Governments, business, and ASEAN and UN bodies must act to respect and protect individuals, organisations and communities working to promote corporate accountability in East Asia in the face of mounting attacks and worsening restrictions against human rights defenders and corporate accountability activists in the region.

(Geneva/Bangkok) – Human rights defenders working to promote corporate respect for human rights or accountability for business-related human rights violations face significant challenges across the East Asia region, regardless of the country or sector in which they work. In a joint report released publicly today, the Asian Forum for Human Rights and Development (FORUM-ASIA) and the International Service for Human Rights (ISHR) draw from information from nine different national-level human rights organisations to highlight country-specific concerns and to provide recommendations to improve the situation for defenders.

The report assesses the legal and operational environment for non-governmental organisations and human rights defenders in ten countries in the East Asia region, seven of which are member states of the Association of Southeast Asian Nations (ASEAN). It reflects on efforts by regional mechanisms, governments, and national human rights institutions to address business-related human rights abuses, and highlights individual cases illustrative of common violations. Finally, as possible for each country, the authors analyse requests and recommendations from the UN human rights mechanisms that relate to improving the implementation of the UN Guiding Principles.

‘The astounding thing, reading through the reports from groups working in different countries, is how pervasive and how similar the tactics used against defenders are,’ says Sarah M. Brooks, Asia advocate at ISHR.

‘When it comes to working on issues of corporate accountability, whether related to land or labour rights, to consultation or consent, human rights defenders have both the strength of the State and the globalised economic system stacked against them.’

‘While victims and human rights defenders seek domestic remedies, they encounter immense challenges in their litigation due to the strong influence of corporations on public institutions,’ said Evelyn Balais-Serrano, Executive Director of FORUM-ASIA. ‘Collusion between governments and businesses is a growing obstacle to justice and effective remedies for victims. Thus, it is crucial to have independent grievance and redress mechanisms.’
The report’s recommendations reflect FORUM-ASIA’s past consultations on the issue, contained in full in their report *Corporate Accountability in ASEAN: A Human Rights-Based Approach*. It also aims to reinforce recommendations made previously to the UN Working Group on Business and Human Rights, and to regional mechanisms engaged in the corporate accountability space, such as the Inter-American Commission for Human Rights and the African Commission for Human and Peoples’ Rights.

The recommendations include:

- Calls for the Working Group on Business and Human Rights to do more to encourage inclusion of the perspectives of human rights defenders, by governments in National Action Plans and by companies in their ‘corporate social responsibility’ and consultative efforts;
- The explicit recognition and protection by governments in the East Asia region of human rights defenders, and action to ensure that legal and regulatory frameworks related to investment and development fully take into account state human rights obligations;
- Enhanced efforts by ASEAN regional structures to address corporate accountability and to meaningfully involve civil society and defenders in this regard;
- Establishment of effective complaints mechanisms at the international and national level that can hold non-state (corporate) actors accountable; and
- Positive engagement by business to ensure an enabling environment for human rights defenders, and stronger business efforts to consult communities, combat corruption, and enforce human rights policies throughout their supply chains.

The report was also submitted to the UN Working Group on Business and Human Rights to inform preparations for this year’s Asia regional forum, to be held in Doha, Qatar on 19-20 April 2016.

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