

**ACSC/APF 2017 Convergence Space****HUMAN RIGHTS AND ACCESS TO JUSTICE**

Issues: human rights, peoples' rights, children's rights, women's rights, peasant's rights, food security, participatory democracy, access to justice

**Background:**

*As the ASEAN turns to its golden year this 2017, one of the major concerns to be look at is the human rights situation in the region. Even after the adoption of the Universal declaration of Human Rights (UDHR) in 1948, it has significantly advanced many human rights and treaties; only in 2007 that the ASEAN adopt a charter that mentioned human rights principles and subsequently formed the ASEAN Intergovernmental Commission on Human Rights (AICHR) in 2009 to ensure the human rights are promoted and protected.*

While the AICHR has been a critical platform as an independent body and a watchdog of human rights violations in the region, it has no real powers, and its outweighed by the ASEAN language emphasizing the importance of "non-interference in the internal affairs" of the ASEAN members that hindered it to report on human rights issue in any country and making them accountable.

The ASEAN may have advanced significantly in recognizing human rights to its principles, at least on paper; still the region is on a critical period and at the height of human rights violations and abuses made by the state and non-state players.

Human rights violations have been very evident to the continuous threats of democratic rights, fundamental freedoms and economic rights especially towards the marginalized and minority groups. ASEAN is not a safe region for human rights activists and defenders, journalists and people who have progressive and modernizing ideas. The recent Bersih 5 protest rally in Malaysia clampdown Malaysian activists, the extra-judicial killings in the Philippines reaches to more than seven thousand and still counting, the Rohingya are still left hanging, stateless, while they are beaten,abused, raped and killed. And the ASEAN way of serving justice is a death penalty that is being practiced by many ASEAN countries, while the Philippines is trying to resurrect the death penalty law.

These human rights violations will be addressed through a multi-form approaches. One way is the pro-active participation of civil society that is vigilant to the make the government accountable to fulfil its duties to promote and protect the human rights of its people. Human rights institutions at the national and regional level should be more empowered and should transform itself into a more relevant and strong institutions capable to demand and sanction human rights violators.

The 50<sup>th</sup> year of ASEAN should be a year to realize the hopes of its people that is anchored to human rights, promotes non-discrimination, equality, sustainable and inclusive development. This year should be a mark that the road to a people-centered ASEAN that are in line with the principles of human rights, justice, democracy and freedom in all aspects of our lives is possible.