

## ACSC/APF 2017 Convergence Space

# CORPORATE GREED AND POWER

### Background

The ASEAN Economic Community (AEC) was established in 2015, along with the adoption of the AEC Blueprint 2025 during the 27<sup>th</sup> ASEAN Summit in Kuala Lumpur, Malaysia. This blueprint, together with the ASEAN Community Vision 2025, ASEAN Socio-Cultural Community (ASCC) and other blueprints on ASEAN Political-Security Community (APSC), forms the *ASEAN 2025: Forging Ahead Together* that outlines the regional intergovernmental organization's plans on achieving greater integration by 2025.

At the heart of the ASEAN community building is the vision of economic integration guided by the AEC blueprint which aims to achieve the following:

1. A highly integrated and cohesive economy
2. A competitive, innovative, and dynamic ASEAN
3. Enhanced connectivity and sectoral cooperation
4. A resilient, inclusive, people-oriented, and people-centered ASEAN
5. A global ASEAN

The Southeast Asian region is lauded for rapid economic growth rates, and the ASEAN credits this to the effective implementation of the AEC that is well into its 2<sup>nd</sup> year of implementation. However, despite pronouncements of putting the people at the center of development, the ongoing economic integration in the region, operating via the blueprint's four pillars of deregulation, privatization of public services, trade and investment liberalization, and corporate-controlled re-regulation is unsustainable for the peoples of Southeast Asia. Their realities tell a different story of rapidly rising inequality, insecurity, climate change and systemic disadvantages. Hunger and food insecurity remain a big challenge, as farmlands are rapidly converted into export crop and biofuel plantations. Sharp economic disparities manifest across and within countries, and from local to regional levels. Social and cultural inequalities, reinforced by patriarchal norms and practices, are also deepening, with those already vulnerable from many years of exclusion and discrimination further pushed out into the margins.

The preoccupation and the overriding agenda to sustain economic growth through liberalised foreign investment necessitates an environment that supports corporate interest, subordinating the broader public interest. Opening up of markets, easing of regulatory regimes, privatization of public services, stricter IPR regimes, more incentives for businesses, and stronger investor protection are just some of the key elements of this strategy.

The region is already experiencing an increase in climate related disasters and is vulnerable to greater impacts of climate change. Dirty energy and extractive projects are harming both the environment and result in land grabbing of ancestral lands of indigenous peoples. The increasing use of public private partnerships (PPPs) are reducing the commons and increasing costs while trade deals such as the Regional

Comprehensive Economic Partnership (RCEP) are being pushed without adequate measures in place to protect people's rights from the adverse impacts. While governments have reduced their accountability to uphold peoples' rights, corporations, in contrast, will further increase their control through the institutionalization of a private dispute settlement mechanism which allows foreign corporations to circumvent democratic processes and institutions, and claim extraordinary rights and privileges.

### **ACSC/APF Convergence Space on Impacts of Trade and Economic Agreements and Growing Corporate Power on Human Rights**

The thematic convergence spaces for the APF/ACSC provides an opportunity for organizations, groups and networks working on interlinked issues to come together and collectively discuss, analyse and advance a regional campaign.

For regional and national organizations that have come together into ACSC/ APF Convergence Space Impacts of Trade and Economic Agreements and Growing Corporate Power on Human Rights is an opportunity to call much needed attention to the growing power of corporations and international financial institutions in pushing for regional economic integration that dispossess the ASEAN peoples of their resources, undermine their human rights, and diminish (if not totally cut off) their access to essential services. Since these processes are generally closed to the people and done behind closed doors, these have resulted to the (1) lack of accountability, transparency, and democratic participation in the planning and implementation of the AEC; (2) increasing threats against activists (or human rights defenders) working for economic and environmental justice while (3) governments and corporations' continue to disregard peoples' rights and (4) absence of robust safeguard policies and redress mechanisms for families and communities who are victims of development aggression. Given this alarming context the Convergence Space adds its voice to the resounding call for a just, equitable and sustainable development at the global, regional and national levels. The convergence space has identified the following focus issues where corporate power is most felt and peoples' struggles are most critical:

- **RCEP and ASEAN Free Trade Agenda.** Although the Trans-Pacific Partnership Agreements may have found its end, the ASEAN, is negotiating as a bloc **behind closed doors**, with its 6 dialogue/trading partners for the Regional Comprehensive Economic Partnership (RCEP). Similar to the TPP and other corporate-led mega trade agreements, RCEP will institutionalize inequalities; curtail peoples' rights and freedoms; and uphold corporate rights over public interest and national governments' sovereignty. Massive infrastructure particularly roads, railways, gas pipelines, trade zones and ports to facilitate free trade, as well as extractive industries, will trigger land grabbing and loss of livelihood.

Since 2016, some of the organisations within the convergence space have consistently taken part in stakeholders' consultation with RCEP trade negotiators on contentious provisions of the RCEP. Similarly, they have been organizing peoples' strategy meetings to discuss and cooperate on ways to build up popular actions and campaigns against RCEP and other free trade agreements in the region. The target of concluding the negotiations initially set by 2017 will most likely spillover to 2018. Social movement pressure has certainly made an impact on stalling the negotiations as countries have failed to come to an agreement on problematic chapters of the RCEP.

- **Corporate-control of Agriculture and its Impact on Food Sovereignty.** ASEAN's focus on creating a single market seriously undermines peoples' food sovereignty, with governments effectively reducing protection for their small-scale farmers and fisherfolk. Agriculture tariffs have been reduced to 0-5% for intra-ASEAN trade on top of tariff reductions under WTO, increasing import dependency of members. Large tracts of state-owned lands have been privatized. Farmers have lost control of seeds, plants and genetic material as TNCs have gained monopoly over these. ASEAN's food security concept is hinged on the promotion of genetically modified crops and member countries' acceptance of GMOs. A concept that not only favours major agrochemical-TNCs countries and exports and lowers the standard of food on our tables.
- **Climate Change and Financing.** Poor people, especially from underdeveloped countries, who have done the least damage to the environment, used up the least global atmospheric space, and benefitted the least from the economic growth are now reaping the consequences of unsustainable patterns of consumption and production perpetuated mainly by developed countries and huge industries. Several Southeast Asian countries also face high risks from sea-level rise, increased precipitation and flooding, heat extremes, higher intensity of tropical cyclones, and ocean warming and acidification. However, climate solutions offered such as REDD+ that is intended to mitigate climate change have done the opposite impacting marginalised communities in several part of Southeast Asia. These market-based, corporate driven solutions are pushed devoid of peoples' voices that are often left out in the planning process. They aggravate the burden of people as their access to the forest for food, for medicine, for fuel, and for income are now significantly reduced. Despite its impact to communities' climate financiers favor channeling public resources to climate intermediaries (brokers) rather than dealing directly with affected communities. For example, intermediaries of the Green Climate Fund (GCF), a financial mechanism of the United Nations Framework Convention on Climate Change (UNFCCC), are closely collaborating with public financial institutions and investors in coal and big scale oil-palm plantations that do have records for human rights violations and environmental pollution.

A concerning issue that has been flagged by CSOs for the upcoming COP 23 is a clause on "effective engagement of non-party stakeholders". There could be conflict of interest especially if there is no clear distinction between corporations and other stakeholders.

- **Energy and Extractive Industries.** Need to be held accountable for the plundering and dispossessing rural and indigenous peoples of their land, territories and resources. Projects and programs by governments are increasingly being privatized and liberalized that contribute to the rights of peoples to self-determined development. Similar to trends of other issues, mining laws and policies in some countries favor transnational corporations, allowing them to operate with minimal to zero regulation, that means full access and control over resources. In the last few years the region has also experienced an increase in extractive operations of oil, natural gas and coal. But we have not seen the worse as this is expected to intensify due to the demand for energy sources by developed and industrialized countries. Privatization and deregulation of energy and management of natural resources have been key policies of governments in order to attract big foreign and transnational corporations to invest in such industries. Thus, despite abundance of different natural resources in the region, people continue to be impoverished.

In November 2017, Mines and Money Conference will be held in London. Mines and Money London is Europe's largest annual mining investment conference of industry leaders from 75 countries. The event is a strategic opening for CSOs to organize a parallel event to highlight the perspectives of ASEAN peoples and social movements whose constituencies are most affected by the social, economic, and environmental impacts of big mining business.

In bringing these issues into the APF 2017 we are guided by the following objectives:

- Unpacking the ASEAN Economic Integration Agenda by looking into its' impact on bolstering corporate control, wearing away of corporate and government accountability, and undermining human rights
- Surface peoples' experiences, visions, and resistance against increasing corporate control and power and lack of government accountability
- Strengthening regional solidarity for economic, social, and environmental justice in the region

### **Proposed Activities and Expected Output**

The complexity of the issues around growing corporate power and the objectives set by the convergence space is best achieved in three phases: (1) Webinar series preparatory to the APF is to engage the members of the convergence space and the broader APF on the growing power of corporations, its manifestations; and peoples' resistance and alternatives; (2) Consolidating and Strategising at the APF where the convergence space has 3 formal sessions and 2 open spaces have been utilised to surface peoples' struggles and alternatives within and beyond the ASEAN; (3) Sustaining Advocacy for Economic, Social and Environmental Justice in Southeast Asia, is a one-day Advocacy Planning meeting for the convergence space to map out organisational, collaborative and collective work post the APF 2017.

### **Phase 1: Webinars Preparatory to the APF (September - October 2017)**

In preparation for the APF, a webinar series will be initiated by the Convergence space on Impacts of Trade and Economic Agreements and Growing Corporate Power on Human Rights for its' members, as well as for a wider ASEAN Peoples' Forum (APF). The webinar series hopes to surface analyses on ASEAN's Development Agenda; major players in the region and how these impact on peoples' rights in the 11 countries where the APF has presence. It will also look into and share an assessment of processes and mechanisms that ASEAN has put in place as safeguards and mitigate the impact of its development agenda on the environment, peoples' rights and livelihood.

The Webinars (2 hours each) will cover the following topics:

- **Unmasking the AEC and Corporate Power in the ASEAN.** The session will go through understanding the AEC, perspectives of marginalised sectors on this; and how it has facilitated the growing power of corporations and financial institutions in Southeast Asia. The session ends with the introduction of the Convergence Space on Impacts of Trade and Economic Agreements and Growing Corporate Power on Human Rights.
- **Understanding the different manifestations of Corporate Power.** This session will look into the sub-thematic focus of the convergence space: RCEP and FTAs in the ASEAN; Agro-TNC; Financing; Energy

and Extractive Industries; and Climate Change. These will be discussed within the context of how these impact human rights, access to ASEAN commons; while also looking into government and corporate accountability.

- **Regional Solidarity for Development Justice.** This session provides the space to explore frameworks, practice and alternatives for regional solidarity grounded in human rights, and Development Justice. It will gather inputs for a “People’s Trade Agreement” which will outline areas of regional cooperation that will advance Development Justice from this perspective.

## **Phase 2: Consolidating and Strategizing at the APF (November 2017)**

At the APF the convergence space has designed 3 formal sessions (2-3 hours) on the following :

### **Workshop/Session 1: People’s State of the Region.**

This introductory session is meant to map out the background, and how development justice and human rights have been obstructed by corporate power and the neo-liberal consensus evident in trade & investment agreements and economic institutions. Designed as a People’s State of the Region, it is meant to unpack development agenda of the AEC, discuss the urgency of these issues and advocacy around the sub-themes mentioned. Possible discussion format to be employed could be a talk show or a people’s general assembly to allow everyone the opportunity to share viewpoints and enable complex analysis of issues.

### **Workshop/Session 2: Sub-thematic galleries and discussions.**

The sub-themes on RCEP and FTAs, Agro-TNC and Food Sovereignty, Energy and Extractive Industries; and Climate Change and Financing will be assigned separate spaces where they can conduct deeper sub-theme conversations. This is to provide space for analyzing and campaigning around the 4 sub-themes. Speakers will be invited to discuss case studies which will include different strategies and success stories in engaging communities and power holders in asserting human rights in cases of development aggression. Learning from the discussions, members of the convergence space will be given time to strategize on campaigning around the 4 sub-themes and articulate their visions for an ASEAN Peoples’ Trade and Economic Agenda.

### **Open Spaces (Side-events)**

The two open spaces have currently been allotted (1) a workshop on Intersection of Trade, Investment and Corporate Accountability done with the AEPF’s Just Trade Thematic Cluster and (2) constituency based consultation.

### **Expected output:**

- SEA Peoples’<sup>1</sup> Struggles and Alternatives within and Beyond the ASEAN (Documentation) is the shared output of the entire APF with all 5 convergence spaces contributing to this documentation
- People’s Trade Agenda is the collective output of the convergence space crafted according to principles of economic, social and environmental justice. This will be a useful advocacy tool within and beyond the ASEAN.

## **Phase 3: Sustaining Advocacy for Economic, Social and Environmental Justice in Southeast Asia (Post-APF 2017)**

The convergence space recognizes the need to sustain advocacies and campaigns on development justice in the region that goes beyond APF 2017 as the AEC Blueprint is set to be implemented until 2025. Designed as

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<sup>1</sup> SEA People covers the 11 countries in Southeast Asia

a People's Strategy Meeting it will provide space to discuss emerging ideas for campaigns, advocacy work, and mobilizations within and across sub-themes, at the regional / national level working beyond the APF 2017. Methodologies that may be explored are open space technology, power mapping, and critical pathways.

**Expected output:**

Two-year Regional advocacy plan for the Convergence Space

## Annex 1: Members of the Convergence Space on Corporate Greed and Power

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- Asia Pacific Forum on Women, Law and Development (APWLD), Regional
- Asia Pacific Research Network (APRN), Regional
- Focus on the Global South, Regional
- Asia Pacific Network for Food Sovereignty (APNFS), Regional
- Trade Justice Pilipinas
- Aliansi Gerakan Reforma Agraria (AGRA), Indonesia
- Solidaritas Perempuan, Indonesia
- Magsasaka at Siyentipiko para sa Pag-unlad ng Agrikultura - MASIPAG (Farmer-Scientist Partnership for Development) , Philippines
- Integrated Rural Development Foundation (IRDF), Philippines
- Center for Environmental Concerns (CEC), Philippines
- Asia Indigenous Peoples' Pact (AIPP), Regional
- AKSI for Gender, Social and Ecological Justice, Indonesia
- Philippine Movement for Climate Justice (PM CJ), Philippines
- National Movement for Food Sovereignty (NMFS), Philippines
- Asian Peoples' Movement on Debt and Development (APMDD), Regional
- Freedom from Debt Coalition (FDC), Philippines
- Women's Legal and Human Rights Bureau, Inc. (WLB), Philippines
- Gabriela Alliance of Filipino Women (GABRIELA, Philippines)
- Asian Partnership for the Development of Human Resources in Rural Asia (AsiaDHRA), Regional
- Alyansa Tigil Mina (ATM), Philippines
- Sawit Watch, Indonesia
- Asia Indigenous Peoples Network on Extractives Industries and Energy (AIPNEE), Regional