



Implementation Of Asean Human Rights Declaration In The Protection Of Women And Children's Rights

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ABSTRACT

Various human rights legal instruments, both international, regional and domestic, has become an agreement to be executed by the state to guarantee the protection of freedom-freedom for every individual. In accordance with the contents of the ASEAN Human Rights Declaration on the 4th principle that "The rights of women, children, the elderly, persons with disabilities, migrant workers, and vulnerable and marginalized groups are part of human rights and fundamental freedoms are inherent, fused, and inseparable". However, an implementation up to now is still lacking the benefit of this declaration. However, do not lose hope that the important thing is how to ensure the implementation of this declaration in order to be implemented as well as possible. To all those of stakeholders help to succeed in the implementation of this declaration which ensure the implementation and implement programs that have been planned. So important is the issue of human rights, it becomes interesting to study through this paper, how the promotion and protection of human rights committed in the context of international relations, particularly through the actors that have influence and can also act internationally on many levels.

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1. INTRODUCTION

Southeast Asia is an area that includes Indochina, and Peninsular Malaysia, as well as the surrounding islands. The region has a regional institution known as ASEAN (Association of Southeast Asian Nations) which was officially established through the Bangkok Declaration on August 8, 1967 (Anggara, 2012). The organization was founded by five countries in southeast Asia, namely Indonesia, Malaysia, Philippines, Thailand, and Singapore (Hakim, 2013). The region is famous for its authoritarian system of government. Before the revolution in Indonesia in 1998, no country in the region had embraced a pure democratic system. Even today there are still countries with communist and monarchical systems

of government(Indrayana, 2007). As a region whose majority members are newly independent countries after World War II, then at first the background of cooperation in the region is the need for security, because shortly after World War II ended, the world soon entered the Cold War era, where there was a battle of influence and ideology between the Soviet Union and the United States(Winarno, 2008). This situation then led to initiatives from regional state leaders to build cooperation so as not to get caught up in the current fighting of the two superpowers, as well as the desire to be free to determine their own destiny without having to rely on one of the blocs(Sihbudi, 2007). This cooperation then expanded into the economic, political, and socio-cultural fields. As newly independent countries, the main priorities are national development and political stability and security that support economic progress, regardless of the system of government(Ali, 2009)(Kadir, 2010). Other issues such as human rights have received little attention, although there have been many cases of abuses in the region, such as the case of Aung San Suu Kyi in Myanmar, as well as cases that occurred during president Suharto's rule in Indonesia. On November 18, 2012, the ASEAN Human Rights Declaration in Phnom Phenn, Cambodia marked the first Declaration on Human Rights in the Southeast Asian region. The ratification of the Declaration of Human Rights in ASEAN caused controversy for the world, because, previously, there had been a Declaration of Human Rights established by the United Nations that was established on December 10, 1948 in Paris(Waluyo, 2013). Various criticisms arose about asean human rights declarations that are not in accordance with the principles of human rights universality contained in the Universal Declaration of Human Rights (DUHAM)(Marzuki, 2013). Based on the ASEAN human rights declaration, for example it is stated that the fulfillment of the rights guaranteed in the Declaration must be "balanced with the fulfillment of obligations", which are imposed on "national and regional contexts", as well as considerations of "different cultural, religious and historical backgrounds". In addition, all rights provided in the Declaration shall be subject to limitations of various reasons including the concept of "national security" and the concept of "public morals"(Putri, 2013). It should be noted that no universal instrument or other regional instrument applies the concept of "balance" between the fulfillment of rights and the guarantee of freedom of human rights protection duties and responsibilities. On the contrary, these instruments are formed on the idea that the concept of human rights is inherent and owned by everyone without any distinction, not some kind of commodity to be obtained(Putri, 2013). International law and its practices do not allow broad restrictions, which have an effect, or be used to excuse the practices of human rights violations also warranted in this Declaration. Indeed, international law requires all ASEAN member states to carry out their duties, regardless of their "national and regional context", to respect and protect all categories of human rights and other fundamental freedom protection guarantees(Putri, 2013).

ASEAN leaders have stated that ASEAN has a diverse cultural background and that establishing an ASEAN human rights declaration is standardization for ASEAN citizens and have been in discussions with representatives of each member state regarding the content of the declaration. ASEAN member states are very quick in ratifying conventions-conventions on the protection of human rights. among others at the Convention on the Elimination of All Forms Of Discrimination Against Women (CEDAW), Convention on the Rights of the Child or Convention of Children (CRC)(Diani, 2014).

Regarding human rights issues, there are several issues of human rights violations that have been and still occur in the ASEAN region including, in Myanmar, one of the human rights violations occurred against Myanmar democracy figure Aung San Suu Kyi who won elections in 1990 but her victory was not recognized by myanmar's dictatorial government even exiled for 10 years(Mirajiah, 2013)(Pertiwi &Firnas, n.d.) (ARYANI, n.d.). In addition, the government was then taken over by a military junta that was increasingly violent towards civilians in response to a number of rejections of ethnic groups to join the political process. This received a response from Human Right Watch but no Asian countries participated. Human rights abuses are also common by the Myanmar government against opposition led by Aung San Suu Kyi, but ASEAN countries such as powerless or less interested

in exerting stronger pressure on Myanmar's military junta to make political changes to democracy in the country other than the issue of ethnic Rohingya slaughter have also not received serious treatment([Hartati, 2013](#)).

Later, human rights violations in Cambodia related to genocide cases in the form of crimes of humanity that occurred in the era of Pol Pot were unresolved and the Cambodia-Thailand border conflict over claims of preah vihear shrines resulted in a number of residents becoming victims of a shootout attack between the two. Furthermore, in Thailand there were a number of shootings and bombings against Malay Pattani from the Thai central government in response to separatism. In Malaysia there are also human rights violations in the form of racial discrimination and the enactment of internal security act. Later in the Philippines, human rights violations related to the democratic crisis, in which the military's opposition to marcos's government caused bloodshed and civil war also related to human rights violations against Moro-Mindanao, in Indonesia domestic violence victims are women and children, in addition rape and discriminatory treatment of women and children is rife in Indonesia. Then in Brunei there was discrimination against migrant workers, especially women. It is inevitable that human rights has now become one of the important issues in the lives of the people of a country and also in the lives of the international community. This can be seen from the exposure of the above reality where human rights issues have colored various aspects of people's lives both politically and economically and socially and culturally, both in a national and global context. Meanwhile, as is well known, every country today is very concerned with the issue of image or image about human rights protection because it contributes to determining the dignity of the nation in international relations. This means that human rights have indeed become an important issue in international relations and cannot be simply ignored by every country in the world. On the other hand, in line with the wave of democratization that plagued many countries in the world, the demands for improvement in human rights also come from the internal environment, namely people who are increasingly aware of their basic rights as citizens([Muhamad, 2008](#)).

However, if we see the enthusiasm of ASEAN member states in ratifying these conventions, ASEAN is very concerned about human rights protection, so ASEAN drafted the ASEAN human rights declaration. But what happens in the implementation of the policy that has been ratified is still not optimal. There is a lot of human rights abuses, violence and discrimination against women and children in ASEAN which is very concerning. Being a big question to ASEAN leaders, how does the ratification perform? Various instruments of human rights law, both international, regional and domestic, have become an agreement to be carried out by the state in providing guarantees of protection of freedoms for each individual. In accordance with the content of the ASEAN human rights declaration on the 4th principle, namely "The rights of women, children, the elderly, people with disabilities, migrant workers, and vulnerable and marginalized groups are part of human rights and basic freedoms that are inherent, unified, and inseparable"([Taufik, 2014](#)). However, the form of implementation is still very lacking that feel the benefits of this declaration. Nevertheless, there is no hope that the most important thing is how to ensure the implementation of this declaration in order to be implemented properly. To all parties from the stakeholders help to succeed the implementation of this declaration that is to ensure the implementation and implementation of programs that have been planned. So important is the issue of human rights, it becomes interesting to be reviewed through this paper, how efforts to promote and protect human rights are carried out in the context of international relations, especially through actors who have influence and can also play an international role at various levels([Huraerah, 2008](#)).

2. RESEARCH METHOD

This study uses descriptive research methods to see how the implementation of the ASEAN Human Rights Declaration on the protection of Women and Children's Rights. Descriptive research that the authors use can be diartika as a problem solving procedure by describing the object of research based on existing facts. Existing facts or data are collected, classified and then analysed. Descriptive methods

can be interpreted as problem solving procedures that are being investigated by describing, describing the circumstances of the subject and object of research of a person, society and others, at this time based on the facts that appear or as they are. In general descriptive research is a non-hypothetical research, so in the steps of research there is no need to formulate hypotheses.

In this study, the data analysis techniques used are qualitative techniques, namely techniques: without using tools or statistical formulas(Jaya, 2010). The steps taken are as follows: First, data collection. At this stage researchers collected data and materials from books, magazines, newspapers, journals, clippings, and internet sites containing information on human rights policy in ASEAN specialized in the protection of the rights of women and children. And also conduct interviews with several ASEAN members or informants related to ASEAN on the ASEAN human rights declaration. Second, assess or analyze the data. At this stage after the researchers collect and obtain all the data that supports or helps, the authors will separate the materials and data obtained according to their respective properties. Then the author conducts an assessment and analyzes the available data and materials. Third, the collection of data obtained. This stage is the last stage of this research. From the results of the assessment and analysis that the author did, the author draws conclusions that can help in understanding this research(Agusta, 2003).

3. RESULTS AND DISCUSSIONS

3.1. Implementation of Policies on The Protection of Children and Women.

Protection of children and women is very important and until now has not been realized in Indonesia. Children in Indonesia are often victims of oppression committed by adults in various ways and motives. Economic hardship is the gateway to various violations against children in Indonesia. As a country that has ratified the UN conventions on human rights, the government should take action in anticipation of violations occurring and impose strict sanctions on perpetrators who commit violations. Indonesia has ratified the United Nations Convention on the Rights of the Child with Presidential Decree No. 36/1990 and this shows that the Indonesian government has paid special attention to the protection of children's human rights. Furthermore, after the ratification of this Convention, various efforts were made to map various child issues either by the government itself or in cooperation with various UN agencies that have a mandate to carry out child protection.

Based on the unfair treatment experienced by children in Indonesia and participation as a member of the United Nations, Indonesia ratified the Convention on the Rights of the Child in 1990. Ratification of the Children's Rights Conference was made through the Decree of the President No. 36 of 1990. Indonesia is among the earliest countries to ratify the Convention on the Rights of the Child. All these efforts undertaken by the Indonesian government are nothing but aimed at ensuring the fulfillment of children's rights in order to live, grow, develop and participate optimally in accordance with the dignity and dignity of humanity, as well as to be protected from violence and discrimination. In order to realize a quality, noble, and prosperous Indonesian child (as stipulated in Law No.23 of 2002 Article 3).

The seriousness of the government to provide protection of children's rights is evident from the binding laws and regulations that give a deterrent effect to the perpetrators of violence against the child. There is a criminal provision in the Child Protection Act precisely CHAPTER XII Criminal Provisions, especially Article 80 (1) which reads "Everyone who commits atrocities, violence or threats of violence, or child abuse, shall be punishable by a maximum imprisonment of 3 (three) years 6 (six) months and/or a maximum fine of Rp.72,000,000.00 (seventy-two million rupiah) indicating the government's intention in cracking down on perpetrators of violations of children's rights.

Furthermore, in 1997 Indonesia has had a special law that regulates the issue of children who conflict with the law, Law No. 3/1997 provides special attention and specificity for children suspected of committing crimes. This law also provides specificity in both investigation, detention, prosecution, judiciary to placement in child correctional institutions. Law No.23/2003 on Child Protection, clearly affirms that the state must take strategic measures in protecting the rights of children without

discrimination in all jurisdictions of the Republic of Indonesia. Meanwhile, in its implementation is the responsibility of all levels of society, ranging from families, the surrounding environment, schools, the wider community, the government and children who are the subject of the law.

The presence of regulations aimed at protecting the rights of children was apparently not able to eliminate or suppress acts of violation of the fulfillment of the rights of the child himself. This fact can be seen from the report received by the Complaints Service Hotline and also monitored by the National Commission for Child Protection Data and Information Center. In 2009 for example, child abuse was reported to the National Commission for Child Protection as many as 1,552 cases of child abuse consisting of physical violence 456 cases, Sexual violence 557 cases, Psychological violence 539 cases. Cases of child abuse increased to 2,413 cases in 2010 where there were physical violence 646 cases, Sexual violence 926 cases, Psychic violence 841 cases. The National Commission for Child Protection noted that in 2010, children exploited/trafficked, employed, pornographic victims, kidnapped, drug victims and others reached 1,000,553 cases, while children facing the law reached 1,796 cases.

Then the problem of trafficking in Indonesia, especially women and children, is an act that is contrary to human dignity and human dignity and violates human rights, so it must be eradicated. Based on field data that people trafficking has expanded in the form of organized and unorganized crime networks, both between countries and domestically, thus becoming a threat to society, nation, and country, as well as to the norms of life based on respect for human rights.

The desire to prevent and overcome people trafficking crimes is based on noble values, national, and international commitments to make early prevention efforts, crackdown on perpetrators, protection of victims, and increased cooperation (Azizurrahman, 2014). To support the eradication of people trafficking crimes, the President with the approval of the House of Representatives of the Republic of Indonesia established Law No. 21 of 2007 on the Eradication of People Trafficking Crimes. As the culmination of the efforts of legislation is the birth of Law No. 23/2002 on Child Protection. This law provides a more comprehensive nuance in the efforts of the state to provide protection to children in Indonesia. Then the nomenclature of child protection is included in the State Budget so as to provide guarantees for the protection and welfare of Indonesian children. This law mandates the formation of a Child Protection Commission (KPAI). KPAI as an independent institution is given a mandate to supervise the implementation of child protection efforts conducted by state institutions, conduct investigations into violations of children's rights committed by the state, KPAI can also provide advice and input and consideration directly to the President on various child protection efforts.

The presence of this institution is actually very strategic because it can accelerate the efforts of comprehensive and complex child protection efforts. Therefore a number of concrete steps must be taken immediately. First, the need for enlightenment to the community on the importance of child protection through continuous socialization of the prevailing laws and regulations, namely knowledge about children's rights that must be obtained. Second, encourage law enforcement to take intensive and even offensive active steps in the eradication of all forms of exploitation and crimes against children. Severe punishment should be imposed on those who exploit and damage the future of the child primarily concerning the involvement of children in, trafficking, child prostitution, and similar acts. Third, create an alternative education model for troubled children, as well as awareness of children's rights through an integrated curriculum in the teaching and learning process at educational institutions. Fourth, make child protection as a movement, involving all elements and potentials of society both government institutions, private, non-governmental organizations, religious leaders, businesses, mass media, and international networks.

Many factors that cause protection problems and child problems have not been implemented in Indonesia. Factors that cause are due to the presence of abandoned toddlers, abandoned children, naughty children, street children, socioeconomic vulnerable women, victims of violence, elderly displaced, disabled, uninhabitable families, socially problematic families, socially troubled migrant workers and poor families. The most important factor that causes the high problem of children is the

high level of poverty of the community. This is due to uneven development policies between regions, socioeconomic injustices that result in a very high socioeconomic gap between the rich and the poor. Macroeconomic policies implemented by the government are also less supportive of marginalized communities, cases of eviction and expulsion of poor families from their land / homes for various reasons have added complexity to the problem of children. It is worth considering some of the notes put forward by the UN child rights committee on child protection efforts in Indonesia. There is a note submitted by the United Nations child rights committee on the issue of child protection enforcement in Indonesia, so that until now Indonesia's "report" is still bad in the eyes of the United Nations Child Rights Committee especially concerning the issue of discrimination against children based on gender, especially in the form of marriage. Indonesia still distinguishes the marriage age limit, for men 19 years while for women 16 years. This shows that the state still provides discrimination for girls, discrimination is also still seen in children living in poverty and children who are minority groups.

Related to the application of Law No. 3/1997 on Child Justice, it should concern us all that the large number of children sentenced to prison in Indonesia. According to UNICEF records (2009) the number has reached more than 4000 children per year. But most of them commit minor crimes. Children are also often detained with adults in terrible conditions, while the age limit of criminal responsibility of 8 years is too low. Indonesia has ratified the ILO Convention 138 on minimum age restrictions for work and the ILO Convention 182 on the Elimination of the Worst Forms of Employment for Children. Indonesia also has a national action plan for the elimination of the worst form of employment for children. But the reality is that the high number of working children is mostly under the age of 15 in both the formal and informal sectors.

In the child sexual exploitation section, the government acknowledges the absence of accurate data, but estimates of all cases of sexual exploitation about 60 percent of the victims are children. The majority of the victims were girls next to boys. Regarding commercial sexual exploitation of children it is reported that all forms of commercial exploitation of children are found in Indonesia such as prostituted children, child prostitution, child trafficking for sexual purposes, and child pornography. It is estimated that about 30 percent of sexual workers in Indonesia who number 30,000-70,000 are children. Until now Indonesia has not ratified the optional protocol of the United Nations' Child Rights Council (UN) on the sale of children, child prostitution and child pornography so that existing laws are still considered less effective as a result of children who are victims of sexual exploitation often do not get effective protection or breeding assistance.

Similarly, with the protection of women, women must be able to reach other women to appear to the surface of the iceberg in order to create a more enlightened and future life order Indonesia has a minimum commitment in realizing HAP (Women's Rights), namely by ratifying it into Law No. 7 of 1984. This ratification one of them provides binding consequences for the state to respect, protect, and fulfill the HAP of its citizens. Nevertheless, this Law turns out to have weaknesses, among which moderate the spirit of renewal contained by CEDAW, by stated in the Explanation section, "The provisions in this Convention will not affect the principles and provisions in the national legislation containing the principle of equal rights between men and women as the embodiment of the Indonesian legal system that we have considered good or better for, and in accordance, harmonious and in harmony with the aspirations of the Indonesian nation. While in implementation, the provisions in this convention must be adjusted to the community's living system which includes cultural values, customs and religious norms that are still valid and widely followed by the People of Indonesia."

How is it possible that the implementation of this Law is to conform to cultural practices that are largely marginalizing and oppressive women (patriarchal), while in articles 2-5 it has contained the state's commitment to prevent, prohibit, identify, act, impose sanctions against discrimination, promote HAP and equality of women and men through proactive actions. CEDAW brings a spirit of legal renewal to hap enforcement, and not the other way around. It is this substance that policy makers ironically lack understood. Another drawback is that this Law states that it does not accept (reservation) article 29 of the CEDAW on the resolution of disputes on the application and

interpretation of the Convention either through negotiations, arbitration, or the International Court of Justice.

Furthermore, Indonesia established the National Commission against Violence against Women (Komnas Perempuan) is one of the national human rights institutions (NHRI), which focuses on the enforcement of human rights of Indonesian women. Komnas Perempuan is an independent state institution established through Presidential Decree No. 181 of 1998, on October 15, 1998, which is strengthened by Presidential Regulation No. 65 of 2005. Komnas Perempuan was born from the demands of civil society, especially women, to the government to realize the responsibility of the state in responding to and dealing with the issue of violence against women. The claim stems from the tragedy of sexual violence experienced mainly by ethnic Chinese women in the May 1998 riots in major Cities in Indonesia.

Manusia merupakan ciptaan Tuhan yang paling luhur karena ada keyakinan bahwa manusia diciptakan menurut citra atau gambaran Tuhan sendiri. Tetapi kenyataan menunjukkan kenyataan bahwa penghargaan manusia terhadap sesamanya masih diwarnai oleh berbagai bentuk pelanggaran dan pemerkosaan terhadap hak asasi manusia (HAM) Sejak berakhirnya perang dingin akhir tahun 1980-an, isu HAM menjadi perdebatan hangat dalam politik global. Pelanggaran HAM yang terjadi di mana-mana dan jumlah kasus yang semakin meningkat mendorong aktor-aktor internasional untuk memberikan perhatian yang serius terhadap faktor-faktor yang mendorong pelanggaran HAM serta cara untuk mengatasinya. Pelanggaran HAM dalam bentuk pembunuhan massal (mass killings) penyiksaan, pemerkosaan, penculikan dan penahanan tanpa proses pengadilan merupakan gejala umum yang terjadi di negara-negara yang dilanda konflik separatis atau komunal.

The plight of migrant workers, especially Indonesian Women Workers (TKW) working in the Middle East such as Saudi Arabia and Kuwait as well as neighboring countries such as Malaysia and Singapore is very concerning because the treatment received in these countries is no different from modern-day slavery. In this case human rights violations are not only committed by the security forces in those countries but also individuals who act as employers. Indonesia has been under international spotlight because of various human rights cases from the past that have not been resolved completely so that Indonesia's credibility in the eyes of the world has not been fully satisfactory. Some local regulations that harass women get sharp kritik from various national and international NGOs. Political liberalization that is not accompanied by human rights protection mechanisms makes democracy in Indonesia defective so that there is no positive collation of democratic practice with respect for human rights. Keep in mind that the dignity of a nation is also determined by the nation's treatment of each member of society regardless of ethnic background, religion, culture, or socioeconomic status. In line with the triumph of the ideology of liberalism attention to individuals and groups increased and the sovereignty of the state is no longer seen as an obstacle to the promotion of human rights. This does not mean that in previous periods human rights issues were not noticed, but national and international security issues dominated the world political scene so that the country became the main actor to be the unit of analysis. Since 1948 the world has had the Universal Declaration of Human Rights as a guideline for all countries to respect human rights. In the next period the international community produced various international conventions and treaties as a form of commitment to the importance of human rights. The existence of international conventions on human rights does not in itself play a tribute to human rights. Politics is not always dictated by idealistic values but the interests of individual people as well as groups. Therefore the politics of human rights implementation is an eye-catching topic in contemporary global political analysis. The debate between realists and pluralists continues and the implementation of human rights is still largely determined by state policy although other actors also seek to influence the policy.

The next level of human rights struggle is carried out by civil society groups both at the national and global level. In almost every democratic and non-democratic country we find non-governmental organizations (NGOs) that actively fight for human rights in various aspects. The concept of global civil society arises from the fact that NGOs engaged in various fields including human

rights form a cross-border network known as transnational networks of civil society. NGOs from developed countries to carry out campaign activities or advocacy in the field of human rights although also those who seek to seek funding independently in order to maintain independence in policy and flexibility in raising various human rights issues by multinational companies from developed countries. International human rights NGOs such as Amnesty International and Human Rights Watch (HRW) have a significant influence on human rights policy and diplomacy in both developed and developing countries. The advantage of NGOs compared to other actors is the strength of their global network in disclosing human rights reports around the world through their publications or campaigns by utilizing advances in communication technology. Apart from the significant contribution of national and global NGOs in human rights enforcement, they are also not free from criticism which among other things questions the fact that the mechanism of accountability of their activities is not clearly oriented. In addition, NGOs operating in developing countries often provide permanent assistance to community groups that are fighting for their rights in order to perpetuate their own existence. In short, NGOs do not seek autonomy from assisted community groups but instead preserve their mental dependence. The mechanism of change or regeneration of leadership in NGOs is also widely highlighted by the public because it is often indistinguishable between ownership and leadership and the career path of NGO activists is unclear. The dominance of senior figures is often an obstacle to the democratization process within the NGO itself. Thus it appears that the NGOs themselves are also experiencing a democratic deficit as countries or international development and financial institutions are the target of their criticism and criticism.

3.2. Policy implementation in ASEAN

Internationally, Indonesia as a member of ASEAN also participates in the protection of human rights, especially for women and children. AICHR is an intergovernmental consulting body and an integral part of the ASEAN organization structure. In the Terms of Reference (TOR) AICHR stated that AICHR is responsible for the promotion and protection of human rights in ASEAN based on consensus, consultative and non-intervention principles. The composition of AICHR consists of 10 people representing ASEAN member countries, with regular meetings twice each year, and reporting addressed to the ASEAN Foreign Ministers' Meeting. The chairman of AICHR is currently held by a representative from Indonesia, Raffendi Djamin. The Commission is tasked with formulating efforts to promote and protect human rights in the Region through the education, monitoring, dissemination of international human rights values and standards as mandated by the Universal Declaration on Human Rights, the Vienna Declaration and other human rights instruments. AICHR serves as a human rights institution in ASEAN responsible for the promotion and protection of human rights in ASEAN. AICHR will cooperate with other ASEAN human rights-related bodies in order to coordinate and synergize in the field of human rights. Although Indonesia wants AICHR not only to have a human rights promotion function, Indonesia recognizes that the establishment of AICHR is a step forward for ASEAN in order to encourage the promotion and protection of human rights in the Region.

Raffendi Djamin as the Representative of Indonesia who is also the chairman of AICHR assumes that after approximately 4 months of inauguration of the ASEAN Intergovernmental Human Rights Commission (AICHR) last October, most of those present today have discussed what is in the ASEAN Charter as well as the AICHR terms of reference. The main subjects of the meeting were on human rights issues in ASEAN, preparations ahead of the first Annual Regular Session of AICHR in Jakarta this year, AICHR's institutional plan, human rights issues that became AICHR's priority in 2010, such as migration and corporate responsibility, and discussions on Indonesia's proposals for the AICHR 2010 Work Program. As is known in daily discussions in print and electronic media, there are always severe human rights issues in the ASEAN region. For example, in the form of serious crimes against humanity, both those that occur in Indonesia, Cambodia, the Philippines and other ASEAN member countries. In Cambodia there are no courts for human rights violations or crimes, Indonesia has human rights courts, but until now no perpetrators or human rights violators can be punished.

Then in Myanmar there is a strong indication of crimes on humanity, namely according to the results of the latest report from the U.N. Special Rapporteur for Myanmar delivered in Geneva, on the issue of genocide and torture, which is classified as a gross human rights violation. This problem is an enemy of mankind, and I think it is a phenomenon that is very easily widespread, and even in Indonesia, this problem is still an issue. Then the court issue outside the legal corridors, we know that this problem often occurs in Mindanao, Philippines, due to local political conflicts that result in the paralysis of the law enforcement process. Next is the issue of discrimination related to race, religious freedom, ethnicity, origin, and gender. Then the issue of the implementation of the death penalty, which we know that all ASEAN countries still apply the death penalty, except the Philippines. Another problem that is often read in print is the so-called trafficking in person, which is closely related to discrimination, human rights protection against refugees, either caused by armed conflict or because of natural disasters. The ASEAN region has become a kind of transit point for the migration of asylum seekers from Sri Lanka, Afghanistan, and others. However, although ASEAN is not their destination, ASEAN still has a responsibility to humanity that is regulated in the norms that have occurred so far.

As it is known, the biggest problem facing ASEAN related to human rights issues, is armed conflict in the country. If you look at what is happening in Indonesia, such as Papua for example, it may be small scale. But nevertheless, it is still considered a threat of armed conflict. Armed conflict also relates to the role of women and the rights of children in conflict situations. While the conflict concerns labor and natural resources, it is very much related to the responsibility of corporate human rights as well as the human rights responsibility of the country itself. In this case there has been a conflict between corporate human rights and state human rights, both at the central and regional levels, namely related to indigenous people. The most problem is, that vocabulary indigenous people are not recognized in ASEAN. In Indonesia, the word is often referred to as 'indigenous people', while in Malaysia it is referred to as 'indigenous people'. But actually the recognition of the state seriously to indigenous people we must protect. The jargon that we often hear is 'we are all the indigenous people', that we are, asean people, all are indigenous people. There is nothing un-indigenous, either in Indonesia or in other ASEAN countries. Indigenous is only known in the Americas, but is often used by countries in Asia, including ASEAN. So the human rights issues that we face are quite severe, and is AICHR with its current terms of reference able to deal with this?. As is known, AICHR consists of 10 commissioners from 10 ASEAN member countries. Two of them, namely from Indonesia and Thailand, were chosen through the electoral process at the national level, while the other 8 were appointed by their respective governments, including the Philippines which we think the democratic process has been much developed and has a long democratic experience compared to Indonesia. For Singapore, Myanmar, Laos, and Cambodia, for example, it may still be understandable that they do not conduct the electoral process at the national level. But the fact is that only Indonesia and Thailand conduct the selection process at the national level, starting from the nomination process, nomination and so on.

When viewed the contribution problem, of the 14 AICHR functions that exist, there are only 3 functions that can be categorized as protection functions. This function is veiled, because simply, the mechanism of human rights protection in ASEAN rejects individual complaints, namely complaints of human rights violations as they are known at the national level. For example, individual complaints complain to Komnas HAM or to the Indonesian Embassy, perhaps even to the Komnas Perempuan AICHR protection function that is explicit is a review for countries situation or discussion of the human rights situation in member countries. In this case AICHR is not allowed to conduct the review process, on the grounds that this has been done by a world-class review agency, or has been done universally, it is no longer necessary to be discussed at the ASEAN level. That argument is used, so in the end the consensus reached is a rejection of the function of the review.

Another AICHR protection function that is also very explicit is the country situation that Indonesia thinks is not in the context of promotion, but rather fact-finding investigations. Those three protection functions are what our diplomats in ASEAN are fighting for, but they haven't worked. So it still has not changed the position of 1 vs 9, therefore the path of compromise taken, because otherwise

AICHR will never be born in ASEAN. The compromise that was taken gave birth to the so-called political declaration, or declaration of the establishment of AICHR which is very important to Indonesia, and is the starting point of the vision that will be carried out by AICHR. The declaration issued by all ASEAN ministers is a political statement from the leaders of ASEAN countries. This point becomes a very large capital for Indonesia, in this case according to Raffendi, so that the first review that will be conducted in the next five years is to strengthen the functions of AICHR protection that does not yet have the power to discuss the human rights situation of its member countries.

An important factor here is promoting the implementation of existing instruments in ASEAN. There are about 4 ASEAN instruments related to human rights, namely about children, women, trafficking and migrant workers. It is also very important that AICHR is an institution that summarizes or includes other human rights institutions in ASEAN. In this context, the interesting point is the new role of the Secretary General of ASEAN related to human rights issues, where the Secretary General of ASEAN can raise certain issues that are considered important and urgent to get attention from AMM and also Leaders. The human rights issue raised by the Secretary General of ASEAN will then surely become an issue for AICHR which is then prioritized as a work program. The question related to this is, can AICHR solve various human rights problems in ASEAN, even though AICHR does not have the power to receive individual complaints.

Then seen from the ASEAN Human Right Declaration (AHRD) in Indonesia which was rejected by LBH Jakarta. The rejection attitude of LBH Jakarta is based on several reasons including the declaration or regional instruments setting a higher standard than international standards, in this case the Universal Declaration of Human Rights (DUHAM). Better regional human rights standards than DUHAM, which was drafted 34 years ago, will certainly demonstrate asean member states' commitment to the international world. On the contrary, setting a lower standard than DUHAM and even contradicting it, will weaken the enforcement and implementation of human rights in southeast Asia. If ratified, the AHRD plan would be legitimacy for ASEAN governments to circumvent international obligations to respect, protect and fulfill human rights. If the AHRD is still ratified, it is feared that the AHRD that should affect the change of legislation and human rights implementation in the ASEAN region will be better, even worse. In fact, AHRD is expected to be the cornerstone.

ASEAN human rights convention, and the Declaration cannot be revised or amended in the future. In the process, the preparation of AHRD is not transparent and does not really involve the community. This is contrary to one of ASEAN's goals for advancing people-oriented ASEAN, where people are encouraged to participate and benefit from it (Article 1.9 of the ASEAN Charter). In both aicr official consultation processes with civil society representatives conducted in 2012, even the AHRD draft was not officially shared.

In the context of Indonesia specifically, Indonesia has ratified most of the main conventions on International Human Rights, reflecting the prevailing human rights standards in Indonesia. However, the conditions of human rights implementation in Indonesia so far have not met the applicable standards. The process of drafting AHRD has provided new hope for the community towards the fulfillment of human rights in accordance with international standards. By supporting ahrd with all deviations from international human rights standards and principles, Indonesia will lower its standards and it is feared that the implementation of human rights in Indonesia will worsen. If Indonesia does not fight for the fulfilled international human rights standards in the AHRD, it will show that Indonesia no longer plays a key role and an example for ASEAN member states in the field of human rights. Therefore, LBH Jakarta will not fulfill the invitation from the ASEAN Secretariat to receive ARHD symbolically. It is also to maintain solidarity with fellow civil society in Indonesia and other ASEAN member states, which also reject the AHRD.

3.3. Factors Inhibiting the Implementation of the ASEAN Human Rights Declaration on the Protection of Women and Children's Rights in ASEAN countries.

Efforts have been made by ASEAN human rights institutions have many obstacles to realize the Implementation of the ASEAN Human Rights Declaration on the Protection of Women and Children's

Rights in ASEAN countries. There are several factors that inhibit, among others: (a). There are concerns that the AHRD mechanism will interfere in the internal affairs of the member states. (b) . There are concerns that the mechanism will have an overly broad mandate and develop into a kind of regional human rights court that has the power to make binding legal decisions. (c). It is feared that there will be duplication between regional and international mechanisms. (d). There has not been a National Commission (Komnas) of human rights in all ASEAN member countries and there has been no agreement among them on the vision of the establishment of the ASEAN human rights mechanism itself.

3.4. The Future And Challenges.

Challenges are the result of analysis and projection of what is happening now that has been achieved, what has not been achieved, and the obstacles that hinder that achievement. The problem faced in trying to formulate a policy on human rights issues in Southeast Asia is that there are still some in dealing with it. In this regard the author sees there are several challenges faced by ASEAN. The challenge can be seen in terms of readiness and commitment by ASEAN member countries. Some of the challenges in establishing an ASEAN human rights mechanism are the first how to standardize human rights norms, given the legal system in ASEAN countries that have differences with each other. In the efforts made by ASEAN to promote democracy and good governance, it will look long-term and take a long time. The objectives of the activities to be proposed include holding conferences, seminars and workshops on exchange and training, including to learn from each other about democracy between ASEAN member states. This series of activities is very necessary considering that after more than 40 years ASEAN was established, there is still very limited knowledge given about ASEAN countries among the ASEAN community itself, especially in the field of human rights. Another challenge that must be faced is the lack of attention given by ASEAN Countries in an effort to promote human rights programs, both at the local level of each ASEAN country and at the ASEAN regional level. The lack of attention is given in trying to promote human rights programs because ASEAN countries still give priority to efforts to improve the government image of ASEAN countries, get economic assistance from donor countries and overcome instability that may arise in society. In terms of readiness and commitment asean member states also have some challenges in it.

This is clearly seen as the application of non interference principles within ASEAN and respect for sovereignty that is still inflexible and in accordance with the conditions of challenges faced. This universal principle has consequences that there is no place within territorial boundaries and governments are immune and have immunity simply because of rigidly interpreted non-interventions. In the midst of the mandate of the asean human rights body, one thing that is no less important is the ability to foster new perceptions of non-intervention principles. ASEAN human rights institutions are expected to be able to unite various stakeholders instead of being independent bodies that run each other's interests. The promotion and protection of ASEAN human rights is important in the midst of ASEAN integration, but the new use of non-intervention principles cannot be delayed. It's time for ASEAN to change the meaning of non-intervention. The Ministry of Women Empowerment and Child Protection (Kemneg PPA) is responsible as a government institution to disseminate KHA. So far we can find that this Ministry in collaboration with Save the Children has produced and translated KHA and disseminated it. We can also meet the efforts of this Ministry to translate and disseminate the Conclusion of observation of the Committee on The Rights of the Child in cooperation with Save the Children. However, we do not find the efforts of this ministry to disseminate KHA to ethnic minority groups including making a version of KHA in the language version of those groups. It is also recognized by the Indonesian government in the draft government report of the third and fourth periods.

The ministry has also made efforts to conduct trainings to understand KHA with help from local NGOs as well as Unicef. This fact signals, on the one hand, the involvement of civil society, National and local NGOs to cooperate in socializing KHA together with the Ministry of Women Empowerment and Child Protection is very high. On the other hand, it also gives an idea of the lack of adequate human resources in the ministry of women empowerment and child protection.

4. CONCLUSION

What is meant by a child is "every human being" who is not yet 18 years old, and "every human being" means that there should be no distinction on any basis, including on the basis of race, color, gender, language, religion, political beliefs or other beliefs, nationality, ethnic or social origin, wealth, disability or not, birth status or other status, both in the child and in his parents. The definition of women according to Regulation No. 6 of 2004 concerning the Elimination of Trafficking (Trafficking) of Women and Children is a person who has female genitalia, can have menstruation, get pregnant, give birth to children, breastfeed, and include people who have gained legal status as women. Meanwhile, human rights are inherent rights of every human being from the beginning of birth that are valid for life and cannot be contested by anyone. In the first ten years of her career since 1998, Komnas Perempuan has conducted monitoring, fact-finding, and documenting violence against women that occurred in various contexts of conflict and political fight in Indonesia that existed as a consequence of social, political, and economic policies of national authorities. Komnas Perempuan's findings suggest sexual violence, especially rape, is a pattern of repeated violence against women in the context of conflict. Gender bias perspectives on women's roles and positions in society make sexual violence an effective tool for subjugating target communities. Among them is a case in the ten years after the May 1998 Tragedy, women victims of sexual violence in such events still choose to silence.

The state-formed May 1998 Riot Fact-Finding Team verified sexual violence directed at ethnic Chinese women in the form of group rape, sexual assault, and sexual harassment. The Team's findings also confirm there are indications of the involvement of security forces in the event of a riot. Controversy over whether or not a sexual assault was committed because no victim who was until now willing to testify publicly has been used to make disclosures of cases. While the system of protection of witnesses and victims has not been qualified, a number of important recommendations to break the silence of victims, including changes in criminal law, have not been implemented. Then sexual exploitation related to the placement of security forces in the context of handling social conflicts in Maluku and in Poso, Central Sulawesi urged the need to ensure efforts to prevent and handle violence against women, especially sexual violence needs to be part of Indonesia's security sector reforms. The seriousness in handling this case, especially since it is often regarded as a like-for-like relationship, reinforces the subordinate position of women in society, the unequal hierarchy between civilians and the military has an impact on the perpetuation of discrimination against women and children born from sexual violence and many more similar cases.

Komnas Perempuan has presented the findings to the President on November 30, 2009 and then ordered all of its ranks to follow up on the findings and recommendations of Komnas Perempuan. The reparation agenda that contains recovery efforts for women victims of violence, disclosure of truth, and guarantees that similar actions do not repeat themselves in the future are the three main things presented by Komnas Perempuan as recommendations. In the event that assurances are not repeated, steps are needed to ensure: a). understanding of violence against women in the context of past human rights violations needs to be an integral part of national history education; b). prevention and handling of violence against women as part of security sector reform and reform of Indonesia's criminal law system; and c). understanding of human rights and gender justice is part of the national education curriculum. Coordination between ministries and institutions was held in early 2010, but most of the realization of the follow-up plan has not yet been held.

An analysis of the situation conducted in 1998 by a Children's rights activist, Mohammad Farid (1999) stated the prevalence of prostitution of a person under the age of 18 in Indonesia allegedly reaches 30% of all PSK operating throughout the country. Referring to the estimate by Sulistyarningsih & Hull (in Farid, 1999) that the number of all PSK in Indonesia reaches about 140,000-230,000, meaning that the number of children disbursed reaches between 40,000-70,000 children. While referring to the estimates from Wagner and Orphans that estimate there are about 500,000 PSK, the number of children in prostitution is estimated to reach more than 150,000 children. Farid asserted that the estimate only covers children who are prostituted in the country because it is not known the number

of Indonesian children entering the world of prostitution abroad. Then one form of ESKA is Child pornography. So far, there is no data on Indonesian children who are victims of child pornography although data on child prostitution and child trafficking for sexual purposes is also still difficult to determine the number of victims in Indonesia. But that doesn't mean children are as threat-free as victims of pornography. The difficulty of uncovering child pornography networks makes one of the problems in uncovering pornography victim data, where in actual situations many children are victims of pornography. One of them is being turned into a stripper. Protection measures should emphasize efforts to make or improve laws and regulations that are specific (rights) of children, strengthening and implementing laws or policies. Perpetrators who misdeemeanor children as victims of ESKA and 'clients' who use children should be placed as perpetrators of crimes that should be severely punished. However, until now there is no legislation that can ensnare 'clients' as perpetrators of crimes. Child Protection Law No. 23 of 2002 which is considered to have reflected the Convention on the Rights of the Child even though there is no criminal penalty article containing it. Precisely what happens is that children are considered as perpetrators who must be arrested or raided. There are even children of ESKA victims who are victims of sexual exploitation back when caught or raided.

Unfortunately, the number of regulations is not supported by its implementation. Admittedly, the existence of children is the majority in the country. Action is therefore required to protect their rights and interests through law enforcement and other acts of legislation. The child's human rights have not been fully fulfilled to the fullest extent, thus bringing consequences to the lives of himself and his family. Empirical evidence suggests that there are still children who have received treatment that has not been in line with expectations. The obstacles include the lack of coordination between government agencies, the lack of proper socialization, and poverty that is still experienced by the community. Therefore, the government needs to take several strategic steps.

First, it is time for the legislature and executive to include the Ministry of Special Children in the Bill of the Ministry of State which is being discussed in the Special Committee (Pansus-Ruu Kementerian Negara) dpr-ri as a state ministry. Second, make child protection programs in Indonesia a priority program for the government in answering the commitment of the state as a country that ratifies the Convention on the Rights of the Child. Third, issue a state policy that is technical in protecting children from all violations of children's rights such as violence, discrimination, trafficking, and other mistreatment. Fourth, realize the education budget by 20% as mandated by the Constitution 45, and provide a free birth certificate as one of the identity rights of citizens and as an implementation of the Implementation of Law 23/2002 on Child Protection. Fifth, provide comprehensive public services and put the interests of society and children first in particular without discrimination by providing free educational and health facilities for all Indonesian children. Sixth, the state is responsible for stopping violent, mystical, pornographic, and other uneducated impressions for the child development process. There are three basic conceptions that must be fulfilled to build a prosperous country, namely the protection of human rights, democracy, and the state of law. These three concepts were born from an understanding that rejected absolute power following the Renaissance that has been in the Western world since the XIII century. The government is in power because the people give the power to organize the state government, so that the state can provide protection for human rights. Nevertheless, the critical question that should always be presented to the government is how to enforce human rights at an applicative level. A series of cases related to human rights violations are still occurring in several countries in Southeast Asia until now. It seems that the talk of human rights only stops at discursive territory in scientific forums without ever being acted upon in real terms. Along with the times, there must be reforms that can be made to achieve a more peaceful and harmonious world. ASEAN as a regional organization is still relatively young. Therefore, trial and error is something that is very reasonable. Currently, the implementation of human rights in ASEAN can be said to be ineffective, but in line with the maturity of ASEAN, it is hoped that human rights in Southeast Asia will not only be viewed in the eyes and more enforced. The establishment of aichr is a step forward from ASEAN to realize one of its objectives, namely strengthening democracy,

improving good governance and the rule of law, and advancing and protecting human rights and fundamental freedoms, taking into account the rights and obligations of ASEAN member states.

First, from an ASEAN perspective, the establishment of the ASEAN Human Rights Commission is a step forward in strengthening human rights values in ASEAN. This establishment will provide greater opportunities for improvement of human rights implementation and enforcement in ASEAN. Second, judging from Indonesia's interests, the ASEAN Human Rights Commission can be one of the instruments of strengthening the role of Indonesian diplomacy based on normative power in the Southeast Asian region. A number of shortcomings should be addressed immediately. First, the state must give priority to the implementation of CEDAW which is still far from reality. This is realized both in the aspects of providing tools (legislation and budget) and affirmative action, as well as achieving equal and fair results (for equality and justice). Second, socialization of CEDAW at the grassroots level using the right language, methods, and media. Third, the government needs to mainstream CEDAW in legislation and programs, ratifying the Optional Protocol on CEDAW as a form of commitment to hap enforcement. Another point, the women's movement needs to criticize hap enforcement map in relation to international financial institutions that carry neoliberalism. Women should be able to fight-if they want to. Fight for women's voices and rights. whatever price and difficulty it causes. This struggle will provide innocent happiness to women.

The reality is that today, even though Indonesia already has democratic institutions, human rights violations still occur and the achievements of the Indonesian government have not been optimal in protecting the human rights of its citizens. There is some human rights diplomacy conducted in the international human rights arena as credible and Indonesia's image is also increasingly positive. First, the Indonesian government must consistently resolve fairly and completely all forms of human rights abuses carried out in the past, especially during the New Order administration under Suharto and during the transition period under President B.J. Habibie. More specifically, Indonesian courts should be able to uncover and the brains behind the murder of human rights activist Munir who has been in the international spotlight. Indonesia must dare to create a positive precedent so that future generations do not repeat the same mistakes. Second, the Indonesian government must seriously complete the Security Sector Reform, especially with regard to internal reforms of the TNI and The National Police. There is still a lot of homework to be done on this matter such as military judiciary, review of teritorial command, intelligence legislation and military activities in the field of business. Third, the Indonesian government must dare to make inroads by putting the interests of the people in Southeast Asia above the solidarity of the government which often hinders the promotion of human rights in the region.

Cynically ASEAN is often shortened to the Association of Southeast Asian Nonsense because of the diplomacy of small talk among governments that attach more importance to their own interests than their people. The sovereignty of the state or ruler is still seen as sacred in this region whereas the state is only an instrumental entity for the welfare of individual and collective people. Fourth, the Ministry of Foreign Affairs needs to enhance public diplomacy through close communication and cooperation with local and international NGOs in the promotion of human rights. The attitude of the government that suspects NGOs will harm the government itself. Fifth, in its own country the Indonesian government must be consistent and protect the human rights of citizens by taking a firm stance against anarchist religious radical groups and often violating human rights through the destruction of places of worship and other forms of intimidation terror. This practice, which is often left unchecked by the security forces, will only worsen Indonesia's international image. In short, it can be said that the consolidation of advanced democracy and increasingly effective law enforcement and by itself become citizen human rights diplomacy as the top priority in relations between the country and society. Finally, the Indonesian government needs to include multiculturalism education materials in the educational curriculum at all levels so that the nature of Indonesian society as a plural nation is preserved through ways of thinking and behavior that upholds the human rights of others despite coming from different religious and ethnic backgrounds. Indonesia's strength lies precisely in its

diversity and history has proven that the coercion of one ideology by both the government and certain groups in society will only weaken this nation in competition with other nations. The principle of democratic citizenship should be a guideline for the government and society in the life of the nation and the state so that everyone feels comfortable being part of this nation.

This condition effectively negates separatist movements such as those of local residents in some areas such as Aceh, Maluku and Papua. Since 1945 the world has made significant progress in prevention and solutions to human rights violations. The emergence of international agreements ratified by UN countries and the development of various human rights handling mechanisms in various regions are indicators of increased awareness of the importance of human rights in contemporary world politics. The growing number of NGOs both at the national and global level who fight for human rights through independently built networks is a positive symptom because civil society is expected to be a countervailing force against the strength of countries or international institutions that tend to act as human rights violators rather than as human rights protectors. From the point of view of the interests of developing countries civil and political rights on the one hand and the economic, social and cultural rights on the other side should have the same value because of the economic emancipation of developed countries as well as international financial institutions that tend to harm the positions and interests of developing countries.

Although democratization in Indonesia promises positive progress in the field of human rights, there are still many issues in the settlement of human rights violations in the past that tarnish Indonesia's image as a democratic country. At the regional level in Southeast Asia there has also been no significant progress in the establishment of regional mechanisms for the handling of human rights issues. Resistance from countries that have not implemented democracy is expected to be a major obstacle to creating a human rights regime in Southeast Asia. With the above obstacles, the agenda of human rights enforcement struggle on a national and global scale still requires cooperation at all levels in order for humanity to become the main indicator of the progress of modern civilization.

The ASEAN Declaration on the Elimination of Violence Against Women and Violence Against Children was drafted by the ASEAN Commission for Women and Children (ACWC). This declaration has been drafted by ACWC since 2011. The draft declaration is now final at the 7th ACWC meeting in Kuala Lumpur on 22-24 July 2013. This draft was submitted to the ASEAN Ministerial Meeting on Social Welfare Development (AMMSWD) in early September 2013 and has now reached the ASEAN Community on Socio-Cultural (ACSC). The ASEAN Declaration on the Elimination of Violence Against Women and Violence Against Children will be adopted at the 23rd ASEAN Summit on 9-10 October 2013 held in Brunei Darussalam. The leaders of the Association of Southeast Asian Nations (ASEAN) expressed a commitment to strengthen and expand the approaches needed to eliminate all forms of violence against women and children in the region of the organization's member states. This was confirmed in a declaration at the 12th ASEAN Summit (23rd ASEAN Summit), at Muzakarah Hall, International Convention Center (ICC), Bandar Seri Begawan, Brunei Darussalam. The leaders of ASEAN countries jointly acknowledge that such acts of violence affect victims at all age levels, and in different situations and conditions.

The declaration, affirms that violence against women and children occurs regardless of the stage of the life cycle, be it at home, at school, at work, in public areas or private areas (including cyberspace), as a result of gender bias, discrimination and other harmful habits that must be eliminated. Asean Heads of Government, who attended the summit, chaired by Sultan Hassanal Bolkiah, also expressed the need to strengthen a "holistic and multidisciplinary approach" in order to advance women's and children's human rights in line with gender-responsive and age-responsive approaches, as well as sensitive to children. The Declaration on the Elimination of All Forms of Violence against Women and Children within asean stated that the approach in question, in which there must be investigating mechanisms, prosecution (prosecution), punishment (punishing), and if it is considered reasonable to rehabilitate the perpetrator. At the same time, victims and survivors should be given access to justice, legal aid, protection, social welfare services, education and health

services. This service should also include peer-to-peer mechanisms, rehabilitation, recovery, and reintegration of victims and survivors in the community. In addition to being attended by President Susilo Bambang Yudhoyono, the 23rd ASEAN Summit was attended by Cambodian PM Samdech Akka Moha, Laos PM Thongsing Thammavong, Malaysian PM Najib Tun Abdul Razak, Myanmar President Thein Sein, Philippine President Benigno S. Aquino III, Singapore PM Lee Hsien Loong, Thai PM Yingluck Shinawatra, and Vietnamese PM Nguyen Tan Dung. The ASEAN Summit discussed three main topics, namely the 2015 ASEAN Community, the central role of ASEAN and its relations with other regions, as well as the latest regional and international issues.

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