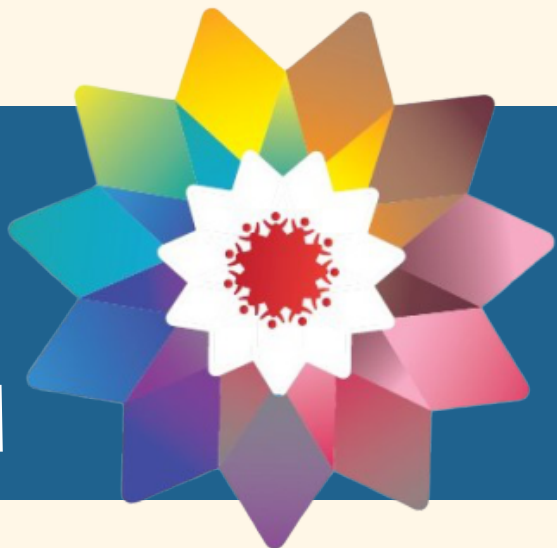


ASEAN CIVIL SOCIETY CONFERENCE / ASEAN PEOPLES' FORUM



2019



TAIWAN FOUNDATION
for DEMOCRACY
財團法人
臺灣民主基金會



HEINRICH BÖLL STIFTUNG
SOUTHEAST ASIA

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2019

2019 ACSC/APF IN SHORT

1,046

PEOPLE PARTICIPATED IN THE 2019 ACSC/APF



7

CORE THEMATICS DISCUSSED

34

RECOMMENDATIONS FROM THE CIVIL SOCIETY TO ASEAN GOVERNMENTS

10+1

ALL ASEAN COUNTRIES AND TIMOR-LESTE WERE REPRESENTED DURING THE CONFERENCE

40

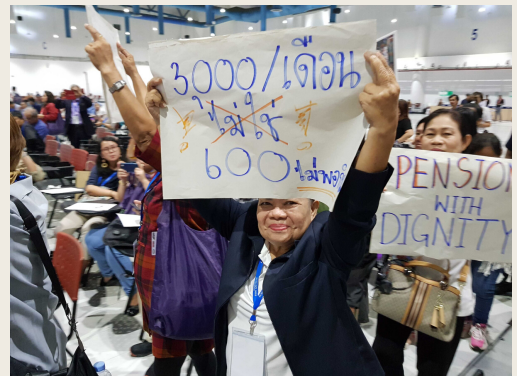
WORKSHOPS ORGANISED

PREFACE

As ASEAN is moving towards the envisioned “ASEAN Community of 2025”, it is essential that the civic participation among its 645 million population plays an important role to foster a collective sense of belonging and pride. For the past five decades, ASEAN has gone through trials and errors trying to survive in a world of uncertainty. It has been quite a remarkable journey for the ten member states association, which comprises diverse languages, cultures, politics, and economics to work together and stay united. During the remaining five years towards the “ASEAN Community of 2025”, it is imperative for the ASEAN bureaucrats and their national entities to work harder to ensure the ASEAN founding fathers’ dream of building one Southeast Asia that is respected within the international community.

The ASEAN People’s Forum (APF) has been the most tangible and effective way to gain inputs from grassroots and civil society organisations. Each year, several hundreds of participants from all ASEAN member states converge together and share their common experiences and aspirations. They all have common objectives in transforming the ASEAN Community that is inclusive, sustainable, resilient and dynamic. During the Thai chairmanship of ASEAN, the APF proceeded smoothly with two-way communications between the ASEAN chair and the representatives of civil society organisations. The first-ever town-hall between the ASEAN chair and non-governmental organisations represented a remarkable step for building the ASEAN Community that is belonging to everybody.

Kavi Jongkittavorn
Journalist



INTRODUCTION

The year 2019 was of great importance for Thailand. Firstly, it was a year where Thailand had the honour and the responsibility of the ASEAN Chairmanship. To be Chair of ASEAN is indeed an honour as it represents a rare opportunity to gather all ASEAN governments under one vision of ASEAN. However, it is also a responsibility as this vision must encompass the needs of all peoples from ASEAN. Secondly, 2019 was also the year that was supposed to mark, with the first election in five years, the end of the military dictatorship established in Thailand after the coup d'état of 2014, and to bring back democracy.

It consequently goes without saying that for the Thai civil society, 2019 was a busy year. As Thailand's Chairmanship of ASEAN had already started, the 2019 Thai election acted as a reminder that democracy, more than a sum of votes, is a commitment from a government to its people. It also reminded us of the path that ASEAN still needs to take in order to be an institution that can guarantee that democracy and human rights are respected within all of its members and for all of its people. Because ASEAN is more than a college of governments: it is a community that gathers the very diverse peoples from all ASEAN countries.

As the National Organising Committee (NOC) of the 2019 ASEAN Civil Society Conference/ASEAN People's Forum (ACSC/APF), it has been an honour to welcome this community and to provide them with a space to discuss ASEAN's human rights challenges. During the three days the conference lasted, the ACSC/APF offered a platform for the civil society of all ASEAN countries and Timor-Leste to share on and to discuss the issues that most affect their communities. There is no doubt that the meaningful debates, meetings, workshops and conferences actively participated in advancing people's movements for justice, peace, equality, sustainability and democracy in Southeast Asia.

The 2019 ACSC/APF made the ASEAN's civil society stronger, and further reinforced its sense of solidarity and cooperation. In addition, the NOC had the pleasure to welcome for this edition of the ACSC/APF high-ranking officials from four ASEAN countries for a constructive Town Hall—the first one since 2014. The NOC would like to sincerely thank everyone who made this Town Hall possible and hope that similar efforts to ensure good cooperation to advance peace and human rights in ASEAN will only grow further in the future.

The NOC would also like to express its utmost gratitude to the Swedish International Development Cooperation Agency, the Taiwan Foundation for Democracy, the Aids Healthcare Foundation, and the Heinrich Böll Stiftung Southeast Asia office. Their generous support made the organisation of the 2019 ACSC/APF possible and actively participated in the promotion of democracy and human rights in Southeast Asia.

During the 2019 ACSC/APF, the civil society of ASEAN has spoken loudly and with passion, as always. It is now time for ASEAN governments to show that they listened, and that they are willing to collaborate to improve the lives of all the peoples of ASEAN.

Chalida Tajaroensuk
Co-Chair of the 2019 ACSC/APF

WHAT IS THE ACSC/APF

The ACSC/APF is the annual forum of the civil society in Southeast Asia. This conference is organised in parallel to the ASEAN Summit. The ACSC/APF aims at creating cooperation in the region to foster inclusive development by offering a platform to grassroots communities where they can directly share their concerns with ASEAN leaders. At the end of the forum, representatives from the ACSC/APF write a final statement, which encompasses the voices from all participants. During the 2019 edition, the ACSC/APF gathered 1,046 participants at the Thammasat University in Bangkok, Thailand. Additionally, representatives of the ACSC/APF officially met with ASEAN leaders during an “interface meeting”. Such a meeting was extremely encouraging as it could only occur five times since the establishment of the ACSC/APF. The ACSC/APF has been formally established in 2005 in Malaysia and has been organised annually until today.

The ACSC/APF has been constantly working with a wide range of groups in all ASEAN member states and Timor-Leste in order to guarantee that the ASEAN population as a whole would be represented. Given that the aim of the ACSC/APF is to raise the voices of the unheard, it has predominantly worked with underrepresented and marginalized groups, such as grassroots communities, indigenous people, refugees, LGBTQI communities, migrant workers, displaced people, youth groups, farming and fishing communities, and sex workers. The ACSC/APF has always aimed at representing the wide diversity of the ASEAN population, and the diversity of the challenges it faces. As stipulated within the ASEAN charter, the ACSC/APF has the mandate to reinforce ASEAN as a “people-centred” intergovernmental institution.

YEAR	HOST COUNTRY	THEME	INTERFACE MEETING
2005	Malaysia	Building A Common Future Together	✓
2006	Philippines	Creating a Caring and Sharing Community – Enhancing People’s Participation in Governance and Development	✗
2007	Singapore	Moving-Forward Building an ASEAN+ People’s Agenda	✗
2009	Thailand	Advancing a People’s ASEAN: Continuing Dialogue	✓
2010	Vietnam	Solidarity and Action for a People Oriented ASEAN	✗
2011	Indonesia	Claiming a People-Centered ASEAN for a Just Global Community	✓
2012	Cambodia	Transforming ASEAN into a People Centered Community	✗
2012	Cambodia	Making a Peoples Center ASEAN a Reality	✗
2013	Brunei	ASEAN: Building Our Future Together	✗
2014	Myanmar	Advancing ASEAN People’s Solidarity Toward Sustainable Peace, Development, Justice and Democratization	✗
2015	Malaysia	Reclaiming the ASEAN Community for the People	✓
2016	Timor-Leste	Expanding People’s Solidarity for a Just and Inclusive ASEAN Community	✗
2017	Philippines	Beyond Boundaries: Strengthening People’s Solidarity	✗
2018	Singapore	Empowering People’s Solidarity Against All Forms of Discrimination	✗
2019	Thailand	Advancing People’s Movements for Justice, Peace, Equality, Sustainability and Democracy in Southeast Asia	✓

REGIONAL COMMITTEE MEETING

The Regional Committees Meeting (RCM) took place between May 1-3, 2019, at the Chada Hotel in Bangkok, Thailand. It gathered 42 people from 37 organisations from all ASEAN countries and Timor-Leste. This meeting was of great importance as it enabled the committees to take important decisions on the 2019 ACSC/APF and its organisation. Indeed, it is for instance during this meeting that the conference's motto "Advancing peoples' movements for justice, peace, equality, sustainability and democracy in Southeast Asia", was adopted. Additionally, the regional committees also had the opportunity during the meeting to deal with other issues such as the expected number of national and regional participants, the different venue options and how to guarantee the safety of every participants. Finally and most importantly, the RCM enabled the committees to establish the main themes of each convergence spaces that would govern the conference.

During the RCM, the committees decided that the 2019 ACSC/APF would be organised around the following seven core themes:

1

HUMAN RIGHTS, DEMOCRACY AND ACCESS TO JUSTICE

The rise of populist governments and the deterioration of human rights in the region have led to concerning violations. This convergence space was meant to offer a platform to discuss these violations, and the strategies to address them.

2

MIGRATION

As ASEAN is a regional intergovernmental organisation, discussing migration and its consequences on the ASEAN people is essential. This workshop notably shed light on some of the most concerning issues, such as the ones of migrant workers and refugees.

3

PEACE AND SECURITY

Given the human rights violations and the atrocities committed across Southeast Asian countries, peace and security has been a core theme of every ACSC/APF, including this year's edition.

4

TRADE, INVESTMENT, AND CORPORATE POWER

Trade agreements, speculation and corporations have often had a considerable negative impact on the human rights situation in Southeast Asia. Most often, the development projects that increase the wealth of corporations are the same that violate the rights of local communities.

5

ECOLOGICAL SUSTAINABILITY

Many Southeast Asian countries have already suffered from the consequences of climate change, which particularly impact vulnerable communities. This convergence space was meant to focus on the challenges that climate change poses and on the creation of a fourth environmental ASEAN pillar.

6

INNOVATION, NEW AND EMERGING TECHNOLOGY, AND DIGITAL RIGHTS

Within the next decade, the effect of new technology and automation will be considerable on ASEAN workers with un-specialised skills. This space provided a space for CSOs, NGOs and international experts to press ASEAN in order to ensure that no one is left behind on the way to technology advancement.

7

LIFE WITH DIGNITY (DECENT WORK, HEALTH AND SOCIAL PROTECTIONS)

While ensuring a life with dignity is one of the core objectives of the human rights agenda, the working conditions of many people in ASEAN make it impossible to achieve it. Through this convergence space, participants were invited to analyse what should be done to ensure that every ASEAN workers and individuals have access to quality healthcare and social protections.

THE 2019 ACSC/APF IN CONTEXT

National and regional context: a complicated political landscape for Thailand and ASEAN

On March 2019, Thailand had its first election since the military coup of 2014, which was supposed to put an end to the ruling of the National Council for Peace and Order (NCPO), the military junta that had governed the country for the past 5 years. However, many observers contested the election, qualifying its results as unfair and illegitimate. On the one hand, the 2017 constitution, drafted during the military regime, established a military-appointed Senate and new electoral rules that disadvantaged pro-democracy parties. On the other hand, many observers expressed concerns regarding vote buying practices that are thought to have influenced the elections. As a consequence, Prayut Chan-o-cha, former leader of the NCPO, was unsurprisingly re-elected as prime minister.

This political context is important as, contrary to the tradition within ASEAN, a country under military governance were able to become the Chair of ASEAN.

This implied that the respect of human rights and democracy is not a sine qua non condition to assume the chairmanship of ASEAN. Moreover, by allowing Thailand to be the Chair of ASEAN in 2019, ASEAN enabled the new government created by Prayut Chan-o-cha to gain international legitimacy in spite of the controversies related to the 2019 election.

In parallel to Thailand's problematic political landscape, ASEAN has faced some of the world's biggest human rights challenges and worst atrocities, with for instance the suppression of individual freedoms in many countries, and with the ongoing Rohingya genocide occurring in Myanmar. In this difficult context, the ACSC/APF is, more than ever, a crucial space for ASEAN's civil society to raise its concerns and to call for immediate actions from all ASEAN governments.

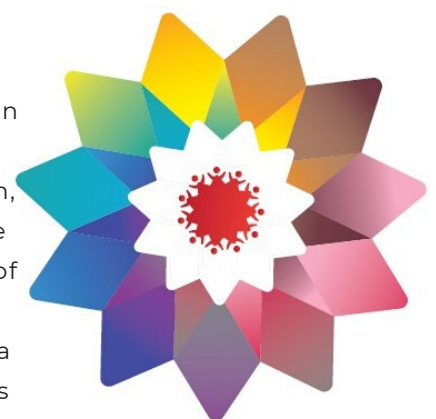
The Venue

The 2019 ACSC/APF took place at the Thammasart Rangsit University Campus in Bangkok, Thailand, between September 10-12, 2019. Overall, more than a thousand of people came from all ASEAN countries and Timor-Leste. Aware of the critical environmental situation we are living in, the conference was organised, as much as possible, according to the principle of zero waste. This is why every lunch and food break were served with re-utilisable plates and cutlery.

The Logo

The 2019 ACSC/APF's logo was inspired by the flower widely represented within Thailand's traditional artistic culture. Throughout history, the shape of this flower has been used as decoration on jewellery, in architecture in order to decorate temples' ceiling and on pieces of clothes. This traditional flower has been used to represent Thailand's 2019 ASEAN's chairmanship, that gathers the ten ASEAN nations and Timor-Leste, embodied by the eleven petals.

Similarly, the colour gradient has been used to represent the harmony that can exist in this community, which goes beyond the boundaries of race, religion, gender, age and education. At the core of the logo stands the eleven peoples of Southeast Asian countries, acting as a reminder the peoples of Southeast Asia is the core of ASEAN and should always be at the centre of its action.



ACSC / APF 2019
BANGKOK

CONVERGENCE SPACE

Ten years after having organised its first ACSC/APF, the Thai civil society had the responsibility to organise the conference's 2019 edition. Following the strategy established during the 2017 ACSC/APF in the Philippines, the Thai NOC decided to divide the conference into a total of seven convergence spaces. These convergence spaces provided a platform to discuss ASEAN's key issues by enabling ACSC/APF participants to take part in meetings, workshops, presentations and many other activities related to their field of work.

Similar to the past editions in the Philippines and Singapore, this strategy was a huge success. In addition to having generated meaningful discussions around the biggest challenges that people from ASEAN are facing, it has also allowed Civil Society Organisations (CSOs) and Human Rights Defenders (HRDs) to better strategize at a national and regional level. This chapter will present the seven conference spaces of the 2019 ACSC/APF and shall present some of the core issues that they enabled to address.

During the three days of the conference, ASEAN's civil society actors had the opportunity to attend among 40 different workshops on the key themes and issues that ASEAN peoples are facing. This chapter shall presents the main discussions it created.

Convergence Space 1 - Human Rights, Democracy, Access to Justice

Over the past recent years, the human rights situation in ASEAN countries has considerably deteriorated. From the raise of populist governments to some of the worst atrocities committed against minority groups, the situation is extremely concerning, and requires immediate action—not only to guarantee people's fundamental rights, but their very safety.

This convergence space was dedicated to address the human rights situation in ASEAN and to give a platform for the millions of people who suffer from some of the worst violations and whose voices are being smothered. The convergence space was organised into seven workshops.

Amidst Rising Authoritarianism in ASEAN: What is “Democracy”?

Throughout ASEAN countries, fundamental freedoms have shrunken, and authoritarianism has eroded the values and the principles ASEAN claims to uphold and to be built upon. In Thai-

-land for instance, the civil society has been more and more challenged since the coup of 2014 and the law has been regularly modified to limit the rights of minority groups. Similarly, extrajudicial means have been used in order to silent critics of ASEAN governments. In 2019, a Lao migrant worker disappeared in a context that led to believe that he was taken by intelligence agents. Another case involved a Vietnamese blogger who was taken in Bangkok and resurfaced later in Hanoi.

Thailand is however not the only example of authoritarian regime. In the Philippines, Duterte's “war on drug” has led to systematic human rights violations and to a society where extrajudicial killings are endorsed by the government. It was also reported that evidence of violations are being destroyed. In addition, Mindanao is still a state under martial law and, as a consequence, a region were freedoms of expression and assembly are being ignored.

Such instances are extremely worrisome as they reveal a much bigger trend in ASEAN: authori-

-tarian regimes have considerably limited the civil space and have hold heavy cost on minority groups (e.g. indigenous people, people with disabilities, LGBTQI, etc.).

On Rising Populism and Othering in ASEAN: Protecting Rights and Freedoms of Ethnic-Religious and LGBTQI+ Communities

This workshop discussed how populist narratives participate in further limiting the rights of minority groups and LGBTQI in particular. It has showed how populism, by creating a narrative in which only one vision of nation is accepted, alienate any group that deviate from it. In addition, given that populism is built around the notion of security and, more accurately, the security of “its” people, it implies that any group which does not fit in what populism defines as its own, becomes a threat. This “othering” strategy is a narrative that is widespread within the region. For instance, four ASEAN countries have laws that criminalize homosexual acts and most authoritarian regimes hold homophobic discourses. Such a discussion enabled a broad discussion on the place of minority groups in ASEAN and of the importance of providing the civil society with adequate means to address this dangerous narrative. However, minority groups most often—if not always—lack the necessary funding to achieve their work: for instance, only 1% of the funding devoted to civil society are dedicated to women indigenous groups.

Strengthening the role of AICHR to address peace and human rights issues in ASEAN

The ASEAN Intergovernmental Commission on Human Rights (AICHR) has been the source of major disappointment by the civil society in ASEAN. Its lack of effectiveness has created an atmosphere where AICHR is not seen as a legitimate and viable partner to protect the rights of the people in the region. In 2019, Forum-Asia completed a report that assessed the performance of the AICHR in upholding its protection mandate over a decade. The conclusion is that in order to fulfil its mission, AICHR needs to go through significant reforms and that better mechanisms need to be created within ASEAN for human rights violation cases to be properly treated.

The 52 years of ASEAN: Where is the people?

While the ASEAN has been created 52 years ago, most of its population are still unaware of what it truly is, and where they can stand within its structures. Through this workshop, experts presented the result of the research paper “ASEAN Civil Society Engagement, Strategic Approach to ASEAN Structure and Policy Body” and discussed the way ASEAN people and CSOs can engage with ASEAN's structure and its policy body. The workshop highlighted the importance for ASEAN to encourage positive engagement and to create space for the civil society to be able to actively participate within its structures.

In Defence of Rights Defenders: A Forum Workshop in the State of Human Rights and Defenders in Southeast Asia

This workshop observed the Chatham House rule and focused on HRDs' situation and the ways to better protect them within ASEAN. With the raise of populist and authoritarian governments, the situation for HRDs has deteriorated, resulting in increasing violence towards them. For instance, within ASEAN, most countries observe some sort of repressive laws that have limited freedoms of expression and of assembly. Given that these two freedoms are essential to HRDs work, their limitations correlate to an increasing danger for anyone who criticize their governments in ASEAN. In addition, judicial harassment has also been used to intimidate and silent defenders. In Myanmar for instance, hate speech has been used to delegitimise the Rohingya community, and in many ASEAN countries, SLAPP pursuits have been a powerful tool used by companies to exhaust defenders' financial and emotional resources. Recent reports also highlighted that land and environmental defenders are particularly at risk in the region, suffering from violent repression and violence that can result to the murder of the defender (e.g. people protesting against dam development projects, the crisis in West Papua, etc.). In a negative and murderous dynamic, governments in the region influence one another in the way they limit and endanger HRDs. For instance, the “war on drugs” in the Philippines has been seen as a model in Sri Lanka.

The ASEAN Enabling Masterplan 2025: Creating Civil Society Partnership for Inclusive and Diverse Political Participations

The ASEAN Enabling Masterplan 2025 is a key policy document aimed at advancing the rights of persons with disabilities within ASEAN countries according to the SDGs. Through this workshop, panellists presented the different ways this masterplan can be used in order for civil society to better advocate and gain leverage when pressing for the rights of people living with disabilities. In addition, given that the ASEAN Enabling Masterplan 2025 is a regional policy paper, it can be helpful to create a regional movement to press ASEAN governments for better and more inclusive political participation.

Youth Demanding Human Rights and Democracy in the Region

Young people are essential in the human right movement in ASEAN countries. However, at the same time, youths are usually kept away from political processes and discussions. In Myanmar for instance, there is no mechanism or institution that specifically focus on young people and no meaningful engagement are created with younger generations. Similarly, the militarization of some countries in ASEAN (e.g. Thailand and the Philippines), or political censorship (e.g. Cambodia, Laos, Vietnam) have created a space where youth activism is dangerous and where nothing is made to encourage them to take part in political processes. In spite of these challenges, young people are vibrant and resourceful and find innovative ways to get and share information, such as notably through social media. This workshop also insisted on the necessity to build solidarity among young people and HRDs across ASEAN countries.

Convergence Space 2- Migration

As an intergovernmental organisation, one of ASEAN's key issue is the one of migration. While ASEAN is a regional institution, the countries that compose it are without any doubt delimited by national borders. This implies that ASEAN has a role to play in order to guarantee good cooperation on migration issues among its member states. In addition, although ASEAN

adopted the ASEAN Consensus and the Protection and Promotion of the Rights of Migrant Workers, there are still many migration related issues within ASEAN that need to be addressed. This workshop enabled these issues to be presented and discussed, and panellists had the opportunity to present what CSOs and local communities have done to address them.

Session 1: Future of Work and Migration-promote decent work

Migrant workers, while being essential to ASEAN economy, are often seen as a source of problems by governments, which do not provide them with the necessary protection they need and deserve. Indeed, migrant workers are most commonly referred to as workers with “no-skills”, which is inaccurate and present them as non-valuable members of society. This workshop firstly highlighted that ASEAN needs to start recognizing the value of migrant workers by: 1) including the topics of migrant workers within its economic branch, for their economic participation to be recognized, and 2) stop referring to them as people with no skills, but as working with unspecialized or low skills, to acknowledge that all migrants have a wide range of skills that enable them to participate to the workforce and therefore to the economy.

Secondly, this workshop recognized that ASEAN made some efforts towards protecting migrant workers when it ratified in November 2017 the consensus on the protection and promotion of the rights of migrant workers. While this consensus aimed at responding to some of the challenges that ASEAN migrant workers face, it was not enough to respond to the 3 main drivers of change that will drastically impact them. The first one is that it is estimated that due to automation and technical progress, a significant number of migrant workers will become unemployed within the next decade. ASEAN needs to address this issue and offer opportunities to migrant workers to accompany them during the technological transition. The second driver of change is that the job market is going through a drastic change as new forms of employment are growing. New technologies are enabling the creation of new jobs—as for

example "Grab Driver"—but such new forms of engagement are not providing the same social security that traditional employment offers. The third driver is the aging of the world population, that has created new jobs for ASEAN citizens. For instance, the Philippines has a wide diaspora mostly composed of women going overseas to provide care for, predominantly, elderly people in western countries. In this context, how can ASEAN ensure that the rights of its workers are respected, wherever they might be working? All of these drivers of change raise several and significant challenges that ASEAN needs to address if it does want to ensure their protection. While the consensus ratified in 2017 is a step in the good direction, many others need to be taken to advance on the right path.

Session 2: Migration and human Trafficking in Southeast Asia

Even though many ASEAN countries have laws that prohibit prostitution, sexual exploitation is still very present in all ASEAN countries. Because of the instability of their situation, migrant workers—especially women—are particularly in danger of human trafficking. This situation is extremely concerning and request immediate and strong action from ASEAN. During this session, panellists discussed the many forms of violence—physical, sexual, emotional and economic—that women migrant workers experience and what should be done to effectively address this issue.

Session 3: Migration, identity, stateless: state policy and people marginalization

This workshop discussed how migrant women can be particularly discriminated against in ASEAN. More specifically, it focused on how the AEC policies have had a negative impact on migrant women and how border towns, such as the city of Mae Sot, Thailand, have become a destination for migrants from a very diverse ethnic and religious backgrounds. State policies have led those migrants and their children, who most often flee their birth places due to conflict in their areas, to becoming stateless. This is even more concerning for migrant women and girls who, due to a lack of protection, become

vulnerable to gender-based violence, human trafficking, slavery and early marriage. This workshop enabled to discuss what ASEAN states can do to prevent this from happening.

Session 4: Fish Out of Water: a fishbowl discussion on refugees in ASEAN

ASEAN, as a regional intergovernmental institution, is closely interlinked—the same can be said about its population. Inevitably, migration raises a wide range of questions and issues that need to be addressed from a regional perspective. This workshop led to discussing some of ASEAN's most sensitive migration related issues, such as the refugee crisis created by instability within its borders, as well as outside them. In addition, this workshop enabled participants to consider the problem related to the protection of political activist and refugee across ASEAN: can their safety be ensured if they stay within the same regional institution?

Session 5: Stay-Behind Children of Migrant Workers in Indonesia, the Philippines, and Myanmar: A Human Rights Perspective

The situation of stay-behind children of migrant workers has been a rising issue in ASEAN. This workshop focused on the situation in three ASEAN countries: Indonesia, the Philippines, and Myanmar. Reports have showed that in these countries, stay-behind children are particularly vulnerable and while these three geographical contexts share similarities, many differences exist. This workshop focused on what these contexts had in common, and in what way they were different, and what advocacy strategy would be the most effective.

Convergence Space 3: Peace and security

Peace and security may sometimes paradoxically seem to be the exact opposite from one another, for peace can be easily sacrificed under the name of security. This theme is particularly important for ASEAN, as some of the world's most sensitive peace and security issues are occurring within its borders. From the atrocities related to the Rohingya genocide, to the complex situation of the South China Sea, peace

and security can easily be threatened. Below are the most important discussions on peace and security within ASEAN.

Extend and limit of ASEAN adoption of Women, Peace and Security agenda and SDGs

While ASEAN governments have adopted SDGs and have therefore adopted the aim to end poverty, protect the planet and ensure peace to all of its population, human rights violations are common in the region. This workshop focused on what ASEAN does to address such violations and what CSOs, especially in Cambodia, can do to hold states accountable for their violations of human rights, and for their commitments to SDGs. It also discussed the new Centre for Sustainable Development Studies and Dialogue that ASEAN established in 2019, and which is aimed to act as a regional mechanism to coordinate and improve cooperation on sustainable development in the region.

Challenges to Peace and security and people's responses in Southeast Asia (2 parts)

Over the past few years, right-wing narratives have dominated global politics. In addition, populism, religious fundamentalism and xenophobia have all gained in popularity, enabling far-right parties to access power all over the world. Such a trend is dangerous as it has led to threatening national and international securities and has been the source of violent conflicts. In Southeast Asia, national perspectives have also endangered the solidarity in the region among governments, but also among CSOs and the general public. The South China sea contentious has created tensions between Vietnam and the Philippines and weakened ASEAN unity against China's expansionist strategy in the area. In addition, internal security issues and the ever environmentally destructive economic policies have generated new sources of danger for the livelihood of ASEAN peoples. This two-parts workshop enabled its participants to discuss all these new challenges and provided a space for them to better strategize and to create a sense of unity among CSOs in order to properly address them.

Songs and Struggles: Cultural Activism in Southeast Asia

This workshop focused on how artists participate in addressing human rights issues and in advancing the struggles of ASEAN peoples in the region. Indeed, artists and cultural activists such as musicians, visual artists and filmmakers have made significant contributions to the efforts for the promotion of human rights and democracy by inspiring, denouncing, and mobilizing people for a more just ASEAN society. The workshop notably discussed the influence of several campaigns such as the Tolak Reklamasi (Resist Reclamation) campaign in Bali, the one against extra-judicial killings in the Philippines, the campaign to support workers and labour rights in Cambodia, or the campaign to advance environmental and indigenous rights in Thailand and in the Philippines. In addition, the workshop also focused on the specific challenges that artists face in their endeavour to use art to denounce injustice and mobilise people towards a fairer world. In a context where the civil space is shrinking, artists' contributions to human rights dialogue is even more important as art appears as a mean to create a space where authoritarianism is growing.

Convergence Space 4: Trade, investment, and corporate power

Given that most of our society is organised around its economy, it is essential to understand how finance impacts human rights. In all ASEAN countries, trade agreements and corporations have had terrible impacts on human rights—from local communities having their lands grabbed to farm workers being denied their basic rights. This convergence space offered the opportunity for civil society actors to discuss the negative impacts that trade agreements and corporations have had on their communities, and what strategies they have established to address such issues.

Workshop 1: People's Demands to Reject RCEP

This workshop was organised into two parts. The first offered a space where grassroots activists had the opportunity to speak out against the Regional Comprehensive Economic Partnership

(RCEP) and explain the negative effects it would have on their communities. Such concerns included notably the lack of transparency of the RCEP and the impact that it would have on workers and minority groups (especially migrants and indigenous people), and the impact it would have on agriculture and fisheries. The second part was dedicated to elaborate a campaign strategy against the RCEP.

Workshop 2: Investments in the Region

Through this workshop, participants discussed how current investments in ASEAN affect people's civil, political, economic and cultural rights. For instance, panellists presented the influence that Chinese investments, the Belt and Road Investment (BRI), and special economic zones and economic corridors in the Mekong have had for local communities. It also had a special focus on “megaprojects” in the region and their impact on local communities. Finally, this workshop enabled participants to discuss resistance strategies and to learn about past successful campaigns that opposed corporate-led development projects.

Workshop 3: Corporate Accountability and Dismantling Corporate Power

This workshop focused on the existing and proposed mechanisms to ensure the accountability of corporations and on the strategies that CSOs can adopt to dismantle corporate power. It also provided participants with the opportunity to analyse what strategies are currently being used and to which extent they are efficient in holding governments, investors and financiers accountable. One exercise notably consisted in establishing a landscape of all stakeholders and defining which ones could become allies to the civil society.

Workshop 4: On Transformative Economy and Alternatives

During this workshop, panellists presented the links between SDHs and human rights, and the role of the CBSEs in achieving SDGs. More specifically, it focused on cases from Indonesia, Malaysia, the Philippines, and Thailand, and was divided into three parts. Firstly, this workshop presented CBSEs' main features and characteris-

-tics. Secondly, panellists presented the ways the CBSE contributes to the SDGs. Finally, this workshop focused on what public policy, and what technical and financial support the CBSE need to effectively fulfil its mission.

Convergence Space 5: Ecological sustainability

All ASEAN countries face severe environmental crises. Air, water and land pollution have a considerable and negative impact on their population. Indeed, the destruction of the environment has been closely correlated to food and livelihood insecurity. At the same that everyone is impacted by the degradation of the environment, it is also important to note that certain populations (indigenous groups for instances), are disproportionately affected by environmental issues. In addition, global warming will only—and already has in some areas—further worsen the livelihood and the rights of the ASEAN people. This convergence space tackled the most prominent environmental issues within ASEAN and discussed why a fourth pillar dedicated to environmental affairs would be a positive and productive institutional change.

Theme 1: Land, forests and agriculture

This workshop focused on the use of dangerous chemicals in agriculture and their harmful effect on the environment. Many chemicals banned in several countries—including the countries in which they were created and are produced—are still widely used in ASEAN. Their negative effects on the environment and individuals are significative and concerning. This is why, across Southeast Asia, a wide range of CSOs have campaigned against such products. This workshop offered a platform to present their work and the danger that constitutes the chemicals they are campaigning against.

Theme 2: Rivers/Hydropower Dam

During this workshop, panellists discussed how major river systems are essential to be preserved to guarantee environmental rights and the rights of local communities whose lifestyle depend on them. For instance, the

the cases of fishing communities in the Northern part of Thailand were presented. These communities are now severely affected by the major dam construction projects in the region, which has drastically changed the water levels of the river and has significantly decreased the fish population. Similar problems are also occurring in Cambodia and need immediate action to preserve the lifestyle of local communities. To address this problem, many local NGOs and grassroots organisations have started a growing movement to protect the major river systems in Southeast Asia. This workshop presented them and the work they do to preserve their communities.

Theme 3: Just Energy Transitions

All over ASEAN, energy production and consumption has led to considerable environmental challenges and social injustice. To respond to this problem, hundreds of NGOs and grassroots movements have mobilised throughout the region to press governments to transition towards a more ecological society, based on the production and distribution of clean energy and safe resources. Panellists notably presented different ways of how CSOs and grassroots communities have been engaged in protecting the environment, such as for instance using renewable energy production technology. This workshop also offered a platform for CSOs to present their advocacy work and its necessity to influence policy at a national and regional level.

Theme 4: Environmental Pillar

In 2009, during Thailand's ASEAN Chairmanship, the ASEAN civil society proposed the introduction of a 4th ASEAN Strategic Pillar dedicated to environmental affairs. Across Southeast Asia, environmental issues have caused considerable public health, human rights and ecological issues. Moreover, climate change has already had considerable negative impacts in all ASEAN countries. During this workshop, panellists and participants had the opportunity to raise the most critical environmental challenges that awaits ASEAN and the importance for ASEAN governments to adopt adequate policies to have the ability to address

them. Finally, this workshop also offered a platform to discuss what solutions can be brought to these challenges, with a special focus on the contribution of the younger generations of activists.

Convergence Space 6: Innovation, news and emerging technology and digital rights

Technology is everywhere in our current society and has a tremendous impact on our daily lives. However, the impact that it has on our rights is not something that we are necessarily aware of. Technology can without any doubt act as a tool for better access to information and easier way of life, but it can also act as an element of control or as only profiting to a margin of the population. Throughout ASEAN, while new technology could be a powerful tool to advance human rights in the region, its usage too often stays dictated by corporate interests. Addressing this issue, this convergence space called for ASEAN to support the establishment of a participatory, transparent and democratic governance of technologies in order to ensure that the impacts on human health, the environment, and the society more generally, are properly evaluated.

Amidst Rising Authoritarianism in ASEAN: What is "Democracy"?

This workshop presented what is behind the notion of digital rights, its importance and the risk that people can face when their data are collected by a government or a corporation. It has also called out repressive legislations and government practices targeting people's digital rights, notably under the pretext of acting against cybercrime and by establishing strict cybersecurity laws reducing the ASEAN's population right to privacy. Panellists also condemned larger institutional tactics to repress dissident voices, such as the so-called "anti-fake news" laws, and the use of internet shutdowns. Such practices have been used by ASEAN governments to control the narratives of specific events on the web and to limit access to information to particular populations at times of

crisis. To address these problems, panellists called for ASEAN to ensure that people's digital rights are respected, and that the general public should have the ownership and the control of their data.

Witness workshop: video for capturing unadulterated truth

Over the recent few years, smartphones and their ever increasingly photographic capacities have enabled the general public to easily document their daily lives. This phenomenon has also influenced the work of HRDs and activists, who have now the opportunity to capture evidence of the violations they are fighting against or are victim of, and to share it to the world through social media platforms. However, while such technology have an enormous potential, it has also increased the risks for the people who document sensitive events. Indeed, citizen-journalists, activists, filmmakers and other stakeholders have been victims of political and judicial pressures for having shared pictures or videos they took. This workshop shed light on this recent and growing issue and called out ASEAN member states to drop all charges against people who shared the sensitive images they shared online. Additionally, panellists pressed for ASEAN governments to respect the right to record public events, especially when filming about the military or the police, without fearing being arrested.

Fourth industrial revolution technologies: corporate concentration vs. Peoples' rights

Technology has been widely promoted, both by businesses and governments, as a key solution to major social, economic and environmental challenges. According to official narratives, we are led to believe that food security, for instance, would be achieved with the help of synthetic biology and gene editing techniques. Similarly, automation is seen as an essential solution to issues encountered within transportation systems and the development of infrastructures. In other words, the so-called fourth industrial revolution is seen as a stage of deliverance, where the world's most pressing challenges be solved with the intervention of new technology. However, such a development needs to be critically approached as its consequences are far

from being as positive as what it could seem. Indeed, new technology are overwhelmingly controlled by corporate interests and are neither made accessible to local communities nor based on their needs and circumstances. This business approach to new technology is particularly worrisome considering that, given the current lack of liability mechanisms, corporations are not held accountable for the negative impacts their technology could have—and already have had—on communities and the environment. Additionally, new technologies have also overshadowed successful community-based seeds and biodiversity conservation and development efforts of farmers. Such an evolution is concerning and while this workshop recognised that new technology could be beneficial and create a more sustainable and fairer world, the intrinsically capitalist interests that govern them would, at terms, only further deteriorate local communities and their environment.

New and emerging technologies for climate protection or false solutions

The effect of climate change has already had significant negative impacts on local communities, especially on indigenous people and other vulnerable groups. While international agreements such as the Paris Agreement aims at limiting climate change and its impacts by keeping the rise of temperature below 2 degrees, many experts estimate that stronger measures need to be taken to reach this goal. And while new technologies are sometimes presented as a potential solution to global warming, many of them, such as geoengineering or bioenergy carbon capture and storage are often tested and employed without sufficient and meaningful social and environmental assessment. In parallel, renewable technology, promoted as one of the best solutions to climate change are often developed with the main aim to reduce CO2 and only little consideration is given for their broader social and other environmental impacts. For instance, developments of large solar farms have led to human rights violations for a lack of consideration of the local populations and of the impact on their environment. This workshop examined how

new technology, even those aimed at resolving climate change, participate to violate the rights of local communities and shed light on how, in many cases, development projects for renewable energy can contribute to the non-respect of environmental rights and participate to the increase of inequality between the highest and lowest social classes.

Convergence Space 7: Life with dignity (decent work, health and social protections)

Dignity is a core notion of the human right ideal. However, in too many cases, it can seem to be an intangible concept. In ASEAN countries, many people see their rights ignored and suffer from significant inequalities. Such injustice also occurs in the workplace, where the non-adoption and non-implementation of the ILO Core Labour Standards has generated significant injustices. ASEAN has a role to play in order to ensure that every ASEAN workers' rights are fully achieved. This convergence space shed light on the most concerning challenges that ASEAN needs to face to make this a reality.

Realizing Social Protection in Southeast Asia

To guarantee decent work conditions, international labour standards and implementation of a social protection needs to be followed and implemented. This workshop presented the current situation within ASEAN and looked at the actual protection measures in some countries in the region, such as tax-based programs for the whole population as well as programmes specifically designed for vulnerable groups. The aim of the workshop was to strengthen the movement calling for broader social protection coverage in ASEAN. It also enabled participants to discuss strategies on how to best coordinate the actions of the civil society.

Guaranteeing Healthcare for Informal Workers

This workshop gave an overview of the different initiatives and existing healthcare/health services of each ASEAN member states and noted the lack or the limitations of current coverage. In a context where more than 60% of the work force, including many migrant workers, are engaged in precarious informal labour, this lack of healthcare is particularly worrisome. This workshop also offered the opportunity to review the need of informal workers as well as the various initiatives currently

trying to ensure the access to quality healthcare for everyone.

Pursuing Decent Work and Living Wage in Southeast Asia: Challenges and Ways Forward

During this workshop, the panellists presented the most prominent struggles that workers face in Southeast Asia. Among others, it notably discussed the difficult situation of worker's rights, with a special focus on the right to form a union. The panellists also insisted on the necessity for ASEAN to adopt the ILO Core Standards and to guarantee basic security such as a minimum living wage. Finally, the workshop also focused on past workers' struggles and actions to learn the lessons that these movements provided.

The Right to Unionize, Right to Information of Migrant Workers in Myanmar/Thailand

Throughout ASEAN, migrant workers face many challenges that, most too often, prevent them to live a life where their dignity is respected. This workshop discussed the situation of migrant workers, with a special focus on workers from Myanmar in Thailand. The workshop also discussed the workers' rights situation in Myanmar, condemning that they have no right to form a union and that a minimum living wage still has not been implemented. The panellists raised one of the most complicated issue regarding workers and migrant workers rights: how can they successfully press governments to provide them with decent working conditions that respect their dignity, if they are not allowed to form any union?

Alternative Practices of Peoples in Southeast Asia Towards Alternative Regionalism

While the economic and social practices within ASEAN countries are predominantly a model based on traditional capitalism, local communities have, for a long time, developed alternative systems that are based on cooperation and solidarity and that renounce to patriotism and chauvinism. This workshop presented such alternatives that have blossomed throughout the region. However, such systems are spatially dispersed and localized. As a consequence, there is a need, in order to offer a real alternative to the ASEAN economic and social model, to link all these models for it to become a large system that can, at terms, challenge the capitalist model that dominates international relationship in Southeast Asia.

TOWN HALL

For the first time since the 2015 ACSC/APF, the NOC was extremely pleased to be able to organise a Town Hall with official representatives from Indonesia, Malaysia, Thailand, and Timor-Leste. While the NOC acknowledges that seven ASEAN governments did not wish to participate to this meeting, it also recognises the important progress made that led to the first Town Hall within an ACSC/APF for the past four years. Participating governments were represented by the high-ranking officials listed below.



PARTICIPANTS

H.E. Arthayudh Srisamoot

Deputy Permanent Secretary of the Ministry of Foreign Affairs of Thailand

H.E. Dato Jojie Samuel

Malaysian Ambassador to Thailand

H.E. Dicky Komar

Deputy of Mission, Indonesia Embassy

H.E. Elisa Maria Da Silva

Deputy Permanent Representative of Timor-Leste

The Town Hall, moderated by Gus Miclat, director of the Initiatives for International Dialogue, started by a short introduction of the panellists and was then divided into two parts. Firstly, the moderator gave the floor and asked a series of questions to the country representatives for them to express their expectations of and their views on the ASEAN civil society. While the representants shared different visions, they all highlighted in their responses their willingness to create, for this meeting and for future encounters, an atmosphere of openness and mutual respect. Similarly, although the panellists acknowledged, at times, significant differences in vision on the key challenges within ASEAN, they also shared their hope that a common ground can be found for the civil society and governmental and ASEAN institutions to work together in order to resolve the social and political issues within Southeast Asia.

Secondly, the ACSC/APF participants had the opportunity to ask questions and make comments to their country representatives, who would then be able to directly address the public's interventions.

During this second part of the Town Hall, many key issues were raised and many recommendations were made. For instance, participants called for ASEAN governments to condemn the drug on war in the Philippines, expressed their concerns regarding the limitation of freedom of speech and association in many ASEAN countries, and made powerful comments on the most concerning issues that affect their communities. However, in spite of the sensitive nature of the issues raised during this Town Hall, the discussions it created took place in a peaceful atmosphere where everyone respected each other's right to speak and to be heard.

Overall, the 2019 ACSC/APF Town Hall was a major success. The NOC would like to express its gratitude to the panellists and to every participant for making it possible. Given such a positive outcome, there are many reasons to be hopeful for similar meetings to occur in the future ACSC/APF, with representative from even more ASEAN countries.

CONCLUDING REMARKS & WAYS FORWARD

Because it enabled to gather the civil society of all ASEAN and provided a space where the voices of the unheard could be attentively listened to, the 2019 ACSC/APF was a tremendous success. By coming by more than a thousand, the civil society has, once again, proven its strength, dedication, and willingness to do everything in its power to advance human rights in ASEAN and to protect the rights of its population.

In an era where populism and nationalism have not stopped growing, the civil society has showed, during this conference, that a different ASEAN could be created. An ASEAN that upholds human rights as its core values, and that chooses to look at our differences and celebrate them. An ASEAN that chooses humanity over economy. An ASEAN that chooses to stand with the vulnerable and not the powerful.

Next year, the ACSC/APF will take place in Hanoi, Vietnam. But before meeting once again, the civil society has a lot of work to do. At the same time the 2019 ACSC/APF has highlighted all the efforts that still needed to be done, it has also acknowledged the progresses made over the years and acted as a reminder that its work matters. It has recognised the difficulty of the tasks that await us, and has showed us so many examples where braving this difficulty was worth it.

To all participants, we would like to say thank you. Thank you for your engagement and for your dedication. Thank you for proving to ASEAN, once again, that its people wants a world of peace and of justice, and that it is ready to build it.



ANNEXE - FINAL STATEMENT



ACSC / APF 2019
BANGKOK

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

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

ACSC/APF 2019 STATEMENT
SEPTEMBER 10-12, 2019
PATHUM THANI, THAILAND

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.

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

46
47 On the social and cultural sphere, gender inequalities persevere despite advances in legal initiatives in
48 some countries. Social protection in terms of education, health, housing, living wages, and public
49 services is still inadequate especially for poor and marginalized populations. This is partly due to the
50 widespread privatization of essential services and non-implementation of ILO convention and
51 resolutions protecting worker's rights. Furthermore, continuing ecological deterioration and severe
52 weather disturbances brought about by climate change as well as the proliferation of large infrastructure
53 and mega development projects have intensified environmental disasters.

54 **ACSC/APF through the years**

55
56
57 The ASEAN Civil Society Conference/ASEAN Peoples' Forum (ACSC/APF) is the Southeast Asian
58 region's primary network of civil society organizations and peoples' movements that has been engaging
59 the official ASEAN process since 2005. The sectors represented in ACSC/APF include urban and rural
60 workers in both the formal and informal economy, smallholder farmers, urban poor, fisherfolk, women,
61 sex workers, children, indigenous peoples and ethnic nationalities, local communities, older persons,
62 people living with HIV/AIDS, professionals and rank-and-file employees, children, persons with
63 disabilities, youth, LGBTQI persons, and migrants. The multifarious concerns, hopes, and aspirations
64 of these marginalized sectors of Southeast Asian societies form the matrix of ACSC/APF discussions,
65 planning, advocacies, and campaigns.

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

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

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

ASEAN as a regional organization and its relationship with civil society

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

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

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

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

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

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

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

ACSC/APF 2019 - issues and recommendations

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

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

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

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

I. Peace and Security

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

Recommendations to ASEAN governments:

- Synergize ACWC and AICHR by strengthening their mandates and functions and create regional mechanisms for reporting and resolving human right violations including and gender-based violence;
- Engage people from all walks of life, including women in solving peace and security-related problems and fully achieve the SDGs;

- 187 • Push for the settlement of disputes by peaceful means, in the spirit of solidarity and respect for
188 international law; develop an alternative approach committed to multilateralism, a shared regional
189 identity and people-to-people concerns; and,
190 • Hold developed countries accountable on the effects of climate change and toxic waste disposal.
191

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

193
194 Urban and rural workers, smallholder farmers, urban poor, fisherfolk, women, children, indigenous
195 peoples and ethnic nationalities, older persons, professionals and rank-and-file employees, persons
196 with disabilities, youth, LGBTIQ persons, human rights defenders, and migrants suffer exclusion from
197 the mainstream of social, economic, and political aspects of Southeast Asian societies and
198 communities. ASEAN member states, either by indifference or by deliberate effort, have allowed
199 LGBTIQ persons to be targeted as threats to national security and public morality.
200

201 ACSC/APF deploras the rise of authoritarian regimes, the shrinking civic space in the region, and the
202 ineffectiveness and inaction of AICHR in addressing human rights issues of Southeast Asian peoples.
203 Commissioners are appointed in a non-democratic manner while civil society groups face difficulties in
204 engaging with AICHR officials and representatives.
205

206 **Recommendations to ASEAN governments:**

- 207
- 208 • Ratify the International Convention for the Protection of All Persons from Enforced Disappearances
209 (CED) and recognize that enforced disappearances are a crime against humanity;
 - 210 • Support and assist independent human rights investigations and international fact-finding missions
211 in countries or areas of critical circumstance;
 - 212 • Establish new human rights architecture/bodies and transform AICHR from an intergovernmental
213 commission to an independent and autonomous body and strengthen its mandate for information
214 gathering/fact finding and providing justice for victims;
 - 215 • End all forms of militarism and the misuse of emergency laws and security related legislation;
 - 216 • Respect the fundamental rights of peoples including freedom of expression, association and
217 assembly, release all political prisoners/detainees and drop all charges against dissident voices;
 - 218 • Promote, enhance, formalize, respect, and trust human rights defenders especially the youth and
219 enable their participation in all decision-making processes;
 - 220 • Affirm the civil and human rights of LGBTIQ persons in accordance with international human rights
221 standards; and,
 - 222 • Review and revise the ASEAN Charter particularly on providing spaces for CSOs to engage fully at
223 the policy and implementation levels.
224

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

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

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

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

242 243 **Recommendations to ASEAN governments:**

- 244
245 • Stop corporate attacks on workers, farmers, indigenous peoples and ethnic nationalities and local
246 communities, and hold governments and corporations accountable amid prevailing investment
247 liberalization and the corporate capture of the sustainable development agenda driven by
248 international finance institutions;
- 249 • Put in place stronger and more effective regulations that curb the power of corporations and are
250 anchored on protecting people's rights and promoting peoples' welfare;
- 251 • Reject RCEP and other new generation free trade agreements, and initiate processes to review
252 existing trade and investment agreements; and,
- 253 • Support the process towards a legally binding instrument on TNCs and human rights at the United
254 Nations Human Rights Council and support other such mechanisms to exact accountability of
255 corporations for human rights abuses and provide effective remedies and access to justice.

256 257 **IV. Ecological Sustainability**

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

266 267 **Recommendations to ASEAN governments:**

- 268
269 • Launch a fourth strategic pillar on the environment, to put international best practices and
270 environmental sustainability at the center of decision-making;
- 271 • Ensure transparency and public participation in environmental decision-making. Establish an open
272 access e-data platform on development, infrastructure, energy and land projects including project
273 information and impact assessments to outline both trans-boundary and accumulative impacts;
- 274 • Ensure and guarantee genuine free, prior and informed consent (FPIC) of indigenous peoples and
275 ethnic nationalities in development projects and promote best practices for implementing FPIC by
276 corporate actors.
- 277 • Strengthen and enforce legal regimes to monitor and punish environmental polluters;
- 278 • Prioritize energy policies and plans that ensure just energy transitions that maintain the integrity of
279 ecosystems and respect the rights and well-being of people;

- Promote allocation of resources to support people in creating and developing environmentally sound social innovations and people-centered markets, trade and investment; and,
- Recognize local communities' rights over their land and resources. Ensure their rightful participation in all development decisions affecting their lands, life and survival, environment and future.

V. Innovation, New and Emerging Technologies and Digital Rights

New and emerging technologies promoted to address climate, food and environment crises and raise productivity and efficiency are mostly developed and controlled by corporate interests, making it inaccessible to local communities and detached from the needs and realities of Southeast Asian peoples. Corporate digital platforms are being run without meaningful peoples' participation in governance; and data are being collected without informed consent and mainly for profit.

Recommendations to ASEAN governments:

- Channel resources, support, and upscale participatory, transparent and democratic governance of technologies, ensure peoples' ownership and control of their data, and evaluate the potential impacts on human health, society, livelihood and the environment prior to technological deployments;
- Uphold and integrate people's digital rights in the ASEAN digital masterplan, on cybersecurity cooperation, and data protection and privacy; and,
- Immediately stop prosecuting and drop all pending charges against activist filmmakers and journalists for posting content, videos, and photos on social media.

VI. Migration

Despite the 2018 adoption of the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers, the framework, documentation and nationality of migrant workers and their family members remain the main challenges for upholding migrants' human rights and fundamental freedoms on citizenship, fair wages, affordable working permits, simple application processes, debt bondage, and social protection issues including health, trafficking, abuses and modern slavery.

Recommendations to ASEAN governments:

- Promote and protect human rights of migrants by strengthening existing mechanisms for both documented and undocumented workers and their families;
- Undertake effective consultation and collaboration with civil society and trade unions in the implementation of the ASEAN Consensus on the Protection and Promotion of Migrant Workers;
- Protect the rights of refugees and asylum seekers, including preventing their forcible return to a country where they face prosecution (non-refoulement) and advance progress across the region on refugee legal status, work rights, and access to education and health care; and, Recognize and address the vulnerability of stateless people, especially girl-children, by establishing a single protocol and standard in defining legal identity.

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

326 Most people in Southeast Asia continue to experience poverty, vulnerability, and inequalities. Majority of
327 the work force, including migrant workers, are engaged in the precarious informal economy. Non-
328 adoption and implementation of the ILO Core Labor Standards, and lack of rights awareness have
329 aggravated workers' conditions. Social protection to address inequalities and ensure vulnerable groups
330 from falling into poverty have remained limited and largely temporary. The social dimension is clearly
331 missing in ASEAN. But there exist alternative development practices by and among peoples that may
332 be promoted as alternatives to ASEAN's business-oriented economic integration.

333

334 **Recommendations to ASEAN governments:**

335

- 336 • Legislate and implement a rights-based and inclusive social protection framework, policies, and
337 processes, ensure living wage and income for all;
- 338 • Ratify and implement the ILO core labor standards essential to creating conditions to achieve decent
339 work, guarantee universal healthcare for all, and end efforts at privatizing health and other public
340 services;
- 341 • Commit to dialogues, collaborate and share knowledge and resources towards advancing a common
342 agenda to realize a life of dignity for all with people's movements, trade unions, NGOs,
343 parliamentarians, and academe;
- 344 • Recognize sex work as work and repeal laws and rescind policies that criminalize and stigmatize sex
345 workers and violate their rights; and,
- 346 • Commit to the ILO-recommended 6% international minimum standard country budget allocation for
347 social protection and continue to increase the fiscal space for universal social protection.

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

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

354

- 355 • Intensify engagements with and hold governments accountable on human rights, peace and
356 security, trade and investment, ecological sustainability; new and emerging technologies and digital
357 rights; migration; decent work, health and social protection, and other critical issues;
- 358 • Continue to disseminate and demand meaningful responses from ASEAN leaders and governments
359 on the three major CSO statements on social protection, decent work and social services and the
360 ACSC/APF proposed framework for an ASEAN-civil society dialogue on environment that
361 recommends a fourth strategic pillar on the environment;
- 362 • Strengthen assertions by civil society and people's movements of the people's right to determine
363 their development path and enjoy the outcomes of community-driven development;
- 364 • Emphasize activities and campaigns in public places related to peoples' culture and art through
365 various cultural forms and platforms;
- 366 • Create a platform for the engagement of younger generation of activists and human rights defenders
367 in order to promote their full and meaningful participation in all decision-making processes;
- 368 • Broaden alliances by civil society and people's movements and intensify advocacies and campaigns
369 against unjust trade agreements such as RCEP and expose their negative impacts on peoples and
370 communities;
- 371 • Recognize and support social and solidarity economy initiatives of the people as countervailing
372 alternatives to global neoliberal capitalism, and as integral components of a people-oriented
373 Southeast Asian regional integration;

- 374 • Continue to monitor the process of Timor Leste's accession into full ASEAN membership. In solidarity
375 with the people of Timor Leste, we take the principled view that ASEAN membership must not be
376 accompanied by corporate or foreign plunder of its natural resources or endanger its people's rights;
377 and,
378 • Finally, given that years of ACSC/APF engagement with the official ASEAN process have been met
379 with lack of attention to the recommendations raised, resulting "in minimal outcomes in the
380 substantive improvement in the lives of our people," undertake a process for an alternative peoples'
381 regional integration based on the alternative practices of communities, sectors, and networks.
382 Accordingly, ACSC/APF will adopt the appropriate resolution related to the proposed process.
383

384 Through all these years, Southeast Asian peoples have been subjected to all forms of indignities and
385 oppression that have made lives untenable for the great majority. The transformation of these
386 conditions for the better is long overdue. Civil society organizations and peoples' movements must
387 persist in advocating peoples' and grassroots' voices and interests and in pursuing greater popular
388 participation in decision making on policies, programs, and projects.
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“THE ACSC/APF IS NOT ONLY A WONDERFUL GATHERING OF PEOPLES, IT IS ALSO A PLACE WHERE IDEAS AND PASSION CONVERGE FOR THE BETTERMENT OF SOCIETY. IT IS A TESTIMONY OF THE DEDICATION OF THE ASEAN PEOPLES IN THEIR ENGAGEMENT TOWARDS PEACE AND JUSTICE.”

-CHALIDA TAJAROENSUK,
CO-CHAIR OF THE 2019 ACSC/APF