

ASEAN for the People
Statement of the 2nd ASEAN Civil Society Conference (ACSC II)
10-12 December 2006
Cebu City, Philippines

1. We are more than 300 participants from countries in the ASEAN region who gathered for the 2nd ASEAN Civil Society Conference (ACSC II) organized by the Solidarity for Asian People's Advocacy (SAPA) Working Group on ASEAN and its partners, in Cebu City, Philippines on 10-12 December 2006. We are joined by guests and partners from outside the ASEAN region, including the rest of Asia and Pacific, Australia, Europe, Southern Africa, and South America. Together, we deliberated on the theme "Creating a Caring and Sharing Community – Enhancing People's Participation in Governance and Development".
2. We come from various community-based organizations, civil society groups, NGOs, social movements, people's organizations and trade unions that work on critical social, political and economic issues in the ASEAN region.
3. The ACSC II is a continuation of the 1st ACSC held in Shah Alam, Malaysia on 7-9 December 2005 whose outcome was officially presented to the ASEAN Heads of State, and the culmination of the series of national civil society consultation meetings initiated by the SAPA Working Group on ASEAN in cooperation with the Southeast Asia Committee for Advocacy (SEACA) for Burma, Cambodia, Indonesia, Philippines, Malaysia, Thailand and Vietnam. The ACSC II consolidates our inputs and proposals to the ASEAN processes including the ASEAN Charter process. Equally important, the ACSC II is an expression of our collective aspirations and commitment for the ASEAN region.

REGIONAL TRENDS AND CHALLENGES

4. Based on our work and experience in the region, and deliberations during the ACSC II, we identified the following key issues that pose the greatest challenge to the ASEAN peoples, and that require the immediate attention of ASEAN Members individually as well as of ASEAN regionally.

Contraction of Democracies and a Volatile Peace

5. In the last several decades, popular protests and movements ignited a wave of democratization in ASEAN starting with the 1986 "people power" ouster of President Ferdinand Marcos, followed by the retreat of the Thai military from politics in the early 1990s, Cambodia's elections in 1993, and President Suharto's resignation in 1998.

6. Still, the region is home to countries that carry questionable records in political democracy. Burma continues to be ruled by a military junta, and has invited international outcry for the suppression of democracy and violation of human rights. Cambodia has yet to provide civil society their full rights as enshrined in its Constitution. Malaysia and Singapore govern under regimes that use the Internal Security Act. And recently, the Thai military has again taken over the Government with no clear program for the reinstatement of civilian supremacy. The region is also home to violent conflicts arising from struggles for self-determination in different countries, among them Mindanao in the Philippines, and Irian Jaya and Aceh in Indonesia.
7. The contraction of democracy and the persistence of internal conflicts put the region in a situation of volatile peace, which the ASEAN itself is unable to effectively address because of its commitment to political non-intervention, and its refusal to create regionally viable mechanisms to find acceptable solutions to what are clearly regional concerns.
8. We call for the broadening and redefinition of democracy in ASEAN beyond established practices and assumptions, especially in relation to nation-states, nationalism, identities and human rights. ASEAN must actively enrich and deepen democracy by critically examining its cultural base; by extending citizenship to and promoting mutual respect among all persons within its regional borders; and by guaranteeing free and honest elections, participatory governance, basic liberties, and a free and plural media.
9. We challenge the ASEAN principle of non-intervention. Not only is there an immediate need to regionally address the human rights concerns in conflict areas, but conflict prevention mechanisms that prioritize dialogue and cooperation also need to be institutionalized for the building of a lasting peace in ASEAN. Peace-building measures must be sensitive and appropriate to existing cultures, make use of existing indigenous/traditional institutions, and have the support and participation of the people. Documentation and exchange among people from conflict areas will strengthen their struggles and build greater understanding among them.
10. In the specific case of Burma, we demand that ASEAN leaders call on the State Peace and Development Council (SPDC) of Burma to immediately and unconditionally release Daw Aung San Suu Kyi and all political prisoners, and to enter into dialogue with the democratic opposition led by Daw Aung San Suu Kyi, and ethnic nationalities.

Human Rights: Violation and Impunity without Redress

11. In recent years, human rights have been rolled back in countries such as Burma, the Philippines, Thailand, Indonesia and Cambodia. Drastic increases in human rights violations including the widespread extra-judicial killings, involuntarily

disappearances, impunity, rape of women, torture and inhumane treatment were documented in these countries.

12. Basic freedoms such as the rights to assembly, association and expression that are critical for genuine people's participation in policy-making continue to deteriorate in all ASEAN countries. The global anti-terrorism campaign fosters religious polarization in culturally-diverse ASEAN, putting the region at risk of deeper and more complicated conflicts. The importance of protection of religious freedom cannot be overemphasized at this time.
13. Indigenous peoples are among the most marginalized in Southeast Asia. Their ancestral lands and resources are either not recognized or are expropriated by governments and private corporations for mono-crop plantations; oil, gas and mineral extraction; hydro-electric and dam projects; and other so-called 'development' projects. They too fall victim to extra-judicial killing, torture, forced evacuation, massacre, and rape. National laws and policies that recognize, respect and promote indigenous peoples' rights are absent in most countries; and if present, are watered down or not implemented effectively.
14. We call on ASEAN to put an immediate end to the grave human rights situation in the region, and to create a regional human rights body responsible for, among others: monitoring and reporting human rights conditions within the region; investigating human rights violations; developing awareness on human rights among people in the region; and, providing effective compliance and redress mechanisms.
15. Barriers exist to the access of information and knowledge, contrary to both global commitments (in the Rio Declaration and the Universal Declaration of Human Rights) and ASEAN's own declarations. We call on ASEAN to promote the communication rights of peoples and communities by ensuring citizens' access to information, upholding freedom of expression and keeping all forms of media free and plural, protecting and extending the public domain, and keeping the means to access knowledge open and transparent.

Economic Integration: Negative Impacts of Integration and Neo-liberal Globalization

16. ASEAN completely embraces the logic of the market, picking little from the many examples from some of its Members and many of its neighbors that have been able to show success using more heterodox economic policies. A variety of inter-linked routes – from regional and sub-regional market integration to free trade and economic partnership agreements with countries from outside the region, and its call for the revival of the multilateral trade talks without clear call to address the infirmities of the global trading system – shows that the integration ASEAN opts for is limited to that which can create markets and benefit organized business corporations the most. It is not clear and proactive when it comes to basic producers, indigenous production systems, the negative impacts of

integration and globalization, and the impact on the sustainability of the regional environment.

17. There is lack of information on and understanding of the various ASEAN economic integration initiatives as well as the bilateral and multilateral free trade agreements (FTAs) and economic partnership agreements (EPAs) that ASEAN Members individually and ASEAN as a region are party to. The lack of transparency in negotiations, poor access to timely information, and the absence of systematic public or parliamentary scrutiny of these agreements undermine the interests of peoples by precluding their effective participation. The gravity of effective exclusion of people's views from economic agreements is punctuated by the proven inequity in the global trading system, and the negative impacts of liberalization and integration absent clear programs to address structural concerns. It is in this context that we reject the revival of the Doha round in the World Trade Organization, and reject FTAs in their present form and process. We call on Governments to review existing FTAs and, to postpone for further examination and public scrutiny the FTAs currently being negotiated or proposed, particularly the proposed EU-ASEAN FTA, and FTAs with Japan and the United States under consideration by several ASEAN members.
18. The ASEAN region is composed primarily of men and women small farmers, producers, fisherfolk and indigenous peoples, whose lives are threatened by unfair global trade. To support them, ASEAN should rethink the abolition of tariffs and the opening up of markets as the main vehicle of regional integration. ASEAN should promote cooperation that moves away from economic activities based largely on natural resource extraction; promote economic growth anchored in and driven by rural industrialization; promote appropriate sustainable industrial development based on harmonization and complementation of industries; and promote public investment through regional support mechanisms for the regional collective good. ASEAN should give priority support to small farmers and producers, regulate the entry and operation of transnational corporations, especially in the agriculture and food sectors, and guard the region against the increased use of hazardous and/or untested technology. We call on ASEAN to adopt a regional integration process that considers social justice, gender, institutionalized participation of citizens, food security and sovereignty, sustainable production systems and equity-led trade.
19. Economic liberalization policies pursued by ASEAN Members, especially in the privatization of essential public services, threaten citizens' rights and access to water, housing, healthcare, and education. Access to these services is further compromised by provisions in bilateral and multilateral free trade agreements that seek the abolition of subsidies, the opening up of markets, and the liberalization of investment in these sectors. We call on ASEAN Members to protect essential public services, and to create mechanisms towards cooperation in regional public goods and services.

20. Integration and globalization create worsening conditions and increased vulnerabilities for the working peoples in ASEAN. We call on ASEAN to explicitly ratify, fulfill and promote the ILO conventions on core labor standards, the ILO Convention Concerning Home Work protecting mostly women informal workers, the UN Migrant Workers Convention, and the ILO Multilateral Framework on Labor Migration. ASEAN should adopt a Social Charter (as proposed by the ASEAN Trade Union Council and other Asia Pacific Regional Organizations of Global Union Federations) enshrining workers' rights, and institutionalizing participation of workers in mandatory social dialogue and consultation.

Population Movements: Displacement, Forcible Migration and Migration Insecurity

21. One of the most urgent trans-border issues that impact on the security and well-being of ASEAN populations are the mass displacements caused by protracted conflicts and economic destabilization in Burma, Mindanao, Southern Thailand and West Papua. Burma has one of the highest numbers of internally displaced persons in the world and continues to produce increasing flows of refugees and stateless persons to neighboring countries, in particular Thailand and Malaysia. ASEAN has so far failed to address the root causes of these forced movements and to provide viable long-term sanctuary for these populations on humanitarian grounds.
22. Uneven economic development in the region also results in forced movements of people in search of viable livelihoods. Inflexible, corrupt and expensive recruitment systems for managing labor migration in both sending and receiving countries contribute to increasing irregular movements across borders. Rather than protecting their labor rights and personal security, ASEAN states have punished and excised migrants in irregular status from their territories, leading to further impoverishment and vulnerability in border zones. Mass deportation continues to contribute directly to human smuggling and trafficking in the region.
23. We are concerned about the treatment of migrant workers in the region, and in particular with the criminalization of migrants with irregular status. We call on ASEAN to uphold the principle of equal treatment, and elaborate on an ASEAN instrument for the protection and promotion of the rights of all migrant workers as outlined in the Vientiane Action Plan. Trafficking should also be addressed beyond the framework of peace and security, and use a gender-sensitive approach. The ASEAN Commission on the Promotion and Protection of the Rights of Women and Children should have specific focus on the needs of migrants, in particular domestic workers and trafficked persons. We urge ASEAN states of both sending and receiving countries to provide on-site protection mechanisms for migrant workers. We emphasize the need to establish a regional mechanism to protect the healthcare of migrants, and to move away from mandatory towards voluntary health testing. We advocate for the mutual recognition of skills, not just

of professional and educational qualifications, of workers within the ASEAN region.

Sustainable Development Concerns and Increasing Health and Environmental Volatility

24. The diverse natural and ecological resources of the ASEAN region are being threatened by large scale mono-crop production, unregulated extraction and exploitation and poor planning, resulting in environmental insecurity, displacement from places of livelihood and health concerns. Access and control of the Southeast Asian regional commons (including land, water, forests, minerals, and marine and coastal resources) are more and more dominated by organized business and corporations causing ecological degradation and poverty, and undermines the prior rights of communities that depend on these commons. Insecurity in the regional commons will only continue as long as ASEAN's integration is limited to economic integration, and its processes lack both transparency and the direct participation of communities in decision making.
25. The adoption of the ASEAN Mineral Cooperation Plan (2006-2010) revived large scale commercial mining in the region, despite ASEAN Members' failure to provide remedy for past mining disasters that continue to destroy the environment and cause public health problems which the industry's measly contribution to regional GDP and employment cannot compensate. The ASEAN roadmap for the integration of the fisheries sector exerts further pressure upon the already over-fished and depleted fisheries resources and marine and coastal ecosystem of the region, affecting the livelihoods of artisanal fisherfolks.
26. The clearing and conversion of millions of hectares of forests in Indonesia and Malaysia for the use of mono-crop plantations (esp. palm) result in uncontrolled forest fires that produce trans-boundary haze. Hazardous toxic wastes from industrialized countries, often disguised as recyclable materials, are being shipped to the region through bilateral trade agreements. Both the haze and toxic waste trade affect the health and well being of people in the region.
27. We challenge the rosy claims of ASEAN on the achievement of the Millennium Development Goals (MDG). Minimalist as they already are, none of the ASEAN countries will achieve all the goals by 2015. The so-called dramatic poverty reduction happens side by side with increasing inequality, depletion of natural resources, and destruction of the environment.
28. We challenge ASEAN to clarify environmental bottom-lines, and identify and protect no-go zones/options in highly sensitive sustainable development areas in the region. ASEAN should do this in consultation with all sectors but with clear preference for the interests of the poor, applying precautionary principles on ineffective/untested economic frameworks and technologies, empowering

communities to exact accountability on violators directly, and enabling them to exercise their option including deciding on the entry of extractive industries.

Prevailing Asian Patriarchies: Gender Inequalities

29. The deliberate exclusion of women persists in ASEAN. Until now, women in the region have been unable to systematically crack open the doors to political leadership despite the rise to power of some women individuals. Women as a social group remain glorified as “mothers and wives” experiencing increased burdens as the state retreats from social provisioning. Socio-cultural and religious intolerance for women’s personal autonomy and their expanding claims to sexual and reproductive self-determination ensure that various forms of violence against women continue to take place. Overall, women’s human rights in ASEAN are caught in the web of contesting patriarchies – from the states, the military, the corporations, and conservative social segments and institutions.
30. It is imperative that the level of awareness and understanding of women's issues through consciousness raising and capacity building is increased within ASEAN, and that women's voices are really heard by ASEAN Leaders. ASEAN should implement already existing agreements signed by ASEAN Countries regarding women's rights, empowerment and development, in particular the International Bill of Rights for Women (CEDAW). It should upgrade the existing regional mechanism for the advancement of women, and institutionalize gender statistics in the ASEAN Baseline Monitoring Indicators. We challenge ASEAN to achieve and surpass the universally agreed minimum targets on women’s participation in decision making and leadership. The planned Commission on Women and Children should be used as a platform for discussing socio-cultural issues as well as for expressing views on economic integration, political participation, identity and rights.

Exclusion and Insecurity of Children and Youth

31. A growing number of children and youth face precarious conditions in ASEAN. More than one-third of children in armed conflicts in the world are in the region, notably in Burma, the Philippines (Mindanao), and Indonesia (Aceh). Marginalized youths such as those who are abandoned, homeless, handicapped as well as lesbian, gay, bisexual and transgender youth are especially vulnerable to abuse. Youth offenders are prosecuted and sent to prison without the special treatment afforded to children. Youth representatives from the region are marginalized from political decision making processes.
32. We call on ASEAN member states to recognize the youth as a specific majority group that needs special and urgent attention; to invest in youth education and resources, job opportunities and capacity building; to uphold their commitments in the Vientiane Action Plan (VAP), particularly in the active participation of youth in good governance and political decision making processes at the regional

and national levels; and to respect the Convention on the Rights of the Child (CRC) and ratify the optional protocol on the involvement of children in armed conflicts.

ASEAN Economic Community: Limited Vision of Regionalism

33. The transformation of the region into a single community should go beyond economic integration and must be people-centered, humane and rights-based at all times, and must adhere to the carrying capacity of the environment and reinforce environmental sustainability. To truly reflect the aspirations of ASEAN peoples, ASEAN should be more than just a forum for governments and states and should involve the people in the issues they are most concerned with – human rights and democracy, work and livelihood, health and well being, environment and biodiversity, participation and inclusion, cultural expression, self determination and economic justice.
34. Our aim should be to foster genuine regional solidarity rather than economic integration alone. In order to build communities of peoples in genuine regional solidarity, there is a need to define regional arrangements/cooperation from the perspective of people. Southeast Asia can learn much from inter-regional exchanges, drawing upon the successes, failures and wealth of experiences of Southern Africa, South America, and Europe.
35. We call for an alternative regionalism that is anchored on people's participation at all times and that truly represents a community of people of diverse faiths and cultures, with different political and economic systems and historical backgrounds, but bound by an undivided commitment to the universal principles of human rights, justice, peace, democracy, tolerance, and solidarity.

CIVIL SOCIETY COMMITMENT AND CALL TO ACTION

36. The challenge of building a regional community is complex. Equally challenging is the task of monitoring and exacting accountability from the national and regional institutions that claim to lead the building of this community on our behalf. We, participants of the ACSC II, in line with a shared understanding and analysis of trends, issues and concerns discussed in ACSC I and II, and guided by the different national and regional processes that we are involved in, commit to work together to build a people-centered and people-driven community in the ASEAN region based on the principles of human rights and dignity, human security, a just and lasting peace, participation and social dialogue, social and economic justice, cultural and ecological diversity, environmentally sustainable development, and gender equity.
37. We resolve to continue to engage with and challenge the ASEAN at all levels, making use of all available spaces and opportunities to defend and advance the rights and interests of the marginalized and excluded people in all societies and

communities in the region. In particular, we resolve to engage the official process of the ASEAN Charter.

38. We resolve to strengthen our ranks and expand our initiative in solidarity and movement building, challenge ourselves to be more inclusive and participatory, and respond to issues of urgent concern in a timely manner.
39. We resolve to continuously build and strengthen initiatives that will concretize the community building processes that we want to pursue. Towards this end, we will further our monitoring, analysis and challenge to regional issues and initiatives with the view of highlighting the people's agenda. We commit to build an ASEAN People's Charter that reflects the rights, interests and aspirations of all peoples in the ASEAN region.
40. We demand that the ASEAN create effective mechanisms for transparency, accountability and people's participation. In particular, we demand for automatic civil society seats in all decision making processes of the ASEAN.
41. We demand that ASEAN includes automatic review clauses in all its initiatives and agreements internally and with partners outside of the region. This is to ensure that initiatives and agreements not responsive to or inimical to ASEAN people's welfare are recast, while those upholding ASEAN people's interests are enhanced.
42. We demand that the ASEAN guarantee the full participation of civil society in the ASEAN Charter drafting process, and that the final draft be subject to national referendum.
43. We resolve to meet again at the ACSC III in Singapore in 2007 in conjunction with the 13th ASEAN Summit, armed with new challenge, renewed energy and greater determination to advance the kind of regionalism we aspire for. We will continue to meet as ACSC parallel to all ASEAN Summits and assert that we are recognized as a broad platform for citizen participation in the official process, even as we persist in similar endeavors both outside and inside the ASEAN, on the streets, in the community, and in all forms of just struggle.

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