



ASEAN Civil Society Conference/ ASEAN Peoples' Forum 2017

ACSC/APF 2017 Statement

As government leaders from ASEAN and their dialogue partners convene for the 31st ASEAN Summit and related meetings in the Philippines, more than a thousand participants coming from civil society and peoples' organizations gathered from 10 to 13 Nov for the 2017 ASEAN Civil Society Conference/ASEAN Peoples' Forum 2017 (ACSC/APF) in Quezon City, Philippines. Representing sectors such as workers, smallholder farmers, women, indigenous peoples, youth, urban poor, LGBTI, social workers, educators, cultural activists, human rights advocates, and environmentalists from all ASEAN countries including Timor Leste, they took the collective stand to demand an urgent break from the dominant development narrative that has bred extreme inequalities, extensive human rights violations, situations of conflict and violence, and wanton exploitation of natural resources that are overwhelming the region's ecosystems.

Amid appearances of rapid economic growth, we also find ourselves on a path of rapidly rising inequality and injustice. There is a yawning gap between the richest members of ASEAN and those still in early stages of development. Equally worrying is the increasingly entrenched inequalities within countries.

As the economic crisis intensifies, social and cultural inequalities are also deepening, with those already made vulnerable from many years of exclusion and discrimination further pushed out into the margins.

Gender inequality, including gender-based and sexual violence, is exacerbated in both production and reproduction where women remain among the poorest populations, and continue to suffer discrimination and violence across their lifespan. ASEAN women earn between 30 to 40% less than men. Their unpaid care work is relied upon by a rising preference by states for private rather than public provision of social services.

Indigenous peoples continue to suffer from non-recognition and violations of their rights, including confiscation of their traditional lands, imprisonment and torture. They inhabit lands rich in natural resources, but are among the poorest populations because of economic exclusions and deprivation of basic social, cultural, civil and political rights and fundamental freedoms including their collective rights to lands, territories, resources, and participation in governance and decision-making.

Authoritarianism is gaining strength, mirroring a noted trend globally. Civil society/peoples' organizations are finding it more and more difficult to express without fear and intimidation dissent and ensure government accountability. In particular, we raise grave concerns over the human rights situation and democratic deficit in all countries across Southeast Asia.

Thailand's military junta has failed to fulfill its pledges to respect human rights and restore democratic rule three years after the military coup, and has, instead, prolonged its crackdown on basic rights and



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freedoms. Democracy is in peril in Cambodia as the ruling regime carries out massive land grabbing and escalates its attacks against the political opposition, independent media, social activists and civil society.

The Philippine government, amid declining popularity, threatens to impose a nationwide martial rule and a revolutionary government in a bid to silence critics of its draconian anti-illegal drug campaign and war against rural communities and Moro peoples. In Indonesia, anti-communist paranoia is seeing a revival, with the government acquiescing to violent mobs and abusive security forces seeking to stifle voices calling for justice for victims of the 1965 anti-communist purge and their families. Indonesian LGBT groups are also coming under increasing attacks and repression as a result of growing alliance between state and extremist groups. In Myanmar, the civilian state is rapidly centralizing power as checks and balances erode. In Malaysia, the Orang Asal have lost their native customary rights to lands when the Federal Court ruled in favor of plantation companies, setting a precedent that will affect over 100 cases pending in high court and a legal cover for the government to eliminate native customary rights lands.

The ASEAN is one of the flashpoints of rivalry between the world's superpowers. Insofar as pushing for all-out liberalization of the region is concerned, U.S., Japan, China, and Russia unite in breaking down barriers to trade and investment to allow the unhampered plunder of the region's natural and human resources. But rivalry over dominance of the region is increasingly transforming this contingent unity into an antagonistic confrontation. The fight over the control of the South China Sea trade route has resulted in US and China saber-rattling.

Years of our critical engagement with ASEAN have not contributed in any substantive improvements in the state of our peoples' lives and the environment. Issues and concerns raised by civil society, especially ACSC/APF continue to be ignored. Lack of meaningful dialogue, absence of opportunities for interface with officials, and inaction over the draft terms of reference on government-non-government relations evidence the shrinking space for civil society to effectively shape the agenda and policies of ASEAN and their respective governments

The case for a radical transformation of ASEAN is irrefutable. Participants to the ACSC/APF 2017 firmly believe that such transformation will require taking decisive steps to ensure equitable distribution and sustainable use of natural resources, realize the full gamut of economic, social, cultural, civil, and political rights for all peoples, and to reestablish itself along the principles of solidarity, cooperation, complementarity, and friendship among nations. To this end, the ACSC/APF shall develop and adopt a new vision for engagement by civil society with ASEAN based on greater people to people interactions that will establish, expand and strengthen a new peoples' regional integration process based on the alternative practices of peoples, networks, and organizations across the region's societies.



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We call on the ASEAN and East Asian leaders, especially the succeeding host of the 2018 ASEAN summits Singapore Prime Minister Lee Hsien Loong to heed the call for a just, equitable, and humane Southeast Asia. In this light, we wish to reiterate the long-standing issues of peoples in the region:

Growing corporate power, diminishing peoples' rights. ASEAN's economic blueprint's preoccupation for unhampered economic growth through liberalized foreign investment has created an environment favorable to corporate interest but prejudicial to the broader public. Opening up markets, easing regulatory regimes, privatizing public services, enforcing stricter intellectual property rights, generous incentives for big business, encouraging the free flow of domestic workers, and stronger investor protection against risk and profit loss are just some of the key elements of this strategy. Over time, these strategies have further concentrated massive wealth in the hands of a minority few and shielded abusive corporate behavior from public scrutiny and accountability while destroying local environments and economies, constricted peoples' access to essential services and eroded domestic financial resources that could have been utilized for urgent social needs.

The neoliberal thrust for an integrated regional market steers member states into preparing the region to take its place in a global market ever hungry for profit accumulation. This is evidenced and reinforced, for one, by FTAs such as the Regional Comprehensive Economic Partnership (RCEP) and new generation bilateral treaties that are a growing cause for concern owing to their negative impacts on the region's agricultural sector, on labor rights including those of migrant workers, women, marginalized sectors, indigenous peoples, people with HIV AIDS, LGBTI groups, persons with disabilities and access to reasonably priced and life-saving medicines, and national sovereignty.

Already, numerous existing bilateral investment treaties in the region feature a wide range of 'enhanced' investment protection clauses such as the notorious Investor-State Dispute Settlement (ISDS). ASEAN also provides investor protection under the ASEAN Comprehensive Investment Agreement (ACIA) adopted in 2009. The ISDS is a flawed mechanism that gives more leverage to corporations than the States and their peoples by allowing investors to sue governments over actions that 'harm' expected profits and challenge regulations and policies meant to protect public welfare and interest.

Public private partnerships (PPPs) are being promoted by governments as a way to rebrand the much criticized policy of privatization. To entice investors to invest in PPPs, governments offer incentives and other conditions that would guarantee greater returns and cost-recovery. Not only do big business gets to capture lucrative markets, they are also subsidized by the government with precious public funds. PPPs socialize costs but secure private gains.

Corporate dominance and greed, supported by ASEAN states, also manifest in the unabated pursuit of extractive activities and fossil fuel projects. This undermines the ASEAN countries' aspirational goals



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toward limiting temperature rise and contradicts vulnerable communities' efforts to increase the poor and marginalized people' resiliency to combat climate change impacts. Clean coal is a dirty lie and will never be the answer for meeting the ASEAN's energy demand.

In addition to harming the environment and exacerbating climate change, dirty energy and extractive projects have also spurred land grabs of indigenous peoples' ancestral lands and rural folk, negatively affect people's health and cause loss of livelihoods.

Threats to peoples' right to peace. Presently, Southeast Asia faces serious threats to peoples' right to peace. There is an increased militarization of ASEAN countries because of overlapping territorial and maritime claims. In 2016, ASEAN countries collectively spent USD 2,833 million on arms imports, a 30% increase from 2015. Most ASEAN countries have correspondingly increased their spending for importing arms anywhere from 6% to more than 100%, resulting to higher access to arms in conflict areas.

The exclusion of a large part of the region's population from exercising their basic economic, social, cultural, civil and political rights has continued to fuel national and sub-national situations of ongoing conflict and violence. Furthermore, global superpowers, aiming to protect their interests in the region, have encouraged militaristic approaches to the resolution of armed conflicts, particularly in Myanmar, Philippines, Thailand, and Indonesia.

Terrorist threats in other parts of the world have been used to justify foreign military intervention in the region, especially in combat operations against what have been labeled as religious fundamentalists, and have undermined formal peace talks and local peace building that seek to address the roots of these asymmetric, sub-national conflicts.

The vision of an independent, peaceful and sovereign ASEAN remains hobbled by the fact that countries have made the region open to outside powers to intervene in 'counterterrorism' campaigns. The US, still among the strongest military forces, has repeatedly used their campaign against terror, to continue their military activities in the Philippines, especially in Mindanao. The US also continues to maintain presence in Thailand and Singapore. Militarization of communities paves the way for foreign and domestic corporate resource grabs as well as for counter-insurgency efforts.

Despite voices of concerns from regional and international communities, China is adamant on using its military power to expand its territorial claims in the South China/West Philippine Sea/Vietnam's East Sea, aiming especially for the rich marine and seabed resources of Southeast Asian countries, particularly Vietnam and the Philippines. This has manifested in the continued attacks against fishing communities from the two countries, their access to lawful seas and their livelihood constantly under threat.



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Continued violations of human rights and injustice. ASEAN States continue to ignore the universality and interdependence of human rights and face a multitude of challenges relating to protection of human rights and access to justice for all, especially for vulnerable and marginalized communities such as women, children, indigenous peoples, LGBTI, persons with disabilities, urban poor, and stateless persons.

Despite ASEAN having its own human rights mechanism, AICHR remains weak and toothless. In a number of ASEAN countries, governments are installing laws and committing acts destroying the enabling environment for CSOs and grassroots organizations, as well as human rights defenders to preserve in power and protect their own political interests. Innocent people become targets of extra judicial killings. Leaders of groups challenging government policies are threatened and intimidated with trumped up charges, such as in the case of indigenous peoples' rights defenders Julito Otacan, Sarah Abellon-Alikes, Rachel Mariano, Asia Isabella Gepte, Shirley Ann Angiwot, Joanne Villanueva, Sherry Mae Soledad, Jannie Lasimbang, Samnang Dam, Srey Mom Choeun, Bang Dam, and Ven Vorn.

Enforced disappearances and extrajudicial killings are also on the rise. According to the July 2017 Report of the Working Group on Enforced or Involuntary Disappearances by the UN Human Rights Council there are at least 625 outstanding cases of forced disappearances in the Philippines, 82 in Thailand, 163 in Indonesia, 1 in Cambodia, 2 in Lao PDR, 2 in Myanmar and 428 in Timor-Leste. The cases of Jonas Burgos, Sherlyn Cadapan, Karen Empeno, and Gloria Capitan from the Philippines, Sombath Somphone from Laos, Thailand's Somchai Neelaphaijit, Porlajee "Billy" Rakchongchaoren and Chaiyaphum Pasae, a young Lahu, Malaysia's Raymond Koh, Joshua Hilmy and his wife Ruth, and Amri Che Mat, and Myanmar's U Ko Ni among hundreds of other cases of enforced disappearances and extrajudicial killings in Southeast Asia remain unresolved showing how impunity still prevails in the region.

Freedoms of expression, religion, belief, peaceful assembly and association are being curtailed in many ASEAN States both in online and offline spaces, contravening State commitments to UN conventions they have acceded to while harassment of LGBTI groups, human rights defenders, national human rights institutions, journalists, parliamentarians, and minorities continue to be tolerated.

There is a pervasive culture of impunity in violence against women and girls. In conflict or post-conflict situations, sexual violence persists. In Myanmar, military offensives, violence, and human right violations, including rape and sexual violence in ethnic areas are continuing with impunity. Reports have been made of rape of women and girls by military personnel in Kachin, Shan, Rakhine, and other states of Myanmar.

Prisons across the region remain overcrowded with inadequate health and rehabilitative programs. The lack of public defenders and congested courts in addition to harsh sentences for minor drug offences; to name a few: in Myanmar, Thailand, Indonesia, and the Philippines. The latter has carried out a series of



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executions against drug-related offences, with children being targeted of extrajudicial killings or shrugged off as “collateral damage,” despite scientific publications and global evidences showing the ineffectiveness of militaristic approaches in solving the drug problem.

Southeast Asia has also witnessed serious setbacks with regard to the abolition of the death penalty. Eight of the 10 ASEAN member states (AMS) retain the death penalty. None of the eight retentionist or de facto abolitionist AMS have established a moratorium on executions.

Precarious lives. Throughout ASEAN’s 50 years, majority of the people are deprived of their social and economic rights. More than 50% of workers are without regular jobs and suffer from poverty-level income. The average number of ASEAN women who are in vulnerable employment is slightly above 60%, and not covered by labor laws or social protection.

The market-based reforms pushed by ASEAN have led living standards in many developing countries that are in dire need of foreign investments to a race to the bottom. Minimum wage floors are kept at outrageously low levels to buoy the profits of multinational and transnational companies to the detriment of workers and their families. Labor flexibilization has aggressively undermined the hard won victories achieved by the workers through years of collective struggle. Safety, health, and living standard of workers are undermined all for the sake of the free movement of capital.

Despite commitments made by governments across Southeast Asia, workers in many countries are still prohibited from forming independent trade unions. Labor policies across ASEAN states do not protect people from employment and discrimination based on various grounds such as disability, sexual orientation, gender identity and expression, and ethnicity.

Adequate income especially in times of old age, chronic and serious illness, disability, and unemployment, as well as guaranteed essential services are most needed by majority. But amid the continuing interlocking economic, climate and social crises, according to the most recent ADB study on social protection in the region (2014), only an average of less than 30% of the population have social protection. Each country in Southeast Asia spends an average of only about 3% of its GDP for social protection. This is only about half of the ILO-recommended 6% of GDP expenditure for social protection. In 4 of the ASEAN countries, the social protection expenditure is even lower -- below 2%.

The lack of sources of income - aggravated by loss of jobs and source of livelihoods due to natural and manmade calamities- has led to prevalence of hunger in the region. Moreover, increasing privatization of social services, including through PPPs has made essential services unaffordable and inaccessible to many, violating rights to health, water, energy, housing and education. Instead of recognizing human capacity development through the promotion of quality education and inclusive lifelong learning as peoples’ rights that allow them to claim other rights, participate fully in local community development,



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and promote cultures of solidarity, these are reduced to 'enhancing competitiveness of ASEAN human resources' and catering to the needs of big business.

Uprooted by crisis and violence. ASEAN's economic integration and migration policies continue to neglect realities of the region characterized by large labor mobility and different migration flows. While the integration will provide greater mobility for goods, capital, and so-called "highly-skilled" workers, this is not the case for the majority of migrant workers, who are found in low-paid sectors and the informal economy and are exposed to greater risks. It also fails to recognize the social cost of migration, in particular, the impact on families and children left behind. People escaping from conflict such as Rohingya, who face constant abuse and harassment including systematic violation of human rights, are at the mercy of traffickers and horrendous treatment in countries of destination. They experience discrimination, unequal treatment, receive low wages, and work for long hours under unsafe conditions. Migrants suffer injustices in legal processes. High profile cases of migrant workers like Erwiana Sulistyaningsih from Indonesia who was maltreated in Hong Kong and Mary Jane Veloso from the Philippines who is still on death row in Indonesia for drug trafficking illustrate the current state of ineffectiveness and unwillingness of ASEAN countries to protect the lives and rights of migrant workers.

Forced migration has increased in the wake of climate change and its intensifying impacts. Persistent poverty, deprivation and large coastal populations make Southeast Asia one of the most climate-threatened regions in the world. Unless we seriously build resilience and embark on a low-carbon development path, we will face a human disaster of massive proportions when the climate crisis heightens further and homes and livelihoods are irretrievably lost.

Victims of political or religious persecution seeking refuge in neighboring countries are not fully protected according to international standards on refugee protection as legal refugee protection frameworks and policies are nearly non-existent or severely insufficient in the region.. Undocumented migrants are vulnerable to exploitation, their families have no stable means of livelihood, and their children have limited access to education. Many of asylum seekers have been and many more are facing the prospect of being involuntarily repatriated without effective monitoring by independent parties.

Our Calls

Throughout the 50 years of ASEAN, genuine peoples' participation has been severely limited. Despite CSOs' efforts to initiate engagements for constructive dialogue on people's issues, alongside ASEAN's claims of having more inclusive and meaningful spaces, ASEAN remains largely inaccessible to the people. In this regard, an ASEAN well-grounded in the concerns of its peoples and receptive to active civil society participation can only work to its benefit, by making its policies and programs more responsive and effective. It can begin right here, with ASEAN heeding the following recommendations:



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A. Assert Peoples' Needs and Rights, not Corporate Greed and Power

1. Prioritize the participation and representation of marginalized sectors including people's organizations, women, indigenous peoples, children, youth older persons, etc. In addition, we ask States to
 - i. Realize economic justice for all ASEAN people by reinstating peoples' sovereign power over the commanding heights of the economy and subjecting productive resources and assets to democratic, collective and community-based forms of ownership and management
 - ii. In recognition of their right to self-determination, comply with the Free Prior and Informed Consent (FPIC) of indigenous peoples/ethnic groups especially in development and corporate projects that threaten their lands and livelihoods and future generations
 - iii. Proactively engage in the creation of the Legally Binding Treaty on TNCs and Other Business Enterprises with Respect on Human Rights to stop corporate abuses in the region and provide mechanism for remedy for victims of human rights violations
2. Adhere to international standards of human rights as its primary guide posts as they consider entering various trade agreements or new development policies. Specifically, this entails
 - i. Integrating and upholding human rights in the implementation of AEC Blueprint and desisting from initiating and joining unequal or unjust trade deals that favor corporate interests over people's rights
 - ii. Reviewing all existing trade and investment agreements and if necessary amend or terminate existing ones that do not serve people's interests
 - iii. Ensuring transparency and accountability in negotiating trade deals in behalf of the people
 - iv. Establishing binding rules that *inter alia* give strong protection to small producers such as small farmers, fishers, pastoralists, especially women and indigenous peoples, increase security of land tenure, and ensure that land use meets food and conservation needs not investors' hunger for wealth accumulation
3. Work towards fiscal justice, greater transparency, democratic oversight and redistribution of wealth in national tax systems to stop and reverse growing inequality, combat poverty, guarantee public services and sustainable development, and address climate change. As a step forward
 - i. Build the capacity of tax administrations to implement progressive, gender fair and distributive tax policies while ensuring that spending on public services are prioritized in revenue allocation
 - ii. Review, amend and/or repeal/cancel treaties, laws and policies to close loopholes used by corporations and wealthy individuals in tax dodging, and protect financial resources for the public good



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- iii. Ensure the integration of a social dimension and sustainable development into ASEAN's development plans, policies and strategies in order to implement people-centered and ecologically-sustainable development policies and programs, rather than harmful activities are undertaken in the name of development
4. In the process of Timor Leste's accession into ASEAN, protecting its economy and resources from plunder and protecting the people's rights must be a top priority
5. Ensure the protection and sustainable use of the environment and natural resources as part of our right to the commons, benefitting everyone. This can be done by
 - i. Changing policies that perpetuate or exacerbate the climate crisis
 - ii. Empowering affected communities and engaging CSOs and human rights defenders to deal with the impacts of the climate crisis
 - iii. Working towards transforming social and economic structures and technologies to move away from profit-driven, growth oriented, high-carbon, elite-dominated exploitative systems
 - iv. Embarking on a just transition to people-driven, sustainable, equitable, and democratic post-carbon systems
 - v. Establishing a transparent and democratic mechanism within ASEAN to be led by peoples' organizations and civil society to review and monitor ASEAN's 3 Pillars' consistency and alignment with the principle of environmental justice
 - vi. Promoting and protecting indigenous knowledge in natural resource management

B. Uphold Just and Lasting Right to Peace

1. Push for the demilitarization of the South China Sea/West Philippine Sea/Vietnam's East Sea, for the peaceful settlement of conflicts with respect to legal and diplomatic processes and for the finalization of the Code of Conduct of Parties in the South China Sea (COC) on the basis of the 1982 United Nations Convention on the Law of the Sea
2. Ratify and implement the UN Watercourses Convention that establishes the basic standards and rules for cooperation between watercourse states on the use, management, and protection of international watercourses
3. Strengthen cooperation mechanism and dialogue on water governance and develop and implement benefit-sharing schemes among water users and stakeholders
4. Call for an urgent, independent and impartial investigation under the auspices of ASEAN of the various reported human rights violations in Myanmar, particularly Rakhine, Kachin, Northern Shan and other conflict states
5. Call for an urgent withdrawal of 4-cuts Myanmar military policy that prevents all humanitarian assistance in both conflict and non-conflict areas
6. Reaffirm the primacy of politically negotiated settlement and local peace building processes over military 'solutions' in addressing roots of armed conflict and in preventing violent extremism
7. Shift government resources away from military spending and towards social services



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8. Repeal and/or review counter-terrorism and counter-insurgency laws and policies that don't address human rights issues and standards at all levels
9. Urge ASEAN governments to implement respective action plans on women, people with diverse sexual orientation, gender identity and expression, peace and security and should be based on social and environment justice that prioritizes respect of peoples' rights
10. Push for China, US, Russia and North Korea to recognize and sign the ASEAN Nuclear-Free Zone Treaty
11. Seek the support of the peoples and governments of ASEAN of the Timorese peoples' continuing struggle to assert their sovereignty over the Timorese SEA
12. Review proposed and existing cyber security plans, including anti-cybercrime laws, to ensure that they respect and protect human rights

C. Respect, Protect and Fulfill Human Rights and Ensure Access to Justice

1. Halt the current *war on drugs* that is taking place in the region and open the dialog for evidence-based, humane drug policy reforms. Effective approaches for drug users including harm minimization, voluntary rehabilitation and treatment and community-based interventions must be at the forefront of drug control policies
2. Design and implement effective and sustainable drug prevention programs that address the drivers of drug use such as but not limited to poverty, social exclusion, breakdown in family relations and widespread unemployment.
3. Make ending violence against women and all children in ASEAN a priority by developing legal frameworks and mechanisms at the regional level, particularly those regulating the handling and protection of women and child victims of violence and those prohibiting forms of violence that are accepted as "tradition" or disguised as "discipline"
4. Ensure the implementation of the Regional Plan of Action on Eliminating Violence Against Children (RPA-EVAC) and on Eliminating Violence Against Women (EVAW) in line with international commitments at the national level
5. ASEAN's gender language should cease to be binary. The law should not stay gender-neutral as it does not allow for the analysis of situations in consideration of gender particularities. There should be early gender education for everyone in the region
6. Recognize the particular vulnerability of boy-children to sexual violence and institute mechanisms for protection and response
7. Segment sexual violence done in areas of conflict and by the military in order for it to be highlighted
8. Strengthen the protection mandate and the Terms of Reference of the ASEAN Intergovernmental Commission on Human Rights (AICHR), as well as the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC), and create mechanisms, which will expect constructive engagement with CSOs, to



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- i. Review and assure transparency of trade deals and development agreements between ASEAN states
 - ii. Increase awareness of AICHR and ACWC representatives, especially from Indonesia and Laos, regarding indigenous peoples for they remain to believe that there are no indigenous peoples in their respective countries. But 50 million Indonesians are and 33% Laotian are ethnic minorities
 - iii. Consolidate a meaningful collaboration with ACWC and ASEAN Committee on Migrant Workers (ACMW), as necessary, along with the existing and related national human rights institutions (NHRI), to investigate and study human rights violations in the region
 - iv. Uphold a people-centered ASEAN principle
 - v. Create an online system for incidents of human rights violations to be reported anonymously
 - vi. Strengthen the mandate and review the terms of reference of the ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW)
 - vii. Create or strengthen mechanisms to investigate, monitor, and provide effective redress and remedy for human rights violations in the region
 - viii. Create a special rapporteur on human rights defenders within AICHR
9. ASEAN governments should ensure the independence of judicial systems
 10. End impunity of human rights violations perpetrators
 11. Repeal laws that criminalize and restrict freedom of expression, assembly, association and speech including sedition laws and laws against “injuring the national unity” and “propaganda against the state” and immediately release prisoners of conscience who have been arrested and convicted under such laws
 12. Abolish death penalty for all crimes and establish an official moratorium on all executions and death sentences. AMS states should sign and ratify the International Covenant on Civil and Political Rights (ICCPR) and the Second Optional Protocol to the ICCPR, aiming at the abolition of the death penalty

D. Decent Work, Living Wage, Essential Services, Human Capacity Development and Social Protection for All

1. Guarantee social protection, food, shelter, land, decent work and essential services for all especially for marginalized and vulnerable groups, and reverse the privatization of public services, especially healthcare, education, housing, water and energy. ASEAN governments should consider setting up a regional social protection fund
2. Promote international labor standards and wage policy principles in the region to support effective demand. Strengthen coordination among ASEAN member countries to scale up the ratification and implementation of agreed international labor standards by national governments as a means to stop the regulatory race to the bottom. Living wage should be applied not minimum wage



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3. To achieve a sustainable Social ASEAN, these structural issues must be addressed -- democratic participation, gender equality, and protection and promotion of rights of workers and vulnerable groups. Existing ASEAN Declarations with a social dimension must also be made binding on governments
4. Recognize the role of and protect the work of free and independent trade unions, civil society and people's organizations and social movements as essential elements of democracy and form a large part of an enabling environment for development and human rights work
5. Ensure that any and all interventions to provide decent work and social protection pays attention to the gender-differentiated impacts of such interventions on children and includes disincentives for families to ask their children to work alongside adults
6. Implement maternal welfare and protection for women workers including their children
7. Provide life-cycle needs for education, training and re-skilling, including for mothers, older persons and PWDs, and progressively eliminate discrimination in all forms by the private sector that stops them from joining the labor force afterwards
8. Enact measures to value people's indigenous and local knowledge and way of living, while at the same time adopt policies to ensure universal access and freedom of information across ASEAN
9. Ensure full protection of workers in the fishing industry, free from all forms of modern slavery
10. Governments must enforce engage international human rights treaties: UDAR, CEDAW, UNCRC, ILO Conventions, and Business and Human Rights Principle (Ruggie Principles)
11. Terminate all existing PPPs, abandon the policy of using PPPs, and use public finance to fund essential public services and social protection
12. Abandon skewed tax policies which allow the mega-rich to hide their wealth and profit via tax havens and illegal money flows, so that they can be taxed to finance decent public services
13. Develop 'public-people' partnerships to support non-profit group like cooperatives and social enterprises which can achieve more people-centered and accountable modes of social service delivery. The rebuilding of public services is not an isolated campaign
14. ASEAN governments should ensure ASEAN peoples' full access to affordable life-saving drugs. Resist and expose so-called free trade agreements that extend monopoly-control of pharmaceutical companies over drugs and medicines through intellectual property and patent rights, thereby undermining public health programs
15. Press for the promotion, protection, and realization of women's sexual and reproductive health rights. ASEAN governments should ensure access and resources, as well as combat gender-discriminatory norms and practices, in line with their commitments as state parties to the Women's Convention/CEDAW



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16. Cancel debts on borrowings that funded projects damaging to peoples and the environment and use funds freed from debt service to bolster budgets for public services and social protection

E. Protect the Rights of Migrant Workers, Refugees and other Migrants and their Families

1. AMS should commit to immediately adopt a plan of action in accordance with the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers
2. Adopt, implement policies and agenda in line with ILO decent work agenda and ensure inclusion of migrants and refugees and other people on the move in social protection mechanisms, uphold the right to freedom of association and collective bargaining for all migrant workers, and ensure inclusive tripartite consultation
3. Review and replace the existing labor and social laws that discriminate against and criminalize migrant workers, women, refugees, LGBTI, children and marginalized groups; and address violence against them, including immigration detention
4. Take measures to protect all aspects of migrant workers' rights abroad, address the cases of migrant workers on death row in countries of destination, protect them from exploitation and modern-day slavery, and resolve the issue of widespread unemployment in the region. In case of legal dispute, migrant domestic workers should have the right to stay and work in the Receiving States until the legal or labor cases are settled. Domestic workers should also have the right to get organized/unionized
5. Put in place measures for receiving countries to assist the sending country to help families, esp. children left behind, overcome the psychosocial impact of having a migrant worker in the family
6. Implement pre-departure trainings and ensure full disclosure of information about countries of destination
7. Ensure that victims of persecution receive due protection according to international standards, including the principle of *non-refoulement*
8. Forge bilateral and multilateral social security agreements within the region that would cover migrant workers
9. Mainstream gender analysis to implement gender responsive programs and training for migrant workers. Individualized/specialized programs addressing SOGIE-(Sexual Orientation, Gender Identity and Expression) related violence directed towards migrant workers
10. Implement the recommendations from the 10th ASEAN Forum on Migrant Labor towards achieving decent work for Migrant Domestic Workers. Refer to the UN Women STOE (Standard Terms of Employment) in developing standard employment contract for migrant domestic workers



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11. More accessible regular migration channels for all migrants, not just so-called “highly-skilled” migrants, that are less costly, take less time, and are less bureaucratic, and adhere to ethical and fair recruitment standards
12. We call upon the AMS to ratify the 1951 Refugee Convention, 1967 Protocol, and Statelessness Convention. Develop a regional cooperation plan of action for the protection of refugees, stateless persons and other forced migrants. We call upon the Philippine government to take leadership in ASEAN to address the Rohingya issues from the human rights lens
13. National anti-trafficking laws of member countries should be aligned with ACTIP and the Palermo Protocol, and policies should be implemented to uphold the human rights of trafficked persons
14. AMS must recognize the positive economic and social contributions of migrants to countries of origin and destination. AMS must also recognize the vital contribution of CSOs in addressing concerns on labor mobility and mixed migration, and should institutionalize CSO spaces in migration governance, in country and cross-border
15. Migration should be a choice, and not a substitute for sustainable development. AMS should ensure that the AEC project brings about sustainable development that will improve the lives of people so that migration does not become forced, where migrant workers vulnerable as they are already also fall prey to drug syndicates; and where their children left behind also become target of such criminal gangs because of inadequate parental support
16. AMS should proactively engage in the development of the Global Compact on Refugees and Migrants and support rights-based time-bound actionable commitments

Today, more than ever, urgent and sustained action is needed to transform the structures, institutions, and norms – economic, political and social – that are holding back progress in realizing a humane, just, and equitable Southeast Asia. ###