



Empowering Peoples' Solidarity
Against All Forms of Discrimination
2-4 November 2018, Singapore

ACSC/APF 2018 Statement

Sunday, 4 Nov 2018, Singapore

We, the more than 200 civil society participants from 11 Southeast Asian countries comprising Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, Philippines, Singapore, Thailand, Timor Leste, Vietnam and regional civil society groups, gathered at the Singapore Polytechnic Graduates' Guild from 2 November to 4 November 2018 to participate in the ASEAN Civil Society Conference / ASEAN Peoples' Forum (ACSC/APF) 2018.

The 3-day proceedings focused on the main theme of "Empowering Peoples' Solidarity Against All Forms of Discrimination" in Southeast Asia. Noting and appreciating the Convergence Spaces approach developed in the ACSC/APF 2017, where participants could discuss and learn from each other's expertise and experiences in tackling similar or interrelated issues, and find ways to develop, collaborate, and advance national and regional campaigns, the Singapore edition sees the continuation of this approach.

This year's ACSC/APF is focused on six Convergence Spaces: **Just and Sustainable Development, Safe Movement of Migrants, Life with Dignity, Peace and Security, Human Rights and Access to Justice, and Against All Forms of Discrimination**. The sixth convergence space "Against All Forms of Discrimination" was included to build understanding on how discriminatory biases and practices exist in institutionalised structures and among peoples, and how peoples of different socio-economic, political or ideological backgrounds can achieve greater solidarity.

Recognising the long and enduring complexities in the region, the ASEAN CSOs and Peoples' Groups gathering at the ACSC/APF 2018 call on ASEAN bodies, its member governments, the private sector, civil society and other stakeholders in the region to heed the priority recommendations as follows:

Promote Just and Sustainable Development

1. Corporations need to take responsibility for the loss of agrarian/rural farmers in the ASEAN region;
2. Democratise the use and control of natural resources of energy;
3. In view of the multiplicity of trade agreements and arrangements the ASEAN region is actively pursuing, and the potential ill effects they may bring despite the benefits, ASEAN member states must prioritise human rights, public health and public interest over business interests and must fully increase the transparency of these trade negotiations;
4. Ensure worker protection through laws, regulation, resource allocation and to involve trade unions, workers' and other appropriate organisations actively;



ACSC/APF 2018

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5. ASEAN member states should review all regional trade agreements and conduct post-facto impact assessment;
6. A mechanism should be created at the regional level for the local community to communicate the value of their own resources, their needs and rights to protect their resources and livelihood from development projects that will cause problems to all who rely on the Mekong and tributaries within the whole basin. The joint investigation and decision making should be set up at the regional level to consider the cross-border issues and impact caused by hydropower dams;
7. To ensure the regional process in reviewing the ideology and direction to build dams in the region. The better choice is to produce energy by sources that will not increase excess capacity for buyer countries or even the decision to stop using the dams because of the inefficiency or its impacts need to be made and shared among the regional public. The work and recommendations produced must be adopted by the member countries. ASEAN should intervene in the on-going process on the Mekong dams, which is proving to be a regional threat rather than a sustainable development tool;
8. Governments should promote Public-People Partnerships based on principles of inclusion, the principle of the Commons and enhancement of community cultures instead of Public-Private Partnership (PPP) limited to big corporations;
9. Establish national and regional mechanisms to promote inclusive partnership among government bodies, peoples' movements and other stakeholders, including civil society organisations and private sector, for development and the Sustainable Development Goals (SDGs)-related policy prioritisation and coherence;
10. Call on ASEAN countries to support alternative economic policies and pursue a post-carbon Alternative People's Economy through a just transition, and one that will rebuild our agriculture sectors, stop land banking, dismantle financialisation and wealth concentration, and build infrastructures, especially those related to the Belt-and-Road Initiative, with the involvement and participation of the people;
11. Integrate gender, women's rights, rights of persons with disability, rights of ethnic and indigenous peoples, intersectionality and inclusive perspectives with particular attention to ensuring meaningful participation and representation of marginalised sectors including women in the implementation of the ASEAN Economic Community Blueprint;
12. Undertake a collection of grassroots case studies of community-based projects on the ground of local people taking action in building an Alternative Peoples' Economy towards an Alternative Regionalism;



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Ensuring the Safe Movement of Migrants

1. Implement the 2030 Agenda for Sustainable Development and ASEAN community vision 2025 and map out the agreed position by ASEAN member states on addressing discrimination (like SDGs 5, 8, 10 and 16);
2. In one ASEAN community, migrant communities should be promoted as a part of both origin and destination societies and all forms of social exclusion should be reduced;
3. ASEAN member states must collaborate and consult each other to promote migrants' human rights without discrimination;
4. Bans on migration must be evaluated and assessed before being imposed and they need to be in line with migration policies and enforcement for safe migration;
5. ASEAN member states should create meaningful dialogue with CSOs and other stakeholders;
6. Mutual portability of social protection including healthcare, child education and welfare amongst ASEAN member states should be developed to ensure the inclusion of ASEAN peoples;
7. All ASEAN member states should ratify ILO conventions on the protection of migrant workers such as C188 Working in Fishing Convention and C189 – Domestic Workers Convention and the UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
8. ASEAN stakeholders (governments, employers, trade unions, civil society...) should be actively involved in the effective implementation of the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers and the ASEAN Forum on Migrant Labour (AFML) recommendations;
9. ASEAN member states must ensure that all migrant workers, especially domestic workers, can exercise their rights to communicate with their families and their countries of origin, and freedom to travel¹;
10. Implement mechanisms in capacity building and research on migrant workers' rights such as access to justice, social protection (healthcare, child education etc.), legal framework regarding state channel for migration which does not always equate to safe migration. For the effective and sustainability of implementation of the ASEAN Consensus, ASEAN should respect international human rights standards, work in synergy with other existing human rights mechanisms and establish national structures. The mixed migration concept which brings the nexus between migration and trafficking, deserve proper attention;



ACSC/APF 2018

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Maintain Peace and Security

1. ASEAN should encourage its member states to complete their national legal systems related to peace and human security, environmental protection and human rights, integrated with local contexts and in accordance with international community's expectations and goals by enforcing SDGs 12, 13, and 15 and the Paris Agreement, addressing mainstream hydropower dams in Mekong, Salween and ASEAN rivers and environmental issues as non-traditional security challenges and integrate them within the framework of Peace and Security under the Political-Security Pillar; and work with its partners to include Mekong river issue as a strategic area of attention into international mechanisms involving ASEAN;
2. ASEAN member states should strengthen information sharing and cooperation with CSOs to solve problems on environment in ASEAN countries for human security; review, adopt and implement recommendations from the recent regional cooperation such as Mekong River Commission (MRC) Council Study, Declaration on ASEAN Post-2015 Environmental Sustainability and Climate Change Agenda, and ASEAN Cooperation on Environment etc.;
3. Work with partners to push for the peaceful settlement of conflicts in the South China Sea with respect to legal and diplomatic processes and for the finalisation of the Code of Conduct of Parties in the South China Sea (COC) based on the 1982 United Nations Convention on the Law of the Sea;
4. Implement Permanent Court of Arbitration ruling on the West Philippines Sea as a common fishing ground and common navigation lane for all ASEAN peoples;
5. ASEAN member states need to take serious steps to reduce military expenditures and transfer resources to social needs (civil space, democratic participation and freedom of expression);
6. For ASEAN member states to establish a body that will immediately address the humanitarian issues of the Rohingya and other affected communities and initiate a dialogue process between related governments and the Rohingya communities towards a meaningful resolution of the crisis. ASEAN member states should uphold the non-refoulement principle of asylum seekers, especially the refugees;
7. For the regional civil society to develop modalities for regional support for inter-ethnic solidarity within ASEAN and beyond, and for the mobilisation of an integrated solidarity movement in consultation with the Rohingya community in order to ensure basic human rights of the Rohingya community in Myanmar. ASEAN CSOs should continue to monitor, discuss and track issues in every civil society conference until the issues are resolved;



ACSC/APF 2018

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8. End impunity to perpetrators of sexual violence in conflict areas and address issues of gender-based violence particularly sexual violence against women and girls in the context of conflict;

Protect and Promote Human Rights and Access to Justice

1. The ASEAN member states should provide an enabling environment to protect civic space and guarantee freedom of expression, assembly, and association of the vulnerable groups such as women, youth, people with disability, LGBTIQ, indigenous and ethnic peoples to conduct activities for promoting human rights and access to justice;
2. Operationalise and strengthen the protection mandate within AICHR's Terms of Reference, for AICHR to address key human rights issues in the region such as the Rohingya crisis, extra-judicial killing, judicial harassment of the human rights defenders, and women's rights violations;
3. ASEAN member states to condemn sexual violence in a statement and make access to justice for women and girl children as a central agenda of ASEAN;
4. ASEAN member states to address and end impunity for perpetrators of sexual violence and allocate sufficient resources to promote access to justice for women and girl children, for women's rights education, and for prevention and recovery programs;
5. The pattern of systemic violence and repression against fundamental freedoms is evidential across South East Asia. Regional efforts should be centralised to demand ASEAN member states to repeal all repressive laws and legal provisions that criminalise and restrict human rights and fundamental freedoms;
6. We call on ASEAN member states to implement their obligations under international human rights treaties and standards, particularly the UN Declaration on Human Rights Defenders (HRDs), by respecting fully the freedoms of all peoples working to defend human rights;
7. National Human Rights Institutions (NHRIs) in ASEAN member states must take progressive steps and measures, by creating a mechanism to protect HRDs from Strategic Litigation against Public Participation (SLAPP) in criminal or civil lawsuits;
8. To ensure that the Chair of ASEAN will safeguard human rights and democracy in its country and the region. To uphold the principle of people-centred ASEAN by ensuring peoples' participation without limit;
9. ASEAN member states to accept special advisors and experts to investigate disappearance cases and to continue monitoring these cases until they are resolved;



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Ensure that People Live with Dignity

To realise the social dimension in regional integration particularly in the ASEAN Economic Community,

1. Ratify and implement ILO core labour standards including enforcing occupational safety and health, full employment, living wage that is sufficient to meet a dignified living standard, and consultation mechanisms, as well as conduct continuing education and skills training for all workers, both in the formal and informal economy;
2. Work towards the realisation of peoples' right to social protection – guaranteeing essential services, sustainable livelihood, and income throughout each person's life cycle – by allocating adequate funds that is not below the UN-ILO recommended social protection spending of 6% of the country's GDP and ensuring CSOs participation in designing the programs as well as in monitoring and implementation of the Framework and Action Plan to Implement the ASEAN Declaration on Strengthening Social Protection;
3. Develop, promote, and implement policies, instruments and mechanisms towards accessible and non-discriminatory state-funded quality healthcare -- for all, by giving healthcare high priority in the national budget, stopping the privatisation of public hospitals and health services, penalising pharmaceuticals for prohibitive drug pricing, and abandoning trade agreements commodifying people's health;
4. Institutionalise dialogues and consultations on economic as well as social issues with and between CSOs, peoples' movements, trade unions, workers' organisations, parliamentarians, policymakers and academic institutions at the national and regional levels. Ensure that CSOs, peoples' movements and trade unions have space in the dialogues for policy-making;

Act Against All Forms of Discrimination

1. We understand and acknowledge how the law and system works. Great efforts and compromise have been made to influence and encourage change in policy-making. We need the authorities to listen to us instead of shutting us down and telling us what we should do in their favour, especially in closed-door meetings between e.g. NGOs and parliamentarians, which often is the situation;
2. Recognise efforts by civil society organisations to help overcome discrimination of vulnerable groups. This can include talks in schools, development of educational materials, and outreach to the public with as many different segments of society as possible to kick-start public conversations and achieve a ripple effect throughout society over time. It is also important to engage the media to educate and influence them to portray the vulnerable groups in a more positive light. It is important to build alliances or



ACSC/APF 2018

Empowering Peoples' Solidarity Against All Forms of Discrimination 2-4 November 2018, Singapore

networks to share experiences with communities, CSOs, and public services involved with providing social protection. This can be done by conducting workshops or forums;

3. Recognise sex workⁱⁱ as work and call for the decriminalisation of sex work while providing greater protection for exploited persons such as minors and trafficked persons in the sex industry;
4. Commit to increasing and enhancing barrier-free access and basic rights for persons with disabilities;
5. ASEAN civil society to support and push for decriminalisation of homosexuality and homosexual actsⁱⁱⁱ, to call for same-sex marriages to be legalised, and to call for all ASEAN member states to respect and protect all sexual orientations and identities;
6. With affected vulnerable groups, it is important for civil society organisations to create safe-space for conversations that lead to building long-term relationships and trust. These conversations should help to (re)build their confidence and seek to enable them to strive for something greater while thinking of how to work around imposed restrictions in a collective manner;
7. Encourage and recognise youth participation, expand space for youths to get involved meaningfully, and trust their capacity, creativity, energy and innovativeness;

Our Commitments

We, the peoples of Southeast Asia, are committed to working together in leveraging the ACSC/APF as a space for interaction and dialogue among us to engage ASEAN and the ASEAN Member States to realise the people-oriented, people-centred ASEAN community.

We look forward to having another vibrant and dynamic dialogue among civil society during the next ACSC/APF in 2019 under the chairship of Thailand.

ⁱ Brunei representatives present note that domestic workers should still be liable to their contractual obligations with their employers and are able to travel as permitted under the law.

ⁱⁱ Brunei representatives have reservations on sex work as it goes against their religious views.

ⁱⁱⁱ Brunei representatives while noting the call to protect the rights of different peoples, have reservations on homosexual acts and same-sex marriages as they go against their religious views.