) to the UNDG-Asia Regional Team in Bangkok.

Thematic priorities

- ▶ Strengthening the effectiveness of international human rights mechanisms with a focus on: ratifications; submissions of reports by States Parties and information by civil society actors.
- ▶ Integrating human rights in development and the economic sphere with a focus on: land and housing rights; and integration of a human rights-based approach in United Nations work.
- ▶ Enhancing equality and countering discrimination with a focus on: racial and religious discrimination and minorities.

- ▶ Widening the democratic space with a focus on: “public freedoms” human rights defenders; and NHRIs.
- ▶ Combating impunity and strengthening accountability and the rule of law with a focus on: human rights in the administration of justice; transitional justice; torture, deprivation of liberty and death penalty.
- ▶ Early warning and protection of human rights in situations of conflict, violence and insecurity with a focus on: sexual and gender-based violence; human rights in humanitarian action; UN response to situations of violence and insecurity; and Human Rights Due Diligence Policy.

OHCHR expected contribution

ALL HUMAN RIGHTS FOR ALL IN SOUTH-EAST ASIA

RIGHTS-HOLDERS	DUTY-BEARERS
<p>[EA5] ▶ Human rights defenders use national protection systems to initiate credible State investigations and prosecutions, particularly in emblematic cases or for the release of human rights defenders from custody.</p> <p>▶ Participation of human rights organizations, especially those representing women and discriminated groups, in major political and public debates in Myanmar.</p>	<p>[EA1] ▶ Countries in the region abolish the death penalty or increase the compliance of relevant legislation and policies with international standards, particularly in relation to the reduction in the number and scope of the crimes covered.</p> <p>▶ A new, independent NHRI is established and progressively working in conformity with international standards in Myanmar.</p> <p>▶ Legislation on the registration of associations and freedom of assembly, and media legislation, notably on printing and publishing, is brought into compliance with international human rights standards in Myanmar.</p> <p>▶ The NHRI, Parliament, the executive and the judiciary undertake inquiries or adopt legislation or judgments that protect the right to land and housing in Myanmar.</p>
<p>[EA7] ▶ Increased engagement with special procedures by civil society actors in Brunei Darussalam, Lao PDR, Myanmar and Singapore.</p> <p>▶ The new NHRI, an increased number of NGOs and the United Nations Country Team submit contributions to CEDAW and the UPR in Myanmar.</p>	<p>[EA2] ▶ Ratification of OP-CAT by Indonesia and Thailand; and of CAT, ICCPR or ICESCR by Myanmar.</p>
	<p>[EA3] ▶ National Preventive Mechanism against torture (under OP-CAT) established and or functioning in Indonesia, Malaysia, Philippines and Thailand.</p> <p>▶ Measures are taken to establish protection, accountability and prevention mechanisms for current and past violations in Myanmar.</p> <p>▶ Increased responsiveness of governments to allegations of violations of freedom of expression.</p>
	<p>[EA4] ▶ Legislation and policies are increasingly in compliance with international standards relating to discrimination against racial and religious minorities and women in Myanmar.</p> <p>▶ Police, military and local governments increasingly act in compliance with human rights standards in Rakhine State in Myanmar.</p>
<p>[EA10] ▶ Human rights related to land and natural resources, along with recommendations for increased compliance with international standards in Southeast Asia, are raised in international fora.</p>	<p>[EA8] ▶ ASEAN Intergovernmental Commission on Human Rights strengthened in compliance with international standards.</p>
<p>[EA11] ▶ UN entities apply a human-rights-based approach to programmes in Myanmar.</p> <p>▶ UN entities in the region apply a human rights-based approach to: policing and prosecution of sexual violence (namely, UN Women, the UNDP and UNODC); humanitarian operations and international responses to situations of violence and conflict.</p>	

By 2017, OHCHR expects to have contributed to the achievement of the results outlined on the table above, in support of national efforts in the different thematic priority areas (colour scheme). OHCHR will pursue these behavioural, institutional and legislative changes in cooperation with relevant partners, using the different strategic tools at its disposal – monitoring and reporting, capacity-building and advisory services, advocacy and awareness-raising (see chapter one) – on the basis of an assessment of the specific context. It is expected that if achieved, these results will contribute to improving the duty-bearers' compliance with their international human rights obligations and to the rights-holders' ability to claim their rights and thereby to the enjoyment of all rights for all in the region.