



ASEAN Civil Society Conference/ASEAN Peoples' Forum (ACSC/APF 2019)

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BANGKOK

ADVANCING PEOPLES' MOVEMENTS FOR JUSTICE, PEACE, EQUALITY, SUSTAINABILITY AND DEMOCRACY IN SOUTHEAST ASIA

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More than 1,000 delegates from eleven Southeast Asian countries gathered in Thammasat University (Rangsit Campus), Pathum Thani, Thailand and discussed the current situation of the region's societies and their peoples, the various government policies and programs as they impact on vulnerable and marginalized communities and sectors, and drew up recommendations for ASEAN states to act on as well as directions for civil society to take in the coming years.

The situation of Southeast Asian peoples

In Southeast Asia, despite the fact that ASEAN member states have made policy pronouncements on building a "rules-based, people-oriented, people-centered, dynamic, resilient and harmonious ASEAN community" as declared in the ASEAN Community Vision 2025, the association is considered at a crossroads as it enters a new development period characterized by uncertainties, instabilities and high security risks. All these are taking place amidst the US-China economic rivalry which could impact on ASEAN's political and economic situation.

Politically and strategically, Southeast Asia lies at an important junction, which gives ASEAN a 'central role' in determining the region's future while being at the center of competition between the big powers. The South China Sea territorial disputes has long been a critical test for ASEAN, causing strategic trust erosion between some member states.

Power shifts and regime changes in some ASEAN countries have led to the undermining of democratic processes with the rise of authoritarian and right wing populist leaders resulting in widespread violations of human rights including extra judicial killings, forced disappearances, and ethnic cleansing - all contributing to a human crisis in ASEAN.

Economically, although ASEAN is a huge market of more than 600 million consumers and is expected to become the fourth largest economy in the world by 2030, the region is confronted with a variety of challenges, including inequalities within and between countries, poor integration in terms of trade and investment, inefficient economic governance leading to corruption, and pressures by the increase in migrant labor.

On the social and cultural sphere, gender inequalities persevere despite advances in legal initiatives in some countries. Social protection in terms of education, health, housing, living wages, and public

48 services is still inadequate especially for poor and marginalized populations. This is partly due to the
49 widespread privatization of essential services and non-implementation of ILO convention and
50 resolutions protecting worker's rights. Furthermore, continuing ecological deterioration and severe
51 weather disturbances brought about by climate change as well as the proliferation of large infrastructure
52 and mega development projects have intensified environmental disasters.

54 **ACSC/APF through the years**

56 The ASEAN Civil Society Conference/ASEAN Peoples' Forum (ACSC/APF) is the Southeast Asian
57 region's primary network of civil society organizations and peoples' movements that has been engaging
58 the official ASEAN process since 2005. The sectors represented in ACSC/APF include urban and rural
59 workers in both the formal and informal economy, smallholder farmers, urban poor, fisherfolk, women,
60 sex workers, children, indigenous peoples and ethnic nationalities, local communities, older persons,
61 people living with HIV/AIDS, professionals and rank-and-file employees, children, persons with
62 disabilities, youth, LGBTQI persons, and migrants. The multifarious concerns, hopes, and aspirations
63 of these marginalized sectors of Southeast Asian societies form the matrix of ACSC/APF discussions,
64 planning, advocacies, and campaigns.

66 These concerns include human rights of women, workers, peasants, children, indigenous peoples and
67 ethnic nationalities, and youth; environmental issues (pollution, climate change, and disasters); peace
68 and human security; corporate greed, liberalization, deregulation, privatization and financialization;
69 labor contractualization and resulting precariat work; increasing feminization and vulnerability of
70 informal workers, free trade agreements, militarization, internal conflicts and displacement; migration,
71 trafficking and modern slavery; land issues (land banking, conversions, land grabbing and re-
72 concentration); genuine agrarian reform, food sovereignty, agro-ecology, and agricultural neglect;
73 social protection and the deficit in basic services (health care, education, power and water); gender
74 equality and women empowerment, homophobia, transphobia, Democracy, human rights violation
75 (This is repetitive. Already mentioned above). and misogyny; and the informal sector.

77 For each of the past thirteen years, ACSC/APF and its member organizations have been holding forums
78 and meetings at the national levels through the country-based National Organizing Committees
79 (NOCs), and regional assemblies including major conferences that parallel the official ASEAN process.
80 In each of these gatherings, ACSC/APF has always endeavored to reach out to ASEAN bodies,
81 mechanisms, and instruments as well as individual governments and bring before them detailed and
82 substantive recommendations for transforming ASEAN into a truly people-centered and people-
83 oriented regional organization.

85 Peoples' voices and aspirations are summarized in a final statement meant to inform ACSC/APF's
86 constituents of the year's highlights and events that have affected Southeast Asian peoples. It is also
87 intended to be presented to ASEAN governments for serious attention and the proper actions.

89 **ASEAN as a regional organization and its relationship with civil society**

91 Originally formed in 1967 as a political project of five Southeast Asian leaders in the midst of the Cold
92 War, ASEAN has gradually evolved and expanded its scope into a more multifaceted development
93 initiative starting with the 2005 theme of being "people-centered," later adding "people-oriented." In
94 2015, the concept of an ASEAN Community was born revolving around three pillars: Political-Security
95 Community, the Economic Community and the Socio-Cultural Community. Along with other UN
96 member states, ASEAN governments, also endorsed in 2015 the ambitious agenda set out by the
97 sustainable development goals (SDGs), 2016-2030.

99 However, the coming into being of the ASEAN Community, particularly its economic component,
100 remains a pipedream. The region's economies compete with rather than complement each other. As a
101 result, economic ties (trade and investments) are stronger with non-ASEAN countries. Politically, the
102 doctrines of "non-interference" and "consensus-building" hamper unified actions, particularly on human
103 rights issues. Most agreements are non-binding and allow each member government to interpret their
104 provisions arbitrarily. ASEAN thus cannot stand as one when confronted by challenges coming from
105 more powerful non-ASEAN states.

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107 CSOs and peoples' movements, however, have argued that the changes in ASEAN's perspectives and
108 its pronounced tilt towards prioritizing Southeast Asia peoples' welfare have been more rhetorical than
109 real. Despite high growth rates, poverty and social inequality remain high. Meaningful peoples'
110 participation in governmental programs, projects, and decisions are nowhere to be found. Indeed,
111 ASEAN is seen by independent observers as working to preserve and expand the role of traditional
112 political oligarchies and economic corporate elites. As the Ten-Year ACSC/APF Review Report (2005-
113 2015) phrased it: "ASEAN and its member governments have been seen to be more comfortable with
114 the private sector and academic and research think tanks than with civil society."

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116 As the 2015 and 2017 ACSC/APF statements pointed out:, the development paradigm that guides
117 ASEAN member-states has only bred "greater inequalities, accelerated marginalization and
118 exploitation, inhibit peace, democracy and social progress," spawned "economic, social, and
119 environmental crises, extensive human rights violations, situations of conflict and violence, and wanton
120 exploitation of natural resources that are overwhelming the region's ecosystems."

121
122 Despite an explicit recognition by ASEAN of the role that CSOs can perform in its three pillars, and the
123 recognition of the ACSC/APF as the formal platform for CSOs, the thirteen-year engagement by CSOs
124 with the official ASEAN process has hardly borne fruit. For one, ASEAN defines a CSO in a self-serving
125 manner as "a non-profit organisation of ASEAN entities, natural or juridical, that promotes, strengthens
126 and helps realize the aims and objectives of the ASEAN Community and its three Pillars ..."

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128 In other words, "ASEAN's preference appears to be for a civil society that will help it achieve the already
129 established goals and projects of ASEAN's governing elite rather than a civil society that will — through
130 genuine, two-way deliberations — help ASEAN set these goals and agendas in the first place."

131
132 Not surprisingly, the Ten-Year Review Report concluded that "individual ASEAN member countries
133 have consistently resisted and vacillated with regards civil society participation and engagement" and
134 that "high expectations for people's participation in ASEAN, encouraged by the promise of a 'people-
135 oriented ASEAN'... are thus not met, leading to frustration amongst those in civil society who have
136 chosen to engage ASEAN at various levels."

137 138 **ACSC/APF 2019 - issues and recommendations**

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140 All four ACSC/APF 2019 plenary sessions raised the issue of democracy and its status as a key
141 concern. The suppression, arrests and prosecution of activists critical of governments have continued
142 unabated. The Southeast Asian region has been confronted by issues on security, justice, ecological
143 destruction and assaults on human rights. Deteriorating democratic institutions threaten individual
144 security without which there can be no national security. Moreover, many Southeast Asian peoples are
145 losing their lands and livelihood due to mega projects which also impact on the environment. Indigenous
146 peoples and ethnic nationalities who have long lived and relied on nature are now illegal in their own
147 land.

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149 To achieve sustainable and equitable development, equal partnership must be forged between
150 governments, peoples' organizations, civil society groups, and all stakeholders. Affordable and
151 accessible health care for everyone and protection of the rights of persons with disabilities, which are
152 enshrined in constitutions and laws in ASEAN member countries, can only be delivered within the
153 context of strong commitment by governments and service providers.

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155 There is a widening gap between the poor on one hand, and the rich and propertied on the other
156 resulting in economic disparities and social inequalities in various dimensions. Southeast Asia peoples
157 must build alternatives based on the peoples' fundamental right to live with dignity and resist policies
158 which favor and privilege only investors and corporate interests.

159
160 The seven convergence spaces under ACSC/APF 2019 are (1) peace and security, (2) human rights,
161 democracy and access to justice, (3) trade, investment and corporate power, (4) ecological
162 sustainability, (5) innovation, new, and emerging technologies and digital rights, (6) migration, and (7)
163 life with dignity (decent work, health and social protection). Several workshops under the seven
164 convergence spaces discussed and adopted the following analyses and recommendations:

165 **I. Peace and Security**

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167 Southeast Asia continues to be challenged by critical security issues such as terrorism, piracy, cross
168 border crimes, drug and human trafficking, smuggling, migration crisis, natural disasters, climate
169 change, and the rise of authoritarian leaders. Moreover, in the context of a rapidly changing world, the
170 region is caught between the strategic competition between major powers, undermining efforts at unity
171 and solidarity within ASEAN. The US, for one, has long been engaging actively in the region through
172 its military presence and economic agenda while China is using both financial tools and military power
173 to expand its territorial claims especially in resource-rich marine areas. Conflicts between ASEAN
174 states also exist particularly trade disputes, conflicting territorial claims, the treatment of migrant
175 workers and cross-border pollution. Internal conflicts in ASEAN countries continue to fester such as
176 the Rohingya issue and separatist movements in Southern Thailand and West Papua. All these
177 threaten regional peace and human security and peoples' livelihoods.

178 **Recommendations to ASEAN governments:**

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- 182 • Synergize ACWC and AICHR by strengthening their mandates and functions and create regional
183 mechanisms for reporting and resolving human right violations including and gender-based violence;
- 184 • Engage people from all walks of life, including women in solving peace and security-related problems
185 and fully achieve the SDGs;
- 186 • Push for the settlement of disputes by peaceful means, in the spirit of solidarity and respect for
187 international law; develop an alternative approach committed to multilateralism, a shared regional
188 identity and people-to-people concerns; and,
- 189 • Hold developed countries accountable on the effects of climate change and toxic waste disposal.

190 **II. Human Rights, Democracy and Access to Justice**

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192 Urban and rural workers, smallholder farmers, urban poor, fisherfolk, women, children, indigenous
193 peoples and ethnic nationalities, older persons, professionals and rank-and-file employees, persons
194 with disabilities, youth, LGBTIQ persons, human rights defenders, and migrants suffer exclusion from
195 the mainstream of social, economic, and political aspects of Southeast Asian societies and
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197 communities. ASEAN member states, either by indifference or by deliberate effort, have allowed
198 LGBTIQ persons to be targeted as threats to national security and public morality.

199
200 ACSC/APF deplores the rise of authoritarian regimes, the shrinking civic space in the region, and the
201 ineffectiveness and inaction of AICHR in addressing human rights issues of Southeast Asian peoples.
202 Commissioners are appointed in a non-democratic manner while civil society groups face difficulties in
203 engaging with AICHR officials and representatives.

204 **Recommendations to ASEAN governments:**

- 205 • Ratify the International Convention for the Protection of All Persons from Enforced Disappearances
206 (CED) and recognize that enforced disappearances are a crime against humanity;
- 207 • Support and assist independent human rights investigations and international fact-finding missions
208 in countries or areas of critical circumstance;
- 209 • Establish new human rights architecture/bodies and transform AICHR from an intergovernmental
210 commission to an independent and autonomous body and strengthen its mandate for information
211 gathering/fact finding and providing justice for victims;
- 212 • End all forms of militarism and the misuse of emergency laws and security related legislation;
- 213 • Respect the fundamental rights of peoples including freedom of expression, association and
214 assembly, release all political prisoners/detainees and drop all charges against dissident voices;
- 215 • Promote, enhance, formalize, respect, and trust human rights defenders especially the youth and
216 enable their participation in all decision-making processes;
- 217 • Affirm the civil and human rights of LGBTIQ persons in accordance with international human rights
218 standards; and,
- 219 • Review and revise the ASEAN Charter particularly on providing spaces for CSOs to engage fully at
220 the policy and implementation levels.

221 **III. Trade, Investment and Corporate Power**

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226 ASEAN governments continue to push for a corporate-driven development framework/paradigm that
227 has worsened poverty and inequality, undermined peoples' rights, intensified vulnerabilities, and
228 destroyed fragile ecosystems. Trade and investments continue to be the main drivers of economic
229 growth and development in Southeast Asia. Governments have defaulted on their responsibility for
230 economic development in favor of corporations, prioritized investor protection while weakening
231 regulation, and continue to push for unjust international trade and investment agreements such as the
232 Regional Comprehensive Economic Partnership Agreement (RCEP).

233
234 The expansion of special economic zones, capitalist ocean grabbing, and mega infrastructure projects
235 have displaced and marginalized communities of farmers, fishers, rural women, and indigenous
236 peoples and ethnic nationalities. There is also an alarming rise in extra-judicial killings of environmental,
237 land and human rights defenders.

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239 But peoples' resistance to the above developments continues and is intensifying. The building of
240 alternatives is also underway anchored on various community-based initiatives.

241 **Recommendations to ASEAN governments:**

- 242 • Stop corporate attacks on workers, farmers, indigenous peoples and ethnic nationalities and local
243 communities, and hold governments and corporations accountable amid prevailing investment
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246 liberalization and the corporate capture of the sustainable development agenda driven by
247 international finance institutions;

- 248 • Put in place stronger and more effective regulations that curb the power of corporations and are
249 anchored on protecting people's rights and promoting peoples' welfare;
- 250 • Reject RCEP and other new generation free trade agreements, and initiate processes to review
251 existing trade and investment agreements; and,
- 252 • Support the process towards a legally binding instrument on TNCs and human rights at the United
253 Nations Human Rights Council and support other such mechanisms to exact accountability of
254 corporations for human rights abuses and provide effective remedies and access to justice.

255 **IV. Ecological Sustainability**

256 Southeast Asia is facing multiple environmental crises. Lands, forests, rivers, biodiversity, water and
257 air quality, which are critical to people's well-being and sustainable development, are being polluted,
258 degraded and destroyed. Climate change is exacerbating these impacts, undermining people's
259 resilience and increasing displacement. The prioritization of economic interests and corporate profits
260 are marginalizing environmental concerns and crippling people's rights. A people-centered ASEAN,
261 which is just, prosperous, and genuinely sustainable, cannot be achieved unless the roles, rights and
262 livelihoods of people are respected and upheld.
263

264 **Recommendations to ASEAN governments:**

- 265 • Launch a fourth strategic pillar on the environment, to put international best practices and
266 environmental sustainability at the center of decision-making;
- 267 • Ensure transparency and public participation in environmental decision-making. Establish an open
268 access e-data platform on development, infrastructure, energy and land projects including project
269 information and impact assessments to outline both trans-boundary and accumulative impacts;
- 270 • Ensure and guarantee genuine free, prior and informed consent (FPIC) of indigenous peoples and
271 ethnic nationalities in development projects and promote best practices for implementing FPIC by
272 corporate actors.
- 273 • Strengthen and enforce legal regimes to monitor and punish environmental polluters;
- 274 • Prioritize energy policies and plans that ensure just energy transitions that maintain the integrity of
275 ecosystems and respect the rights and well-being of people;
- 276 • Promote allocation of resources to support people in creating and developing environmentally sound
277 social innovations and people-centered markets, trade and investment; and,
- 278 • Recognize local communities' rights over their land and resources. Ensure their rightful participation
279 in all development decisions affecting their lands, life and survival, environment and future.
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281 **V. Innovation, New and Emerging Technologies and Digital Rights**

282 New and emerging technologies promoted to address climate, food and environment crises and raise
283 productivity and efficiency are mostly developed and controlled by corporate interests, making it
284 inaccessible to local communities and detached from the needs and realities of Southeast Asian
285 peoples. Corporate digital platforms are being run without meaningful peoples' participation in
286 governance; and data are being collected without informed consent and mainly for profit.
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293 **Recommendations to ASEAN governments:**
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- 295 • Channel resources, support, and upscale participatory, transparent and democratic governance of
296 technologies, ensure peoples' ownership and control of their data, and evaluate the potential impacts
297 on human health, society, livelihood and the environment prior to technological deployments;
298 • Uphold and integrate people's digital rights in the ASEAN digital masterplan, on cybersecurity
299 cooperation, and data protection and privacy; and,
300 • Immediately stop prosecuting and drop all pending charges against activist filmmakers and
301 journalists for posting content, videos, and photos on social media.
302

303 **VI. Migration**

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305 Despite the 2018 adoption of the ASEAN Consensus on the Protection and Promotion of the Rights of
306 Migrant Workers, the framework, documentation and nationality of migrant workers and their family
307 members remain the main challenges for upholding migrants' human rights and fundamental freedoms
308 on citizenship, fair wages, affordable working permits, simple application processes, debt bondage,
309 and social protection issues including health, trafficking, abuses and modern slavery.
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311 **Recommendations to ASEAN governments:**
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- 313 • Promote and protect human rights of migrants by strengthening existing mechanisms for both
314 documented and undocumented workers and their families;
315 • Undertake effective consultation and collaboration with civil society and trade unions in the
316 implementation of the ASEAN Consensus on the Protection and Promotion of Migrant Workers;
317 • Protect the rights of refugees and asylum seekers, including preventing their forcible return to a
318 country where they face prosecution (non-refoulement) and advance progress across the region on
319 refugee legal status, work rights, and access to education and health care; and,
320 Recognize and address the vulnerability of stateless people, especially girl-children, by establishing
321 a single protocol and standard in defining legal identity.
322

323 **VII. Life with Dignity (decent work, health and social protections)**

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325 Most people in Southeast Asia continue to experience poverty, vulnerability, and inequalities. Majority of
326 the work force, including migrant workers, are engaged in the precarious informal economy. Non-
327 adoption and implementation of the ILO Core Labor Standards, and lack of rights awareness have
328 aggravated workers' conditions. Social protection to address inequalities and ensure vulnerable groups
329 from falling into poverty have remained limited and largely temporary. The social dimension is clearly
330 missing in ASEAN. But there exist alternative development practices by and among peoples that may
331 be promoted as alternatives to ASEAN's business-oriented economic integration.
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333 **Recommendations to ASEAN governments:**
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- 335 • Legislate and implement a rights-based and inclusive social protection framework, policies, and
336 processes, ensure living wage and income for all;
337 • Ratify and implement the ILO core labor standards essential to creating conditions to achieve decent
338 work, guarantee universal healthcare for all, and end efforts at privatizing health and other public
339 services;

- 340 • Commit to dialogues, collaborate and share knowledge and resources towards advancing a common
341 agenda to realize a life of dignity for all with people’s movements, trade unions, NGOs,
342 parliamentarians, and academe;
- 343 • Recognize sex work as work and repeal laws and rescind policies that criminalize and stigmatize sex
344 workers and violate their rights; and,
- 345 • Commit to the ILO-recommended 6% international minimum standard country budget allocation for
346 social protection and continue to increase the fiscal space for universal social protection.

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349 **Future directions and alternatives for ACSC/APF**

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351 In order to build a stronger network of Southeast Asian peoples supported by civil society organizations,
352 social movements and people’s organizations, ACSC/APF will undertake the following:

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- 354 • Intensify engagements with and hold governments accountable on human rights, peace and
355 security, trade and investment, ecological sustainability; new and emerging technologies and digital
356 rights; migration; decent work, health and social protection, and other critical issues;
- 357 • Continue to disseminate and demand meaningful responses from ASEAN leaders and governments
358 on the three major CSO statements on social protection, decent work and social services and the
359 ACSC/APF proposed framework for an ASEAN-civil society dialogue on environment that
360 recommends a fourth strategic pillar on the environment;
- 361 • Strengthen assertions by civil society and people’s movements of the people’s right to determine
362 their development path and enjoy the outcomes of community-driven development;
- 363 • Emphasize activities and campaigns in public places related to peoples’ culture and art through
364 various cultural forms and platforms;
- 365 • Create a platform for the engagement of younger generation of activists and human rights defenders
366 in order to promote their full and meaningful participation in all decision-making processes;
- 367 • Broaden alliances by civil society and people’s movements and intensify advocacies and campaigns
368 against unjust trade agreements such as RCEP and expose their negative impacts on peoples and
369 communities;
- 370 • Recognize and support social and solidarity economy initiatives of the people as countervailing
371 alternatives to global neoliberal capitalism, and as integral components of a people-oriented
372 Southeast Asian regional integration;
- 373 • Continue to monitor the process of Timor Leste's accession into full ASEAN membership. In solidarity
374 with the people of Timor Leste, we take the principled view that ASEAN membership must not be
375 accompanied by corporate or foreign plunder of its natural resources or endanger its people's rights;
376 and,
- 377 • Finally, given that years of ACSC/APF engagement with the official ASEAN process have been met
378 with lack of attention to the recommendations raised, resulting “in minimal outcomes in the
379 substantive improvement in the lives of our people,” undertake a process for an alternative peoples’
380 regional integration based on the alternative practices of communities, sectors, and networks.
381 Accordingly, ACSC/APF will adopt the appropriate resolution related to the proposed process.

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383 Through all these years, Southeast Asian peoples have been subjected to all forms of indignities and
384 oppression that have made lives untenable for the great majority. The transformation of these
385 conditions for the better is long overdue. Civil society organizations and peoples’ movements must
386 persist in advocating peoples’ and grassroots’ voices and interests and in pursuing greater popular
387 participation in decision making on policies, programs, and projects.

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