

# **“ South East Asia Peoples’ Engagement Towards a People-Centered ASEAN: A Ten-Year Review of the ASEAN Civil Society Conference/ ASEAN Peoples’ Forum (ACSC/APF) 2005-2015”**

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## **Background of the Review**

Inspired by the purpose of the Association of Southeast Asian Nations (ASEAN) “to enhance the well-being and livelihood of the peoples of ASEAN by providing them with equitable access to opportunities for human development, social welfare and justice” (Article 1.11, ASEAN Charter), as well as “to promote a people-oriented ASEAN in which all sectors of society are encouraged to participate in, and benefit from, the process of ASEAN integration and community building” (Article 1.13, ASEAN Charter)<sup>2</sup>;

Emphasizing the development of an ASEAN identity and the building of a people-oriented ASEAN where people are at the centre of community building, through the participation of all sectors of society;

Being rooted in the struggles of grassroots communities and peoples’ movements of Southeast Asian countries, most of which are member countries of ASEAN, and carving out its rightful space among mediating institutions that bring the voices, issues, problems, and solutions of peoples and communities to the public sphere, of which the ASEAN is one;

Civil society in South East Asia have been engaging with ASEAN member governments and ASEAN organs and sectoral bodies throughout a ten-year period from 2005-2015. There have been a variety of civil society engagements with ASEAN bodies, mechanisms, instruments, on a variety of themes and issues over this ten year period. One of these engagement modalities is what is now known as the annual ASEAN Civil Society Conference/ ASEAN Peoples’ Forum (ACSC/APF), held in parallel with the now bi-annual ASEAN Summit of Leaders (See Annex 1) Begun in 2005 by Malaysia, and organized annually by civil society since through 2015, the ten-years of the ACSC/APF can be characterized to have been marked by growth in terms of numbers of persons participating and in terms of the numbers of countries represented, in terms of the breadth of participating organizations, and the themes represented and policy recommendations proposed. The ACSC/APF can likewise be characterized to have been marked by growth in terms of leadership and membership, by innovation in terms of processes; by dynamism in the context of building unities on issues; by unity, and at times division, amidst diversity.

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<sup>2</sup> ASEAN (2008). The ASEAN Charter. Jakarta: ASEAN

Appreciating the rich content of annual ACSC/APF recommendations made by civil society and emerging collective knowledge from its processes, and in line with the series of plenary discussions that were started in ACSC/APF in March 2012 in Phnom Penh, Cambodia<sup>3</sup>; in April 2013 in Jerudong, Brunei Darussalam; and, in March 2014 in Yangon, Myanmar<sup>4</sup>, the ACSC/APF, through its 2015 Regional Steering Committee, decided to conduct a review of the ten-year engagement by the ACSC/APF from 2005-2015, in order to better inform its next plan of action for the years ahead. The ACSC/APF Regional Steering Committee also decided to conduct a follow-up to and monitoring of the ACSC/APF recommendations, beyond the annual regional conference proper, towards a sustained monitoring of its recommendations to the ASEAN. The study presumes to contribute towards how the ACSC/APF can be a more effective civil society mechanism for ASEAN community building, for engagement with the ASEAN, and an effective platform for projecting South East Asian people’s voices on policy issues in ASEAN.

## **Purpose of the Review**

The Ten-Year Review describes the contexts of the engagement with ASEAN, namely the prevailing, as well as the evolving, milieu of ASEAN within the processes of globalization and regionalism between 2005-2015.

The Review describes the drivers of engagement, and how they shaped the engagement by civil society with ASEAN, and how the ASEAN Civil Society Conference/ASEAN Peoples’ Forum—including its organizational processes and dynamics, actions and decisions, and submissions/recommendations—evolved as a modality for engagement with ASEAN.

Finally, the Review looks at the outcomes and impacts of the engagement, and lack thereof, as well as the specific adaptations made by ASEAN in terms of policy and institutional changes.

## **Review Methodology and Sources of Data**

### **Overall Approach**

The overall approach to the Review of ACSC/APF looked at a) the different elements of regional cooperation in ACSC/APF and examined how they drive cooperation and collaboration; b) the different elements of how cooperation and collaboration are collectively fostered in ACSC/APF and nurtured over a ten year period; c) the intermediate outcomes of

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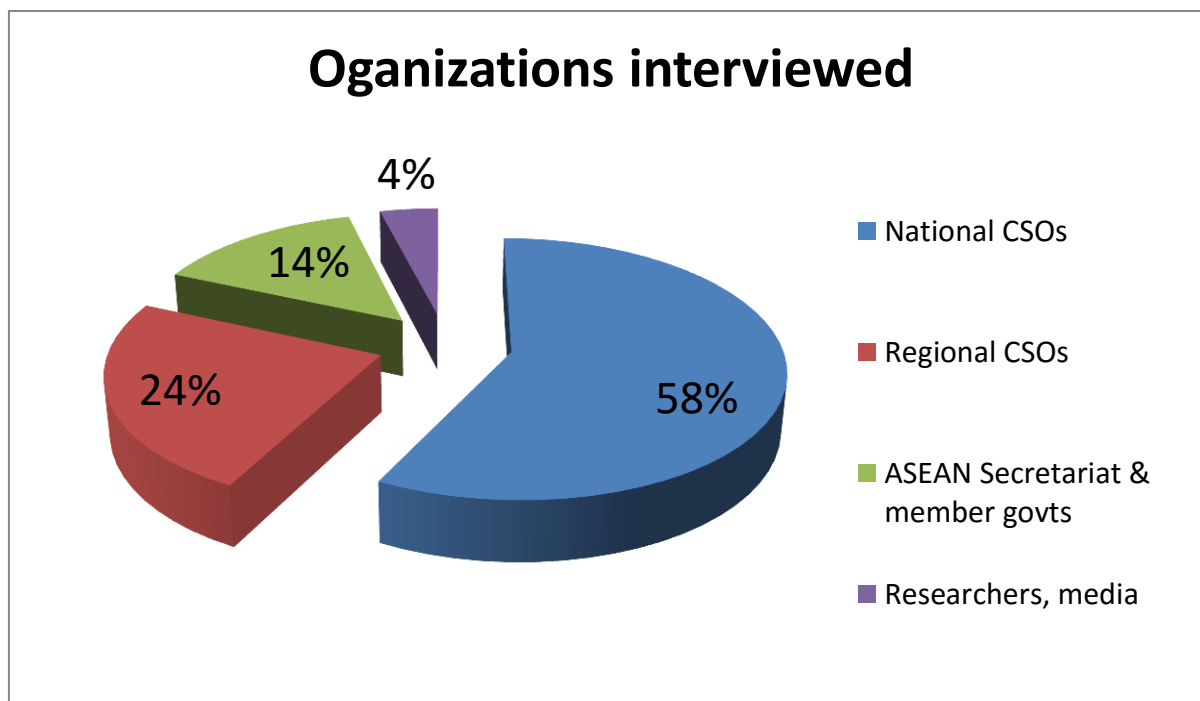
<sup>3</sup> ACSC/APF. (2012). Report of the ASEAN Civil Society Conference/ASEAN Peoples’ Forum 2012. Transforming ASEAN into a people-centered community. March 2012. Phnom Penh, Cambodia: ACSC/APF

<sup>4</sup> ACSC/APF. (2014). Proceedings from ASEAN Civil Society Conference/ASEAN Peoples’ Forum 2014. Advancing ASEAN peoples’ solidarity toward sustainable peace, development, justice and democratization. James, A, Stothard, D, & Ohmar, K (eds). Yangon, Myanmar: ACSC/APF

unities established, shared processes and shared advocacies, reflected in the ACSC/APF itself and its recommendations; d) the different resources (and the lack thereof) that contribute to the success/weakness of the ACSC/APF; e) how effective the processes were in communicating their advocacies to ASEAN, as reflected in official policy statements; and f) how far the ACSC/APF has impacted the ASEAN in terms of adaptation of engagement processes and mechanisms.

### Sources of Data

The methodology for the Review and sources of data included: a) literature review, taking note of available observations and conclusions by academic researchers on civil society engagement with the ASEAN through the ACSC/APF; b) review of ACSC/APF documents, including minutes of meetings, programmes, press statements, conference recommendations, internal evaluations of the ACSC/APF throughout the ten years; c) review of ASEAN documents, especially those between 2005-2015 ; and, d) group and individual interviews, held between March to June 2016 to validate academic observations and those gathered from internal documents, to include those of ACSC/APF country and regional organizers, ACSC/APF country focal points and country processes, representatives of civil society and peoples’ movements, academicians and think tanks that have engaged the ASEAN, representatives of ASEAN governments, and, representatives of the ASEAN. CSO individual and group interviews (face to face, skype and written) were held with 128 individuals from 125 organizations. (See Annex 4 List of Ten Year Review Interviewees)



Qualitative descriptions to a set of Interview Questions (See Annexes 2 & 3) were sought from the interviewees. Group and personal interviews, in person or via Skype, were purposively arranged in the ten ASEAN countries with civil society members from both national and regional organizations that have been part of the ACSC/APF, with representatives of ASEAN governments and the ASEAN Department/Ministries of Foreign Affairs, and with academics and researchers with a special interest in the ASEAN. To encourage honest responses, a safe environment for the interviews were always aimed for. Interviewees were asked to expound on their responses, and additional questions were posed to clarify understanding of their responses. Triangulation of sources served to validate data collected from the literature review and interviews.

### **Findings of the Review**

Among the findings of the review are conclusions of academic researchers on engaging the ASEAN and on the ACSC/APF processes; data derived from research; and views expressed from face-to-face and Skype interviews.

### **Recommendations/Commendations**

The Review will end with a discussion of various recommendations/commendations, their implications for future action of ACSC/APF, with regards processes and dynamics, actions and decisions, and submissions/recommendations.

## Findings of the Ten Year Review

### The Contexts of Engagement: ASEAN and the ASEAN Peoples

**A key premise to civil society engagement with the ASEAN is the notion of an ASEAN that is people-oriented and people-centered.**

Alexander Chandra<sup>5</sup> attributes the early intentions and initial articulation of people’s participation in ASEAN to Indonesia’s former Foreign Affairs Minister Adam Malik in the early 1980s. He cites that Malik is quoted in Ali Alatas’ *ASEAN: An Association in Search of People or the People’s Search for an Association* as declaring that “the shaping of a future of peace, friendship and cooperation is far too important to be left to government and government officials... [as such, there is a need for] ever-expanding involvement and participation of the people”.

In the course of ASEAN’s development as an intergovernmental association beginning with its founding in 1978, regional cooperation took place on many phases, focusing mainly on political and security cooperation in the first few decades; followed by the expansion of ASEAN’s membership in the 1990s to include Vietnam, Laos, Myanmar, and finally Cambodia, and addressing the development gap within ASEAN. Cooperation in ASEAN had carefully been nurtured through the practice of non-interference, and decision making by consensus—proudly cited by member governments as the reason for the association’s staying power. During the turn of the century, ASEAN was faced with expanding cooperation to include economic and socio-cultural cooperation in the context of globalization and free trade agreements and the growing importance of regional organizations.<sup>6</sup>

In large part with pressure coming from below and from the outside, ASEAN began to look at its people and to examine their emerging role in the ASEAN community. As an association of governments, ASEAN viewed its people and citizens as beneficiaries of ASEAN policies, programs, and projects. But from the outside, specifically from ASEAN’s development partners and donor countries, greater roles for people and citizens beyond just beneficiaries were being envisaged.

Likewise, among ASEAN member countries, pressure from its own peoples for greater participation, was becoming a growing reality. Countries like the Philippines and Indonesia had just been through their transitions from dictatorships to new democracies. The Philippines’ people power revolution, and Indonesia’s reformasi movement brought with them the emergence of activist civil societies eager to engage their own governments and inter-

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<sup>5</sup> Chandra, A. C. (2006). The role of non-state actors in ASEAN. *Revisiting Southeast Asian regionalism*, Bangkok: Focus on the Global South, pp. 71–82. Retrieved 10 Feb 2016, from [http://www.alternative-regionalisms.org/wp-content/uploads/2009/09/chandra\\_non-stateactorsinasean.pdf](http://www.alternative-regionalisms.org/wp-content/uploads/2009/09/chandra_non-stateactorsinasean.pdf)

<sup>6</sup> Alexander Chandra, Habibie Center, Skype interview by Consuelo Katrina A Lopa from Quezon City, Philippines, 13 April 2016

governmental associations such as ASEAN<sup>7</sup>. Civil societies in ASEAN countries had also long been engaged in thematic global processes, significantly the United Nations processes, and had had significant engagement experience with their governments on the international arena.

Gerard<sup>8</sup> cites the ASEAN Vision 2020 in 1997. “This document committed ASEAN member states to the creation of a “community of caring societies” in 2020, where “civil society is empowered and gives special attention to the disadvantaged, disabled and marginalised and where social justice and the rule of law reign,” and countries are “governed with the consent and greater participation of the people.” “In the Vientiane Action Programme, ASEAN’s leaders also endorsed the “effective participation of family, civil society and the private sector in tackling poverty and social welfare issues,” noting that “approaches and mechanisms to closely involve other ASEAN stakeholders, including the private sector and civil society, must also be addressed.”

The years 2005-2008 were the years where key discussions on people’s participation in ASEAN took place, in the context of transforming the ASEAN from an informal association of Southeast Asian governments, to a rules-based regional organization.<sup>9</sup> This transformation was a key to ASEAN’s newly envisioned role in a new global trade regime. If the ASEAN was to play a negotiating role for its members in regionalized trade agreements, it was necessary that it would have the legal personality to do so. The transformed role of ASEAN is codified in the ASEAN Charter. Post-Charter, ASEAN is now a rules-based organization, with agendas for ASEAN community building in three pillars, with clear roles for ASEAN members, the ASEAN Secretariat, and roles for other stakeholders such as the private sector and civil society.

Within and amongst ASEAN and its member governments, discussions on people’s roles in ASEAN took a prominent part. Accustomed as they were to negotiating and accommodating the national interests of their ten member governments, ASEAN now had to problematize its relations with other stakeholders. During the ASEAN Charter drafting years, there was consensus among ASEAN members that the object and ultimate beneficiaries of ASEAN integration are the peoples of ASEAN.<sup>10</sup>

It was also during this latter phase that civil society took serious notice of the growing importance of ASEAN, especially on the imminent impacts of free trade agreements being negotiated by ASEAN with trade partners, on its own member countries, communities and peoples.

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<sup>7</sup> Rahmat Pramono, Indonesia Ambassador to ASEAN, interview by Consuelo Katrina A Lopa, Permanent Mission of the Republic of Indonesia to ASEAN, Jakarta, Indonesia, 7 June 2016

<sup>8</sup> Gerard, K. (2013). Efforts to engage Southeast Asian civil society in ASEAN: Smoke and mirrors? *The New Approaches to Building Markets in Asia Series, Working Paper No. 38*. Retrieved 13 Feb 2016, from [http://lkyspp.nus.edu.sg/cag/wp-content/uploads/sites/5/2013/05/NATBMA\\_WP12-38.pdf](http://lkyspp.nus.edu.sg/cag/wp-content/uploads/sites/5/2013/05/NATBMA_WP12-38.pdf)

<sup>9</sup> Ong Keng Yong, former ASEAN Secretary General, interview by Consuelo Katrina A Lopa, Rajaretnam School of Government, Singapore, 15 April 2016

<sup>10</sup> Most, if not all, ASEAN member government representatives and ASEAN officials interviewed were unanimous on the intended beneficiaries of ASEAN integration.

For civil society, while agreeing to the view that the ASEAN peoples are the ultimate beneficiaries of the ASEAN integration project, there was the attendant belief that for regional integration to take place, the ‘alternative regionalism’ project would have to entail the participation of both governments and the ASEAN peoples, not one without the other.<sup>11</sup> Chandra cites the articulation of a ‘new regionalism’ by Hettne and Söderbaum (2000) as abandoning the notion of a regionalism that is purely state centered, and which brings the element of a regionalism process going hand in hand with the globalization process, involving both state and non-state actors, and “encompass(ing) a wide range of issues, actors and institutions involved in the process of community building.”<sup>12</sup> SAPA (2006), in its early articulations of a people-oriented ASEAN in its Submissions to the Eminent Persons Group on the ASEAN Charter, referred to an ‘alternative regionalism’ involving both ASEAN member states and ASEAN citizens.

Chandra<sup>13</sup> cites among the early drivers for engagement, 1) the promise of enshrining peoples’ participation in the ASEAN Charter; 2) the concern over the breakdown of negotiations in multi-lateral trade forums like the WTO, and the potential dangers that bilateral free trade agreements facilitated by ASEAN and trade partners may bring to the region; 3) the growing realization that regional inter-governmental associations like ASEAN impact directly on national political, economic and socio-cultural policies, thereby affecting local and grassroots communities; 4) the limited, though potential engagement spaces provided by early initiatives by Track 2 institutes and think tanks, such as ASEAN ISIS’ ASEAN People’s Assembly (APA), started in 2000; by the Regional Working Group on a Human Rights Mechanism, starting 1995; by the ASEAN Civil Society Conference (ACSC), started by the Malaysian Chair in 2005; and, through the consultation processes hosted by the Eminent Persons Group on the ASEAN Charter (2006-2007); and, 5) organized responses and engagement by civil society through the formation of the Solidarity for Asian Peoples’ Advocacies (SAPA) in 2006.

Chandra describes SAPA as “network of South and East Asian civil society groups, particularly NGOs, with a specific working group on ASEAN and the ASEAN Charter. The network itself was a result of the Strategic Action Planning for Advocacy meeting that was organised by several regional NGOs in Bangkok on February 3- 4, 2006. The Bangkok meeting was held as a result of informal consultations between the regional CSOs that attended the Kuala Lumpur ACSC in December (2005). The participants at that informal meeting felt the need to come up with a new mechanism, either a forum or a platform, where information and resources could be shared in order to enhance the effectiveness of civil society engagement with the various intergovernmental processes that had rapidly risen in the region in recent years. Shortly after, five

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<sup>11</sup> People’s participation in ASEAN has been a recurring theme in all conference statements of the ASEAN Civil Society Conference from 2005 to the present.

<sup>12</sup> Chandra, A. C. (2006). The role of non-state actors in ASEAN. *Revisiting Southeast Asian regionalism*, Bangkok: Focus on the Global South, pp. 71–82. Retrieved 10 Feb 2016, from [http://www.alternative-regionalisms.org/wp-content/uploads/2009/09/chandra\\_non-stateactorsinasean.pdf](http://www.alternative-regionalisms.org/wp-content/uploads/2009/09/chandra_non-stateactorsinasean.pdf)

<sup>13</sup> Ibid.

regional and international NGOs, including Forum Asia, the Southeast Asian Committee for Advocacy (SEACA), the Third World Network (TWN), and the Asian Partnership for the Development of Human Resources in Rural Areas (AsiaDHRRRA), agreed to initiate and facilitate the creation of SAPA.... During its Consultation Meeting in Singapore on September 19, 2006, SAPA members agreed that the network should serve as an open platform for consultation, co-operation, and co-ordination among Asian social movements and civil society organizations, including NGOs, people’s organizations, and trade unions who are engaged in action, advocacy, and lobbying at inter-governmental processes and organizations (such as the ASEAN).” In 2006, SAPA immediately engaged the EPG on the ASEAN Charter at its consultations on political cooperation in Bali, Indonesia in April, and on economic cooperation, in Singapore, in June through the presentation of formal submissions and dialogue. Likewise in early 2006, SAPA began the process of organizing what would be the ASEAN Civil Society Conference 2006 in Cebu in December, by holding seminars on ASEAN amongst CSOs in ASEAN member countries, and mobilizing participation for and spearheading the organizing of the ACSC from 2006, 2007, through 2009, in the Philippines, Singapore and Thailand, respectively.

Chandra<sup>14</sup> cites SAPA’s (2006) and the ACSC’s conference statements (2005-2009) contributions to the articulation of issues in ASEAN on “non-conventional security issues, such as human rights, trans-boundary environmental issues (e.g. haze and pollution), transnational crime, drug trafficking, trafficking in persons, terrorism, economic crimes (transnational corporate crimes), health problems (e.g. HIV/AIDS, SARS, etc.), internal conflicts, undocumented migration, food security.” Chandra also pointed out that “SAPA also introduced a new dimension to the practical discourse on security in Southeast Asian regionalism. This SAPA document points out how ASEAN should broaden its concept of security by incorporating the notion of human security (p. 5), which is morally anchored to „security groups“ (Hoadley 2007: 8). Human security, in this context, is defined as not only freedom from violence, but also freedom from the threats of hunger, poverty, disease, marginalisation and exclusion.” Chandra also cited that as early as 2006, civil society groups had already noted that the policy of non-interference in ASEAN had hindered human rights promotion and protection in the region.

**The ASEAN Charter of 2008 upholds the notion of a ‘people-oriented ASEAN,’ a notion that is the least common denominator amongst its member governments. Amongst ASEAN members, there are different appreciations of what a people-oriented ASEAN might entail.**

While there is unity in the belief that a people-oriented ASEAN is directed at the welfare, well-being and happiness of ASEAN people, some have the attendant belief that a people-oriented ASEAN is necessarily tied in with a ‘people-centered ASEAN,’<sup>15</sup> where a desirable end, and the means to get there, share equal importance.

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<sup>14</sup> Ibid

<sup>15</sup> Gede Ngurah Swajaya, former Indonesian Ambassador to ASEAN, interview by Consuelo Katrina A Lopa, Indonesian Embassy, Singapore, 15 April 2016



The ASEAN Charter, Article 1.13<sup>16</sup>, states among its purposes as *“To promote a people-oriented ASEAN in which all sectors of society are encouraged to participate in, and benefit from, the process of ASEAN integration and community building.”* This is described by one of the prime movers of its inclusion in the Charter as ‘a confluence and convergence of hope’<sup>17</sup> that despite the notional differences amongst ASEAN members, ASEAN’s integration project would capture the imagination of both states and peoples, and would allow them to overcome those differences.

**The contexts of the engagement with ASEAN impacted on the engagement process and outcomes:** global and regional pressure points, differing starting points and perceptions between governments and civil society; differing starting points amongst governments, and amongst civil society; different historical experiences and levels of development; different levels of knowledge and awareness of ASEAN and of other South East Asian nations; specificities of countries and of themes; inter- and intra-regional dynamics; and the question of ASEAN identity.

The reality however is that ASEAN member governments’ political systems are not homogenous, levels of political development are varied, perceptions, openness to, and acceptance of people’s participation in governance are different.<sup>18</sup> The realities and aspirations of ASEAN member countries define their appreciation of what a ‘people’oriented ASEAN’ means. Post Charter, owing to the ASEAN values of non-interference and consensus, the practice is determined by the least common denominator, least controversial, least problematic, amongst ASEAN member governments.<sup>19</sup>

ASEAN and its member governments have been seen to be more comfortable with the private sector and academic and research think tanks than with civil society. Where key ASEAN members have shown themselves to open doors for civil society, whether at their home countries or at regional fora, individual ASEAN member countries have consistently resisted and vacillated with regards civil society participation and engagement. “How to involve people has become a question because of national contexts,” said a former ASEAN official.<sup>20</sup> Various reasons for not engaging with civil society have been cited. Among these are the questionable representation of constituencies; lack of independence and promotion of values and agendas of

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<sup>16</sup> ASEAN (2008). The ASEAN Charter. Jakarta: ASEAN

<sup>17</sup> Tan Sri Syed Hamid Albar, former Malaysian Minister of Foreign Affairs, of Home Affairs, of Defense, and of Justice; currently Chairman of SPAD, interview by Consuelo Katrina A Lopa, SPAD, Kuala Lumpur, Malaysia, 3 June 2016

<sup>18</sup> Ong Keng Yong, former ASEAN Secretary General, interview by Consuelo Katrina A Lopa, Rajaretnam School of Government, Singapore, 15 April 2016

<sup>19</sup> Apichai Sunchindah, former Executive Director of ASEAN Foundation, interview by Consuelo Katrina A Lopa, True Café, Bangkok, Thailand, 30 March 2016

<sup>20</sup> Termsak Chalermphanupap, formerly with ASEAN Secretariat, interview by Consuelo Katrina A Lopa, ISEAS, Singapore

foreign governments/entities, owing to their acceptance of foreign grant funds;<sup>21</sup> identification with opposition parties and agendas, and therefore having questionable motives and agendas.<sup>22</sup>

Quoting former ASEAN Secretary General Ong Keng Yong, “The comma (in ‘people-oriented, people-centered ASEAN’) allows for flexibility. We distort the language, because ASEAN is strange bedfellows with different ideas.”<sup>23</sup> There have so far been no agreements in ASEAN on a minimum interpretation of what a people-oriented, people-centered ASEAN might mean in terms of consultations, feedbacks, and other formal mechanisms of dialogue. Fleshing out and translating the principle of a ‘people-oriented, people-centered’ ASEAN is left to each member country’s discretion and interpretation.

Attempts to draw up ASEAN guidelines for citizen engagement as well as accreditation measures for civil society organizations have been tedious, and colored by national interests, and for a minority, by a general resistance to the notion of people’s participation in ASEAN. Lack of consensus, or veto power by one, have been used to prevent the participation or to disapprove accreditation of organizations or networks that have been perceived to be critical of ASEAN or its member countries.<sup>24</sup>

Where resistant ASEAN member governments have had to conform to ASEAN practices that have attempted some form of people’s participation, the former have resorted to bringing in government-sympathetic or government-organized NGOs, more popularly known as GONGOS to occupy the space of legitimate NGOs. Others have more brazenly prevented civil society from participating in ASEAN related through travel bans, confiscations of passports, and interrogations post travel.<sup>25</sup>

High expectations for people’s participation in ASEAN, encouraged by the promise of ‘a people-oriented ASEAN’ and the hope of approximating established practice at the UN system, are thus not met, leading to frustration amongst those in civil society who have chosen to engage the ASEAN at various levels. Civil society views ASEAN openness to participation as very crucial. But the level of commitment of ASEAN is perceived to be only on the level of rhetoric, and not as intentional, owing to the fact that enabling environments are not present to facilitate people’s participation.<sup>26</sup>

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<sup>21</sup> Yong Chanthalangsy, IFA Institute of Foreign Affairs, interview by Consuelo Katrina A Lopa, ICTC Lao-Japan Training Center, Vientiane, Lao PDR, 11 May 2016

<sup>22</sup> Prisheela Prakas, interview by Consuelo Katrina A Lopa, Permanent Mission of Malaysia to ASEAN, Jakarta, Indonesia, 6 June 2016

<sup>23</sup> Ong Keng Yong, former ASEAN Secretary General, interview by Consuelo Katrina A Lopa, Rajaretnam School of Government, Singapore, 15 April 2016

<sup>24</sup> Sripapha Petcharamee, former Thai representative to AICHR, interview by Consuelo Katrina A Lopa, Plaza Athenee, Bangkok, Thailand, 26 May 2016

<sup>25</sup> Nguyen Dinh Thang, BPSOS, written letters sent via email, 14 and 19 August 2016

<sup>26</sup> Mugiyanto Sipin, INFID, interview by Consuelo Katrina A Lopa, Kontras, Jakarta, Indonesia, 9 June 2016

**Throughout the 2005-2015 period, we witnessed a plethora of modalities of people’s participation and engagement with ASEAN.**

There having been no institutionalized modalities or guidelines for participation in ASEAN left room for both civil society and governments to maneuver and give expression to people’s participation and engagement with ASEAN during the ten year period. Progressive elements in the ASEAN Secretariat, in ASEAN bodies, together with member countries, also pushed for modalities that aimed to embody the notion of a people-centered ASEAN. Civil society, diverse as they were, lobbied hard to be heard, and pushed for their rightful place at various levels of ASEAN community life.<sup>27</sup>

Elements of good practices, as well as challenges and limitations, emerged from these modalities. That the ASEAN is not united became very apparent in these engagements, with some ASEAN member governments emerging as champions of civil society advocacies, and with other countries showing vacillation and resistance. Examples of these good practices are confidence building across ASEAN member governments, and across sectors; the ASEAN Secretariat playing a pivotal role as interlocutor, especially the role of the Secretary General; sustained communication amongst ASEAN and civil society; MoFAs and ASEAN Director Generals as first windows of engagement.<sup>28</sup>

During the ten year period, and during key moments in ASEAN’s development, civil society engaged the ASEAN, to name a few:

- ASEAN ISIS Colloquium on Human Rights, where certain champions within ASEAN ISIS ensured linkages
- Regional Working Group on a Human Rights Mechanism, engaged in step by step advocacy on what would later become the AICHR<sup>29</sup>
- Solidarity for Asian Peoples’ Advocacies (SAPA) participated in the engagement on the ASEAN Charter drafting process, bringing regional networks to present submissions to the Eminent Persons Group and the High Level Task Force on the 3 pillars of cooperation<sup>30</sup>
- Thematic engagements with ASEAN bodies and instruments

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<sup>27</sup> Sriprapha Petcharamesree, former Thai representative to AICHR, interview by Consuelo Katrina A Lopa, Plaza Athenee, Bangkok, Thailand, 26 May 2016

<sup>28</sup> AKP Mochtan, ASEAN Secretariat, interview by Consuelo Katrina A Lopa, ASEAN Secretariat, Jakarta, Indonesia, 7 June 2016

<sup>29</sup> Ray Paulo Arpee Santiago, Regional WG on a Human Rights Mechanism, Skype interview by Consuelo Katrina A Lopa from Quezon City, Philippines, 5 April 2016

<sup>30</sup> Solidarity for Asian Peoples’ Advocacies Working Group on ASEAN (SAPA WGA). (2006). Submission on Political and Human Security to the ASEAN EPG on the ASEAN Charter, Ubud, Indonesia

- Country engagements with ASEAN bodies and issues, such as those initiated by CSO groups like the Thai ASEAN Watch, Cambodia Civil Society Working Group on ASEAN, Myanmar Working Group on ASEAN, and others.<sup>31</sup>
- ASEAN Summit, through the ASEAN People’s Assembly (APA), and later through the ASEAN Civil Society Conference/ASEAN People’s Forum (ACSC/APF)
- Various people’s forums created with and/or by civil society, among them the ASEAN Youth Forum, ASEAN Women’s Forum, ASEAN Disability Forum<sup>32</sup>, ASEAN SOGIE Caucus<sup>33</sup>, Forum on Migrant Labor<sup>34</sup>, ASEAN Social Forestry Network-CSO Forum<sup>35</sup>, the ASEAN Bloggers Forum<sup>36</sup>, ASEAN CSR Network, and others
- ASEAN Secretary General and the ASEAN Secretariat. Refer to ASEAN Secretary General Surin Pitsuwan’s dialogue with civil society hosted by the Solidarity for Asian Peoples’ Advocacies in Bangkok, Thailand in 2008<sup>37</sup>
- ASEAN Committee of Permanent Representatives, through SEACA and South East Asia People’s Center’s Issue Briefings with the CPRs, and HRWG’s informal luncheon regional dialogues with the CPRs<sup>38</sup>
- ASEAN Bodies such as ASEAN Foundation, the ASEAN Institute on Peace and Reconciliation, ASEAN Task Force on Aids, GO-NGO Forum on Welfare and Development, ASEAN Social Forestry Network, ASEAN Center for humanitarian disaster preparedness, ASEAN Business Advisory Council, and others
- ASEAN and Global commitments, such as Universal Declaration of Human Rights; UN Sustainable Development Goals; the UN Universal Periodic Review, and ASEAN Community Vision 2025; UN Guiding Principles on Business and Human rights; UN Convention on the Elimination of All Forms of Discrimination against Women, and UN Convention on the Rights of the Child; UN Declaration on the Rights of Indigenous Peoples
- ASEAN Accreditation processes: Guidelines on Accreditation of Civil Society Organisations (CSOs), 2012; Guidelines on the AICHR’s Relations with Civil Society Organisations, 2015
- ASEAN Charter, 2005-2008

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<sup>31</sup> FCAA Follow-Up Committee on the ACSC/APF 2014. (2016) Follow-Up Committee of ACSC/APF (FCAA) 2014 Report.

<sup>32</sup> Moe Thuzar, interview by Consuelo Katrina A Lopa, ISEAS, Singapore, 17 March 2016

<sup>33</sup> Ryan Silverio, ASEAN SOGIE Caucus; Ging Cristobal, IGLHRC and Outright International, interview by Consuelo Katrina A Lopa, Hive Hotel, Quezon City, Philippines, 7 April 2016

<sup>34</sup> Sumitha Shaanthini Kishna, Malaysian Bar Council, interview by Consuelo Katrina A Lopa, Ramada Plaza Dua Sentral, Kuala Lumpur, Malaysia, 1 June 2016

<sup>35</sup> Robeliza Halip, Lakpa Nuri Sherpa, Joyce Godio, AIPP; Skype interview by Consuelo Katrina A Lopa from Manila, Philippines, 20 April 2016

<sup>36</sup> Rahmat Pramono, interview by Consuelo Katrina A Lopa, Permanent Mission of the Republic of Indonesia to ASEAN, Jakarta, Indonesia, 7 June 2016

<sup>37</sup> Video of ASEAN Secretary General Surin Pitsuwan at a dialogue with regional civil society hosted by SAPA, 2008, <https://www.youtube.com/watch?v=j6HbKThrPOg>

<sup>38</sup> Rahmat Pramono, interview by Consuelo Katrina A Lopa, Permanent Mission of the Republic of Indonesia to ASEAN, Jakarta, Indonesia, 7 June 2016

- ASEAN Intergovernmental Commission on Human Rights (AICHR), 2008-2009
- ASEAN Commission on the Protection and Promotion of the Rights of Women and Children (ACWC), 2009
- ASEAN Human Rights Declaration (AHRD), 2012
- ASEAN Community Vision 2025, 2014-2015

Throughout the ten year period, the success of ASEAN-civil society engagements or lack thereof, illustrate the importance of confidence-building and trust-building measures. The differences in the nature of both governments and of civil society are vast. There are differences in cultures, in ways of working. The levels of development of civil society, their histories with governments and political parties are diverse. There is mistrust and suspicion of each other, some with bases, and some arising from a lack of understanding of the other. There are differences in the perception of their own roles and how they perceive the other.<sup>39</sup>

We witnessed the proactive roles of leaders both in government and civil society, and the convergence of shared perspectives and agendas, overcoming national interests, towards regional goals. Precedents on engagement modalities have been set by ASEAN Chairs. Thus, there is resultant pressure on subsequent Chairs to do as much, if not more.<sup>40</sup> For example, certain countries like Malaysia championed the opening up of consultations with civil society in 2005-2006. ASEAN chairs championed key issue advocacies, such as the Philippines spearheading the Declaration on the Protection and Promotion of the Rights of Migrant Workers in 2006.

We witnessed the attempts at model building by ASEAN member governments, among them: invitations to farmers groups and rural development practitioners to engage and provide technical expertise to the Senior Officials Meeting on Rural Development; briefings and consultations conducted by ASEAN Directorates General, located at ASEAN members’ Ministries of Foreign Affairs, as first windows of engagement for civil society.<sup>41</sup> Thailand has proven itself to be consistent in conducting meaningful consultations through the timely sharing of draft documents. Both Indonesia and Thailand have shown good practices in open vetting processes of members of civil society and academe as their country representatives in ASEAN bodies. Some country representatives of the AICHR and ACWC in various countries have conducted information sharing meetings with their constituents.<sup>42</sup>

The confidence and trust building, the pro-active roles of leaders, and the attempts at model building throughout the ten years served to demonstrate to ASEAN member governments that

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<sup>39</sup> Most, if not all, ASEAN member government representatives and ASEAN officials interviewed were unanimous on the need for confidence and trust building between and among ASEAN and civil society.

<sup>40</sup> Prisheela Prakas, interview by Consuelo Katrina A Lopa, Permanent Mission of Malaysia to ASEAN, Jakarta, Indonesia, 6 June 2016

<sup>41</sup> AKP Mochtan, interview by Consuelo Katrina A Lopa, ASEAN Secretariat, Jakarta, Indonesia, 7 June 2016

<sup>42</sup> Sriprapha Petchamesree, interview by Consuelo Katrina A Lopa, Plaza Athenee, Bangkok, Thailand, 26 May 2016

openness to and engagement with people works to the advantage of ASEAN community building.<sup>43</sup>

The absence of discussion on minimum standards and lack of standards setting in ASEAN has meant that significant progress has not been achieved. Ad hoc efforts and attempts at model building have left civil society with diminishing hope for meaningful engagement with ASEAN, as expectations are high for institutionalized engagement, for meaningful participation and consultations.<sup>44</sup>

### Elements of regional cooperation and how they drive cooperation and collaboration

**The different modalities of civil society engagement with ASEAN provide good practices and highlight the conditions and environment that are needed for meaningful engagement. They also highlight problems and blocks faced by civil society in the course of these engagements.**

On the part of ASEAN and its member governments, among the drivers of engagement with civil society were to ensure competitiveness and resilience in facing the challenges of ASEAN. The dominant idea was that there is no ASEAN community without knowing the aspirations of the ASEAN people. Therefore civil society was expected to take on the role of bringing in the people’s grievances where there are gaps in policies and plans, as well as to communicate the progress and achievements of ASEAN towards society’s well-being. It is a shared responsibility between governments, the private sector, as well as civil society. In the words of a senior official, the engagement with and participation of civil society was to “expedite the ‘we’ feeling of ASEAN.”<sup>45</sup>

On the part of civil society, engagement platforms with the ASEAN would amplify their local, national, regional and international advocacies and campaigns on key issues and themes.

Among the good practices and benefits of engagement<sup>46</sup> that were articulated are:

- Engagement with civil society brings in more inputs and knowledge that are not readily available to governments
- Engagement brings more citizen support, especially when there is demonstrated openness and support on the part of governments
- Mutual understanding, continuous engagement, and continuous capacity building help to build trust and facilitate cooperation

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<sup>43</sup> M Rajaretnam, formerly with ASEAN Secretariat, interview by Consuelo Katrina A Lopa, Comptoir Soori, Singapore, 18 March 2016

<sup>44</sup> Mugiyanto Sipin, INFID, interview by Consuelo Katrina A Lopa, Kontras, Jakarta, Indonesia, 9 June 2016

<sup>45</sup> Jojie Samuel, interview by Consuelo Katrina A Lopa, Wisma Putra, Putrajaya, Kuala Lumpur, Malaysia, 1 June 2016

<sup>46</sup> Moe Thuzar, interview by Consuelo Katrina A Lopa, ISEAS, Singapore, 17 March 2016

- Civil society’s determination to give voice to hard issues that affect ASEAN’s citizens, and to advance nuanced and responsive policy proposals and programs that address these, to the benefit of the people.

Among the negative aspects that have been noted from the engagement between governments and civil society are:

- Amongst ASEAN members, blocks to regional consensus at different levels in ASEAN even at the highest political levels, usually driven by national positions, and as attested to by ASEAN and member government officials who were interviewed.
- ASEAN tends to avoid anything that redounds to controversies. They are over cautious about everything else.<sup>47</sup> In ASEAN spaces, silence or suppression of discussion on issues that are deemed difficult, sensitive to one or other member governments, i.e. labor migration, Rohingyas, LGBTIQ, democracy and multi-party systems, indigenous peoples, dams and large development projects, extra-judicial killings and involuntary disappearances of persons.
- In ASEAN spaces, demonstrated lack of openness and resistance to civil society participation, or a total lack of intention to engage civil society.<sup>48</sup>
- Government practices that discourage participation of civil society in regional fora, such as intimidation of participants, interrogations, travel bans, confiscation of passports; government agendas to control the engagement processes by supporting GONGOs thereby depriving civil society of their space
- In both ASEAN and civil society spaces, aversion by government officials to civil society’s provocations and confrontational approaches, calling attention to hard issues, propensity for naming and shaming, and singling out of specific ASEAN member countries.<sup>49</sup>
- In both ASEAN and civil society spaces, aversion by civil society to government’s patronizing, patriarchal, and non-inclusive approaches.<sup>50</sup>
- In civil society spaces, differences in the appreciation of civil society autonomy from governments, with some viewing civil society mandates as emanating directly from governments i.e. “(ACSC/)APF and AGO (ASEAN government organizations) act under the head organ of ASEAN who take the responsibility of the destiny of the ASEAN”<sup>51</sup>

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<sup>47</sup> Tan Sri Syed Hamid Albar, former Minister of Foreign Affairs, of Home Affairs, of Defense, and of Justice; currently Chairman of SPAD, interview by Consuelo Katrina A Lopa, SPAD, Kuala Lumpur, Malaysia, 3 June 2016

<sup>48</sup> Mugiyanto Sipin, INFID, interview by Consuelo Katrina A Lopa, Kontras, Jakarta, Indonesia, 9 June 2016

<sup>49</sup> Gede Ngurah Swajaya, interview by Consuelo Katrina A Lopa, Indonesian Embassy, Singapore, 15 April 2016

<sup>50</sup> Suntaree Saeng-ging, Thai ASEAN Watch, interview by Consuelo Katrina A Lopa, St Gabriel Foundation Building, Bangkok, Thailand, 31 March 2016

<sup>51</sup> Lao Civil Society Group, written comments submitted by email, 20 August 2016

- In ASEAN spaces, inaction caused by fear amongst ASEAN Secretariat staff. Many lower level officials in ASEAN are afraid to engage ASEAN officials and member countries on CSO advocacies.<sup>52</sup>



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<sup>52</sup> Gede Ngurah Swajaya, interview by Consuelo Katrina A Lopa, Indonesian Embassy, Singapore, 15 April 2016



## Fostering cooperation and collaboration over the ten year period

### Drivers for Participation in ACSC/APF

What brings civil society together—shared values, common principles, shared advocacies, engagement opportunities? Armstrong<sup>53</sup> cites that existing literature point to engagement processes as presenting the occasions for surfacing shared values and principles. Also, due to the ad hoc and open nature of such engagement processes and structures, there is less emphasis on shared values as bases for unity for joint action amongst civil society.

Both Van Tuijl and Jordan (1999) and Armstrong (2011)<sup>54</sup> point out that regional spaces also provide the stage for national advocacies, especially when national contexts make it impossible for voices to be heard, or grievances to be redressed at that level. Oppositional views against a closed state will always find their way into the regional arena where there are greater chances for visibility.

In an online survey conducted by this researcher in April 2016, of which there were 31 respondents, approximately two-thirds cited these drivers for participation in ACSC/APF: 1) building ASEAN community, and working in solidarity with other civil society in the region, through people-to-people partnerships; 2) goal of engaging with ASEAN through advocacy on regional policy and realizing benefits nationally and locally; 3) recognition that regional solutions to regional problems complement the work on the national and local levels; and, 4) goal of transforming ASEAN into a people-centered association of governments.

This is confirmed by interview respondents when queried on drivers for their participation. Nalini Singh of ARROW describes it as a platform for common concerns, “There is merit in having some regional intergovernmental set ups and spaces for civil society in the sub-region to gather annually for common concerns. We see shrinking spaces in individual countries. What works in favour is that in the Asia Pacific region, South East Asia has managed to claim the space at least.”<sup>55</sup>

Arpee Santiago of the Regional Working Group on a Human Rights Mechanisms said, “It is a good platform to get a pulse of what the issues are, who are working on the issues, for sharing concerns.”<sup>56</sup>

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<sup>53</sup> Armstrong, D.; Bello, V.; Gilson, J.; and Spini, D. (eds) (2011). *Civil Society and International Governance. The role of non-state actors in global and regional regulatory frameworks*. Retrieved 10 Feb 2016, from <http://nbn-resolving.de/urn:nbn:de:0168-ssoar-273711>

<sup>54</sup> Ibid

<sup>55</sup> Nalini Singh, ARROW, Skype interview by Consuelo Katrina A Lopa from Kuala Lumpur, Malaysia, 1 June 2016

<sup>56</sup> Ray Paulo Arpee Santiago, Regional WG on a Human Rights Mechanism, Skype interview by Consuelo Katrina A Lopa from Quezon City, Philippines, 5 April 2016

Nguyen Thang points out the importance of the regional platform, “We believe that ACSC/APF can be a safe and conducive space for the peoples of ASEAN to collaborate so as to jointly promote region-wide civil society. Through ACSC/APF the people in countries where civil society is suppressed may interact with CSOs from more democratic countries and learn from them on how to gradually develop civil society back home.”<sup>57</sup>

Others speak about the value of knowledge building and advocacy: “Strengthen our networking across issues, and across countries. Cumulative and collective knowledge gained brings a South East Asian knowledge of issues. There are clear stances on issues,” said the Thai group.<sup>58</sup>

Soeung Saroen of Cooperation Committee of Cambodia talks about regional solidarity, “All governments have geo-political biases, but we as a people, before Cambodians and Vietnamese, Cambodians and Thais have not looked at each other as friends. But through the ACSC/APF, we have shared ideas, shared the table, so we question these and see ourselves as friends. Gaps are minimized amongst us, because of our common bias for the people, regardless of nationality.”<sup>59</sup>

## **Growth in ACSC**

Given the above drivers for civil society engagement with the ASEAN, growth in ACSC/APF from 2005-2015, has been marked in terms of:

- The numbers of persons participating: from more than 100 in 2005, to 3,000 in 2014
- the numbers of South East Asian countries represented: all 10 ASEAN countries--Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand, Vietnam, plus Timor Leste
- the breadth of participating organizations: welfare organizations and charities, development organizations, urban and rural community organizations, human rights organizations, campaign and advocacy groups, people’s organizations, farmer and fishers’ groups, trade unions, women, youth and students, children, the elderly artists and musicians, exile groups, migrant groups, stateless peoples, LGBTIQ community, indigenous peoples, among others.
- themes represented: environment, trade, corporate accountability, business and human rights, human rights, child rights, women’s rights, workers rights, migrants’ rights, agrarian reform, rural development, freedom of religion, shrinking civic space, freedom of expression, communication rights, SOGIE rights, communal and individual rights, indigenous peoples’ rights, among others

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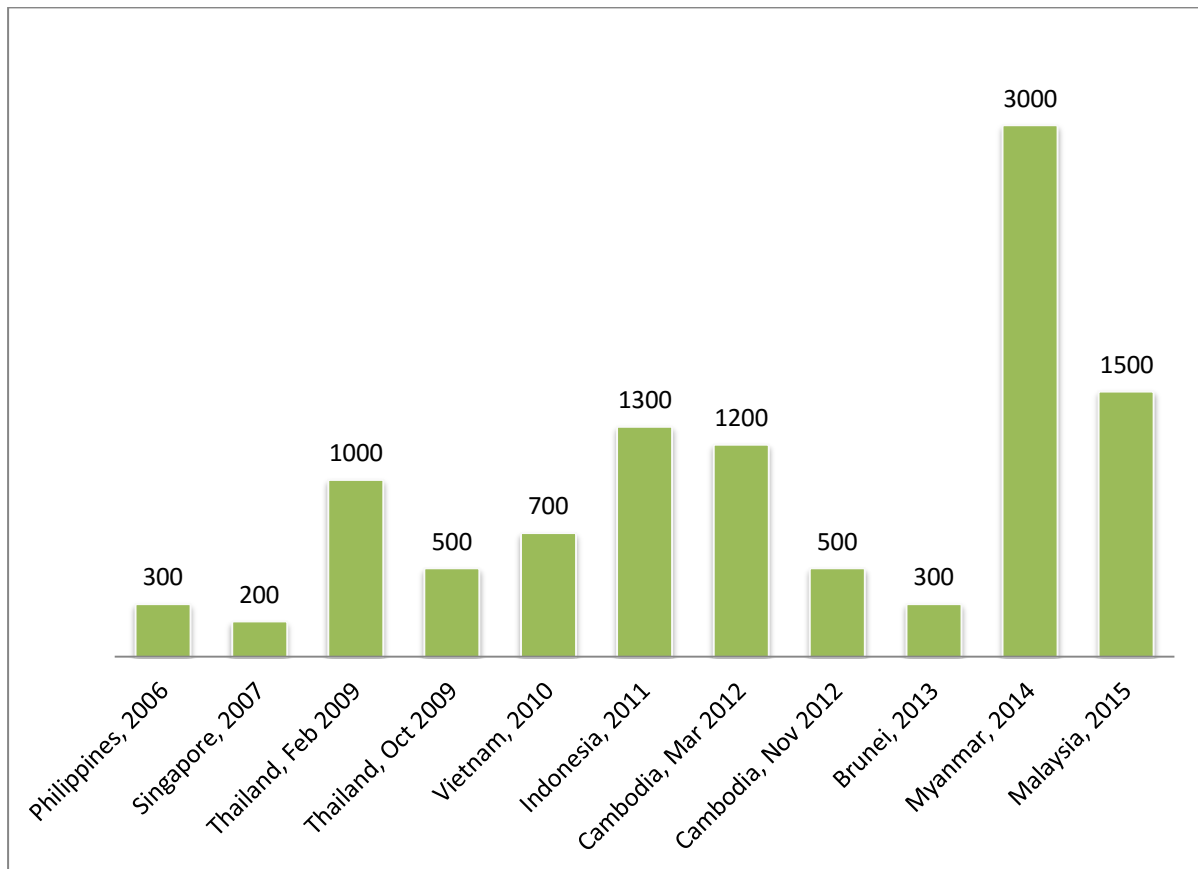
<sup>57</sup> Nguyen Dinh Thang, BPSOS, written letters sent via email, 14 and 19 August 2016

<sup>58</sup> Wanun Permpibul, Climate Watch; Premrudee Daoroung, Terra Foundation; Suntaree Saeng-ging, Thai ASEAN Watch, interview by Consuelo Katrina A Lopa, St Gabriel Foundation Building, Bangkok, Thailand, 31 March 2016

<sup>59</sup> Soeung Saroen, CCC Cooperation Committee for Cambodia, interview by Consuelo Katrina A Lopa, Phnom Penh, Cambodia, 5 May 2016

“ South East Asia Peoples’ Engagement Towards a People-Centered ASEAN:  
A Ten-Year Review of the ASEAN Civil Society Conference/ASEAN Peoples’ Forum (ACSC/APF) 2005-2015”

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## ACSC 2005 Malaysia

The first ASEAN Civil Society Conference (ACSC) was organized by the Malaysian government, in partnership with Malaysian civil society led by the Third World Network, and hosted by the then newly established Centre of ASEAN Studies of the University of Technology Mara in Shah Alam (UiTM). The first ACSC, with the theme “Building a Common Future Together” was held on 7-9 December 2005. The ACSC featured a civil society interface with ASEAN Leaders.

For more information on the ACSC in Malaysia 2005:

- ACSC. (2005). Statement of the ASEAN Civil Society Conference to the 11th ASEAN Summit. Retrieved 11 Feb 2016 from [http://issuu.com/bahtiarrifai8/docs/1047\\_statement\\_acsc\\_2005](http://issuu.com/bahtiarrifai8/docs/1047_statement_acsc_2005)
- Chongkittavorn, K. (2005, Dec). Malaysia showcases civil society. *The Nation*, December 2005. Retrieved 11 Feb 2016 from [http://www.nationmultimedia.com/2005/12/10/opinion/data/opinion\\_19386669.html](http://www.nationmultimedia.com/2005/12/10/opinion/data/opinion_19386669.html)
- UNI-APRO. (2005 December). An ASEAN Community is Nothing without the ASEAN’s Working Peoples! Retrieved 11 Feb 2016 from the UNI-APRO website:  
[http://www2.asetuc.org/media/Partners\\_Page/5\\_0\\_ASETUC\\_and\\_Civil\\_Society\\_in\\_ASEAN\\_1.pdf](http://www2.asetuc.org/media/Partners_Page/5_0_ASETUC_and_Civil_Society_in_ASEAN_1.pdf)

## 2<sup>nd</sup> ACSC 2006 Philippines



The 2<sup>nd</sup> ACSC, with the theme “Creating a Caring and Sharing Community--Enhancing People's Participation in Governance and Development” was organized by regional civil society together with 17 Philippine NGO networks, despite the postponement of the ASEAN Summit to January 2007. It was held at the Montebello Hotel, Cebu City, Philippines on 10-12 December 2006. The 2<sup>nd</sup> ACSC had no civil society interface with ASEAN leaders.

For more information on the ACSC in the Philippines 2006:

- Forum-Asia. (2006 Dec). 2nd ASEAN Civil Society Conference goes on despite postponement of ASEAN Summit. Retrieved 11 Feb 2016 from the Forum-Asia website: <http://www.forum-asia.org/?p=7029>
- 11.11.11. (2007). ASEAN Summit held amid protests, criticisms from civil society. Retrieved 11 Feb 2016 from the Triple 11 website: <http://www.11.be/en/wat-doet-11-11-11/item/asean-summit-held-amid-protests-criticisms-from-civil-society>
- Seruelo, I. (2006). ASEAN: Caring and Sharing? *The News Today*, 27 October 2006. Retrieved 11 Feb 2016 from <http://www.thenewstoday.info/2006/10/27/asean.caring.and.sharing.html>
- ACSC. (2006). Statement - RP NGOs demand release of detained ASEAN Summit activists in Cebu. *The Freeman*, 20 October 2006. Retrieved 11 Feb 2016 from <http://www.philstar.com/freeman-opinion/364055/statement-rp-ngos-demand-release-detained-asean-summit-activists-cebu>

## 3<sup>rd</sup> ACSC 2007 Singapore

The 3<sup>rd</sup> ASEAN Civil Society Conference (ACSC), with the theme “Moving Forward – Building an ASEAN+ People’s Agenda” was organized by Singapore civil society and regional trade

unions and civil society organizations, led by Think Centre and UNI-APRO/ASETUC on 2-4 November 2007 at the Peninsula Excelsior Hotel. The 3<sup>rd</sup> ACSC had no civil society interface with ASEAN leaders.

Prior to the 3<sup>rd</sup> ACSC, the Singapore Institute of International Affairs (SIIA), a member of the ASEAN ISIS, organized the ACSC 2007, a small closed door meeting amongst representatives of ASEAN governments, academe and think tanks, civil society and the ASEAN Secretariat, from 27-28 October 2007.

For more information on the 3<sup>rd</sup> ACSC in Singapore in 2007:

ACSC. (2007). The 3rd ASEAN Civil Society Conference (ACSC): Moving forward: Building an ASEAN people’s agenda. Invitation, Objectives, Programme. Retrieved 11 Feb 2016 from [http://interlocal.skhu.ac.kr/home/bbs/board.php?bo\\_table=issue&wr\\_id=272&sf=&stx=&sst=wr\\_last&od=asc&sop=and&page=11](http://interlocal.skhu.ac.kr/home/bbs/board.php?bo_table=issue&wr_id=272&sf=&stx=&sst=wr_last&od=asc&sop=and&page=11)

Podcast Retrieved 11 Feb 2016 from: [https://www.youtube.com/watch?v=11ZdcE6c\\_MM](https://www.youtube.com/watch?v=11ZdcE6c_MM),

Podcast Retrieved 11 Feb 2016 from: <https://www.youtube.com/watch?v=hYINKlbnv90>

Podcast Retrieved 11 Feb 2016 from: [https://www.youtube.com/watch?v=dOBmF1\\_7Ttg](https://www.youtube.com/watch?v=dOBmF1_7Ttg)

MFA. (2007 Sep). MFA spokesman's comments on the ASEAN Civil Society Conference 2007 to be organised by the Singapore Institute of International Affairs (SIIA) from 27-28 October 2007. Retrieved 11 Feb 2016 from the Singapore MFA website:

[http://www.mfa.gov.sg/content/mfa/media\\_centre/press\\_room/pr/2007/200709/press\\_20070918\\_03.html](http://www.mfa.gov.sg/content/mfa/media_centre/press_room/pr/2007/200709/press_20070918_03.html)

Pabico, A. (2007 Nov 10). Why is Draft of ASEAN Charter being kept from public? Retrieved 11 Feb 2016 from the Philippine Center for Investigative Journalism website:

<http://www.pcij.org/blog/?p=2045>

### **APF 2009 Bangkok, Thailand (4<sup>th</sup> ACSC)**



The ASEAN Peoples’ Forum (APF), and within it the 4<sup>th</sup> ASEAN Civil Society Conference (ACSC), entitled “Advancing a Peoples’ ASEAN” was held on 20-22 February 2009 at the Chulalongkorn University, in Bangkok, Thailand. The APF was led by the Thai NGO COD, together with Thai and regional organizations. The APF featured a Town Hall meeting with the ASEAN Chair for 2009 and ASEAN Secretary General Surin Pitsuwan. The APF participated in the civil society interface with ASEAN leaders in Hua Hin on 28 February 2009. The interface was marred by rejection of civil society representatives from Burma/Myanmar and Cambodia by their countries’ leaders. Instead the two were received by Thai Prime Minister Abhisit Vejjajiva.

For more information on the APF in Bangkok, Thailand in 2009:

The Nation. (2009 Feb). Asean People Forum to be held over weekend. *The Nation*, 18 Feb 2009. Retrieved 13 Feb 2016 from The Nation’s website: <http://www.nationmultimedia.com/breakingnews/Asean-People-Forum-to-be-held-over-weekend-30096030.html>

TFAMW. (2009). First Civil Society interface at ASEAN Summit, includes TF AMW. *Migrant Workers’ Connection*, 28 Feb 2009. Retrieved on 15 Feb 2016 from the Task Force on ASEAN Migrant Workers’ website: <http://www.workersconnection.org/articles.php?more=109>

## ACSC/APF 2009 Cha-am, Thailand

The second conference in Thailand, entitled “Advancing a Peoples’ ASEAN: Continuing Dialogue,” was organized as the ACSC/APF 2009 at the Holiday Inn, Cha-am, Thailand on 18-20 October. Designed to be a series of dialogues with ASEAN governments and ASEAN bodies, the conference was largely snubbed by the latter. The ACSC/APF 2009 participated in the civil society interface with ASEAN leaders, participation of which had by then been downgraded as informal and voluntary. The civil society delegation was led by Professor Surichai Wungaeo of Chulalongkorn University. The interface however was again marred by rejection of civil society representatives from Burma/Myanmar, Cambodia, Lao, Philippines, and Singapore. Three of the civil society representatives who were approved by their governments later walked out of the Interface.

For more information on the ACSC/APF in Cha-am, Thailand in 2009:

ACSC/APF. (2009 Oct). Call for Civil Society’s Participation. 2nd ASEAN Peoples’ Forum / 5th ASEAN Civil Society Conference. Advancing a Peoples’ ASEAN: Continuing Dialogue. Retrieved on 19 Feb 2016 from <http://focusweb.org/node/1526>

ACSC APF. (2009). Statement from the organizers of th ASEAN People's Forum / ASEAN Civil Society Conference. Retrieved 14 Feb 2016 from the Focus on the Global South website: <http://focusweb.org/node/1535>

Macan-Markar, M. (2009). No Welcome Mat for Civil Society at ASEAN Summit. *Global Policy Forum*, 19 October 2009. Retrieved 15 Feb 2016 from <https://www.globalpolicy.org/ngos/48331-no-welcome-mat-for-civil-society-at-asean-summit.html>

Chongkittavorn, K. (2009) Split between ASEAN leaders and civil society groups widens. *The Nation*, 12 October 2009. Retrieved 15 Feb 2016 from [http://www.nationmultimedia.com/2009/10/12/opinion/opinion\\_30114237.php](http://www.nationmultimedia.com/2009/10/12/opinion/opinion_30114237.php)

Wai Moe. (2009, Feb 28). Civil Society Representatives Challenge Asean Leaders on Burma, Irrawaddy. Retrieved 15 Feb 2016 from the Mekong Migration Network website: <http://www.mekongmigration.org/?p=393>

Toole, J. (2009, Oct). NGOs fear govt snub at ASEAN summit. *The Phnom Penh Post*, 20 October 2009. Retrieved 19 Feb 2016 from <http://www.phnompenhpost.com/national/ngos-fear-govt-snub-asean-summit>

Initiatives for international Dialogue. (2009, Oct). Civil society optimistic despite ASEAN snub. Retrieved 15 Feb 2016 from <http://www.iidnet.org/civil-society-optimistic-despite-asean-snub/>

Video, Rejection of CS reps to Interface meeting. Retrieved 11 Feb 2016 from <https://www.youtube.com/watch?v=ltTHMID2OXs>

Loone, S. The disastrous ASEAN People’s Forum in Cha’am. Retrieved from <https://sloone.wordpress.com/2009/10/20/the-disastrous-asean-peoples-forum-in-chaam/>

## The APF VI, 2010 Vietnam



The ASEAN People’s Forum VI, with the theme “Solidarity and Action for a People-Oriented ASEAN” was held in Hanoi, Vietnam on 23 to 26 September 2010. The Forum was organized by VUFO, together with Vietnamese and civil society organizations from the ASEAN region.

For more information on APF 6 in Hanoi, Vietnam in 2010:

- APF 6. Statement Asean People’s Forum 6 (Hanoi, Vietnam). Retrieved from <http://www.alternative-regionalisms.org/?p=4478>
- Vietnamese Diplomatic Missions. (2010 Jul 30). Preparatory meeting for ASEAN People’s Forum. Retrieved 13 Feb 2016 from the website of Vietnamese Diplomatic Missions: [http://www.vietnambassy-angola.org/vnemb.vn/tin\\_hddn/ns100802090503](http://www.vietnambassy-angola.org/vnemb.vn/tin_hddn/ns100802090503)
- OMCT World Organisation Against Torture Network. (2010 Sep). Viet Nam: FIDH banned from attending the ASEAN People's Forum in Vietnam. Retrieved 11 Feb 2016 from the OMCT website: <http://www.omct.org/human-rights-defenders/urgent-interventions/viet-nam/2010/09/d20861/>
- The Irrawaddy (2010). Thailand’s Vietnam cancellation a concern – *The Irrawaddy*, 17 September 2010. Retrieved 13 Feb 2016 from Simon Roughneen’s blogsite: <http://www.simonroughneen.com/asia/seasia/thailand/thailands-vietnam-cancellation-a-concern-the-irrawaddy/>
- Agence France Presse (2010 Oct). ASEAN seen failing on human rights at Hanoi summit. Retrieved 11 Feb 2016 from <http://news.abs-cbn.com/global-filipino/world/10/31/10/asean-seen-failing-human-rights-hanoi-summit>
- APF 6. (2010 Sep) ASEAN PEOPLE’S FORUM 2010 CONCEPT PAPER. Retrieved 19 Feb 2016 from <http://www.alternative-regionalisms.org/?p=3237>
- Tabios-Nuera, M. (2010) Report on the APF 6 3rd Preparatory Meeting, August 30 – 31, 2010, Hanoi, Vietnam. Retrieved 19 Feb 2016 from <http://xa.yimg.com/kq/groups/21180607/1210383869/name/Report>
- Kalyanamitra. (2010). Laporan ASEAN People’s Forum (APF) KE-6, 24 – 26 September 2010, di Vietnam. Retrieved 19 Feb 2016 from <http://www.kalyanamitra.or.id/2010/11/laporan-asean-peoples-forum-apf-ke-6-24-26-september-2010-di-vietnam/>
- SAPA Working Group on ASEAN. (2010 Oct 28). ASEAN backslides in its commitment to be more people-oriented. Retrieved 15 Feb 2016 from <http://www.alternative-regionalisms.org/?p=3255>
- Video, APF 6 Opening Ceremony cultural number: Retrieved 11 Feb 2016 from <https://www.youtube.com/watch?v=G1CWaWfdUtA>

## ACSC/APF 2011 Indonesia



The ACSC/APF 2011 in Indonesia, with the theme of “Claiming a People-Centered ASEAN for a Just Global Community” was held in Jakarta, Indonesia on 3 to 5 May 2011. The Conference was organized by Indonesian and other South East Asian civil society organizations, led by the



Institute for Global Justice (IGJ) and the Human Rights Working Group Indonesia (HRWG). The ACSC/APF 2011 participated in the civil society interface with ASEAN leaders, which was again marred by rejection of civil society nominees by the governments of Burma/Myanmar, Cambodia, the Philippines, and Thailand.

For more information on the ACSC/APF 2011 in Jakarta, Indonesia:

Jakarta Post. (2011). Advocacy groups push for participation of civil society. *The Jakarta Post*, 3 May 2011. Retrieved 11 Feb 2016 from <http://www.thejakartapost.com/news/2011/05/03/advocacy-groups-push-participation-civil-society.html>

Equality Myanmar (2011 May). ASEAN civil society battles govt domination. Retrieved 15 Feb 2016 from the Equality Myanmar Website: <http://equalitymyanmar.org/?p=3123>

ACSC/APF. (2011). Statement of Representatives of 2011 ASEAN Civil Society Conference (ACSC)/ASEAN People’s Forum (APF) to the Informal Meeting between ASEAN Leaders and Civil Society. Retrieved 15 Feb 2016 from the Forum-Asia website: <https://www.forum-asia.org/?p=6941>

Wahyuni, S. (2011). CSOs ‘pleased’ with meeting with ASEAN leaders. *The Jakarta Post*, 8 May 2011. Retrieved 11 Feb 2016 from <http://www.thejakartapost.com/news/2011/05/08/csos-%E2%80%98pleased%E2%80%99-with-meeting-with-asean-leaders.html>

Video, ACSC/APF Keynote Speech, Daw Aung San Suu Kyi: Retrieved 11 Feb 2016 from [https://www.youtube.com/watch?v=F5nOVSD\\_imI](https://www.youtube.com/watch?v=F5nOVSD_imI)

Video, Interface Meeting with ASEAN Leaders: Retrieved 11 Feb 2016 from [https://www.youtube.com/watch?v=WLuLTHi\\_7\\_w](https://www.youtube.com/watch?v=WLuLTHi_7_w)

Video, ACSC/APF cultural night: Retrieved 11 Feb 2016 from <https://www.youtube.com/watch?v=shQ5f0rRvpQ>

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### **ACSC/APF 2012 Cambodia (April and November)**



The ACSC/APF 2012 processes in Phnom Penh, Cambodia had the Themes of “Transforming ASEAN into a People Centered Community” (April 2012) and “Making a Peoples-Centered ASEAN a Reality” (November 2012). The Cambodia processes, led by SILAKA, CCC, NGO Forum and many Cambodian NGOs, together with regional organizations, were historic as this was the year that the Cambodian CSO community said a resounding no to Cambodian GONGO presence by organizing a separate ACSC/APF 2012 from the Cambodian government sanctioned ACSC/APF. The ACSC/APF suffered numerous blocks to the conference, among them physical blocks to participants, refusal of conference venue owners to honor the

Conference process by cutting off power and water, and refusal to rent out facilities to the Conference.

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The ACSC/APF 2013 held in Jerudong, Brunei Darussalam had the theme of “ASEAN: Building Our Future Together.” The ACSC/APF 2013 was led by the Council of Women of Brunei Darussalam, appointed by the Ministry of Culture, Youth and Sports of Brunei Darussalam.

For more information on the ACSC/APF 2013 in Brunei Darussalam:

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### ACSC/APF 2014 Myanmar



The ACSC/APF 2014 in Yangon, Myanmar had the theme of “Advancing ASEAN Peoples’ Solidarity Toward Sustainable Peace, Development, Justice and Democratisation.” The

ACSC/APF 2014 was organized by a Myanmar National Organizing Committee composed of Myanmar CSOs, CSOs from the Burma diaspora, and community organizations of different ethnic nationalities, together with regional committees. The ACSC/APF 2014’s secretariat was the Myanmar government-appointed Myanmar Peoples’ Forum. ACSC/APF 2014 had unprecedented numbers of 3,000 participants.

For more information on ACSC/APF 2014 in Yangon, Myanmar:

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## ACSC/APF 2015 Malaysia



The ACSC/APF 2015 held in Kuala Lumpur, Malaysia had the theme “Reclaiming the ASEAN Community for the People.” ACSC/APF 2015 was organized by a Malaysia National Organizing Committee led by KOMAS and SUARAM, together with regional organizations.

For more information on ACSC/APF 2015 in Kuala Lumpur, Malaysia:

Syed Hamid Albar. (2015, Apr). Keynote Speech at ACSC/APF 2015 Welcome Dinner. Retrieved 11 Feb 2016 from <http://syedhamidalbar44.blogspot.com/2015/04/asean-peoples-forum-asean-civil-society.html>

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### **Why not an ACSC/APF 2016 in Laos?**

At the 3<sup>rd</sup> Organizing meeting of the ACSC/APF 2015 in Kuala Lumpur Malaysia, a paper from an unnamed number of 40 Lao CSOs expressed their opposition to issues that were included in the 2015 ACSC/APF Conference statement submitted to the ASEAN Ministerial Meeting in January of that year. They expressed their objection to the following issues: enforced disappearances and the mention of Sombath Somphone, democracy and multi-party systems, dams and indigenous peoples, and the LGBTIQ. After substantial discussion in plenary, CSOs present expressed doubts about Lao hosting the ACSC/APF 2016 if these and other issues could not be freely discussed. From the perspectives of those present, the Lao proposal contravened the principles of the ACSC/APF.<sup>60</sup>

It was decided that side discussions would be held in April, during the ACSC/APF 2015, in order to listen to the voices of other Lao CSOs, and to enable the Lao CSOs to name the 40 Lao organizations that expressed their objection. Come April 2015, the side meeting took place amidst contentious discussions. It was decided that there would be no ACSC/APF turn over from Malaysia to Laos. It was also decided that a team would go on a mission to Laos later in 2015.

Meanwhile, the International Committee of the Asia Europe Peoples Forum (in May 2015) and Southeast Asian organizations led by the Solidarity for Asian Peoples’ Advocacies (in July 2015) sent letters to the ACSC/APF Regional Steering Committee, appealing against holding the ACSC/APF in Laos in 2016. Both letters raised the issues and listened to the voice of the local and independent organizations from Laos CSOs.<sup>61</sup>

Members of the Regional Steering Committee, Jerald Joseph of Malaysia and Soe Min Than of Singapore made a visit to Vientiane in September 2015 to meet with Lao civil society and to

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<sup>60</sup> Ryan Silverio, ASEAN SOGIE Caucus; Ging Cristobal, IGLHRC and Outright International, interview by Consuelo Katrina A Lopa, Hive Hotel, Quezon City, Philippines, 7 April 2016

<sup>61</sup> Mugiyanto Sipin, INFID, interview by Consuelo Katrina A Lopa, Kontras, Jakarta, Indonesia, 9 June 2016

convey the decision not to hold it in Vientiane. There, they were also informed of the Lao government’s position not to host the ACSC/APF.

In November 2015, at the ACSC/APF Conference in Kuala Lumpur, the decision not to hold the ACSC/APF 2016 in Laos was affirmed by the plenary. It was also decided to hold ACSC/APF 2016 in Timor Leste instead. <sup>62</sup>

### **ACSC/APF Guiding principles and Engagement Modality (2015) <sup>63</sup>**

In 2015, after ten years of the ACSC/APF, the Malaysia National Organizing Committee summarized the guiding principles and general engagement modality to which civil society wanting to participate in the ACSC/APF must subscribe themselves:

#### **Guiding Principles**

- HUMAN RIGHTS – adhere to international human rights principles and standards as enshrined in the Universal Declaration of Human Rights and other international human rights laws
- DEMOCRACY – principle of democratic process to be respected
- GOOD GOVERNANCE – to be participatory, consultative and have genuine engagement and dialogue
- RULE OF LAW – to adhere to the rule of law
- NON-DISCRIMINATION – to respect that everyone is equal irrespective of race, religion, sex, gender, social opinion and other status, etc.
- NONRETROGRESSIVE / PROGRESSIVE/EVOLUTIONARY – not to regress in term of human rights and to be updated with current minimum standards; and,
- COMMITMENT TO SPREAD AWARENESS ON ASEAN- socializing ASEAN to the constituents

#### **General Engagement Modality**

- ‘OPENING DOORS’ – providing a platform for more people to be involved
- PARTICIPATION – to get as many groups and communities as genuine partners. This would involve getting people from grassroots community, Sabah and Sarawak and also groups who are not generally in the front line
- CONSULTATIVE/DIALOGUE – inclusive engagement in the dialogue processes
- COALITION BUILDING – as some of the members are part of different networks, there is an opportunity to build coalitions
- CONSENSUS – in the spirit of democratic decision process we endeavor for consensus building and respect of ideas

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<sup>62</sup> Nguyen Dinh Thang, BPSOS, written letters sent via email, 14 and 19 August 2016

<sup>63</sup> ASEAN Civil Society Conference/ASEAN Peoples’ Forum (ACSC/APF) (2015). Guiding Principles and Engagement Modalities of the ACSC/APF. Retrieved from <http://aseanpeople.org/about/guiding-principles-engagement-modality/>



- CITIZEN SPACES – spaces for common people to voice their issues
- RESPECT DIVERSITY AND INCLUSIVITY – to respect differences of opinions, representation of people/issues, openness to learn and to engage
- NON-VIOLENCE – to rejection promotion of violence or incitement of hatred

### **Grassroots voices and the ASEAN**

In the April 2016 online survey conducted, no less than 50 percent said that they benefitted from national and regional perspectives, thematic advocacies, and grassroots voices in the ACSC/APF.

However, where civil society organizations asserted their space and voice vis-à-vis the think tank organizations in the engagement with ASEAN, so did grassroots organizations vis-à-vis civil society. People’s voices may not always have been heard in ACSC/APF; not just raising their voices in concern, but having the knowledge and understanding about ASEAN in order to participate meaningfully.<sup>64</sup> Grassroots inclusion, participation and leadership in ASEAN civil society processes are important. Challenges faced by the grassroots are participation, leadership, language, sustained participation in ACSC/APF regional committees and national processes.<sup>65</sup>

Among the examples of assertions of grassroots voices are:

- The People’s Camp, Cebu, 2006, held in parallel with the 2<sup>nd</sup> ACSC
- ASEAN Peoples’ Forum (APF), Thailand, 2009
- ASEAN Grassroots Peoples’ Assembly (AGPA), Cambodia, 2012, held in parallel with the ACSC/APF 2012 in November

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<sup>64</sup> Adrian Perreira and Anne Beatrice Jacob, North South Initiative, interview by Consuelo Katrina A Lopa, Petaling Jaya, Malaysia, 4 June 2016

<sup>65</sup> Chalida Tajaroensuk, interview by Consuelo Katrina A Lopa, Forum-Asia, Bangkok, Thailand, 28 March 2016

## **Unities established, shared processes and shared advocacies in the ACSC Successes and weaknesses of the ACSC/APF**

Armstrong<sup>66</sup> cites the evolution of organizational structures through ‘collective intentionality’ as articulated by Park (2004) and Cummings (2006) to include group processes aimed at collective decisions and agreements on collective action; but also as being influenced, as well as constrained, by the respective agendas of different actors within the networks.

In the April 2016 online survey, respondents were asked what have been the benefits of the ACSC/APF process.

Receiving at least 80 percent affirmations were: 1) greater awareness of the ASEAN amongst civil society; 2) increased networking amongst South East Asian CSOs; 3) greater knowledge of commonalities and particularities of South East Asian issues

Receiving between 50-79 percent affirmations were: 1) consciousness of being a part of the South East Asian/ASEAN community; 2) strengthening of regional processes and caucuses; and 3) strengthening of country processes and caucuses

### **ACSC/APF, knowledge building, capacity building, and community building amongst South East Asian CSOs.**

Knowledge building in the ACSC/APF came by way of ACSC/APFs plenary discussions, simultaneous thematic workshops; plenary on understanding the host country; community visits, booths, film showings, town hall meetings with ASEAN officials and with ASEAN parliamentarians.

Plenary formats usually covered: 1) discussions on ASEAN issues; 2) reporting on thematic engagements with ASEAN; 3) reporting on country engagements ASEAN; and 4) reporting on ASEAN and global commitments.

Participants from the ASEAN gained cumulative and collective knowledge, strengthened their networking across issues, and across countries, thereby gaining knowledge of South East Asian issues.

In the April 2016 online survey, of the different components of the ACSC/APF, those receiving at least 75 percent affirmations were: 1) thematic workshops; 2) ACSC/APF as parallel event to the ASEAN Summit.

Those receiving between 50-74 percent affirmations were: 1) Rotating hosting by South East Asian countries; 2) Plenary on ACSC/APF Conference Statement; 3) Press conferences; 4) Social media: Website, FB, twitter, streaming

Those receiving 25-49 percent affirmations were: 1) Keynotes from grassroots and CSO leaders; 2) Plenaries on ASEAN themes; 3) Interface with ASEAN Leaders; 4) Side meetings; 5)

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<sup>66</sup> Armstrong, D.; Bello, V.; Gilson, J.; and Spini, D. (eds) (2011). *Civil Society and International Governance. The role of non-state actors in global and regional regulatory frameworks*. Retrieved 10 Feb 2016, from <http://nbn-resolving.de/urn:nbn:de:0168-ss0ar-273711>

Keynotes from ASEAN; 6) Keynotes from grassroots leaders; 7) Plenary on knowing the host country; 8) Cultural Night; 9) Community Visits; 10) Marches; and, 11) Product booths  
Those receiving less than 25 percent affirmations were: 1) Film festival; 2) Townhall meeting with ASEAN parliamentarians; 3) Institutional booths; and 4) ASEAN quiz bee

ACSC/APF was instrumental in providing spaces for regional and cross border issues, such as:

- Introduction of discourses and discussions on universal human rights, IP rights, collective and individual rights, SOGIE rights, etc. applying to ASEAN peoples.
- Burma and democracy
- impacts of China on ASEAN countries
- Dam issues in the Mekong
- Migration and labor
- Corporate Accountability
- Refugees, trafficking, statelessness
- Rohingyas

Capacity building of CSOs in ASEAN member countries were initially done by regional organizations, in partnership with local organizations. SEACA, and later joined by FORUM-ASIA were among the pioneers in 2006. Regional caucuses and coalitions such as SEA Women’s Caucus, UNI-APRO, MFA, AsiaDHRRA, ASEAN-SOGIE Caucus, AIPP, Child Rights Coalition Asia conducted workshops amongst their respective sectoral constituencies. SEACA in 2008 would later focus on CLMV countries to address the information gaps in these countries, and in 2010 on ACSC/APF host countries, in support of civil society in those countries.

On the regional level: SAPA, as a regional coordinating body for networks engaging the ASEAN, did joint socialization from 2010 to 2015, in Vietnam, Cambodia, Brunei, Myanmar, and Malaysia.

Some country groups with strong capacities led their own socialization, some with support from regional networks-- Thailand in 2009, Vietnam in 2010, Indonesia in 2011.

## ACSC/APF leadership and committees



During the founding of the ACSC in 2005, the Malaysian government, in partnership with Malaysian civil society organizations and the ASEAN Centre of the University I Technology Mara (UiTM), led the ACSC.<sup>67</sup>

Following 2005, civil society organizations took the lead in organizing the ACSC. In 2006, in the Philippines, leadership was provided by a Steering Committee of Asian and South East Asian regional networks, together with a committee of 17 Philippine NGO networks. From 2007 and 2009, in Singapore and Thailand, respectively, leadership through a Steering Committee shifted, provided by country host committees, and supported by Asian and South East Asian regional networks. In Singapore, Think Centre led the country host committee. In Thailand, NGO COD and Peoples’ Empowerment Foundation led the country host committee, which was chaired by Prof. Thitinan Pongsudirak of the Thai ISIS for the March 2009 APF, and by Prof. Surichai Wungaeo of Chulalongkorn University for the October 2009 APF.

The year 2010 signalled two shifts. First, the Vietnam government as ASEAN Chair, appointed VUFO to lead the Vietnam host committee. This was a departure from previous practices of ad

<sup>67</sup> Chee Yoke Ling, Third World Network, Skype interview by Consuelo Katrina A Lopa from Jakarta, Indonesia, 8 June 2016

hoc, voluntary leadership by civil society organizations and networks, with no mandates received from the host government. Second, under the leadership of Vietnam, a special effort was made to constitute regional working committees with ten country representation with voting rights. Under the set-up of the regional working committees however, regional representation was allowed, but with no voting rights.<sup>68</sup> From 2010, leadership for the ACSC/APF was through regional committees-- the Regional Steering Committee, a Programme Committee, a (Conference Statement) Drafting Committee, a Media Committee, and the National Organizing Committee.

Beginning Indonesia 2011, the working regional committees were retained, but reconstituted, with ten country representation with voting rights, and 3 regional network representation with 1 collective voting right. Cambodia 2012, Brunei 2013, Myanmar 2014, Malaysia 2015 have since used the formula established in Indonesia. In 2011, another committee was set up, the Interface Committee, to guide and support the civil society representatives to the Interface with ASEAN Leaders.

### **Governance Structures and ACSC/APF organizing processes**

In the April 2016 online survey, respondents were asked which governance structures had helped the ACSC/APF achieve its objectives:

Receiving between 50-75 percent affirmations were: 1) Country processes; 2) Regional processes; and 3) Regional Steering Committee

Receiving between 25-49 percent affirmations were: 1) National Organizing Committee; 2) Regional Media Committee; 3) Regional Programme Committee; 4) Regional Drafting Committee; and 5) Finance Committee

Receiving between 10-24 percent affirmations were: 1) Logistics Committee; 2) Regional Interface Committee; 3) NOC Secretariat; 4) Pooled Regional/NOC Secretariat; 5) Pooled Regional/NOC Secretariat

In the April 2016 online survey, respondents were asked which ACSC/APF processes and pre-activities were most helpful, most effective in achieving the conference objectives.

The following received at least 50 percent affirmations: 1) Regional Organizing Meetings; 2) Country Process Meetings; 3) Country Socialization, Workshops on ASEAN; and, 4) Engagement with ASEAN Secretariat.

Receiving between 25-49 percent affirmations: 1) Regional Committees; 2) Information sharing through website, FB, Twitter; 3) ACSC/APF Media Briefings; and 4) Engagement with host MoFA.

Receiving affirmations below 25 percent were diplomatic and donor briefings.

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<sup>68</sup> APF 6. (2010 Sep) ASEAN People’s Forum 2010 Concept Paper. Retrieved 19 Feb 2016 from <http://www.alternative-regionalisms.org/?p=3237>

## **National Organizing Committee**

From year to year, a National Organizing Committee is formed among civil society organizations in the ASEAN host country, with a keen interest to engage through the ACSC/APF process. There is a particular role that the NOC has in the organization of the conference proper’s logistics and finances. They are responsible for anchoring all the regional working committees, making sure they are constituted, linked to the previous committees, and turned over to the next year’s committees as well.

In Myanmar 2014, the composition of the Myanmar NOC was unique owing to the presence of civil society within Myanmar and in the diaspora. There was an agreement amongst them that the Myanmar NOC would attempt to be inclusive, by ensuring representation of Myanmar-based CSOs, CSOs in the diaspora, and CSOs from the ethnic nationalities/non-Burman CSOs.

## **Regional Steering Committee**

The Regional Steering Committee is the policy making body for the ACSC/APF. It oversees the organizing process of the ACSC/APF. It also guides the ACSC/APF national processes in interfacing with the regional conference. The RSC also acts as oversight to the ACSC/APF regional organizing committees. Regional Steering Committee members are selected from national processes with one RSC representative per country, plus three representatives chosen from among regional organizations.

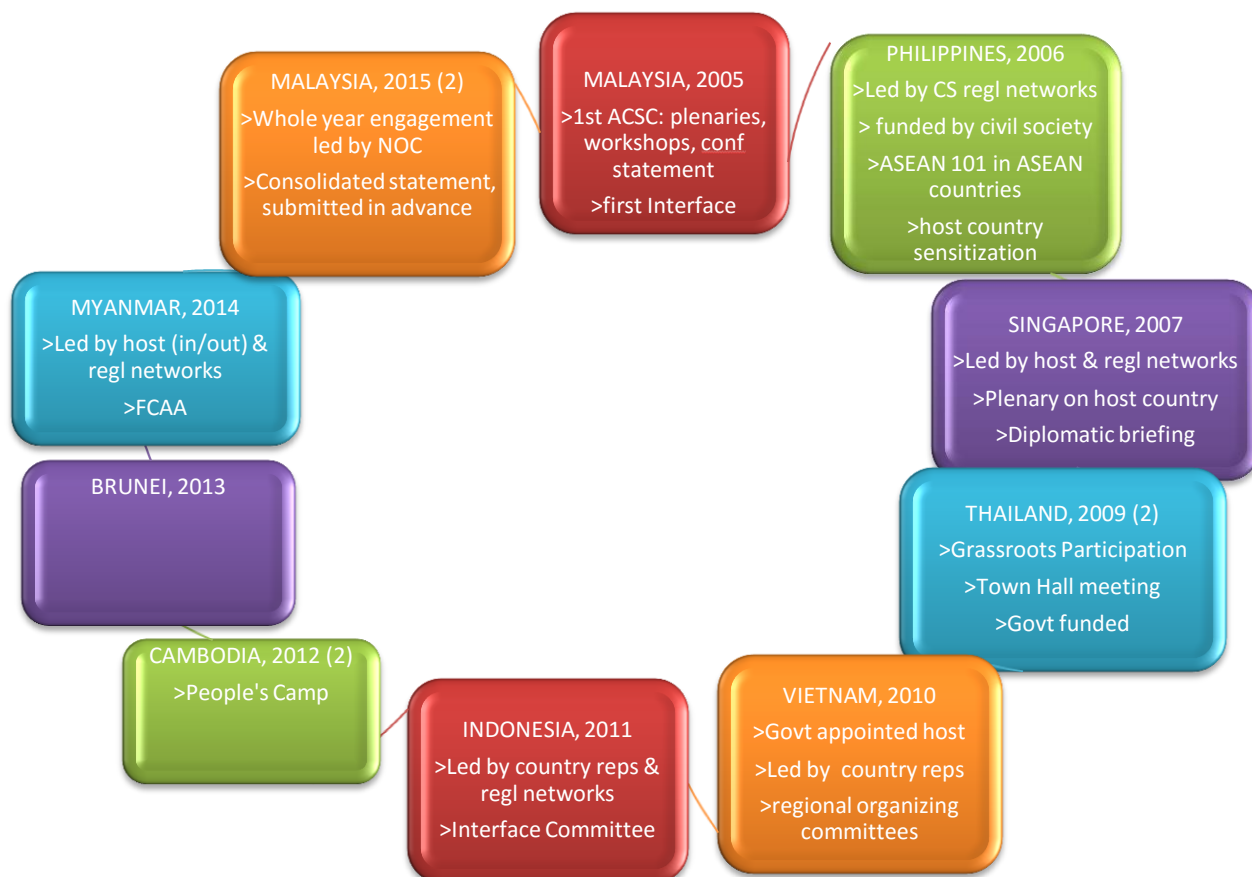
## **Regional Programme, Drafting, Media and Interface Committees**

The regional working committees focus on the preparation of the programme and workshops, the conference statement, media arrangements, and interface arrangements, respectively. Each regional committee’s members are selected from national processes with one representative per country, plus three representatives chosen from among regional organizations.

## **Innovations in ACSC/APF through the years**

ACSC/APF Conference components have evolved over the last ten years. Rotating leadership amongst the countries have introduced various components to the conference, among them: plenary discussions on ASEAN issues; simultaneous thematic and sectoral workshops; a plenary on understanding the host country; community visits; marches; interfaces with ASEAN leaders (10-10; town hall meeting; meeting with the chair/host); booths featuring products and institutions; free spaces for film showings, rituals and special meetings; solidarity night; cultural night; use of social media such as websites, facebook, twitter, live streaming, conference calls; country preparatory meetings and ASEAN 101/socialization; media briefings and press conferences; diplomatic briefings; visits to the ASEAN Secretariat and CPRs; engagement with

MoFA/ASEAN Directorates; participation of the ASEAN Secretariat; ACSC/APF Conference Statements.



### Innovations on ACSC/APF Conference Components, by country

Malaysia defined the first ACSC 2005, with the following conference components—a. **plenaries**, **b. workshops**, **c. a conference statement**, and d. the first **interface** between civil society and ASEAN heads of state.

The Philippines’ ACSC 2006 was the first to conduct **in country sensitization workshops** amongst civil society. In an attempt to also prepare other countries for the ACSC 2006, sensitization workshops amongst civil society led by SEACA were also held in 7 other countries (Cambodia, Indonesia, Laos, Malaysia, Thailand, the Thai-Burma border, Vietnam). In-country and SEA country sensitizations on ASEAN were organized by SEACA, Forum-Asia and various groups throughout the ten years.

Singapore 2007 was the first to introduce the **plenary on the host country**, an attempt to understand the host country’s history and development, from the point of view of the civil society hosts. Singapore was also the first to conduct **donor briefings**, to orient and gain the donor and diplomatic community’s support for the ACSC/APF.

Thailand 2009’s organizing strategy was two-pronged: on the one hand, knowledge preparation of the grassroots in Thailand on ASEAN, spearheaded by People’s Empowerment Foundation; and on the other hand, organization of the ASEAN Peoples’ Forum conference, spearheaded by Thai NGO COD and the regional organizations. The two pronged strategy ensured adequate preparations through a division of labor.<sup>69</sup> With regards the interface, Thailand also organized two kinds of interface: 1 the CSO Interface, with 10 CSO representatives meeting 10 ASEAN Heads of State, the second one since its introduction in Malaysia in 2005; and, 2 the Town Hall Meeting, with the ASEAN Chair (Thailand Minister of Foreign Affairs Kasit Piromya) and ASEAN Secretary General Surin Pitsuwan, engaged in a question and answer with the APF assembly of 1,000 participants.<sup>70</sup>

Malaysia in 2015 attempted an expanded NOC engagement, not limiting itself to the organization of the ACSC/APF conference proper, but also engaging the Malaysian MoFA, ASEAN human rights bodies, as well as the ASEAN Secretariat. Malaysia 2015 also organized an ACSC/APF Conference in parallel with the second Summit in 2015. Having been the 10<sup>th</sup> year of ACSC/APF, the 2015 Conference Statement was a summary of the ten years’ statements, and was submitted to the ASEAN Ministerial Meeting in January 2015, three months in advance of the ASEAN Summit in April 2015, in the hope that a formal response from the ASEAN leaders would be made possible.<sup>71</sup>

### **Funding sources for ACSC/APF**

In the Philippines 2006, Singapore 2007, and Cambodia 2012 funding for the ACSC were sourced from regional civil society networks.

Thailand 2009, followed by Vietnam 2010, Indonesia 2011, Brunei 2013, Myanmar 2014 and Malaysia 2015, had a mixed source of funding coming from both government, donors, and civil society.

In the April 2016 online survey, respondents were asked how helpful various supports were to the success of the ACSC/APF.

The following received at least 50 percent affirmations: 1) Donor financial support; 2) CSO financial support; 3) support from regional civil society; and 4) CSO participation fees/registration fees

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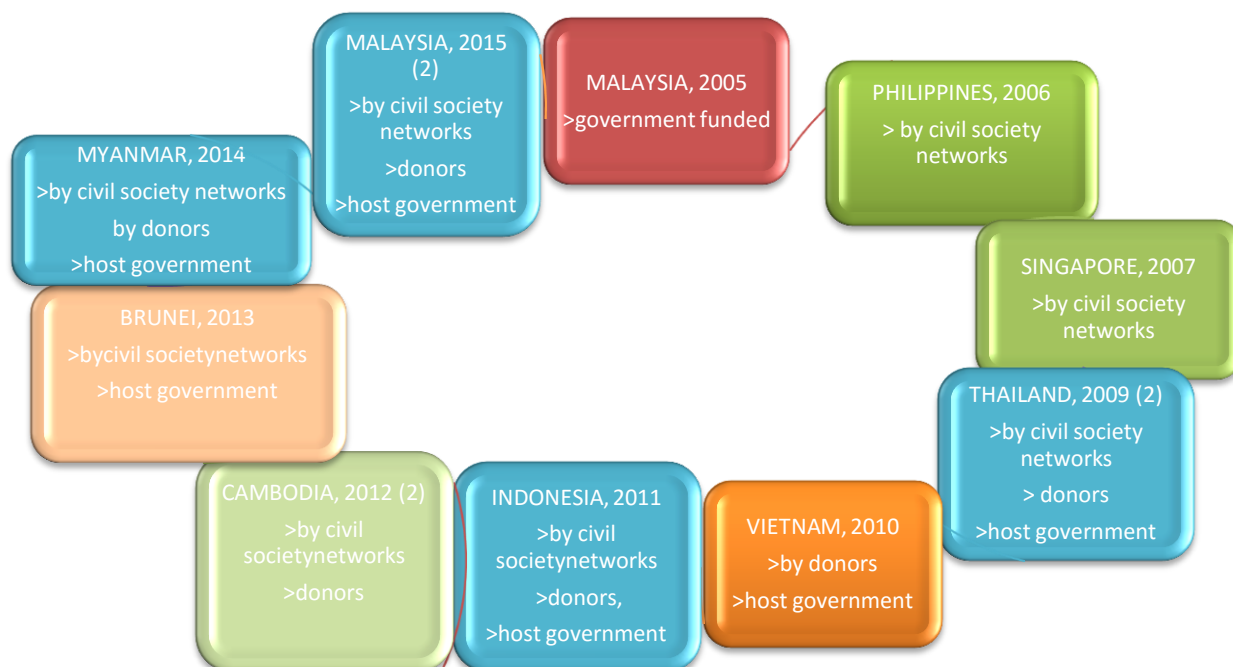
<sup>69</sup> Chalida Tajaroenkuk, interview by Consuelo Katrina A Lopa, Forum-Asia, Bangkok, Thailand, 28 March 2016

<sup>70</sup> Kratae Petrat, TVS, interview by Consuelo Katrina A Lopa, Thai Volunteer Service, Bangkok, Thailand, 27 May 2016

<sup>71</sup> Sumitha Shaanthini Kishna, Malaysian Bar Council, interview by Consuelo Katrina A Lopa, Ramada Plaza Dua Sentral, Kuala Lumpur, Malaysia, 1 June 2016



The following received between 25-49 percent affirmations: 1) support from international civil society; 2) regional media coverage; 3) local, national and international media coverage; 4) government financial support; 5) support from MoFA of host country; 6) support from diplomatic community and think tanks; 7) support from ASEAN Secretariat



## Language and the ACSC/APF

Language emerged as both a participation and leadership issue. ASEAN has no one common language, unlike Latin America for example where the majority of countries speak Spanish. In ASEAN, there are 1491 living languages, and 4 foreign languages spoken (English for most, French for three countries, Spanish for one, and Portuguese for one). Therefore, the default language would be English. However, the use of English as the language of the ACSC is deemed effectively as a bias against grassroots participation and leadership.<sup>72</sup> The absence of simultaneous translation due to cost considerations prevents grassroots leaders from meaningful participation in the conversations and debates in the ACSC.<sup>73</sup> It also hampers their participation in the leadership of the ACSC.

<sup>72</sup> Marlene Ramirez, AsiaDHRRA; Lany Rebagay, Asian Farmers Alliance, interview by Consuelo Katrina A Lopa, AsiaDHRRA, Quezon City, Philippines, 7 April 2016

<sup>73</sup> Marina Christina and Nithiyah, UNI-APRO- ASETUC, interview by Consuelo Katrina A Lopa, ASETUC, Petaling Jaya, Malaysia, 2 June 2016

## **ACSC/APF and the ASEAN public**

The various ACSC/APFs have used social media to communicate to the rest of South East Asian civil society and the ASEAN public through its websites, Facebook, Twitter, through live streaming, media briefings and press conferences.

## **ACSC/APF Conference Statements**

The ACSC/APF Conference Statement is a valuable compilation of civil society’s calls on issues, including thematic workshop inputs. These have traditionally been discussed and agreed upon in plenary within the Conference, and delivered through the Interface, but also communicated to the ASEAN Secretariat and ASEAN member governments. It has been noted that no formal responses in the last ten years have been made by the ASEAN to these Conference Statements.

There are differences in views on the tone that the Conference Statements should take. On the one hand, ACSC/APF Conference statements have traditionally been issue oriented, pointing out limitations and problems associated with government policies and programs, and calling on governments to consider proposed policy and programme recommendations.<sup>74</sup> On the other hand, there are views that Conference statements should be framed positively; not urge or compel governments to respond to civil society suggestions; not name or shame specific countries, government entities or persons.<sup>75</sup>

In an attempt to encourage a response from the ASEAN, the ACSC/APF 2015 in Malaysia presented its Conference Statement to the AMM in January, well in advance of the Conference and the Summit held in April.<sup>76</sup> Views from ASEAN officials differ on this: An ASEAN official commented that the advance submission indeed gives ASEAN leaders more time to respond to civil society’s recommendations.<sup>77</sup> However, a lower level ASEAN bureaucrat commented that formal responses to ad hoc processes are not part of ASEAN’s practice and protocol, and therefore it is unrealistic to expect a response from ASEAN in this manner.<sup>78</sup> The latter comment seems to be supported by the fact that no such formal response has been forthcoming in the last than 20 months since the ACSC/APF 2015 Conference statement’s early submission in January 2015.

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<sup>74</sup> Wanun Permpibul, Climate Watch; Premrudee Daoroung, Terra Foundation; Suntaree Saeng-ging, Thai ASEAN Watch, interview by Consuelo Katrina A Lopa, St Gabriel Foundation Building, Bangkok, Thailand, 31 March 2016

<sup>75</sup> Lao Civil Society Group via Maydom Chanthanasinh, National Authority for Sciences and Technology and National Science Council, written comments submitted by email, 20 August 2016

<sup>76</sup> Jerald Joseph, KOMAS, interview by Consuelo Katrina A Lopa, KOMAS, Kuala Lumpur, Malaysia, 4 June 2016

<sup>77</sup> AKP Mochtan, interview by Consuelo Katrina A Lopa, ASEAN Secretariat, Jakarta, Indonesia, 7 June 2016

<sup>78</sup> Leena Ghosh, interview by Consuelo Katrina A Lopa, ASEAN Secretariat, Jakarta, Indonesia, 7 June 2016

## ACSC/APF and the Interfaces with ASEAN Heads of State

During the first ACSC in 2005, the Interface between civil society and ASEAN Heads of State was a component of the regional conference proper. The Interface is believed to be a symbolic gesture of recognition by ASEAN of the importance of civil society in ASEAN community building,<sup>79</sup> in the same way that business leaders are accorded with the same ASEAN-ASEAN Business Advisory Council meeting.

However, in the years following, in 2006 and 2007, the ASEAN would instead have the Interface with the ASEAN Peoples’ Assembly in the Philippines, and the ACSC 2007, organized by SIIA, the ASEAN ISIS in Singapore, respectively.<sup>80</sup>

In 2009, in Thailand, the ASEAN would again have the Interface with the ASEAN People’s Forum (ACSC), but there arose the issues of selection of CSO representatives, and the rejection of CSO representatives. Led by Professor Thitinan Pongsudhirak, the APF participated in the civil society interface with ASEAN leaders in Hua Hin on 28 February 2009. The interface was marred by the rejection of civil society representatives from Burma/Myanmar and Cambodia. The delegation was composed of Mr. Rafendi Djamin, Ms. Yuyun Wahyuningrum, Ms. Wathshlah Naidu, Ms. Maria Estrella Penunia, Mr. Sinapan Samyodorai, Ms. Suntime Saeng-ging, and Mr. Phan Van Ngoc.<sup>81</sup>

By the time the second Interface was organized in Thailand in late 2009, attendance by ASEAN Heads of State was no longer compulsory, and was now downgraded as informal and voluntary. The ACSC/APF 2009 participated in the civil society interface with ASEAN leaders, led by Professor Surichai Wungaeo of Chulalongkorn University. The interface however was again marred by the rejection of civil society representatives from Burma/Myanmar, Cambodia, Lao, Philippines, and Singapore. Among those rejected were Ms. Khin Ohmar, Burma/Myanmar, Mr. Nay Vanda, Cambodia, Mrs. Manichanh Philaphanh, Lao PDR, Sister Crescencia L. Lucero, Philippines, and Mr. Sinapan Samyodorai, Singapore. Among those who participated but gagged were\* Ms. Yuyun Wahyuningrum, Indonesia; \* Mr. Moon Hui Tah, Malaysia; \* Ms. Sawart Pramonsilp, Thailand; Ms. Tran Thi Thu Thuy, Vietnam; Dato Paduka Zainal Momin, Brunei. (\* later walked out)<sup>82</sup>

In Vietnam in 2010, the Vietnamese host chose a less contentious Interface format, that of the ASEAN Chair, who was the Vietnamese Vice-Premier Pham Gia Khiem, meeting with the APF

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<sup>79</sup> Tan Sri Syed Hamid Albar, former Minister of Foreign Affairs, of Home Affairs, of Defense, and of Justice; currently Chairman of SPAD, interview by Consuelo Katrina A Lopa, SPAD, Kuala Lumpur, Malaysia, 3 June 2016

<sup>80</sup> Sinapan Samyodorai, Task Force on ASEAN Migrant Workers, interview by Consuelo Katrina A Lopa, Harbourfront Coffee Club, Singapore, 14 March 2016

<sup>81</sup> TFAMW. (2009). First Civil Society interface at ASEAN Summit, includes TF AMW. *Migrant Workers’ Connection*, 28 Feb 2009. Retrieved on 15 Feb 2016 from the Task Force on ASEAN Migrant Workers’ website: <http://www.workersconnection.org/articles.php?more=109>

<sup>82</sup> ACSC APF. (2009). Statement from the organizers of th ASEAN People's Forum / ASEAN Civil Society Conference. Retrieved 14 Feb 2016 from the Focus on the Global South website: <http://focusweb.org/node/1535>

VI’s CSO representatives. Even this interface was not spared of controversy. It was marred by the withdrawal of some CSO representatives, for lack of a meaningful interface process. Moreover, regional organizations accused Vietnamese civil society organizers of stifling participation in the APF VI.<sup>83</sup>

In 2011 in Indonesia, certain sections of the ACSC/APF criticized the host for limiting the Interface to the issue of health, effectively limiting the voice of the Conference. Whereas in the past, the Conference hosts shared the most pressing issues brought forth by civil society, this time the Indonesian host wanted to focus on a non-contentious issue. In addition, as in the past, issues of representation and threats of rejection of civil society nominees by the governments of Burma/Myanmar, Cambodia, the Philippines, and Thailand, and the threat of their replacement again marred the Interface process.<sup>84</sup> The ACSC/APF delegates had agreed conditionally to participate, if the seats of the rejected CSO representatives were to remain unfilled. At the holding room, when it had been clear that there were to be replacements and that the course of action would be to walk out, the Indonesian representative to the ACSC/APF Interface Committee not only managed to convince the rest of the CSO delegation to remain, in violation of agreements, but she also later admitted having toned down the prepared statements of some of the CSO representatives.<sup>85</sup>

Such were the government attempts to control the interface process. Such were the divisions caused amongst civil society representatives, in the face of what seemed to be the civil society host’s wish to maintain harmonious relations with their own host government, which was also the ASEAN Chair. These were among the reasons why by 2014 in Myanmar, civil society had been wiser, and had by this time drawn up its Four Principles for Participation in the Interface.<sup>86</sup>

Divisions on the value added of the Interface to the ACSC/APF remain among civil society today. Its strongest proponents push for engagement through the Interface at all cost, citing its symbolic value. Others who had been among its strongest proponents in the early years, had seen how the Interface had provided ASEAN governments with the motivation to support GONGO participation in the ACSC, and to disrespect CSO processes by rejecting CSO representatives to the Interface, and on occasion to replace them with their own nominees.<sup>87</sup>

After ten years, there are calls for a re-examination of the added value of the Interface with ASEAN Leaders. The losses far outweigh the gains of the Interface, some cite. Lip service has overtaken meaningful engagement, echo others. CSO (ACSC/APF) presence at the Interface

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<sup>83</sup> SAPA Working Group on ASEAN. (2010 Oct 28). ASEAN backslides in its commitment to be more people-oriented. Retrieved 15 Feb 2016 from <http://www.alternative-regionalisms.org/?p=3255>

<sup>84</sup> Equality Myanmar (2011 May). ASEAN civil society battles govt domination. Retrieved 15 Feb 2016 from the Equality Myanmar Website <http://equalitymyanmar.org/?p=3123>

<sup>85</sup> Daniel Lo, Malaysia civil society representative to the Interface in Jakarta, Indonesia 2011, interview by Consuelo Katrina A Lopa, Prime Minister’s Office, Putrajaya, Kuala Lumpur, Malaysia, 1 June 2016

<sup>86</sup> ACSC/APF (2014). ACSC / APF Withdraws from Interface with Heads of Governments. Retrieved from <http://aseanpeople.org/acscapf-withdraws-from-interface-with-withdraws-from-interface-with-heads-of-government/>

<sup>87</sup> Wanun Permpibul, Climate Watch, interview by Consuelo Katrina A Lopa, Baan Rai, Bangkok, Thailand, 28 March 2016

legitimizes the empty engagement of ASEAN with civil society, others say. Mugiyanto Sipin of INFID Indonesia says, “ASEAN uses the interface to justify that they are open to civil society participation.”<sup>88</sup> Some have cited the failure of the format of the Interface, and called for its end.<sup>89</sup> The Thai CSO groups cited, that there are irreconcilable differences amongst ASEAN and CSOs, where ASEAN governments reserve the right to choose the civil society representatives who are to sit around the table, and where CSOs maintain their right to select their own representatives who are to engage ASEAN heads of state, and that governments do not respect CSOs’ right to self-select.<sup>90</sup> The ASEAN SOGIE Caucus cites that “there has been much infighting. What happens after the Interface, what are the gains, what are the issues we need to work on?”<sup>91</sup>

Even harsher assessments, of both ASEAN and of civil society, are expressed by a former country representative to an ASEAN human rights body, “I feel that this is completely useless, unless you have a real engagement of ASEAN member states, making sure that they are listening to you. If they are not coming, then don’t organize it. They take credit for this. But they don’t even support this financially. Stop meeting with the leaders. Don’t give credit to them. You are not getting anything out of this. Boycott them. Some countries always insist on the selection. Why do civil society allow leaders to dictate who they want to meet? It is divisive. Don’t allow this to continue. Don’t allow leaders to divide us. Find more meaningful ways... Civil society is not learning the lessons.”<sup>92</sup>

Moreover, upon examination of the ASEAN Chairman’s Statements through the years, appreciation of the civil society interface with ASEAN leaders, or what is known in ASEAN as the Informal Meeting with Civil Society, has shown to have diminishing significance in ASEAN:

- During the ten years of the ACSC/APF beginning 2005, there has been express acknowledgement of the interface with ACSC/APF in the ASEAN Chairman’s Statements, on four out of 10 years, in Malaysia 2005<sup>93</sup> and 2015, Vietnam 2010, Indonesia 2011.
- There has also been express acknowledgement of the interface with other civil society processes in the ASEAN Chairman’s Statements on two out of 10 years. The Philippines in 2006 acknowledged the ASEAN People’s Assembly organized by ASEAN ISIS Philippines, and Singapore in 2007 acknowledged the ACSC 2007 organized by ASEAN ISIS Singapore.

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<sup>88</sup> Mugiyanto Sipin, INFID, interview by Consuelo Katrina A Lopa, Kontras, Jakarta, Indonesia, 9 June 2016

<sup>89</sup> Premrudee Daoroung, Terra Foundation; interview by Consuelo Katrina A Lopa, St Gabriel Foundation Building, Bangkok, Thailand, 31 March 2016

<sup>90</sup> Wanun Permpibul, Climate Watch; Premrudee Daoroung, Terra Foundation; Suntaree Saeng-ging, Thai ASEAN Watch, interview by Consuelo Katrina A Lopa, St Gabriel Foundation Building, Bangkok, Thailand, 31 March 2016

<sup>91</sup> Ryan Silverio, ASEAN SOGIE Caucus; Ging Cristobal, IGLHRC and Outright International, interview by Consuelo Katrina A Lopa, Hive Hotel, Quezon City, Philippines, 7 April 2016

<sup>92</sup> Anonymous, interview by Consuelo Katrina A Lopa, Bangkok, Thailand, 26 May 2016

<sup>93</sup> ASEAN (2005). ASEAN Chairman’s Statement, 11<sup>th</sup> ASEAN Summit, Malaysia, Retrieved from [http://r.search.yahoo.com/\\_ylt=AwrSbDqXdRXWXIA01hXNyoA;\\_ylu=X3oDMTEycDY5MXEwBGNvbG8DZ3ExBHBvcwM0BH Z0aWQDQil1NDBfMQRzZWMDc3l- /RV=2/RE=1473543704/RO=10/RU=http%3a%2f%2fassets.panda.org%2fdownloads%2fchairman\\_s\\_statement\\_11th\\_asean\\_summit.doc/RK=0/RS=jbEqDuK\\_9uJ379oF3kfJnoPBiuo-](http://r.search.yahoo.com/_ylt=AwrSbDqXdRXWXIA01hXNyoA;_ylu=X3oDMTEycDY5MXEwBGNvbG8DZ3ExBHBvcwM0BH Z0aWQDQil1NDBfMQRzZWMDc3l- /RV=2/RE=1473543704/RO=10/RU=http%3a%2f%2fassets.panda.org%2fdownloads%2fchairman_s_statement_11th_asean_summit.doc/RK=0/RS=jbEqDuK_9uJ379oF3kfJnoPBiuo-)

- There was express acknowledgement of the interface ‘with civil society’ in the ASEAN Chairman’s Statements on two out of 10 years, twice in Thailand 2009<sup>94</sup>, and in Cambodia 2012 with the ACSC/APF organized by GONGOs.
- There have been years where there was no express acknowledgement of ACSC/APF processes; rather, an acknowledgement only of engagement ‘with relevant stakeholders,’ on two out of 10 years, in Brunei 2013, and in Myanmar 2014<sup>95</sup>. During these two years, the ASEAN Chairman’s Statements was silent on the ACSC/APF.

Throughout the ten years, there is no established practice that the Leaders’ informal meeting with civil society is to be held with the civil society-led ACSC/APF. In fact this was not so in Philippines in 2006, Singapore in 2007, Cambodia in 2012. The civil-society led ACSC/APF did have an interface with ASEAN leaders only in Malaysia 2005, Thailand 2009, Vietnam 2010 (with the ASEAN Chair only), Indonesia 2011, and Malaysia 2015. Negotiations on the Interface between ACSC/APF and ASEAN Chair, Myanmar broke down in 2014. Beginning 2009, attendance by ASEAN heads of state at the Leaders’ informal meeting with civil society has been optional or at the pleasure of the head of state.

A telling question emanates from an official of the ASEAN Secretariat. He poses the question, “Do you need the symbolism (of the Interface), or can the process (ACSC/APF) itself be regarded as the pinnacle of activities?”<sup>96</sup>

### **ACSC/APF follow up and monitoring**

The need to follow up and monitor the annual list of ACSC/APF conference recommendations was first brought up through an initiative of the Indonesia Human Rights Working Group (HRWG) in 2012 through a series of consultations and a concept note shared with the ACSC/APF in Phnom Penh, Cambodia.<sup>97</sup> Subsequent discussions took place in the ACSC/APF 2013 in Jerudong, Brunei Darussalam, and in ACSC/APF 2014 in Yangon, Myanmar, receiving a mandate to carry this out on a modest scale.

An effort to follow up and monitor was done through the Follow Up Committee on the ACSC/APF (FCAA) 2014.<sup>98</sup> All country processes of the ACSC/APF were requested to

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<sup>94</sup> ASEAN (2009). Chairman’s Statement of the 14th ASEAN Summit “ASEAN Charter for ASEAN Peoples” Retrieved from [http://asean.org/?static\\_post=chairman-s-statement-of-the-14th-asean-summit-asean-charter-for-asean-peoples](http://asean.org/?static_post=chairman-s-statement-of-the-14th-asean-summit-asean-charter-for-asean-peoples)

<sup>95</sup> ASEAN (2014) ASEAN Chairman’s Statement, 24<sup>th</sup> ASEAN Summit, Myanmar, Retrieved from [http://r.search.yahoo.com/\\_ylt=A0SO8wz4D9RXcWcAh\\_tXNy0A;\\_ylu=X3oDMTEyNjdxamswBGNvbG8DZ3ExBHBvcwMxBHZ0aWQDQjI1NDBfMQRzZWMDc3I-/RV=2/RE=1473544313/RO=10/RU=http%3a%2f%2fwww.mofa.gov.mm%2fwp-content%2fuploads%2f2014%2f05%2f24th-ASEAN-Summit-Chairmans-Statement-201405111.pdf/RK=0/RS=HK4ixDXqu2kCKrRzn8dmHimdEoU-](http://r.search.yahoo.com/_ylt=A0SO8wz4D9RXcWcAh_tXNy0A;_ylu=X3oDMTEyNjdxamswBGNvbG8DZ3ExBHBvcwMxBHZ0aWQDQjI1NDBfMQRzZWMDc3I-/RV=2/RE=1473544313/RO=10/RU=http%3a%2f%2fwww.mofa.gov.mm%2fwp-content%2fuploads%2f2014%2f05%2f24th-ASEAN-Summit-Chairmans-Statement-201405111.pdf/RK=0/RS=HK4ixDXqu2kCKrRzn8dmHimdEoU-)

<sup>96</sup> AKP Mochtan, interview by Consuelo Katrina A Lopa, ASEAN Secretariat, Jakarta, Indonesia, 7 June 2016

<sup>97</sup> ASEAN Civil Society Conference/ASEAN Peoples’ Forum (ACSC/APF) (2012) Joint Statement of the 2012 ASEAN Civil Society Conference/ASEAN Peoples’ Forum, March 2012, Retrieved from <http://aseanpeople.org/joint-statement-of-the-2012-apf/>

<sup>98</sup> FCAA Follow-Up Committee on the ACSC/APF 2014. (2016) Follow-Up Committee of ACSC/APF (FCAA) 2014 Report.

document their engagement (or lack of it) with the ASEAN Directorate in their country, and to establish the practice of follow up by organizing a CSO dialogue with government on relevant issues in the ACSC/APF Conference Statement of 2014. Thailand and Vietnam were able to organize dialogues between civil society and their country’s government. Brunei, Cambodia, Indonesia, Philippines, Singapore and Timor Leste managed to hold country meetings and prepared their reports. No reports were prepared by Malaysia, Myanmar and Laos. The level of in country cooperation amongst CSOs also spelled the success or failure of this initiative. Where there were existing country ASEAN caucuses or working groups, some level of initiative and writing up of a report were possible. But where there were none, any follow up was unsuccessful.

In 2015, there was a Malaysia proposal to institutionalize a secretariat that would on the one hand be a repository of ACSC/APF institutional memory, and on the other do the follow up and central monitoring that had been sadly lacking over the last ten years.<sup>99</sup> While acknowledging that these were important tasks, there were mostly negative responses to suggestions of institutionalizing the work through a secretariat.<sup>100</sup> Given the challenges so far faced by the ACSC/APF, there seems to be greater weight placed on rotating and collective leadership<sup>101</sup>, and leadership capacity building, rather than institutionalized follow up and monitoring.<sup>102</sup>

### **ACSC/APF and its country processes**

The country processes of the ACSC/APF play crucial roles in connecting the country to the regional conference, communicating information and decisions made at both levels.<sup>103</sup> On the country level, they are responsible for further education on ASEAN,<sup>104</sup> for building and expanding the constituency for engagement with ASEAN both on the national and regional levels, and for facilitating engagement between the ASEAN Directorate and country CSOs.

ACSC/APF country processes today are faced with challenges on different fronts. Lack of resources prevent them from pursuing the work beyond attendance of annual ACSC/APFs. They are unable to expand their constituents, and in some cases are being challenged for gate keeping. It is cited in Indonesia that due to the vastness of the area, CSOs in the far islands are not reached. Also, participation of development oriented NGOs has been lacking; with mostly

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<sup>99</sup> Cynthia Gabriel, C4, interview by Consuelo Katrina A Lopa, Ramada Plaza Dua Sentral, Kuala Lumpur, Malaysia, 5 June 2016

<sup>100</sup> Malou Tabios-Nuera, IID; Boy Nuera, PASCRES; Ananez Aban, APNFS, Joseph Puruganan, Focus on the Global South; interview by Consuelo Katrina A Lopa, Freedom from Debt Coalition, Quezon City, Philippines, 8 April 2016

<sup>101</sup> May Shi Sho; Joseph Wah, Equality Myanmar; Myo Hlaing; U Tin Hlaing, interview by Consuelo Katrina A Lopa, Equality Myanmar, Yangon, Myanmar, 24 May 2016

<sup>102</sup> Chit Sam Aath; Thida Khus, SILAKA; Pen Somony, Cambodian Volunteers for Service; Chet Charya, Star Kampuchea; Soun Bounsak, CHRAC; Cheang Sokha, Youth Resource Development, Program; Ratha Kea, CCWA; and 1 other individual; interview by Consuelo Katrina A Lopa, CVS, Phnom Penh, Cambodia, 5 May 2016

<sup>103</sup> Nalini Singh, ARROW, Skype interview by Consuelo Katrina A Lopa from Kuala Lumpur, Malaysia, 1 June 2016

<sup>104</sup> Mora Sar and Syteng Tuy, CFFWS Cambodian Food and Service Workers Federation; Theng Savoeyun, CCFC Coalition of Cambodian Farmer Communities; Mory Sar, CYN Cambodian Youth Network; interview by Consuelo Katrina A Lopa, Solidarity House, Phnom Penh, Cambodia, 4 May 2016

human rights oriented NGOs taking up the space.<sup>105</sup> Singapore and Vietnam have received challenges of non-inclusiveness.<sup>106</sup> Lack of openness of ASEAN Directorates on country level engagement and follow up opportunities are also challenges faced by ACSC/APF country processes. Lack of interest and knowledge of ASEAN’s relevance to their work are among the hurdles faced by many country processes.<sup>107</sup>

The issue of there being more than one country process has arisen in a number of countries, and questions arise as to how and who resolves the matter. To date, the process for resolving such are not clear, with different networks and organizations contesting country representation in the RSC.<sup>108</sup>

### **Resources, Financial Accountability and Transparency and the ACSC/APF**

In 2009, as in 2010, 2011, 2013 and 2015, the ACSC/APF received support and monies from their host governments for the holding of ACSC/APF and other preparatory activities. This has raised questions regarding the ACSC/APF and its civil society hosts’ ability to maintain their independence, to refrain from compromised decision making, and to protect the ACSC/APF from political pressures, especially in view of the dynamics relating to the Interface process.

It was verified that for the years 2014 Myanmar<sup>109</sup> and 2015 Malaysia<sup>110</sup>, financial reports were audited by independent auditors, and shared with donors, and with civil society through the published Conference reports. In the case of Myanmar 2014, an internal audit was also done by the NOC.

In Malaysia 2015, interviewees have attested that resources earmarked for civil society participation in the ACSC/APF were channelled to support GONGOs<sup>111</sup> and government people<sup>112</sup> in certain countries, thereby excluding real CSOs, contrary to the intention of most funders.

### **ACSC and the ASEAN host, and the ASEAN Secretariat**

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<sup>105</sup> Mugiyanto Sipin, INFID, interview by Consuelo Katrina A Lopa, Kontras, Jakarta, Indonesia, 9 June 2016

<sup>106</sup> Vu Quoc Ngu, VICSON, written letter sent via email, 21 August 2016

<sup>107</sup> FCAA Follow-Up Committee on the ACSC/APF 2014. (2016) Follow-Up Committee of ACSC/APF (FCAA) 2014 Report.

<sup>108</sup> Nguyen Dinh Thang, BPSOS, written letters sent via email, 14 and 19 August 2016

<sup>109</sup> May May Pyone, NGO Gender Group, interview by Consuelo Katrina A Lopa, Sweet Hotel, Yangon, Myanmar, 24 May 2016

<sup>110</sup> Jerald Joseph, KOMAS, interview by Consuelo Katrina A Lopa, KOMAS, Kuala Lumpur, Malaysia, 4 June 2016

<sup>111</sup> Nguyen Dinh Thang, BPSOS, written letters sent via email, 14 and 19 August 2016

<sup>112</sup> Shine Win, MRA Malaysia Relief Agency, interview by Consuelo Katrina A Lopa, Yangon, Myanmar, 25 May 2016



Save for Cambodia in 2012 where there were two ACSC/APF processes held at the same time but organized by two different groups, the ASEAN and the Secretariat has shown its support and has been present in most of the ACSCs through the years:

In Malaysia, 2005: ASEAN Secretary General Ong Keng Yong  
In the Philippines, 2006: ASEAN Secretariat’s External Liaison Officer  
In Singapore, 2007: ASEAN Deputy Secretary General Wilfrido Villacorta  
In Thailand, 2009: ASEAN Secretary General Surin Pitsuwan, ASEAN Chair, Thai Foreign Minister Kasit Piromya  
In Vietnam, 2010: ASEAN Chair, Vietnam Deputy Prime Minister Pham Gia Khiem  
In Indonesia, 2011: ASEAN Chair, Indonesia Foreign Minister Marty Natalegawa  
In Cambodia, 2012: none  
In Brunei Darussalam, 2013: Brunei Minister of Culture, Youth and Sports  
In Myanmar, 2014: ASEAN Deputy Secretary General AKP Mochtan  
In Malaysia, 2015: ASEAN Deputy Secretary General AKP Mochtan

### **Blocks to participation in ACSC/APF**

In the April 2016 online survey, respondents were asked what have been the blocks to the success of the ACSC/APF.

The following received between 50-75 percent affirmations: 1) government agendas and intervention; and 2) exclusion and gate keeping in country processes.

The following received between 25-49 percent affirmations: 1) exclusion and gate keeping in regional processes; 2) GONGO incursions; 3) notional differences with ASEAN regards people's participation in ASEAN; and, 4) exclusion of grassroots; 5) notional differences with ASEAN regards CS autonomy

The following received between 10-24 percent affirmations: 1) dominance of NGOs; 2) dominance of regional networks; and 3) agendas of INGOs

Blocks to participation through the years have come in various forms, imposed by governments on ASEAN citizens: travel bans, interrogations at ports of entry, refusal of entry and deportations. Some examples:

- 2007, Debbie Stothard of Malaysia, and Rafendi Djamin of Indonesia, on separate occasions, were held at the Singapore Changi airport for interrogation, but subsequently allowed entry to attend the 2<sup>nd</sup> ACSC.
- 2010, Penelope Faulkner of France was refused boarding at point of departure in France, as there was a threat to deny the plane’s landing in Thailand, en route to Vietnam’s 6<sup>th</sup> APF.<sup>113</sup>

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<sup>113</sup> OMCT. World Organisation Against Torture Network. (2010 Sep). Viet Nam: FIDH banned from attending the ASEAN People's Forum in Vietnam. Retrieved 11 Feb 2016 from the OMCT website: <http://www.omct.org/human-rights-defenders/urgent-interventions/viet-nam/2010/09/d20861/>

- 2012, In Cambodia, the entire Lao delegation at the civil society-organized ACSC/APF 2012, was fetched by the Lao Ambassador to Cambodia, and brought to the GONGO-organized ACSC/APF<sup>114</sup>
- 2015, Shine Win of Myanmar, an organizing committee member of ACSC/APF 2015 in Malaysia was held twice at the Malaysia airport for interrogation for several hours, and subsequently deported on the first time, and allowed entry on the second time.<sup>115</sup>
- 2015, a member of Vietnamese Women for Human Rights was banned from traveling to Malaysia for an organizing committee meeting of the ACSC/APF 2015, 8 other independent CSO leaders have since been officially placed under travel ban.<sup>116</sup>
- 2016, Mai Van Tam of Vietnam, a member of VICSON, was held at the Hanoi airport on 4 April upon returning from meetings in Bangkok, Thailand. Vietnamese “Security officers interrogated him for eight hours about his participation in ACSC/APF meetings in Bangkok, and later confiscated his passport and searched all his items,”<sup>117</sup> and subsequently released him after 8 hours, but told to collect his passport the next day. Also, during his interrogation, he was shown photos of the ACSC/APF organizing meeting in Bangkok, and names of VICSON members and BPSOS staff who were present at the meeting.

Blocks to free participation through the years have been imposed not just by governments, but also by civil society host organizations of the ACSC/APF on their own peers. Some examples:

- 2010, the Vietnam Committee on Human Rights (VCHR), an exile organization operating in France, reported receiving a letter from the ASEAN People’s Forum VI Secretariat stating that *“a member of the International Federation for Human Rights (FIDH), the so called ‘Vietnam Committee for Human Rights’, has been conducting all kinds of provocative activities in order to sabotage the State of Vietnam, and it is not at all a truly human rights defender group as it claims to be. The fact that FIDH supports this member’s activities is unacceptable to many Vietnamese people and their organizations. We believe that such agenda and activities are not in conformity with the 6th APF. Therefore, representatives of FIDH are not welcome at the Forum by Vietnamese people’s organizations.”*<sup>118</sup>

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<sup>114</sup> Anonymous, Lao PDR, interview questionnaire mailed to Consuelo Katrina A Lopa, 27 June 2016

<sup>115</sup> Shine Win, MRA Malaysia Relief Agency, interview by Consuelo Katrina A Lopa, Yangon, Myanmar, 25 May 2016

<sup>116</sup> Anonymous, Vietnam, Skype interview by Consuelo Katrina A Lopa, 15 June 2016

<sup>117</sup> VICSON Email Letter dated 8 May 2016 addressed to Organizers of the Consultative meeting of ACSC/APF in Laos, on Participation in ACSC/APF meeting in Laos on May 10-11; and BP SOS (2016). Incident Report on Mai Van Tam, Vietnam.

<sup>118</sup> OMCT World Organisation Against Torture Network. (2010 Sep). Viet Nam: FIDH banned from attending the ASEAN People's Forum in Vietnam. Retrieved 11 Feb 2016 from the OMCT website: <http://www.omct.org/human-rights-defenders/urgent-interventions/viet-nam/2010/09/d20861/>

- 2013, the ASEAN SOGIE Caucus issued a statement expressing that they were “*deeply outraged and concerned by the decision of the National Organizing Committee (NOC) of Brunei Darussalam’s to restrict discussions and limit civil society spaces at the ASEAN Civil Society Conference/ ASEAN People’s Forum 2013 (ACSC/ APF) for selective groups of people whose opinions and views are not aligned with the state’s views, namely sexual orientation and gender identity and gender expression (SOGIE), sex work, sexual and reproductive health rights.*”<sup>119</sup>
- In 2014 Myanmar ACSC/APF, Buddhist nationalist monks from Ma Ba Tha were present in several workshops, actively preventing discussions on Rohingyas. Rakhine Buddhist groups were also present in the organizing meetings, monitoring discussions.<sup>120</sup>

### **GONGOs in the ACSC/APF**

What is a GONGO? GONGO is the acronym for government-organized NGO (GONGO). It is usually a citizens’ organization that, by and large, conducts activities that are similar to CSOs, doing welfare or charity work, or community development work, or advocacy work, or human rights work. In addition however to conducting these development or advocacy activities, it maintains very close ties with its government or the ruling political party, to further the political or geopolitical interests of its government, whether in its home country or abroad. GONGOs usually are not independent or autonomous from their government or ruling political party structures.

From their behaviour vis-à-vis other CSOs, one may also conclude that an organization is a GONGO. GONGOs may become extensions of government control if they exercise coercive power over or engage in intelligence or security related activities vis-à-vis other CSOs from their country. Such situations leave others feeling intimidated and unsafe to be with GONGOs.<sup>121</sup> GONGOs usually prevail upon others not to challenge, not to name and shame their governments, or will try their best to keep anti-government groups outside of the circles. GONGOs will use the ASEAN value of non-interference and impose it on CSOs. GONGOs usually prevail upon others to exercise self-censorship or they actually censor others’ activities and language through force or intimidation.<sup>122</sup>

Accepting government financial support does not necessarily make one a GONGO, provided the funding does not include conditionalities that limit the autonomy and independence of a CSO and does not curtail the freedom of its members. Being a service provider for one’s government does not necessarily make one a GONGO, provided that the services one does are

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<sup>119</sup> ASEAN SOGIE Caucus (2013). ASEAN SOGI Caucus: We are ASEAN, Retrieved from <https://www.outrightinternational.org/content/asean-sogi-caucus-we-are-asean>

<sup>120</sup> Shine Win, MRA Malaysia Relief Agency, interview by Consuelo Katrina A Lopa, Yangon, Myanmar, 25 May 2016

<sup>121</sup> Anonymous, Vietnam, Skype interview by Consuelo Katrina A Lopa, 15 June 2016

<sup>122</sup> Wanun Permpibul, Climate Watch; Premrudee Daoroung, Terra Foundation; Suntaree Saeng-ging, Thai ASEAN Watch, interview by Consuelo Katrina A Lopa, St Gabriel Foundation Building, Bangkok, Thailand, 31 March 2016

in line with one’s mandate, and being such does not include conditionalities that limit the autonomy and independence of a CSO and curtail the freedom of its members.

Through GONGOs, ASEAN governments have deftly used ACSC/APF to further their dominance and control over civil society. There are GONGOs that maintain that the ACSC/APF should not challenge governments and should keep anti-government groups outside of the ACSC/APF.

Colleagues from the AIPP describe such a situation: “In Myanmar 2014, the GONGOs were going to indigenous peoples’ events to counter our issues. We had a side event on IPs, there was an IP speaker from Vietnam. After his presentation, a GONGO countered his presentation all the way to the plenary.”<sup>123</sup>

Some GONGOS have taken absolute control of the national process. By doing so, they ensure that the voices raised at ACSC/APF serve the interests of their government and ruling party. To pre-empt challenges against the GONGOs at ACSC/APF, some governments have placed active members of CSOs under travel ban. Those not yet on the travel ban list would most likely be banned from future travel after their return from ACSC/APF events abroad.<sup>124</sup>

And yet, few dare to challenge this situation, even when it has become worrisome for many. The situation we have in the ACSC/APF is to recognize the cases where GONGOs have taken over the space of civil society within ACSC/APF, whether in decision making levels, or on the country processes. It is important to have the disenfranchised people in particular countries heard and supported, and secure their place. How can people again feel safe in participating in the ACSC/APF? It is also important to see how violations of, or inconsistencies of action with, guiding principles are taking place, and how these can be addressed systematically through the proper complaint mechanisms and sanctions.<sup>125</sup>

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<sup>123</sup> Robeliza Halip, Lakpa Nuri Sherpa, Joyce Godio, Asia Indigenous Peoples’ Pact; Skype interview by Consuelo Katrina A Lopa from Manila, Philippines, 20 April 2016

<sup>124</sup> Vu Quoc Ngu, VICSON, written letter sent via email, 21 August 2016

<sup>125</sup> Nguyen Dinh Thang, BPSOS, written letters sent via email, 14 and 19 August 2016

## ACSC/APF impacts on the ASEAN

**Within the ten year period of 2005-2015, ASEAN has evolved in its understanding of people’s participation in community building. ASEAN Vision 2025 now upholds the notion of a ‘people -oriented, people-centered ASEAN’”**

Ambassador Jojie Samuel, Malaysian Director General for ASEAN shares their view, “During the Malaysia 2015 chairmanship, the notion of a people-centered ASEAN was framed in such a way that it will be a powerful vehicle for the realization of people’s aspirations, good governance, transparency, social development, women and youth empowerment, and having opportunities for all. It was put forward by the ASEAN Chair that ASEAN Community building has been more a top-down approach, and it is timely that ASEAN now approach it from the bottom-up, where ASEAN governments should listen to their people.”<sup>126</sup>

In the Kuala Lumpur Declaration on ASEAN Community Vision 2025, signed by leaders during 27<sup>th</sup> ASEAN Summit in April 2025, the formulation is as follows: *“We resolve to consolidate our Community, building upon and deepening the integration process to realise a rules-based, people-oriented, people-centred ASEAN Community, where our peoples enjoy human rights and fundamental freedoms, higher quality of life and the benefits of community building, reinforcing our sense of togetherness and common identity, guided by the purposes and principles of the ASEAN Charter.”*<sup>127</sup>

### **ASEAN and Ten years of the ACSC/APF. A look at official ASEAN documents: A de facto downgrading of status.**

However, the appreciation of the ACSC/APF by the ASEAN, ten years after, reflects a de facto downgrading of its status. This was cited by an ASEAN official, noting that the ACSC, which had been previously mentioned in the 2009 ASEAN Charter Socio-Cultural Community Blueprint’s section on Engagement With the Community under Chapter E, Building ASEAN Identity, had been removed from the 2015 ASEAN Community Vision 2025 Socio-Cultural Community Blueprint. Instead, the Vision 2025 now refers simply to ‘civil society-GO engagement’ under multi-sectoral and multi-stakeholder engagements.<sup>128</sup>

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<sup>126</sup> Jojie Samuel, interview by Consuelo Katrina A Lopa, Wisma Putra, Putrajaya, Kuala Lumpur, Malaysia, 1 June 2016

<sup>127</sup> ASEAN (2015). ASEAN Community Vision 2025, Retrieved from <http://asean.org/asean-community-vision-2025-2/>

<sup>128</sup> Leena Ghosh, interview by Consuelo Katrina A Lopa, ASEAN Secretariat, Jakarta, Indonesia, 7 June 2016

**ASEAN Socio-Cultural Community  
Blueprint (2009)**

**Chapter E Building ASEAN Identity  
Section E4 Engagement With the  
Community**

*46. Strategic Objective: To inculcate an ASEAN identity and build a people-oriented ASEAN where people are at the centre of community building, through the participation of all sectors of society.*

**Actions ii. Convene the ASEAN Social Forum and the ASEAN Civil Society Conference on an annual basis to explore the best means for effective dialogue, consultations and cooperation between ASEAN and ASEAN civil society;**

**ASEAN Vision 2025—Socio Cultural  
Community Blueprint (2015)**

**II Characteristics and Elements of  
ASEAN Socio-Cultural Blueprint  
2025 A. Engages and Benefits the  
People**

*It focuses on multi-sectoral and multi-stakeholder engagements, including Dialogue and Development Partners, sub-regional organisations, academia, local governments in provinces, townships, municipalities and cities, private-public partnerships, community engagement, tripartite engagement with the labour sector, social enterprises, **government organisation, non-governmental organisation, civil society organisation (GO-NGO/CSO) engagement**, corporate social responsibility (CSR), inter-faith and inter-cultural dialogue, with emphasis on raising and sustaining awareness and caring societies of ASEAN, as well as deepening the sense of ASEAN identity.*

In subsequent interviews, ASEAN and member government officials referred to several failures of the Informal Meeting of ASEAN Leaders with Civil Society/ACSC/APF Interface with ASEAN Leaders as among the causes.<sup>129</sup> During the years that the Interface took place (twice in 2009 in Thailand, and in Indonesia in 2011), issues of selection of independent civil society representatives, their rejection by ASEAN Leaders and subsequent replacement in some cases, plagued these Interfaces. These were marred by walk outs and calls for a boycott of the Interface. Unfortunately, it is the view of some ASEAN officials that these failures of the Interface actually worked against the arguments for greater civil society participation within ASEAN.<sup>130</sup>

In 2014, the same issues surfaced, but by this time, after intense debate on the value of the interface process, and guided by learnings from the past and agreements on principles to guide action, the ACSC/APF had already put forward their principles for participating in an Interface.

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<sup>129</sup> M Rajaretnam, formerly with ASEAN Secretariat, interview by Consuelo Katrina A Lopa, Comptoir Soori, Singapore, 18 March 2016

<sup>130</sup> Apichai Sunchindah, interview by Consuelo Katrina A Lopa, True Café, Bangkok, Thailand, 30 March 2016

These principles were 1 Meaningful dialogue, 2 Advancing People’s Voices and Advocacy, 3 Mutual Respect, and 4 Self-selection. While both the Myanmar host and civil society representatives had taken pains towards holding a meaningful interface, the latter abided by their principles, and at the last hour, made the decision to withdraw from the Interface after three country governments replaced their rejected CSO nominees with their own nominees. The last minute withdrawal by the ACSC/APF caused the Myanmar host much shame. However, for the ACSC/APF, though unfortunate, it was a decision that had to be made based on principles that had been collectively drawn up and had to be abided by.<sup>131</sup>

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<sup>131</sup> Burma Partnership (2014). Government Leaders Not Ready for Genuine People-centered ASEAN, Retrieved from <http://www.burmapartnership.org/2014/05/government-leaders-not-ready-for-genuine-people-centered-asean-2/>

## Recommendations/Commendations

### On People’s Participation in Governance: Various Roles for Civil Society

Civil society, through the different stages of development, have taken on various roles vis-a-vis governments, and vis-à-vis governance.<sup>132</sup> A few of these roles are:

- Challenging the effectiveness of governance and exacting accountability, i.e. of inter-governmental organizations, i.e. ASEAN. David Armstrong cites how civil society in the region, through regional networking, through various media and communications channels, are able to gather and consolidate regional data, and publish them, to expose where governments or inter-governmental organizations have been lacking in compliance or achievement. Examples of these would be shadow reports, scorecards and the like.
- Mobilizing public support and demonstrating the public will beyond national borders, in the form open letters, petitions, campaigns, boycotts, coordinated action against governments or inter-governmental organizations. Armstrong further cites “global civil society’s capacity to mobilize public opinion behind specific agendas as offering a more authentic, less hierarchical basis for democratic legitimation than frequently discredited governments.”
- Acting as first responders to the needs and issues of local communities and the grassroots, owing to civil society’s closeness and promixity to them, give them the added advantage that governments do not have. The horizontal, less bureaucratic nature of civil society organizations make them more responsive to the grassroots, compared to their government counterparts.
- Advocating with governments and intergovernmental organizations, on different levels—local, national, regional, global. In addition, Armstrong points out that “wider range of coalitions have proliferated and forms of authority and redress are seen to lie beyond state thresholds...even when people are rooted in a specific local.”

Learnings and recommendations on ways to move forward on the different modalities of engagement have been articulated by interviewees from civil society, ASEAN and member governments, as well as researchers. Among these are:

**Hold ASEAN and its member governments to account to ASEAN Vision 2025 which upholds the notion of a ‘people -oriented, people-centered ASEAN’<sup>133</sup>**

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<sup>132</sup> Armstrong, D.; Bello, V.; Gilson, J.; and Spini, D. (eds) (2011). Civil Society and International Governance. The role of non-state actors in global and regional regulatory frameworks. Retrieved 10 Feb 2016, from <http://nbn-resolving.de/urn:nbn:de:0168-ssoar-273711>

<sup>133</sup> Sriprapha Petcharamesree, interview by Consuelo Katrina A Lopa, Plaza Athenee, Bangkok, Thailand, 26 May 2016



In the Kuala Lumpur Declaration on ASEAN Community Vision 2025<sup>134</sup>, signed by leaders during 27<sup>th</sup> ASEAN Summit in April 2015: *“We resolve to consolidate our Community, building upon and deepening the integration process to realise a rules-based, people-oriented, people-centred ASEAN Community, where our peoples enjoy human rights and fundamental freedoms, higher quality of life and the benefits of community building, reinforcing our sense of togetherness and common identity, guided by the purposes and principles of the ASEAN Charter.”*

### **Advancing both the notion and modalities of a ‘people-oriented, people-centered ASEAN’ amongst ASEAN members**

Civil society is assumed to be united in the notion that a ‘people-oriented’ ASEAN is necessarily tied in with a ‘people-centered ASEAN,’ where a desirable end, and the means to get there, share equal importance. Given this, civil society would have to approach the engagement with ASEAN by addressing the notional differences amongst ASEAN members, framing the discourses so as to allow them to overcome those differences, and advance progressively towards (shared) ASEAN community building goals. Among these notions that need to be advanced are:

- That genuine people’s participation, irrespective of national specificities, benefits governance.<sup>135</sup> ASEAN member governments have their respective modalities that embody people’s participation. Likewise, the governments have their respective practices that limit people’s participation. Coming to discussions on what would constitute minimum modalities, for a start, would be instructive.
- That basic elements of participation—access to information, information dissemination, consultations<sup>136</sup>, reporting, monitoring, feedback giving<sup>137</sup>—are building blocks for people-centered processes and good governance. Learning from global, international, other regional, as well as national experiences would be helpful.<sup>138</sup> Demonstrated benefits of different engagement modalities may be used to bridge gaps in notional differences between ASEAN and civil society and amongst ASEAN member governments.
- That as an association of governments, ASEAN can use consensus progressively for community building, rather than to perpetrate stagnation or retrogression. Whereas ASEAN

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<sup>134</sup> ASEAN (2015). ASEAN Community Vision 2025, Retrieved from <http://asean.org/asean-community-vision-2025-2/>

<sup>135</sup> Gede Ngurah Swajaya, former Indonesian Ambassador to ASEAN, interview by Consuelo Katrina A Lopa, Indonesian Embassy, Singapore, 15 April 2016

<sup>136</sup> Jakkrit Srivali, Director General, Thailand Ministry of Foreign Affairs, interview by Consuelo Katrina A Lopa, Thailand Ministry of Foreign Affairs, Bangkok, Thailand, 30 March 2016

<sup>137</sup> Tan Chee King, Singapore Ministry of Foreign Affairs, interview by Consuelo Katrina A Lopa, Singapore Ministry of Foreign Affairs, Singapore, 16 March 2016

<sup>138</sup> Jojie Samuel, Director General, Malaysia Ministry of Foreign Affairs, interview by Consuelo Katrina A Lopa, Wisma Putra, Putrajaya, Kuala Lumpur, Malaysia, 1 June 2016

members have used consensus to veto or block unities in the last ten years, a positive spin to consensus as a tool for building unities may encourage dynamism in ASEAN community building.

- That the task of affirming universal values is a way towards bringing unity amidst diversity in ASEAN, and the practice of calling on non-interference prevents the realization of that task.
- For example, affirmation score cards of engagement modalities or ASEAN officials or bodies; citizen-organized ‘participation awards’ for people-centered ASEAN mechanisms, processes, bodies are among some suggested ways for positive framing that can be used by civil society.

### **Knowing the limits and possibilities of engaging a people-oriented, people-centered ASEAN.**

ASEAN regionalism entails the participation of both governments and the ASEAN peoples, not one without the other. From what we have seen in the ten year engagement, while we have seen in ASEAN and its member governments some commitment, and some experimentation with modalities, we have also seen ambivalence, hesitation, resistance. On the part of civil society, we have seen high, and perhaps unrealistic, expectations of the promise of a people-oriented ASEAN, leading to disappointments and frustration. If civil society is to continue to believe in the value of engagement with ASEAN, of people’s participation, in the new framing of ‘a people-oriented, people-centered ASEAN,’ this will entail some agreement on how civil society views the limits and possibilities of the engagement, defined by:

- The acknowledgement that it is indeed a slow, evolutionary process for ASEAN to embrace genuine people’s participation and a people-centered ASEAN.<sup>139</sup> While civil society continues to engage, to call the governments to account, to deliver on the ASEAN community vision and blueprints, it may be necessary, without compromising one’s values, to appeal to revolutionary patience and to calibrate expectations of any engagement activity or process.
- The recognition that ASEAN is not a homogenous association; that while there are champions for participation, there are those who will resist. In these spaces lie the windows of opportunity for civil society – to ally with the champions, and to engage those who resist, employing different approaches in ways that the quality of engagement over time is progressive and productive.<sup>140</sup>

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<sup>139</sup> Prisheela Prakas, interview by Consuelo Katrina A Lopa, Permanent Mission of Malaysia to ASEAN, Jakarta, Indonesia, 6 June 2016

<sup>140</sup> Sriprapha Petcharamesree, interview by Consuelo Katrina A Lopa, Plaza Athenee, Bangkok, Thailand, 26 May 2016

- The recognition that ASEAN is an association of governments that is also constantly changing—governments in power change; officials and representatives in ASEAN change; rotation of leadership in the ASEAN Secretariat is a reality, and the culture and temperament of the Secretariat changes accordingly; the high turnover of ASEAN Secretariat staff. Thus, there is a need within ASEAN to ensure the institutional memory of their engagement with civil society. On the part of civil society, there is a need to consistently liaise with the ASEAN, to keep abreast of the dynamism within and use that to engage productively, meaningfully.
- For example, collective, regular, informed scanning of the ASEAN is needed so that the engagement strategies are responsive and realistic. By collective is meant that the scanning needs to be done by all civil society stakeholders together. Perhaps with some participation by ASEAN, academe and researchers, members of parliament and other relevant stakeholders. By regular is meant that the scanning is not a one-time activity, but performed on key conjunctures. By informed scanning is meant that key data and assessments are on hand to capture reality. The scanning can be done on various levels of engagement, perhaps thematically, perhaps on a country level, perhaps on ASEAN bodies.

**Use different contexts and pressure points to create positive environments for the civil society engagement with ASEAN, towards meaningful processes and positive outcomes.**

- Where ASEAN and its member governments have been seen to be more comfortable with the private sector, academics, research think tanks, design the engagement modalities to include these and other sectors and stakeholders with shared agendas, that can positively contribute to the resolution of issues in ASEAN. This can include progressive members of parliament, enlightened bar councils, national human rights institutions, international organizations, for example.<sup>141</sup>

Concretely, Multi-stakeholder forums that ensure the presence of civil society, academe, and others with shared agendas de-emphasize the contentious relationship between just civil society and government, which has marked the nature of ACSC/APF engagement these past ten years.

- Build greater knowledge and understanding of the nature of civil society<sup>142</sup>; the role of civil society viz other sectors in society; how civil society’s mandates and work are established; the diversity of approaches; their independence from governments; their relations with donors; how they manifest transparency and accountability; their relations with political parties and agendas; their relations with the grassroots and communities.

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<sup>141</sup> Surichai Wungaeo, interview by Consuelo Katrina A Lopa, Sasa House, Bangkok, Thailand, 26 May 2016

<sup>142</sup> Seoung Saron, CCC Cooperation Committee for Cambodia, interview by Consuelo Katrina A Lopa, Phnom Penh, Cambodia, 5 May 2016

- Greater knowledge about civil society amongst ASEAN and member governments minimize the existing mistrust amongst them. Face to face encounters further aid in breaking down mistrust and suspicion. Understanding of motives of CSOs in the engagement process will likely minimize the motivation for extraordinary<sup>143</sup> government interventions, such as fielding GONGOs, or brazen measures to curtail civil society participation such as travel bans, confiscations of passports, and interrogations, post-travel.

Key positive messages that may be delivered by civil society<sup>144</sup> are:

- Civil society gives voice to the aspirations of ASEAN peoples.
- Civil society brings more citizen support, especially when there is demonstrated openness and support on the part of governments
- Civil society brings in more inputs and knowledge that are not readily available to governments
- Civil society advances nuanced and responsive policy proposals and programs that benefit the ASEAN people.
- Civil society brings in the people’s grievances when there are gaps in government policies and plans, as well as to communicate the progress and achievements of ASEAN towards society’s well-being.
- Civil society amplifies their local, national, regional and international advocacies and campaigns on key issues and themes.

Concretely, civil society in ASEAN must seriously look at confidence-building and trust-building activities with ASEAN bodies and ASEAN member governments. ASEAN and government officials interviewed attested to the value of getting to know leaders outside of the formal engagement processes, having ready access to each other.<sup>145</sup> For example, some embassies of ASEAN member governments have been hosting receptions for civil society leaders during ACSC/APFs. Informal dialogues are held with various government officials at the sidelines of ACSC/APF meetings, enabling conversations between officials and civil society. These will be building blocks towards better environments for engagement—those of mutual understanding, mutual respect and constructive attitudes.

**Understand the terrain of CS engagement with ASEAN**—thematic, country level, ASEAN bodies, regional, global.

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<sup>143</sup> Elizabeth Buensuceso, Philippines Ambassador to ASEAN, interview by Consuelo Katrina A Lopa, Permanent Mission of the Philippines to ASEAN, Jakarta, Indonesia, 6 June 2016

<sup>144</sup> Moe Thuzar, interview by Consuelo Katrina A Lopa, ISEAS, Singapore, 17 March 2016

<sup>145</sup> AKP Mochtan, Lee Yoong Yoong, interview by Consuelo Katrina A Lopa, ASEAN Secretariat, Jakarta, Indonesia, 7 June 2016

There are different levels of engagement with the ASEAN with which civil society can engage. A multiplicity of engagements is most desirable, owing to civil society’s own preference for having multiple initiatives, reflective of the diversity of civil society approaches, as well as differing capacities and resources to engage.

- Initiate new or support/complement existing thematic/sectoral engagements. Thematic engagements will single out specific themes or sectors, and will engage with Ministerial or technical working groups.<sup>146</sup> One or several civil society regional networks focused on a theme or related themes may do a theme-specific scan of their issue, and identify key ASEAN working groups or ASEAN member countries that may share their perspectives or agendas. They may bring with them other key stakeholders such as members of parliament, NHRIs, academic researchers, etc. to establish it as a multi-stakeholder engagement. They may zero in engaging on specific instruments or declarations, or specific projects, or specific bodies as entry points for their engagement. They will clearly bring a regional perspective and a number of regional civil society recommendations. They may aim to establish a consultative council on that theme/sector, that will aim to establish an engagement mechanism and through regular practice, eventually institutionalize the engagement process. Some forums and civil society configurations have led the way on this track: ASEAN Disability Forum, Forum on Migrant Labor, ASEAN Social Forestry Network-CSO Forum, the ASEAN Bloggers Forum, ASEAN CSR Network, ASEAN Youth Forum, ASEAN Women’s Forum, ASEAN SOGIE Caucus, ASEAN Task Force on Aids, GO-NGO Forum on Welfare and Development, and others.
- Where possible, and especially in more open societies, Country level engagements that are more accessible to citizens and CSOs, may focus on engaging the ASEAN Directorate General, usually situated at the Ministry of Foreign Affairs, on country specific commitments to the ASEAN, or specific Ministries that are doing technical work on ASEAN community commitments, or Country Representatives to ASEAN bodies such as AICHR, ACWC, the Committee of Permanent Representatives, etc.<sup>147</sup> A country process, or one or several country civil society organizations or networks may do a scan of their country’s issues, and identify key government agencies who are involved in ASEAN technical working groups that may share their perspectives or agendas. They may bring with them other key stakeholders such as members of parliament, NHRIs, academic researchers, etc. to establish it as a multi-stakeholder engagement. They may zero in engaging on specific instruments or declarations, or specific projects, or specific bodies as entry points for their engagement. They will clearly bring both a country and a regional perspective and a number of regional and country specific civil society recommendations. They may aim to establish a consultative council on that theme/sector on the country level, that will aim to establish an engagement mechanism and through regular practice, eventually institutionalize the

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<sup>146</sup> Marlene Ramirez, AsiaDHRRA; Lany Rebagay, Asian Farmers Alliance, interview by Consuelo Katrina A Lopa, AsiaDHRRA, Quezon City, Philippines, 7 April 2016

<sup>147</sup> Moe Thuzar, interview by Consuelo Katrina A Lopa, ISEAS, Singapore, 17 March 2016

engagement process. Some who have taken this track are the Thai ASEAN Watch, which has engaged a number of ministries on the ACSC/APF statements; the Philippine process, which has engaged the Department of Foreign Affairs on an MOU between government and civil society on ASEAN related matters, etc.<sup>148</sup> Various sectoral consultative councils in Malaysia, the Philippines, and Timor Leste, for example youth, trade union, and anti-poverty councils, may be used by civil society to surface ASEAN issues involving these sectors.

- On the level of ASEAN bodies and mechanisms, the experience has shown that approaches that address ASEAN bodies as a homogenous body will only result in least common denominator responses. Therefore, purposively identify some ASEAN member governments who are emerging as champions of civil society advocacies, and work with them on very specific advocacies, programs or projects.<sup>149</sup> For example, work with Indonesia and Philippines CPRs on key initiatives on the ASEAN Institute on Peace and Reconciliation; or with Indonesia CPR and HRWG on the informal luncheon regional dialogues with the CPRs; or with Thailand, Malaysia and Indonesia on AICHR initiatives; or with Thailand, Philippines, Indonesia on ACWC projects; or with DSG Mochtan and other ASEAN Secretariat champions for ASEAN level initiatives or projects. The importance of the ASEAN Chair and their prerogative to define priority agendas must not be overlooked. For example, pushing for an Instrument on the protection and promotion of migrant workers would have the Philippines as ASEAN 2017 chair as an ally. Therefore, lobbying with the Philippine head of state, DFA or ASEAN DG, or Ministry of Labor would be a crucial task for migrant advocates and labor groups.
- On ASEAN member governments’ global commitments to international laws and treaties. Bringing to bear their own global commitments to the policies that are being enacted in ASEAN, and harmonizing their own country’s laws with these regional and global commitments are another arena where civil society may engage. Among these are the UN Social Development Goals (SDGs); the UN Universal Periodic Review (UPR) process and how ASEAN 2025 can be harmonized with these; the UN Guiding Principles on Business and Human rights, and development and corporate incursions in ASEAN; CEDAW and CRC; UNDRIP, and others.<sup>150</sup>

The next ten year period entails creative energies in enabling the success of both ASEAN-civil society and ASEAN-multi-stakeholder engagements to make a people-centered ASEAN a working reality. It is 2016. The time has ended for closed member governments to block this progress. Let the dynamism of these engagements lead the way for a people-centered ASEAN.

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<sup>148</sup> FCAA Follow-Up Committee on the ACSC/APF 2014. (2016) Follow-Up Committee of ACSC/APF (FCAA) 2014 Report.

<sup>149</sup> Elizabeth Buensuceso, Philippines Ambassador to ASEAN, interview by Consuelo Katrina A Lopa, Permanent Mission of the Philippines to ASEAN, Jakarta, Indonesia, 6 June 2016

<sup>150</sup> Ibid

Highlight the conditions and environment that are needed for meaningful engagement. Highlight the need to address problems and blocks to participation faced by civil society that hinder participation and meaningful engagement.

- Demonstrated openness by ASEAN and its member governments to civil society participation, and to engaging civil society at all levels of ASEAN community<sup>151</sup>
- Use of regional consensus to achieve greater heights of constructive unity in the regional community, rather than to protect national positions.
- Openness to hear civil society on issues deemed most sensitive to one or other member governments, especially on labor migration, Rohingyas, LGBTIQ, diminishing spaces and freedoms, indigenous peoples, on the impacts of dams and large scale development projects, impunity, the absence of the rule of law, extra-judicial killings and involuntary disappearances of persons.
- Encourage participation of civil society in regional fora, by putting a stop to the intimidation of participants, interrogations, travel bans, confiscation of passports; cease the imposition of government agendas to control the engagement processes through various means.

### **The ACSC/APF and the next decade. Turning a de facto downgrading of status to a more robust engagement on several fronts.**

The appreciation of the ACSC/APF by the ASEAN, ten years after, reflects a de facto downgrading of its status. Where the ACSC had been mentioned in the 2009 ASEAN Charter Socio-Cultural Community Blueprints, it has now been removed from the 2015 ASEAN Community Vision 2025 Socio-Cultural Community Blueprint. Now, the Vision 2025 refers to ‘civil society-GO engagement’ under multi-sectoral and multi-stakeholder engagements.

- The next ten years from 2016-2025 should be an opportunity for the South East Asian community of activists, peoples’ movements, NGOs and CSOs converging at the ACSC/APF to enter into a more robust engagement on several levels in the ASEAN<sup>152</sup>. As described previously, whether on the thematic/sectoral, country, ASEAN level, or global commitments level, multiple and differentiated modalities of engagement must be affirmed, encouraged, and supported. Multiple circles of campaigns and engagements must be initiated, and greater levels of coordination and information sharing encouraged. Interfaces

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<sup>151</sup> Rahmat Pramono, interview by Consuelo Katrina A Lopa, Permanent Mission of the Republic of Indonesia to ASEAN, Jakarta, Indonesia, 7 June 2016

<sup>152</sup> Joseph Puruganan, Focus on the Global South; interview by Consuelo Katrina A Lopa, Freedom from Debt Coalition, Quezon City, Philippines, 8 April 2016

with ASEAN on these different levels would be targeted. ASEAN will find that they will have to engage civil society on not just one, but many fronts.

- Situating the ACSC/APF amidst the entire terrain of engagements is essential. It is to see the Conference as just an annual forum where these multiple and multi-level engagements and processes can come together and coordinate, and assess the progress of people’s participation in and engagement with the ASEAN.

### **ACSC/APF Guiding principles and Engagement Modality (2015)**

#### **Guiding Principles**

- HUMAN RIGHTS – adhere to international human rights principles and standards as enshrined in the Universal Declaration of Human Rights and other international human rights laws
  - DEMOCRACY – principle of democratic process to be respected
  - GOOD GOVERNANCE – to be participatory, consultative and have genuine engagement and dialogue
    - RULE OF LAW – to adhere to the rule of law
  - NON-DISCRIMINATION – to respect that everyone is equal irrespective of race, religion, sex, gender, social opinion and other status, etc.
  - NONRETROGRESSIVE / PROGRESSIVE/EVOLUTIONARY – not to regress in term of human rights and to be updated with current minimum standards; and,
  - COMMITMENT TO SPREAD AWARENESS ON ASEAN- socializing ASEAN to the constituents

#### **General Engagement Modality**

- ‘OPENING DOORS’ – providing a platform for more people to be involved
- PARTICIPATION – to get as many groups and communities as genuine partners. This would involve getting people from grassroots community, Sabah and Sarawak and also groups who are not generally in the front line
- CONSULTATIVE/DIALOGUE – inclusive engagement in the dialogue processes
- COALITION BUILDING – as some of the members are part of different networks, there is an opportunity to build coalitions
- CONSENSUS – in the spirit of democratic decision process we endeavor for consensus building and respect of ideas
- CITIZEN SPACES – spaces for common people to voice their issues
- RESPECT DIVERSITY AND INCLUSIVITY – to respect differences of opinions, representation of people/issues, openness to learn and to engage
- NON-VIOLENCE – to rejection promotion of violence or incitement of hatred



ACSC/APF guiding principles and engagement modalities drawn up in 2015 have served to summarize levels of unity on the level of values, principles and modalities. ACSC/APF has relied on self-declarations and commitments to these principles and modalities.

- ACSC/APF in the next ten years will have to acknowledge growing instances of violations of these principles and modalities. Internal mechanisms for complaints and redress of grievances need to be drawn up. ACSC/APF will need to think of sanctions and ways to address these violations. Guiding principles and modalities will have to be reflected in TORs of its different Committees and Country and Regional governing processes.<sup>153</sup>
- Concrete examples would be how to ensure that the principle of non-discrimination, and modalities of openness, participation, diversity and inclusiveness are embodied in national and regional processes, how principles are reflected in Conference statements; how objections to certain advocacy calls in Conference statements may be inconsistent with ACSC/APF guiding principles; how ACSC/APF should respond to concrete cases of blocks to participation, or rejection/replacement of CSO representatives by ASEAN governments, etc.
- Previous modalities used, notably in Vietnam 2010, may be referred to in case of conflicts in representation in Committees. “In case people’s organisations from one and the same country cannot agree on the nomination of their representative to a committee, either of the following options shall be taken into consideration: 1) The country concerned shall not be represented on the committee in question; 2) From the country concerned, there could be more than one representative, with speaking but no decision-making rights.”<sup>154</sup>

### **ACSC/APF, knowledge building, and community building amongst South East Asian CSOs.**

Most appreciated in ACSC/APFs are plenary discussions on ASEAN and South East Asian issues, simultaneous thematic workshops; plenaries on understanding the host country; community visits, booths, film showings, town hall meetings with ASEAN officials and with ASEAN parliamentarians. These should be continued as participants from the ASEAN gain cumulative and collective knowledge, strengthen their networking across issues, and across countries, thereby gain a South East Asian knowledge of issues.

- Lacking are spaces for updating on continuing, all year round civil society engagements with ASEAN on the thematic/sectoral, country, ASEAN bodies, and global/international commitments.

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<sup>153</sup> Nguyen Dinh Thang, BPSOS, written letters sent via email, 14 and 19 August 2016

<sup>154</sup> APF 6. (2010 Sep) ASEAN People’s Forum 2010 Concept Paper. Retrieved 19 Feb 2016 from <http://www.alternative-regionalisms.org/?p=3237>

- With the growing presence of GONGOs, safe spaces in ACSC/APF must be created, preserved for people in countries where civil society is suppressed, so that they can continue to interact with CSOs from more democratic countries and learn from them on how to gradually develop civil society in their home countries. Solidarity among different peoples and different countries needs to be encouraged.<sup>155</sup>
- ACSC/APF should continue to provide spaces for upcoming and continuing regional and cross border issues such as
  - Building regional solidarity
  - Dam issues in the Mekong
  - Migration and labor
  - Refugees, trafficking, statelessness
  - Introduction of discourses and discussions on universal human rights, IP rights, collective and individual rights, SOGIE rights, etc. applying to ASEAN peoples.
  - Civic space and democracy issues
  - Rohingyas

### **Grassroots voices and Language in the ACSC/APF**

People’s voices may not always be heard in ACSC/APF. Not just raising their voices in concern, but knowledge and understanding about ASEAN. In a major way, language also impacts on participation. Other challenges faced by the grassroots are participation, leadership, language, sustained participation in ACSC committees.

- ACSC/APF must have pro-active measures, i.e. quotas for grassroots participation as well as in leadership, ensure funding of their participation in the Conference proper and in ACSC organizing meetings.<sup>156</sup>
- ACSC/APF should provide for translations of documents, simultaneous translations to address the multiple languages in the region, resource for translators<sup>157</sup>
- ACSC/APF country processes should ensure continuing education on the country level of both CSOs and grassroots communities conducted in local languages

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<sup>155</sup> Nguyen Dinh Thang, BPSOS, written letters sent via email, 14 and 19 August 2016

<sup>156</sup> Mora Sar, Syteng Tuy , CFFWS Cambodian Food and Service Workers Federation; Theng Savoeun , CCFC Coalition of Cambodian Farmer Communities; Mory Sar, CYN Cambodian Youth Network; interview by Consuelo Katrina A Lopa, Solidarity House, Phnom Penh, Cambodia, 4 May 2016

<sup>157</sup> Chalida Tajarosuk, interview by Consuelo Katrina A Lopa, Forum-Asia, Bangkok, Thailand, 28 March 2016

## **ACSC/APF and its country processes**

The country processes of the ACSC/APF play crucial roles in connecting the country to the regional conference, communicating information and decisions made at both levels.

On the country level, they are responsible for further education on ASEAN, for building and expanding the constituency for engagement with ASEAN both on the national and regional levels, and for facilitating engagement between the ASEAN Directorate and country CSOs.

Chandra<sup>158</sup> cited that that the immense task of socializing ASEAN to its people lay with both the ASEAN and its member governments, as well as civil society organizations in the region, and warned that without a systematic effort to do so, the engagement process with ASEAN would remain with CSO elites.

ACSC/APF country processes today are faced with challenges on different fronts, towards addressing these:

- Resources must be raised to ensure that ACSC/APF country processes are able to do their work of communications, coordination, expansion, and country level engagement.
- Terms of reference of ACSC/APF country processes must be drawn up to do these multiple tasks. Their performance must be gauged against these TORs. Where there are challenges of exclusion or gate keeping, Country processes must be called to task and to remedy them.
- Resources must be raised for ACSC/APF country constituents to attend ACSC/APF
- ACSC/APF Country processes should be assisted in establishing or enhancing their engagement with ASEAN Directorates and with follow up and monitoring.

## **ACSC/APF and Thematic Circles**

To complement the country processes, it has been suggested that thematic or sectoral circles be organized as part of the formal ACSC/APF structures, allowing both national and regional organizations working on similar themes or sectors, regardless of their country, to have an on-going forum to facilitate people-to-people integration, encourage specialization, promote continuity of work, post-event follow up and monitoring.<sup>159</sup>

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<sup>158</sup> Chandra (2009). The effects of civil society organisations on institutional development and community building in the ASEAN region. Retrieved 10 Feb 2016, from <https://alexandercchandra.wordpress.com/2009/06/14/the-effects-of-civil-society-organisations-on-institutional-development-and-community-building-in-the-asean-region/>

<sup>159</sup> Joseph Puruganan, Focus on the Global South; interview by Consuelo Katrina A Lopa, Freedom from Debt Coalition, Quezon City, Philippines, 8 April 2016

## ACSC/APF leadership and committees

Different leadership and committee formulas have been used throughout the years, influenced by host priorities and prevailing host situations as well.

- Develop TORs for all ACSC committees and country and regional/thematic processes.<sup>160</sup>
- Given this moment of reviewing engagement modalities, there should be an attendant operational efficiency review of appropriate leadership and committee modalities based on TORs as well, both for regional/thematic and national processes.<sup>161</sup>

## ACSC/APF Conference Statements

Conference statements have been drawn up two ways in the last ten years. From 2005-2014, conference statements are drafted and agreed upon within the ACSC/APF and signed as a Conference statement. These are subsequently shared with the ASEAN and member governments post conference.

From 2015 to 2016, the conference statement has been drafted and agreed upon prior to the holding of the ACSC/APF. These are also shared to the ASEAN ahead of the ASEAN Summit via AMM.

- Questions abound on the propriety of signing it as a conference statement when approval has not been sought from the conference or just signing it as endorsed by drafting organizations as it is clearly not a conference statement.
- Questions also are raised on the efficacy of submitting the statement to the AMM prior to the ASEAN Summit, which is construed by ASEAN as being outside of ASEAN processes.
- Questions are posed on the effectiveness of submitting conference statements that are laundry lists of issues to be addressed by the ASEAN Heads of State.

From recent discussions, concrete suggestions have been offered in the course of debates:<sup>162</sup>

1 ACSC/APF Statements in the future shall not be issued until after it is openly discussed and approved by all participants present at the ACSC/APF Conference;

2 If there are ACSC/APF Statements that need to be issued before or after conferences/meetings, then such statement shall only be issued in the name of CSO or HR

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<sup>160</sup> Nguyen Dinh Thang, BPSOS, written letters sent via email, 14 and 19 August 2016

<sup>161</sup> Dong Huy Cuong, Vietnam, written letter sent via email, 21 August 2016

<sup>162</sup> Hector, Charles (2016). Transforming the process of adopting positions and statements of ACSC/APF. Retrieved from email discussions 3 Aug 2016

Defender groups that have specifically endorsed such statements, and not generally on behalf of all CSO or HRD Groups;

3 Seeking inputs and comments for the sake of preparing the Draft of the ACSC/APF Statements may well be done in advance of the Conference, but should subsequently be tabled for discussion and approval of participants present at the ACSC/APF meeting/conference; and,

4 Reality that English is not the language used by all ASEAN CSOs and HR Defender groups, efforts must be made that communications, drafts and statements must be, as far as possible, be done in the different ASEAN languages as well.

Ultimately, debates on the ACSC/APF Conference Statement must be settled by the ACSC/APF soon as possible, in the context of its examination of appropriate modalities for the future.

### **ACSC/APF and the Interfaces with ASEAN Heads of State**

The ASEAN Summit Informal Dialogue with Civil Society is what is called by the ACSC/APF as the Interface between civil society and ASEAN Heads of State. It is believed to be a symbolic gesture of recognition by ASEAN of the importance of civil society in ASEAN community building. ASEAN reserves the right to define the contours of the Informal Dialogue including whether to hold one or not, to determine who attends, making attendance for state leaders optional, reserving the right to choose civil society representatives and replace them, choosing the topics to be discussed. Beginning 2009, attendance by ASEAN heads of state at the Leaders’ informal meeting with civil society has been optional or at the pleasure of the head of state. Through the ten years, there has been no established practice that the Leaders’ informal meeting with civil society is to be held exclusively with the civil society-led ACSC/APF. This has been mostly left to the discretion of the ASEAN Chair.

On the other hand, owing to the 2005 Malaysia government initiative of attaching the Informal Dialogue with the ACSC, civil society has viewed the Interface with ASEAN Leaders as a major component of the ACSC/APF. Thus, civil society’s belief that it has the right to choose its own representatives, and not be replaced by nominees of ASEAN government leaders. Since 2014, ACSC/APF has likewise been guided by the Interface principles of 1 Meaningful dialogue, 2 Advancing People’s Voices and Advocacy, 3 Mutual Respect, and 4 Self-selection.

That the Informal Dialogue/Interface has two different names depending on one’s viewpoint, points to the fact that it is a contested space between governments and civil society, from which stems the contentious history of the interface.

- ACSC/APF must resolve its appreciation of ownership of the interface, so that attendant issues of representation, identifying agendas, can be viewed accordingly.

- A re-examination of the added value of the Interface with ASEAN Leaders, after ten years, is in order. Considerations for the re-examination must consider: 1 the need to depoliticize the ACSC/APF and the Interface. By this is meant to remove the motivations by which governments seek to influence the ACSC/APF through fielding of GONGOs or instituting control measures for participation or non-participation in ACSC/APF, or selecting GONGO representatives to the Interface; 2 consider the option of decoupling the ACSC/APF from the Interface with ASEAN Heads of State.<sup>163</sup> To decouple the ACSC/APF from the Interface means to hold the ACSC/APF not necessarily as a parallel event to the ASEAN Summit, but as just one of many preparatory Conferences or events prior to the Interface with ASEAN Heads of State
- Consider the idea of an Expanded Interface, one between ASEAN Heads of State and an enlarged grouping of civil society representing the different modalities of civil society engagement with ASEAN: thematic/sectoral engagements, country engagements, CSO fora and councils with various ASEAN bodies and mechanisms, ACSC/APF as one of them, and other stakeholders.

### **ACSC/APF and the ASEAN public**

ACSC/APF has the capacity to engender an ‘ASEAN public’ because of the wealth of knowledge and information present here on South East Asian country issues, as well as regional level issues affecting the peoples of South East Asia and the ASEAN.

- Continue to use social media to communicate to the rest of South East Asian civil society and the ASEAN public through its websites, Facebook, Twitter, through live streaming<sup>164</sup>
- Encourage greater cooperation with citizen journalists throughout South East Asia to contribute to the dissemination of information<sup>165</sup>
- Systematize the use of traditional tri media, and the efficient use of media briefings with editors and beat reporters; and press conferences.

### **ACSC/APF follow up and monitoring**

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<sup>163</sup> Moe Thuzar, interview by Consuelo Katrina A Lopa, ISEAS, Singapore, 17 March 2016

<sup>164</sup> Ibid.

<sup>165</sup> Rahmat Pramono, interview by Consuelo Katrina A Lopa, Permanent Mission of the Republic of Indonesia to ASEAN, Jakarta, Indonesia, 7 June 2016

ACSC/APF has affirmed the need to follow up and monitor the annual list of ACSC/APF conference recommendations. It has likewise affirmed the need to document the various engagement processes present in the ACSC/APF constituencies on the national and thematic levels.

Discussions within ACSC/APF have also revealed some levels of discomfort with setting up institutions and councils to undertake these tasks. Interviewees also expressed levels of discomfort with a permanent secretariat for such a task, and expressed preference for natural and multiple centers for evaluation and monitoring. There is a fear of centralizing too much with central bodies or groups, and an expressed preference for revolving and collective leadership.

- Given these considerations, ACSC/APF will have to define the modalities and accountabilities of multiple centers for monitoring and reporting. Design formats and protocols for monitoring and reporting will have to be drawn up. Explore possibilities for a virtual repository or website to address the concern about centralized physical centers and permanent secretariats.

### **GONGOS in the ACSC/APF**

Serious levels of marginalization have been taking place on different levels in the ACSC/ APF: decision making in ACSC/APF, flow of communication from the ACSC/APF to the countries’ civil societies, decision making on resources for participation. Yet, due perhaps to fear or indifference, few dare to challenge this situation. The few that have challenged this reality, have received little support from others not affected by this situation.<sup>ii</sup>

- ACSC/APF Guiding Principles, Modalities, and Operational Guidelines must be put in place to address this situation, and Protocols and Guidelines for violations should also be drawn up.

### **Resources, Financial Accountability and Transparency and the ACSC/APF**

Questions on financial resources and questions of independence both from donors and governments, integrity in budgeting and spending, transparency and financial accountability, allocation of resources, etc. have plagued many ACSC/APF processes.

- It is timely for ACSC/APF to begin to write down its guiding principles on financial resources, accountability and transparency, drawing from learnings of the past.

### **ACSC and the ASEAN host, and the ASEAN Secretariat**

- Continue the practice of liaising and coordinating with the ASEAN host, well in advance of and throughout the hosting year. Opportunities for engagement are created through confidence building measures, and coordination with the host government.<sup>166</sup>
- Continue the practice of liaising with the ASEAN Secretariat especially the Secretary General, Deputies Secretary General, and bodies mandated to relate with civil society like the Committee of Permanent Representatives and the ASEAN Foundation, to ensure support for ACSC/APF process.<sup>167</sup>

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<sup>166</sup> Leena Ghosh, interview by Consuelo Katrina A Lopa, ASEAN Secretariat, Jakarta, Indonesia, 7 June 2016

<sup>167</sup> Ibid



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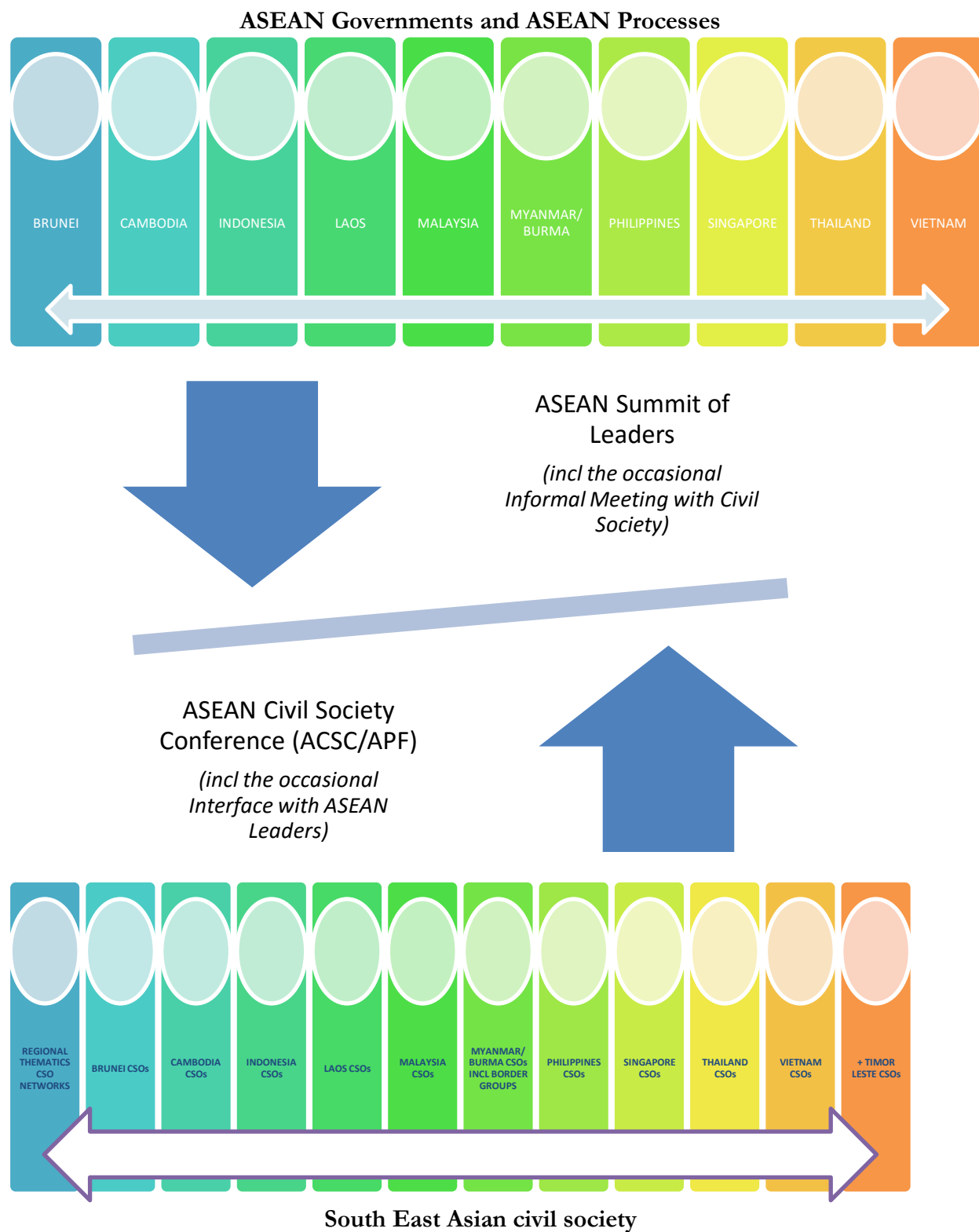
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## ANNEX 1

### Diagram of Civil Society Engagement with the ASEAN, through the ACSC/APF process





## **ANNEX 2**

### **Ten Year Review Interview questions for Governments, ASEAN, Researchers**

#### **I. CONTEXTS**

- a) What were the prevailing regional and global contexts that prompted the civil society-ASEAN engagement process? What was the evolving milieu within ASEAN prior to and after 2005 (the year of the 1<sup>st</sup> ACSC in Malaysia)?
- b) What was the prevailing mood within ASEAN with regards a people-oriented, people-centered ASEAN? How would you describe ASEAN’s notion of people’s participation in ASEAN? How would you describe your government’s notion of people’s participation?

#### **II. DRIVERS OF ENGAGEMENT**

- c) How did the drivers of engagement shape the engagement by civil society with ASEAN, and how the ASEAN Civil Society Conference/ASEAN Peoples’ Forum—including its organizational processes and dynamics, actions and decisions, and submissions/recommendations—evolved as a mechanism for engagement with ASEAN.
- d) On the part of ASEAN and member governments: What were the drivers for ASEAN engagement with civil society through the ACSC/APF? Who within ASEAN were the drivers, the champions for the ACSC/APF process? What does ASEAN stand to gain in engaging the ACSC/APF process? What does your government stand to gain in engaging the ACSC/APF process, in participating in the Informal Meeting with Civil Society. In your view, are ACSC/APF and ‘Informal Meeting with Civil Society’ contested spaces? In your view, is the ACSC/APF process a government process or a civil society process?
- e) On the country level, how do you envision engaging your citizens on ASEAN issues: i.e. i. spaces for engagement like dialogues, consultation meetings, report back; people’s participation like representation in committees, councils; popular education like ASEAN 101 for CSOs, students and youth, and general public information on ASEAN; focusing on ASEAN issues that resonate with Singapore as a country, etc. and if any, what have been done by your government in terms of policies, processes, programs and projects, legislations, as a response to concerns that citizens have raised on ASEAN policies.

### III. THE ACSC AS A MODALITY BOTH FOR SEA COMMUNITY BUILDING AND ENGAGEMENT WITH THE ASEAN

f) For ASEAN and member governments, what would be DESIRABLE ELEMENTS for ASEAN’s principled engagement with the ACSC/APF process, in terms of defining agendas, issues, policy proposals, participation and representation, access to ASEAN information, civil society unity- and community- building, education and popularization, notions of independence and autonomy, of transparency and accountability. Please comment on blocks to joint action, such as exclusion/travel bans/GONGO control; government agendas to control the ACSC/APF process; struggle for space by GONGOs, grassroots, INGOs, other excluded CSOs; notional differences between civil society and governments in terms of civil society autonomy and of civil society participation in governance. What are your country’s views on the autonomy and independence of civil society, and their role in governance. What are your countries views on spaces for citizens’ participation, whether ad hoc or institutionalized?

g) On CONVERGENCE OF ACTIONS through ACSC/APF:

What would be your thoughts on the following actions that take place in the ACSC/APF, i.e.

knowledge sharing and capacity building: discussion of issues, understanding the host country, community visits, free spaces for film showings, rituals and special meetings; solidarity night; cultural night; use of social media such as websites, facebook, twitter, live streaming, conference calls; country preparatory meetings and ASEAN 101/socialization

engagements with ASEAN and member governments: interfaces with ASEAN leaders (10-10; town hall meeting; meeting with the ASEAN chair; visits to the ASEAN Secretariat and CPRs; liaising and engagement with MoFA/ASEAN Directorates; participation of the ASEAN Secretariat; annual ACSC/APF Conference Statements and ASEAN responses to these

what have evolved as problematic and contentious matters, such as exclusion/travel bans; strong GONGO presence; what are perceived as government agendas to control the ACSC/APF process; struggle for space by GONGOs, grassroots, INGOs, other excluded CSOs; notional differences between civil society and governments in terms of civil society autonomy and of civil society participation in governance.

collateral positive impacts: the formation of country caucuses i.e. Thai ASEAN Watch, Cambodia CS WG on ASEAN, etc., and the formation of regional caucuses i.e. SAPA

WG on ASEAN, SEA Women’s Caucus, ASEAN SOGIE Caucus, ASETUC, TF AMW, etc.

#### IV. IMPACTS OF and ADAPTATIONS ARISING FROM ACSC/APF PROCESS

- h) IMPACTS of ACSC/APF engagement and ADAPTATIONS made by ASEAN. What were the pre-existing conditions of engagement? What are the impacts through ACSC/APF Conference Statements and Interfaces, where applicable: Cite changes or lack thereof in ASEAN policy proclamations, especially ASEAN Community Post-2015/ASEAN Community 2025 and the accompanying Blueprints; in ASEAN participation mechanisms; in ASEAN freedom of information; in control strategies of states viz ACSC/APF process (such as fielding of GONGOs, interventions in the interface processes through naming of government-preferred CSO reps, numbers of banned participants, limitations on themes that are politically sensitive); quality of ASEAN-civil society engagement on the country level.

#### V. FINAL THOUGHTS, INSIGHTS, REFLECTIONS on the way forward for Civil society engagement with the ASEAN/People’s Participation in the ASEAN Community (esp in the areas of public education; engagement and monitoring on issues; policy proposals and submissions).

## **ANNEX 3**

### **Ten Year Review Interview questions for Civil Society**

#### **I. CONTEXTS**

- a) What were the prevailing regional and global contexts that prompted the civil society-ASEAN engagement process? What was the evolving milieu within ASEAN prior to and after 2005 (the year of the 1<sup>st</sup> ACSC in Malaysia)?
- b) What was the prevailing mood within ASEAN with regards a people-oriented, people-centered ASEAN? How would you describe ASEAN’s notion of people’s participation in ASEAN? How did your government’s views fare viz the ASEAN’s?
- c) What was the prevailing situation in the region, as well as the prevailing mood amongst civil society in South East Asia that prompted an engagement process with ASEAN?

#### **II. DRIVERS OF ENGAGEMENT**

- d) How did the drivers of engagement shape the engagement by civil society with ASEAN, and how the ASEAN Civil Society Conference/ASEAN Peoples’ Forum—including its organizational processes and dynamics, actions and decisions, and submissions/recommendations—evolved as a mechanism for engagement with ASEAN.
- e) On the part of ASEAN and member governments: What were the drivers for ASEAN engagement with civil society through the ACSC/APF? Who within ASEAN were the drivers, the champions for the ACSC/APF process? What does ASEAN stand to gain in engaging the ACSC/APF process? What does your government stand to gain in engaging the ACSC/APF process, in participating in the Informal Meeting with Civil Society. In your view, are ACSC/APF and ‘Informal Meeting with Civil Society’ contested spaces? In your view, is the ACSC/APF process a government process or a civil society process?
- f) On the civil society DRIVERS for an ACSC/APF process: What were the drivers for civil society engagement with ASEAN through the ACSC/APF? Who are key civil society actors that have driven the ACSC/APF processes through the years? Who are the leaders in the country, in the sub-region, on thematic issues? What does your organization, your community, your advocacy, your country, stand to gain in being a part of the ACSC/APF process? What would be your concrete contribution/perspective/advocacy to the ACSC/APF process? How do you see your organization complementing others within the ACSC/APF process? How do you see your organization being complemented by others? What factors, whether internal or external, strengths/weaknesses, threats/opportunities made it necessary for you to be

part of the ACSC/APF process? What do you think can be achieved only by being part of the ACSC/APF process?

### III. THE ACSC AS A MODALITY BOTH FOR SEA COMMUNITY BUILDING AND ENGAGEMENT WITH THE ASEAN

- g) In your perception, what would be considered by your government as DESIRABLE ELEMENTS for ASEAN’s principled engagement with the ACSC/APF process, in terms of defining agendas, issues, policy proposals, participation and representation, access to ASEAN information, civil society unity- and community- building, education and popularization, notions of independence and autonomy, of transparency and accountability. Please comment on blocks to joint action, such as exclusion/travel bans/GONGO control; government agendas to control the ACSC/APF process; struggle for space by GONGOs, grassroots, INGOs, other excluded CSOs; notional differences between civil society and governments in terms of civil society autonomy and of civil society participation in governance.
- h) For civil society, what would be the ELEMENTS for a principled engagement with ASEAN through ACSC/APF processes: What would be key elements for sustaining an ACSC/APF process? What were your individual interests, values, advocacies? What were your shared interests, values, advocacies? How does knowledge about other players, other issues, other countries, other contexts within ACSC/APF contribute to continued principled engagement? How were common objectives and purposes articulated and shared? How were the diversity of discourses and representation of issues accommodated or blocked, as the case may be? How were common problems and opportunities discussed? How were tasks and expectations clarified amongst each other? How were criteria for joint action and policy proposals deliberated on? How were organizational processes deliberated and agreed upon? How were unities built? How were differences handled? How inclusive and respectful of diversity? What conflict resolution strategies proved most effective? Were safe spaces for discussion and deliberation available? How were procedural agreements handled? How were substantive agreements handled? How did information and communication help in fostering principled engagement? What have regular, repeated, quality interactions—such as ASEAN strategy meetings, ASEAN 101/sensitization processes, ACSC/APF regional organizing meetings, and the ACSC/APF Conference proper—fostered? Has the ACSC/APF fostered a culture of engagement with the ASEAN? Has it fostered an effective platform for advocacy? Has it fostered a safe space for ASEAN community building?

i) On CONVERGENCE OF ACTIONS through ACSC/APF:

Describe the knowledge sharing and capacity building that takes place in the ACSC/APF process. Cite also concrete/notable experiences during the country’s hosting of ACSC/APF.

Describe the leadership that is exercised in ACSC/APF process, by the RSC, convenors, facilitators and moderators, spokespersons, various regional organizing committees (programme, drafting, media, interface), national organizing committees. Cite also concrete/notable experiences during the country’s hosting of ACSC/APF.

Comment on the effectiveness of various ACSC/APF formats: plenary discussions; simultaneous thematic workshops; understanding the host country; community visits; marches; interfaces with ASEAN leaders (10-10; town hall meeting; meeting with the chair/host); booths featuring products and institutions; free spaces for film showings, rituals and special meetings; solidarity night; cultural night; use of social media such as websites, facebook, twitter, live streaming, conference calls; country preparatory meetings and ASEAN 101/socialization; media briefings and press conferences; diplomatic briefings; visits to the ASEAN Secretariat and CPRs; engagement with MoFA/ASEAN Directorates; participation of the ASEAN Secretariat; ACSC/APF Conference Statements. Cite also concrete/notable experiences during the country’s hosting of ACSC/APF.

Comment on procedural and institutional arrangements, such as country processes/caucuses, regional and thematic caucuses, host country mobilization, ASEAN 101/socialization, Regional Steering Committee, regional organizing committees for program, statement drafting, media, and interface; national organizing committee/finance/logistics committee; outreach to external players such as donors, the diplomatic community, media, think tanks; outreach to ASEAN Secretariat, MoFAs/ASEAN Directorates, CPRs. Cite also concrete/notable experiences during the country’s hosting of ACSC/APF.

Comment on channelling of resources and support from donors, regional organizations, diplomats, media, think tanks, ASEAN Secretariat, host MoFA/ASEAN Directorate, governments. Describe the dynamics and autonomy involved between ACSC/APF and these sources of support and resources. Cite also concrete/notable experiences during the country’s hosting of ACSC/APF.

Comment on blocks to joint action, such as exclusion/travel bans/GONGO control; government agendas to control the ACSC/APF process; struggle for space by GONGOs, grassroots, INGOs, other excluded CSOs; notional differences between civil society and governments in terms of civil society autonomy and of civil society

participation in governance. Cite also concrete/notable experiences during the country’s hosting of ACSC/APF.

Comments on collateral impacts: formation of country caucuses i.e. Thai ASEAN Watch, Cambodia CS WG on ASEAN, etc. formation of regional caucuses i.e. SAPA WG on ASEAN, SEA Women’s Caucus, ASEAN SOGIE Caucus, etc. Cite also concrete/notable experiences during the country’s hosting of ACSC/APF.

#### IV. IMPACTS OF and ADAPTATIONS ARISING FROM ACSC/APF PROCESS

The Review will look at the impacts of the engagement, and lack thereof, as well as the specific adaptations made by ASEAN in terms of policy and institutional changes.

- j) IMPACTS of ACSC/APF engagement and ADAPTATIONS made by ASEAN. What were the pre-existing conditions of engagement? What are the impacts through ACSC/APF Conference Statements and Interfaces, where applicable: Cite changes or lack thereof in ASEAN policy proclamations, especially ASEAN Community Post-2015/ASEAN Community 2025 and the accompanying Blueprints; in ASEAN participation mechanisms; in ASEAN freedom of information; in control strategies of states viz ACSC/APF process (such as fielding of GONGOs, interventions in the interface processes through naming of government-friendly CSO reps, numbers of banned participants, limitations on themes that are politically sensitive); quality of ASEAN-civil society engagement on the country level. Cite also concrete/notable experiences during the country’s hosting of ACSC/APF.

#### V. FINAL THOUGHTS, INSIGHTS, REFLECTIONS on the way forward for Civil society engagement with the ASEAN/People’s Participation in the ASEAN Community

## **ANNEX 4**

### **List of Abbreviations**

ABAC	ASEAN Business Advisory Council
ACHDP	ASEAN Center for Humanitarian Disaster Preparedness
ACSC	ASEAN Civil Society Conference
ACSC/APF	ASEAN Civil Society Conference/ ASEAN Peoples’ Forum
ACWC	ASEAN Commission on the Protection and Promotion of the Rights of Women and Children
AEC	ASEAN Economic Community
AEPF	Asia Europe Peoples Forum
AFML	ASEAN Forum on Migrant Labor
AGO	ASEAN government organizations
AGPA	ASEAN Grassroots Peoples’ Assembly
AHRD	ASEAN Human Rights Declaration
AICHR	ASEAN Intergovernmental Commission on Human Rights
AIPP	Asia Indigenous Peoples’ Pact
AIPR	ASEAN Institute on Peace and Reconciliation
AMM	ASEAN Ministerial Meeting
APA	ASEAN People’s Assembly
APF	ASEAN Peoples’ Forum
APF 6	ASEAN People’s Forum 6
APRRN	Asia Pacific Refugee Rights Network
APSC	ASEAN Political-Security Community
ARROW	Asian-Pacific Resource & Research
ASCC	ASEAN Socio-Cultural Community
ASEAN	Association of Southeast Asian Nations
ASEAN CSR Network	ASEAN Corporate Social Responsibility Network
ASEAN ISIS	Institutes of Strategic and International Studies
ASETUC	ASEAN Services Employees Trade Union Council
ASFN-CO Forum	ASEAN Social Forestry Network-CSO Forum
AsiaDHRRA	Asian Partnership for the Development of Human Resources in Rural Areas
AWF	ASEAN Women’s Forum
AYF	ASEAN Youth Forum
BP	Burma Partnership
BP SOS	Boat People SOS
BWI-AP	Building and Wood Workers International-Asia Pacific
CAS	Centre for ASEAN Studies
CCC	Cooperation Committee of Cambodia
CCWA	Cambodia Civil Society Working Group on ASEAN



CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CLMV	Cambodia Lao Myanmar Vietnam
CPR	ASEAN Committee of Permanent Representatives
CRC	UN Convention on the Rights of the Child
CRC-Asia	Child Rights Coalition-Asia
CSOs	Civil society organizations
CSR	Corporate social accountability
EM	Equality Myanmar
EPG	Eminent Persons Group on the ASEAN Charter
FCAA	Follow-Up Committee on the ACSC/APF
FIDH	International Federation for Human Rights
Forum-Asia	Asian Forum for Human Rights and Development
GONGOs	government organized NGOs
HLTF	High Level Task Force
HRWG	Human Rights Working Group Indonesia
IGJ	Institute for Global Justice
IID	Initiatives for International Dialogue
INFID	International NGO Forum on Indonesian Development
ISEAS	Institute for South East Asian Studies
KOMAS	Pusat Kommas Malaysia
LGBTIQ	Lesbian Gay Bi-Sexual Transgender Intersex Queer
MFA	Migrant Forum in Asia
MoFA	Ministry of Foreign Affairs
MPF	Myanmar People’s Forum
NOC	National Organizing Committee
NGOs	Non-governmental organizations
NGO COD	Thai NGO Coordinating Committee
PEF	People’s Empowerment Foundation
RWG HRM	Regional Working Group on a Human Rights Mechanism
SAPA	Solidarity for ASEAN Peoples’ Advocacies
SAPA WGA	Solidarity for Asian Peoples’ Advocacies Working Group on ASEAN
SDGs	Sustainable Development Goals
SEACA	South East Asian Committee for Advocacy
SIIA	Singapore Institute of International Affairs
SOGIE	Sexual orientation and gender identity and expression
SOM	RDP Senior Officials Meeting on Rural Development
SUARAM	Suara Rakyat Malaysia
TAW	Thai ASEAN Watch
TF AMW	Task Force on ASEAN Migrant Workers
TWN	Third World Network
UDHR	Universal Declaration of Human Rights

UiTM	University of Technology Mara
UN	United Nations
UNDRIP	UN Declaration on the Rights of Indigenous Peoples
UNI APRO	Union Network international Asia Pacific Regional Office
UPR	Universal Periodic Review
VAP	Vientiane Action Programme
VCHR	Vietnam Committee on Human Rights
VICSON	Vietnam Independent Civil Society Network
VPDF	Vietnam Peace and Development Foundation
VUFO	Vietnam Union of Friendship Organizations
WTO	World Trade Organization

## **ANNEX 5**

### **List of Ten Year Review Interviewees**

Name of Interviewee, Name of Interviewer, Location of Interview, Date

Achara Ashayagachat, Bangkok Post, interview by Consuelo Katrina A Lopa, St Gabriel Foundation Building, Bangkok, Thailand, 31 March 2016

Adrian Perreira and Anne Beatrice Jacob, North South Initiative, interview by Consuelo Katrina A Lopa, Petaling Jaya, Malaysia, 4 June 2016

AKP Mochtan, Lee Yoong Yoong, ASEAN Secretariat, interview by Consuelo Katrina A Lopa, ASEAN Secretariat, Jakarta, Indonesia, 7 June 2016

Alexander Chandra, Habibie Center, Skype interview by Consuelo Katrina A Lopa from Quezon City, Philippines, 13 April 2016

Amihan Abueva, CRC Asia, interview by Consuelo Katrina A Lopa, Jakarta, Indonesia, 13 June 2016

Anelyn de Luna, formerly with Alstean Burma, interview by Consuelo Katrina A Lopa, Human Rights Commission, Quezon City, Philippines, 6 April 2016

Anonymous, Vietnam, Skype interview by Consuelo Katrina A Lopa, 15 June 2016

Anonymous, Vietnam, Skype interview by Consuelo Katrina A Lopa, 15 June 2016

Anonymous, Lao PDR, interview questionnaire, 27 June 2016

Anonymous, Lao PDR, Skype interview by Consuelo Katrina A Lopa from Jakarta, Indonesia, 9 June 2016

Anoop Sukumaran, formerly with Asia Pacific Refugee Rights Network, interview by Consuelo Katrina A Lopa, Act Alliance, Bangkok, Thailand, 29 March 2016

Apichai Sunchindah, former Executive Director of ASEAN Foundation, interview by Consuelo Katrina A Lopa, True Café, Bangkok, Thailand, 30 March 2016

Atnike Sigiro, Daywin Prayogo, Jane Eileen, Forum-Asia; Skype interview by Consuelo Katrina A Lopa from Quezon City, Philippines, 11 April 2016

Chalida Tajaroensuk, People’s Empowerment, interview by Consuelo Katrina A Lopa, Forum-Asia, Bangkok, Thailand, 28 March 2016

Charles Santiago, Member of Parliament, interview by Consuelo Katrina A Lopa, Petaling Jaya, Malaysia, 4 June 2016

Chee Yoke Ling, Third World Network, Skype interview by Consuelo Katrina A Lopa from Jakarta, Indonesia, 8 June 2016

Chit Sam Aath, NPA; Thida Khus, SILAKA; Pen Somony, Cambodian Volunteers for Service; Chet Charya, Star Kampuchea; Soun Bounsak, CHRAC; Cheang Sokha, Youth Resource Development, Program; Ratha Kea, CCWA; and 1 other individual; interview by Consuelo Katrina A Lopa, CVS, Phnom Penh, Cambodia, 5 May 2016

Cynthia Gabriel, C4, interview by Consuelo Katrina A Lopa, Ramada Plaza Dua Sentral, Kuala Lumpur, Malaysia, 5 June 2016

Daniel Lo, Prime Minister’s Office, interview by Consuelo Katrina A Lopa, Prime Minister's Office, Putrajaya, Kuala Lumpur, Malaysia, 1 June 2016

Datuk Denison Jayasooria, PROHAM, interview by Consuelo Katrina A Lopa, ISIS Malaysia, 3 June 2016

Debbie Stothard, Altsean-Burma, interview by Consuelo Katrina A Lopa, Altsean-Burma, Bangkok, Thailand, 27 May 2016

Dong Huy Cuong, Vietnam Peace and Development Foundation, written letter sent via email, 21 August 2016

Elizabeth Buensuceso, Philippines Ambassador to ASEAN, interview by Consuelo Katrina A Lopa, Permanent Mission of the Philippines to ASEAN, Jakarta, Indonesia, 6 June 2016

Gede Ngurah Swajaya, former Indonesian Ambassador to ASEAN, interview by Consuelo Katrina A Lopa, Indonesian Embassy, Singapore, 15 April 2016

Gus Micalat, IID, interview by Consuelo Katrina A Lopa, Seattle's Best, Quezon City, Philippines, 9 April 2016

Haris Azhar, KONTRAS, interview by Consuelo Katrina A Lopa, Kontras, Jakarta, Indonesia, 8 June 2016

Hezri Adnan and Bunn Nagara, Institute of Strategic and International Studies Malaysia,  
interview by Consuelo Katrina A Lopa, ISIS Malaysia, 3 June 2016

Honey Tan, Empower, interview by Consuelo Katrina A Lopa, Tan Law Office, Kuala Lumpur,  
Malaysia, 2 June 2016

Ian Stuart, BP SOS-CAMSA, interview by Consuelo Katrina A Lopa, All Seasons Mansion,  
Bangkok, Thailand, 29 March 2016

Ivy Josiah, Women's Aid Organization-SEA Women's Caucus, interview by Consuelo Katrina A  
Lopa, Ramada Plaza Dua Sentral, Kuala Lumpur, Malaysia, 2 June 2016

Jakkrit Srivali, ASEAN Department Director General, Ministry of Foreign Affairs, interview by  
Consuelo Katrina A Lopa, Thailand Ministry of Foreign Affairs, Bangkok, Thailand, 30  
March 2016

Jean Chong, Sayoni; Jolovan Wham, HOME; Soe Min Than, Think Centre; Teo Soh Lung,  
Function 8; Jolene Tan, Aware, interview by Consuelo Katrina A Lopa, The Artistry,  
Singapore, 15 March 2016

Jerald Joseph, KOMAS, interview by Consuelo Katrina A Lopa, KOMAS, Kuala Lumpur,  
Malaysia, 4 June 2016

Jerald Joseph, KOMAS; Sumitha Shaanthini Kishna, Malaysian Bar Council; Saifuddin Abdullah,  
Youth Academy; and Gurmit Singh, CETDEM, interview by Consuelo Katrina A Lopa,  
KOMAS, Petaling Jaya, Malaysia, 3 June 2016

Jojie Samuel, ASEAN Department Director General, Ministry of Foreign Affairs, interview by  
Consuelo Katrina A Lopa, Wisma Putra, Putrajaya, Kuala Lumpur, Malaysia, 1 June 2016

Joy Chavez, AER, formerly with Focus on the Global South, Skype interview by Consuelo  
Katrina A Lopa from Jakarta, Indonesia, 9 June 2016

Julia Mayerhofer, APRRN, interview by Consuelo Katrina A Lopa, All Seasons Mansion,  
Bangkok, Thailand, 29 March 2016

Kratae Petrat, TVS, interview by Consuelo Katrina A Lopa, Thai Volunteer Service, Bangkok,  
Thailand, 27 May 2016

Kun Wardana, ASETUC, Skype interview by Consuelo Katrina A Lopa from Quezon City,  
Philippines, 20 April 2016

Lao Civil Society Group, at ICTC Lao-Japan Training Center, Vientiane, Lao PDR, 11 May 2016

Leena Ghosh, ASEAN Secretariat, interview by Consuelo Katrina A Lopa, ASEAN Secretariat, Jakarta, Indonesia, 7 June 2016

Leong Sze Hian, Braema Mathi, Maruah, interview by Consuelo Katrina A Lopa, Singapore National Library, Singapore, 15 March 2016

M Rajaretnam, formerly with ASEAN Secretariat, interview by Consuelo Katrina A Lopa, Comptoir Soori, Singapore, 18 March 2016

Malou Tabios-Nuera, IID; Boy Nuera, PASCRES; Ananez Aban, APNFS, Joseph Puruganan, Focus on the Global South; interview by Consuelo Katrina A Lopa, Freedom from Debt Coalition, Quezon City, Philippines, 8 April 2016

Marina Christina, Nithiyah, UNI-APRO- ASETUC, interview by Consuelo Katrina A Lopa, ASETUC, Petaling Jaya, Malaysia, 2 June 2016

Marlene Ramirez, AsiaDHRRA; Lany Rebagay, Asian Farmers Alliance, interview by Consuelo Katrina A Lopa, AsiaDHRRA, Quezon City, Philippines, 7 April 2016

May May Pyone, NGO Gender Group, interview by Consuelo Katrina A Lopa, Sweet Hotel, Yangon, Myanmar, 24 May 2016

May Shi Sho; Joseph Wah, Equality Myanmar; Myo Hlaing; U Tin Hlaing, interview by Consuelo Katrina A Lopa, Equality Myanmar, Yangon, Myanmar, 24 May 2016

Maydom Chanthanasinh, National Authority for Sciences and Technology and National Science Council; Cher Her, The Association for Vulnerable Children and Community Development; Khampa Keomanichanh, Community development and Environment Association (CDEA); interview by Consuelo Katrina A Lopa, Sengkeo Hotel, Vientiane, Lao PDR, 11 May 2016

Min Lwin, Myanmar Ambassador to ASEAN, interview by Consuelo Katrina A Lopa, Permanent Mission of Myanmar to ASEAN, Jakarta, Indonesia, 6 June 2016

Moe Thuzar, formerly with ASEAN Secretariat, interview by Consuelo Katrina A Lopa, ISEAS, Singapore, 17 March 2016

Mora Sar, Syteng Tuy , CFFWS Cambodian Food and Service Workers Federation; Theng Savoeun , CCFC Coalition of Cambodian Farmer Communities; Mory Sar, CYN

Cambodian Youth Network; interview by Consuelo Katrina A Lopa, Solidarity House,  
Phnom Penh, Cambodia, 4 May 2016

Mugiyanto Sipin, INFID, interview by Consuelo Katrina A Lopa, KontraS, Jakarta, Indonesia, 9  
June 2016

Muhamad Faisal Abdul Aziz and Adli Zakun, ABIM, interview by Consuelo Katrina A Lopa,  
Ramada Plaza Dua Sentral, Kuala Lumpur, Malaysia, 2 June 2016

Nalini Singh, ARROW, Skype interview by Consuelo Katrina A Lopa from Kuala Lumpur,  
Malaysia, 1 June 2016,

Ng Yeen Seen, ASLI , interview by Consuelo Katrina A Lopa, Ramada Plaza Dua Sentral, Kuala  
Lumpur, Malaysia, 4 June 2016

Nguyen Dinh Thang, BPSOS, written letters sent via email, 14 and 19 August 2016

Ong Keng Yong, former ASEAN Secretary General, interview by Consuelo Katrina A Lopa,  
Rajaretnam School of Government, Singapore, 15 April 2016

Pengiran Datin Mariam Pg Hj Matarsat, Council of Women of Brunei Darussalam, written letter  
sent via email, 23 August 2016

Pham Van Chuong, Vietnam Committee for Solidarity and Cooperation with Afro-Asia and  
Latin America, written response to survey submitted via email, 25 April 2016

Prisheela Prakas, interview by Consuelo Katrina A Lopa, Permanent Mission of Malaysia to  
ASEAN, Jakarta, Indonesia, 6 June 2016

Rahmat Pramono, Indonesia Ambassador to ASEAN, interview by Consuelo Katrina A Lopa,  
Permanent Mission of the Republic of Indonesia to ASEAN, Jakarta, Indonesia, 7 June  
2016

Ray Paulo Arpee Santiago, Regional WG on a Human Rights Mechanism, Skype interview by  
Consuelo Katrina A Lopa from Quezon City, Philippines, 5 April 2016

Robeliza Halip, Lakpa Nuri Sherpa, Joyce Godio, AIPP; Skype interview by Consuelo Katrina A  
Lopa from Manila, Philippines, 20 April 2016

Ryan Silverio, ASEAN SOGIE Caucus; Ging Cristobal, IGLHRC and Outright International,  
interview by Consuelo Katrina A Lopa, Hive Hotel, Quezon City, Philippines, 7 April  
2016

Seoung Saroen, CCC Cooperation Committee for Cambodia, interview by Consuelo Katrina A Lopa, Phnom Penh, Cambodia, 5 May 2016

Shine Win, MRA Malaysia Relief Agency, interview by Consuelo Katrina A Lopa, Yangon, Myanmar, 25 May 2016

Sinapan Samydorai, Task Force on ASEAN Migrant Workers, interview by Consuelo Katrina A Lopa, Harbourfront Coffee Club, Singapore, 14 March 2016

Sripapha Petcharamesree, former Thai representative to AICHR, interview by Consuelo Katrina A Lopa, Plaza Athenee, Bangkok, Thailand, 26 May 2016

Sumitha Shaanthini Kishna, Malaysian Bar Council, interview by Consuelo Katrina A Lopa, Ramada Plaza Dua Sentral, Kuala Lumpur, Malaysia, 1 June 2016

Surichai Wungaeo, Professor, Chulalongkorn University, interview by Consuelo Katrina A Lopa, Sasa House, Bangkok, Thailand, 26 May 2016

Tan Chee King, ASEAN Department, Ministry of Foreign Affairs, interview by Consuelo Katrina A Lopa, Singapore Ministry of Foreign Affairs, Singapore, 16 March 2016

Tan Sri Syed Hamid Albar, former Minister of Foreign Affairs, of Home Affairs, of Defense, and of Justice; currently Chairman of SPAD, interview by Consuelo Katrina A Lopa, SPAD, Kuala Lumpur, Malaysia, 3 June 2016

Termsak Chalermpananupap, formerly with ASEAN Secretariat, interview by Consuelo Katrina A Lopa, ISEAS, Singapore

Thein Han Thu, Humanitarian Mine Action Initiative- Myanmar, written letter sent via email, 5 August 2016

Vanessa Ho, Project X; Ted Tan, Soe Min Than, Think Centre, interview by Consuelo Katrina A Lopa, The Artistry, Singapore, 17 March 2016

Vu Quoc Ngu, VICSON, written letter sent via email, 21 August 2016

Wanun Permpibul, Climate Watch, interview by Consuelo Katrina A Lopa, Baan Rai, Bangkok, Thailand, 28 March 2016



Wanun Permpibul, Climate Watch; Premrudee Daoroung, Terra Foundation; Suntaree Saeng-  
ging, Thai ASEAN Watch, interview by Consuelo Katrina A Lopa, St Gabriel Foundation  
Building, Bangkok, Thailand, 31 March 2016

Wathshlah Naidu, Women's Aid Organisation, Skype interview by Consuelo Katrina A Lopa  
from Jakarta, Indonesia, 10 June 2016

William Gois, MFA, interview by Consuelo Katrina A Lopa, Migrant Forum in Asia, Quezon  
City, Philippines, 8 April 2016

Wong Chee Vieng, Ted Tan, Soe Min Than, Think Centre; Rachel Teng, Singapore Anti-Death  
Penalty Campaign; Tan Peck Hoon, HOME, interview by Consuelo Katrina A Lopa,  
Reading Room, Singapore, 15 March 2016

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