

2023 ASEAN LEADERS' DECLARATION ON THE ASEAN HUMAN RIGHTS DIALOGUE

Adopted in Jakarta, Indonesia on 5 September 2023

WE, the Association of Southeast Asian Nations (ASEAN), namely Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic, Malaysia, the Republic of the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand, and the Socialist Republic of Viet Nam, on the occasion of the 43rd ASEAN Summit on 5 September 2023, in Jakarta, in accordance with the ASEAN Charter;

GUIDED by the principles and purposes of the ASEAN Charter, the ASEAN Human Rights Declaration (AHRD), and other relevant ASEAN instruments and declarations pertaining to human rights;

REITERATING ASEAN Member States' commitment to adhere to the principles of democracy, the rule of law and good governance, respect for and protection of human rights and fundamental freedoms and ASEAN's principle of respect for fundamental freedoms, the promotion and protection of human rights, and the promotion of social justice;

RECALLING also the adoption of the AHRD in 2012 with a view to establishing a framework for human rights cooperation in ASEAN, and further, the commitment to ensure that the implementation of the AHRD be in accordance with ASEAN Member States' commitment to the Charter of the United Nations, Universal Declaration of Human Rights, Vienna Declaration and Programme of Action, international human rights instruments to which ASEAN Member States are parties to, and other relevant ASEAN instruments and declarations pertaining to human rights;

RECALLING also the establishment of the ASEAN Intergovernmental Commission on Human Rights (AICHR) in 2009 as the ASEAN human rights body mandated by the ASEAN Charter to promote and protect human rights of the peoples in ASEAN, as well as the acknowledgment of the important role of AICHR as the overarching institution responsible for the promotion and protection of human rights in ASEAN;

RECOGNISING the respect for international human rights principles, including universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms, as well as impartiality, objectivity, non-selectivity, nondiscrimination and avoidance of double standards and politicisation;

ACKNOWLEDGING the realisation of human rights must be considered in the regional and national context bearing in mind different political, economic, legal, social, cultural, historical and religious backgrounds;

RECOGNISING that the increasing interconnectedness of multi-faceted global challenges and developments may adversely impact on the full enjoyment of human rights;

REAFFIRMING that the promotion and protection of human rights should be based on the principles of cooperation and genuine dialogue and aimed at strengthening the capacity of ASEAN Member States to respect, protect, and fulfil their human rights obligations and improve the human rights situation in the region for the benefit of the peoples in ASEAN;

FURTHER REAFFIRMING that dialogue and cooperation are important and necessary means to advance the promotion and protection of human rights, and improve human rights conditions in the region;

RECOGNISING ASEAN Member States' full commitment to engage in meaningful dialogues and offer constructive contribution to better promote and protect human rights;

FURTHER RECOGNISING the successful convening of a number of ASEAN Human Rights Dialogue among ASEAN Member States, ASEAN sectoral bodies, and with external partners as organised by AICHR;

EXPRESSING confidence that ASEAN cooperation on human rights will continue to evolve and develop, consistent with AICHR as the overarching institution responsible for the promotion and protection of human rights in ASEAN;

REAFFIRMING further our conviction that dialogue and cooperation through, inter alia, sharing of best practices and capacity-building should be aimed at strengthening national and regional mechanisms for human rights promotion and protection in support of national development agenda and priorities and the goals of ASEAN Community building;

ACKNOWLEDGING the benefits of enhanced regional and international cooperation and solidarity, and to that end, acknowledging the importance of strengthening engagement of ASEAN and AICHR's engagement with national human rights institutions, regional and international human rights mechanisms;

FURTHER ACKNOWLEDGING the need for participation and contribution of all relevant stakeholders in the promotion and protection of human rights, including ASEAN organs, sectoral bodies and entities, and further, the importance of engagement and involvement of relevant stakeholders, in accordance with Terms of Reference of AICHR, in the promotion and protection of human rights in ASEAN; and

NOTING the importance of the AICHR as a historic milestone in ASEAN Community-building process, and as a vehicle for progressive social development and justice, the full realisation of human dignity and the attainment of a higher quality of life for ASEAN peoples.

HEREBY DECLARE TO:

1. **ENCOURAGE** a culture of open and constructive dialogue in order to develop a deeper understanding of human rights issues and challenges in ASEAN.
2. **ENGAGE** in constructive discussion, deliberation and exercise of mutual respect and understanding with a view to improving cooperation among ASEAN Member States in enhancing capacity to address current and emerging human rights challenges.
3. **CONVENE** a regular ASEAN Human Rights Dialogue, in which a Member State chairing ASEAN may consider to hold it, to serve as a form of cooperative forum for dialogue on human rights thematic issues of ASEAN Member States to share human rights progresses and challenges with a view to enhancing cooperation for the promotion and protection of human rights.
4. **ENCOURAGE** the ASEAN Human Rights Dialogue as a forum for enhanced engagement and continued contribution with other ASEAN bodies and entities associated with ASEAN, including civil society organisations and other stakeholders, as provided for in Chapter V of the ASEAN Charter and, as appropriate, other national, regional and international institutions and entities concerned with the promotion and protection of human rights.

5. **FURTHER ENCOURAGE** the ASEAN Human Rights Dialogue process to engage constructively, reflect on achievements, best practices and challenges, and to explore possibilities for regional cooperation and solidarity with regard to the promotion and protection of human rights and fundamental freedoms among ASEAN Member States.
6. **TASK** the AICHR, through the holding of the ASEAN Human Rights Dialogue, to work on a common understanding on the promotion and protection of human rights in ASEAN, as well as to develop strategies for the promotion and protection of human rights and fundamental freedoms to complement the building of the ASEAN Community.
7. **REASSURE** the continuous support and provision of adequate resources for AICHR to fully implement its mandate and activities by ASEAN Member States, including the organisation of the ASEAN Human Rights Dialogue.
8. **TASK** the ASEAN Secretariat to support the holding of the ASEAN Human Rights Dialogue.

Adopted on this Fifth Day of September in the Year Two Thousand and Twenty-Three in a single original copy in the English Language.