

**Report of the Second Technical Working Group (TWG) Meeting
South East Asia National Human Rights Institutions Forum (SEANF)**

12 - 13 July 2018

Best Western Plus Wanda Grand Hotel, Nonthaburi, Thailand

The National Human Right Commission of Thailand (NHRCT), as the current Chair of South East Asia National Human Rights Institutions Forum (SEANF), convened the Second Technical Working Group (TWG) Meeting of the SEANF from 12 to 13 July 2018 in Nonthaburi, Thailand. The meeting was attended by the representatives of 6 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), the Provedoria for Human Rights and Justice of Timor Leste (PDHJ), and the National Human Rights Commission of Thailand (NHRCT). The meeting discussed several issues which can be summarized as follows:

1. Adoption of the report of the 1st SEANF Technical Working Group Meeting

The meeting considered the report of the 1st TWG meeting in February 2018 prepared by the NHRCT. The MNHRC and CHRP proposed amendments to paragraphs 1.1 and 2.4. The meeting then proceeded to adopt the report as amended.

2. Sharing of major developments and activities since the 1st TWG Meeting

SEANF members shared major developments and activities they had undertaken or planned to undertake since the 1st TWG Meeting.

2.1 Komnas HAM informed the meeting of the activities held in cooperation with the APF, namely the High-level Dialogue for its new Commissioners and the capacity assessment, the re-accreditation of the A status, the meeting with the UN Special Rapporteur on the right to food in April 2018, and participation in a seminar on SDGs co-organized by the Danish Institute for Human Rights and UNDP and the workshop on business and human rights for state-owned enterprises by the NHRCT.

2.2 SUHAKAM shared its experiences in monitoring the general election, the preparation of the UPR parallel report in consultation with the civil society, the debate of its annual report in the Parliament, the discussion with parliamentarians on the manifesto of the current government, cooperation with Komnas HAM and the CHRP on stateless issues, and the organization of activities on the death penalty and the possible accession to the Convention against Torture.

2.3 The MNHRC informed the meeting of a workshop it held with various stakeholders in preparation for the country's third UPR review, its meeting with organizations of persons with disabilities regarding the report to be submitted to the CRPD Committee, the translation of the Universal Declaration of Human Rights in ethnic languages, the workshop for government ministries and civil society organizations on the rights of the child, the visit to camps for internally displaced persons in Kachin State and the possibility of conducting its first capacity assessment in cooperation with the APF.

2.4 The CHRP informed the meeting of its efforts in conducting a public inquiry on climate justice, its awareness raising campaign against the re- imposition of the death penalty, cooperation with APT on the designation of the national preventive mechanism in accordance with the OPCAT, the implementation of capacity assessment recommendations, mid-term assessment of treaty bodies' recommendations and its role in GANHRI working groups on ageing and on business and human rights.

2.5 The PDHJ updated the meeting on the domestic political situation and its impact on the PDHJ's financial situation and other activities including the monitoring of elections, the training of army officers in cooperation with the Defence Ministry and civil society, the visit of the Indonesian representative to AICHR, and the development of a 3-year project to benefit women and children with disabilities.

2.6 The NHRCT shared its activities on business and human rights including the meeting with members of the UN Working Group during their visit to Thailand, the organization of a seminar to encourage implementation of the UN Guiding Principles on Business and Human Rights (UNGPs) by state-owned enterprises, the follow-up on the declaration signed by concerned ministries, business organizations and the NHRCT to promote UNGPs in practice, and the submission of its recommendations on the National Action Plan to the government, as well as its cooperation with the APF to organize a training on effective investigation for its staff in August 2018.

3. Progress on the establishment of the SEANF Permanent Secretariat

3.1 Komnas HAM informed the meeting that it had prepared the academic paper for submission to the Ministry of Foreign Affairs of Indonesia (MoFA). However, the Indonesian government's current moratorium on the country's membership in international organizations might pose a constraint on the establishment of the SEANF permanent secretariat in terms of the financial contribution from Komnas HAM. It had, therefore, explored the permanent secretariat of the Association of Asian Constitutional Court and Equivalent Institutions (AACC) as an alternative model. Indonesia is host to one of the three permanent secretariats of the AACC, namely the secretariat for planning and coordination. There is no annual fee for the AACC secretariat in Jakarta as it is located on the premises of the Indonesian Constitutional Court and forms part of the Court's structure. If SEANF opts for the AACC model, the SEANF permanent

secretariat will be an agency under Komnas HAM. Komnas HAM also informed that the Chairperson of Komnas HAM would have a consultative meeting with MoFA on 13 July 2018 to discuss this issue.

3.2 The meeting took note with concern the constraint faced by Komnas HAM and requested it to update SEANF members on the outcome of the consultative meeting with MoFA as well as further possible actions for discussion at the upcoming 15th SEANF Annual Meeting.

3.3 The CHRP proposed that SEANF website should be updated while the establishment of the SEANF permanent secretariat was still pending. The meeting agreed that the member institution acting as Chair of SEANF will provide information on SEANF activities undertaken during its chairmanship to the CHRP for posting on the SEANF website.

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

4.1 The CHRP updated the meeting of the final round of inter-governmental negotiations on 9 - 13 July 2018 in New York which led to finalization of the text of the GCM. Apart from the 23 objectives, the document provides for the follow-up and review mechanism, including the holding of a UN High-level Dialogue on Migration (renamed as International Migration Review Forum) every four years starting from 2022 onward. The roles of NHRIs in the follow-up and monitoring are also mentioned. The final document of the GCM will be adopted by the Heads of States and Governments in December 2018 in Morocco. Mr. Roberto T. Cadiz, the CHRP's commissioner, represented GANHRI in the final round of inter-governmental negotiations. The final document will be circulated to all SEANF members for information and further action as appropriate.

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

5.1 The CHRP informed that after the 1st TWG Meeting, it had circulated the Baseline Paper on the Rights of Older Persons in South East Asia to all SEANF members and received comments and additional information from SUHAKAM, MNHRC and NHRCT.

5.2 The CHRP proposed that the paper be summarized and presented at a side event to be organized by South Korea NHRI during the 9th working session of the UN Open-ended Working Group on Ageing, which will be held from 23 to 26 July 2018 at the UN Headquarters in New York. It also suggested that the paper be published as a SEANF document and encouraged other SEANF members to review the content of the paper.

5.3 The meeting agreed to both proposals put forward by the CHRP and SEANF members will submit additional updates concerning the situation in their respective

countries, if any, to the CHRP for incorporation into the paper by 24 August 2018. The CHRP will send the final draft to the NHRCT by 5 September 2018 for presentation and approval by the 15th SEANF Annual Meeting.

6. Progress on joint activities with RWI and APT

Joint activity with Raoul Wallenburg Institute (RWI)

6.1 The NHRCT informed the meeting on the progress of the joint activity with RWI entitled “Consultative Workshop on Human Rights Violations and its Cross-border Effects: Addressing the Protection Gap through Extraterritorial Obligations – ETOs,” which had combined the discussion on the national inquiry on climate change and human rights as proposed by the CHRP. The event will be held from 16 to 17 August 2018 at Novotel Ploenchit Hotel, in Bangkok. RWI will provide funding for the cost of travel and accommodation for two representatives from each SEANF member. The participants for the workshop include representatives of SEANF members, international organizations, civil society organizations, and UN agencies.

6.2 The meeting took note of the progress reported by the NHRCT and the workshop’s concept note as amended by MNHRC. The NHRCT will send out an invitation letter to all SEANF members soon.

Joint activity with the Association for the Prevention of Torture (APT)

6.3 Ms. Shazeera Zawawi, the APT representative, presented the project on the development of SEANF Regional Guidelines on Torture Prevention. Such guidelines would be based on SEANF experiences in dealing with torture cases with a view to institutionalizing them. As the first step, the APT would request SEANF members to answer a questionnaire in order to gather their perspectives and experiences in addressing situations with high risk of torture in five aspects, namely the environment and circumstances, moments, practices, people, and places.

6.4 To facilitate the members in filling out the questionnaire, the APT will produce a matrix identifying information obtained from the bilateral activities conducted between APT and individual SEANF members. The APT will send a letter with the matrix to the NHRCT for circulation among SEANF members and the deadline for the reply to the questionnaire will be set within one month upon receiving the letter from the APT.

6.5 The meeting noted that the development of the regional guidelines might not be completed in time for approval by the 15th SEANF Annual Meeting and would have to be continued under the chairmanship of Timor Leste.

7. Special Event to commemorate the 70th anniversary of the Universal Declaration of Human Rights

7.1 The meeting concurred with the NHRCT's proposal that a half-day seminar be held as a special event to commemorate the 70th Anniversary of the UDHR in the morning of 13 September 2018 prior to the 15th SEANF Annual Meeting with a particular focus on the theme "Human Rights as an Enabling Factor to Achieving SDGs."

7.2 The meeting discussed the modalities of the seminar, where the Chairperson of the National Human Rights Commission of Thailand, in his capacity as Chair of SEANF, and OHCHR Regional Representative for South-East Asia will give opening remarks. The opening session will be followed by a panel discussion with one moderator from SEANF members and five speakers: two from SEANF members, one representative from the Ministry of Foreign Affairs or Ministry of Justice or AICHR, one representative from UNDP and one representative from civil society organizations. There will be about 80 - 100 participants from foreign embassies in Bangkok, UN and other international organizations, concerned Thai ministries and CSOs.

7.3 The NHRCT requested the SEANF members to consult with their respective chairpersons regarding their roles in the seminar either as a speaker, moderator, or participant and notify the NHRCT accordingly.

8. Preparation for the 15th SEANF Annual Meeting

8.1 The NHRCT presented the provisional agenda of the 15th SEANF Annual Meeting, which will be held on 13-14 September 2018 in Bangkok.

8.2 Recalling the views expressed by SEANF members at the 1st TWG meeting, the NHRCT proposed that "human rights and SDGs" be the theme for the 15th SEANF Annual Meeting as development is an important issue for the region and human rights principles are strongly reflected in the various goals and targets of the 2030 Development Agenda. The NHRCT also presented a paper outlining possible elements for inclusion in the SEANF statement on human rights and SDGs for consideration of SEANF members.

8.3 The meeting took note of the provisional agenda and the paper on possible elements for the SEANF Statement on human rights and SDGs as prepared by the NHRCT. SEANF members will consult with their respective chairpersons and submit their comments to both documents to the NHRCT by 17 August 2018.

9. Action Plan to implement the SEANF Strategic Plan (2017 - 2021)

9.1 The meeting reviewed the revised Action Plan to implement the SEANF Strategic Plan (2017 - 2021) as amended at the 1st TWG Meeting 2018. The meeting agreed to the CHRP's proposal to include five activities, namely the updates on the Global Compact for Migration (GCM), the baseline paper on older persons in South East Asia, the outcome of

SEANF-RWI workshop, the activities between SEANF and APT, and the SEANF statement on Human Rights and SDGs under SEANF common activities.

9.2 The meeting agreed to submit updates of their individual activities carried out in 2017 to 2018 as well as those planned to undertake in the upcoming year to the NHRCT by 24 August 2018. The final draft of the Action Plan will be referred to the 15th Annual Meeting for final approval.

10. Other Matters

10.1 The NHRCT informed the meeting that it had received a letter from Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC), a regional network of CSOs working on food security, land rights and rural development based in the Philippines, seeking a possibility to participate in SEANF activities, namely the 2nd TWG Meeting and the 15th Annual Meeting, and requesting SEANF to co-organize a workshop on 15 to 16 November 2018 in Bangkok.

10.2 The meeting deliberated on ANGOC's requests and agreed that ANGOC could be invited to participate in the special event to commemorate the 70th anniversary of the Universal Declaration of Human Rights as the event is open to the public. However, the TWG and the annual meetings are closed meetings for SEANF members.

10.3 With regard to ANGOC's invitation for SEANF to co-organize a workshop in Bangkok in November, the meeting agreed to refer the issue to PDHJ for consideration in its capacity as the next Chair of SEANF.
