

## CONTENTS

Preface .....	vii
<b>1 The Context: Human Rights in the ASEAN Region .....</b>	<b>1</b>
1. Presence of Constitutions .....	9
2. Self-determination and Multi-party State .....	9
3. Use of National Security Laws .....	9
4. Strong Executive, Weak Judiciary and Malleable Parliament .....	10
5. Media Freedoms, Freedom of Expression, Freedom of Association, and Dissidence .....	11
6. Criminal Justice System/treatment of Accused Persons .....	11
7. Violence against civilians, especially Women and Children .....	12
8. Treatment of Indigenous Peoples and Minorities .....	12
9. Equitable Growth, the Poverty Factor and Governance .....	13
10. Internal Tensions and Armed Conflicts .....	14
<b>2 The Setting: Initiatives at the National Level .....</b>	<b>17</b>
A. Countries .....	21
i. The Philippines .....	21
ii. Indonesia .....	43
iii. Thailand .....	59
iv. Malaysia .....	79
B. Other Institutions and Processes .....	97
C. Stakeholders/Actors .....	101
D. Promotion and Protection? .....	102
<b>3 Developing Regional Mechanisms: Process and Progress .....</b>	<b>105</b>
A. Background .....	105
B. Initial Developments in ASEAN .....	106
C. Human Rights Activities and Community-Building .....	112
D. ASEAN Charter .....	121
E. Drafting the TOR of the ASEAN human rights mechanism .....	124

F. The TOR of the ASEAN Intergovernmental Commission on Human Rights .....	126
G. The Other Mechanisms: on Women/Children and on Migrant Workers.....	149
H. Role of Civil Society .....	162
I. Observations .....	163
4 Concerns and Challenges .....	169
A. Conceptualization and/or Implementation? .....	169
B. Promotion and/or Protection? .....	173
C. International Law and/or National Law?.....	177
D. Non-interference and/or International Jurisdiction?.....	182
E. Institution-building and/or Popularized Process? .....	189
5 ASEAN Inter-Connection .....	193
A. Effective Mechanisms: National and Regional.....	194
B. Dispute Prevention and Settlement.....	197
C. An ASEAN Court.....	200
D. People's ASEAN.....	202
E. ASEAN Convention.....	204
F. Systemic Inter-Connection .....	205
Select Bibliography.....	207
Appendices.....	213
Index.....	251

