

Submission of comments on Draft ASEAN declaration on environmental rights

Established by the [ASEAN Intergovernmental Commission on Human Rights](#) (AICHR), the Working Group on Environmental Rights was tasked to develop a regional framework on environmental rights for ASEAN for consideration by AICHR. The result of the Working Group's deliberations is a Draft declaration on environmental rights, which restates existing ASEAN commitments and international obligations and, with the aim of strengthening the framework for human rights in the ASEAN region, seeks to advance the right to a safe, clean, healthy and sustainable environment.

Submissions and comments are being sought.

Stakeholders are invited to provide comments on the Draft ASEAN declaration on environmental rights. Comments may be submitted through an online submission form, which can be accessed [here](#).

The draft ASEAN declaration on environmental rights is available at this [link](#).

Submissions and comments may be submitted **until midnight Tuesday, 30 April 2024**.

Comments and submissions will be compiled and presented to the 4th AER Working Group meeting in May 2024 for consideration.

Anyone making a submission will receive an electronic notification of receipt.

Consolidated comments from stakeholder groups are particularly welcome and subject to further notice of the AER Working Group Secretariat; direct feedback may also be invited during the period of consultation.

If not indicated to the contrary, your submission will be published on the Environmental Rights Observatory. **If you would like your written submission or any other information NOT to be published, please explicitly indicate this in your submission. There is a check box for a confidential submission to be made.**

Background

The [Ad Hoc Preparatory Session](#) of the ASEAN Environmental Rights Framework and the Interim Working Group (IWG) Meeting was held on 22-23 November 2022 in Bangkok, Thailand, to conclude the Working Group's Terms of Reference and discuss possible elements of the draft Regional Framework on Environmental Rights in ASEAN.

Following this preparatory session, the Terms of Reference of the ASEAN Environmental Rights Working Group (AER Working Group) were adopted by the ASEAN Intergovernmental Commission on Human Rights (AICHR) in early 2023. The purpose of the AER Working Group was to develop a regional framework on environmental rights for further consideration by ASEAN Sectoral Bodies before eventual adoption by ASEAN leaders.

The AER Working Group is guided by the principles of the ASEAN Human Rights Declaration, the Phnom Penh Statement of the Adoption of the ASEAN Human Rights Declaration, and AICHR's Terms of Reference.

The AER Working Group is chaired by H.E. Professor Amara Pongsapich, Thailand's Representative to the AICHR. The composition of the AER Working Group is indicated in its

Terms of Reference. Its membership includes representatives of the AICHR, ASEAN Sectoral Bodies, civil society organisations, experts, and special advisors.

The purposes of the AER Working Group are:

1. To develop a regional framework on environmental rights, which will be submitted to AICHR for further discussion. AICHR will consult ASEAN Sectoral Bodies relevant to the environment, particularly the ASEAN Senior Officials on Environment (ASOEN), for consideration before eventual adoption by leaders of ASEAN.
2. To collaborate and consult with other bodies within and outside the ASEAN, including civil societies organisations, relevant UN agencies and thematic experts in the region, as may be appropriate. Specifically, the AER Working Group will seek to:
 - a. Facilitate the exchange of information on environmental rights in ASEAN for consideration in the draft framework;
 - b. Identify issues and challenges from emerging areas of environmental rights that require particular consideration in the ASEAN context;
 - c. Prepare recommendations for and content of the draft framework; based on the outputs from relevant meetings and workshops;
 - d. Support the undertaking of capacity-building, awareness-raising, and outreach on environmental rights with partners;
 - e. Provide strategic guidance to the development of the framework on environmental rights, in consideration of the need to ensure alignment of the framework with other regional ASEAN commitments and national circumstances;
 - f. Work with key stakeholders, sectoral bodies and partners on the delivery of the above; and
 - g. Support the development of guidelines for implementation of the adopted framework.

The AER Working Group has held three meetings to date to develop the Draft ASEAN declaration on environmental rights.

The [1st meeting](#) was held in Bangkok from 21-22 August 2023. The [2nd meeting](#) was held in Bangkok from 21-22 November 2023. The [3rd meeting](#) held in Manila from 27-28 February 2024. Following the third meeting, and in accordance with the Terms of Reference of the AER Working Group, the Draft ASEAN declaration on environmental rights has been released for stakeholder consultation.

In advance of the 4th Meeting of the AER Working Group, which will be held in Jakarta from 6-8 May 2024, stakeholders are invited to comment on the current draft.

Next steps

The AER Working Group will consider submissions at the next meeting in May 2024.

Due to the expected number of submissions, it will not be possible to provide any individual responses or answers to questions raised by the submissions.

The submission deadline is midnight Tuesday, 30 April 2024, through the online form, which can be accessed [here](#).