

AEC POST-2025 VISION INTERFACE WITH CSO

SESSION I. ON ASEAN'S ECONOMIC INTEGRATION: ACHIEVEMENTS AND LESSONS LEARNED

Guiding questions:

- How do you perceive AEC's progress in its economic integration over the past decade (2016–2025)?

It has been difficult to monitor the progress of AEC's economic integration efforts as the indicators for monitoring and evaluation have not been accessible to CSOs. There's also a lack of data production and transparency that inform key stakeholders as well as lack of engagement from AEC to garner stakeholder's review on the progress.

Moreover, recent developments under the framework of economic integration have caused concern for its inconsistency with the vision of the ASEAN Economic Community Blueprint 2025 and the key recommendations from the Mid-Term Review of the Blueprint to conduct meaningful engagements with stakeholders to inform policy. Some examples include:

1. Indonesia's enactment of the Job Creation Law (Omnibus Law) which was intended to enable investments and economic growth instead eroded protections on labour rights and the environment. Following nationwide protests, the 2020 law was originally declared unconstitutional due to the lack of public consultation, however, it was later passed through the government-issued emergency law in 2022 before becoming an official law in 2023. The hasty push by the Indonesian government removed the people's meaningful participation in the law-making process. Experts have also criticised the lack of emergency which formed the basis of the law's passing in 2022.¹ The law's enactment is therefore counter to the Blueprint's vision No. 6 (iv) to *promote the principles of good governance, transparency, and responsive regulatory regimes through active engagement with the private sector, community-based organisations, and other stakeholders of ASEAN.*
2. In July 2023, Indonesia signed an MOU with China's Xinyi Group to develop a glass and solar panel factory on Rempang Island. The deal is part of the government's Rempang's eco-city project. As the project is expected to cover 42,000 acres of land across the island, it will result in the forced evictions of residents of 16 villages comprising Rempang's indigenous communities and elimination of their traditions. Despite the project's theme in harvesting green technology/energy and its potential in garnering billions in investment value, this development falls short of the Blueprint's vision No. 6 (ii) to *engender a more equitable and inclusive economic growth in ASEAN that narrows the development gap, eliminates if not reduces poverty significantly, sustains high growth rates of per capita income, and maintains a rising middle class* and vision No. 6 (iv) as stated above. The lack of inclusivity in the development process not only disregarded basic business and human rights standards but

¹ <https://www.mkri.id/index.php?page=web.Berita&id=19378>

also resulted in excessive repression and increased hardship for the people particularly those under threat of evictions.

- What are the key achievements that are of significance importance for the integration? What are the main challenges that remain to be addressed?

The push for economic growth has not fully translated into public welfare. The objectives for each development project has disregarded the impact it has on the people particularly on the most marginalised communities. At the same time, public participation has been significantly curtailed by the increasing use of Strategic Lawsuit Against Public Participation (SLAPP) against activists, journalists and human rights defenders including environmental human rights defenders for protesting against irresponsible development practices and calling for accountability against those involved in the projects. Some examples include:

1. The [defamation trial](#) against human rights defenders Fatia Maulidiyanti and Haris Azhar for alleging involvement of Luhut Binsar Pandjaitan, the Coordinating Minister of Maritime and Investment Affairs in mining operations in Papua.
2. The conviction of Hoang Thi Minh Hong and other [environmental defenders](#) in Vietnam namely [Dang Dinh Bach](#), [Nguy Thi Khanh](#), [Mai Phan Loi](#), and [Bach Hung Duong](#) under trumped up tax evasion charges for their environmental advocacy.
3. The [criminalization](#) of Budi Pego for calling out PT Merdeka Copper Gold for its mining activities in Tumpang Pitu, Banyuwangi, Indonesia which impacts the safety of residents in 5 villages.
4. In the Philippines, a case was filed against 13 members of the Didipio Earth Savers Movement Association (DESAMA), Samahang Pangkarapatan ng Katutubong Magsasaka at Manggagawa Inc. (SAPAKKMI), and Bileg Dagiti Babbae (Lakas ng Kababaihan - BILEG) for violating the Bayanihan Act (COVID-19 emergency act) as they barricaded gold mining operations of OceanaGold Philippine, Inc. in Didipio.²
5. In Laos, women environmental human rights defender Houayheuang Xayabouly (Muay) is currently serving a [5 year prison sentence](#) under defamation and anti-state propaganda charges for criticising the government's inadequate response to the devastation caused by the [collapse](#) of a saddle dam in the Xe-Pian Xe-Namnoy hydropower project in Attapeu province and the flooding in Champassak and Salavan provinces. Muay's case is only one among at least [7 others](#) judicial harassment against environmental human rights defenders in Laos within the last 5 years. As Laos will be assuming the chairship of ASEAN in 2024, it should be taking lead in decriminalising environmental rights defenders as part of the development of the post-2025 vision.

² Mining Away Freedoms: Testimonies from Communities Fighting for their Rights in the Philippines <https://forum-asia.org/wp-content/uploads/2022/12/Mining-Away-Fredoms--pages_compressed_compressed.pdf> page 43

**SESSION II. ON FUTURE-PROOFING THE ASEAN ECONOMIC COMMUNITY:
PROSPECTS FOR POST-2025 DEVELOPMENTS**

Guiding questions:

- How do you envision the economic integration in ASEAN should look like in the next 5, 10, and 20 years?

Economic integration should ultimately benefit in particular the working class as well as gig and informal economics. It should enable more opportunities for individuals from all walks of life to experience progression and stability. In order to do that, it should first and foremost uplift those living below the poverty line and those living in conflict areas. The 2025 blueprint envisioned a more *equitable and inclusive economic growth in ASEAN that narrows the development gap, eliminates if not reduces poverty significantly, sustains high growth rates of per capita income, and maintains a rising middle class* among others (No 6 (ii)). Within element C.5, the food, agriculture and forestry (FAF) sector also included sustainable production and equitable distribution as part of its strategic measures. Under element D, a Resilient, Inclusive, People-Oriented and People-Centred ASEAN is also sought to be implemented under the characteristic of “Equitable Economic Development”. The realisation of this vision can only be achieved through recognition of existing inequalities and inequities. Particularly, it must take into account the need to achieve substantive equality by identifying differences in privileges, discriminatory practices, marginalization, unequal distribution, and access to opportunities, goods and services among the general public.

Further, economic integration should also be integrated with the fulfilment of State Obligation under international human rights standards, particularly the International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic and Socio Cultural Rights (ICESCR) and the UN Guiding Principles on Business and Human Rights. Economic and Socio-Cultural Rights-components under the Universal Human Rights Declaration (UDHR) have also been incorporated in the ASEAN Human Rights Declaration (AHRD). Therefore in order to achieve this, economic integration should not be conducted in silos (only belonging to the ASEAN Economic Pillar) but should also include different pillars of ASEAN (including Political Security, Sociocultural, and the Environment).

- What policy measures/enablers/support need to be given priorities to achieve the envisioned economic integration? What are the main challenges that remain to be addressed?

Among other policies, ASEAN should seriously address the increase of SLAPP-related cases in the region, and subsequently adopt Anti-SLAPP regulation to protect members of the public who are criticising and demanding justice in relation to development projects and economic policies in the region. Anti-SLAPP regulations can increase the willingness of victims, civil society, and the public to step forward to participate in the policy and decision making process without fear of reprisals. This is also to adjust power imbalance, ensure accountability which is key in achieving equitable development.

Furthermore, policies on development projects must have safeguards based on rigorous risk assessments including social impact and environmental assessments. These assessments must be done based on consultations from all stakeholders

particularly to communities primarily affected by the conduct of the development projects. This is to ensure that communities can meaningfully participate in the decision making process.

SESSION III. ON KEY MEGATRENDS AND EMERGING ISSUES: INITIATIVES BEYOND 2025

Guiding questions:

- What are the key megatrends and emerging issues (i.e., technology advancement, sustainability, etc) that ASEAN should prioritise to advance its economic integration? How should ASEAN respond to these developments?
 1. Pollution caused by the energy and transport sector affecting health (based on Jakarta's pollution crises). ASEAN should recognize the interconnectedness of the impact the energy and transportation sector have on the environment. It should therefore conduct comprehensive assessment on the environmental impact including engagement with stakeholders on any expansion of projects in these sectors.
 2. A digital technology infrastructure and regulation that are becoming more state-centric, instead of a right-based model, that amplifies digital surveillance and autocracy, as well as giving unfettered power to the government to spread disinformation for its own agenda including to serve the interests of private sectors and digital platform providers. This development severely constrains the people's fundamental freedoms including the right to privacy, right to information, freedom of expression, and association. The advancement of technology should be utilised to give the people more ease in expressing their inputs on development projects. This should not instead be weaponized by the government to criminalise those expressing discontent over the devastating impact of such projects to residing communities and the environment. ASEAN should thus be proactive in developing regional guidelines/framework against this repressive trend particularly that strengthens protection to community and rights defenders to conduct their work.
- How should ASEAN improve its processes and mechanisms to ensure the effective delivery of its post-2025 goals, ambitions, and initiatives

Reflecting on the ASEAN Economic Council Community Vision 2025, we are concerned that there is a lack of transparency in terms of indicator, monitoring evaluation, and plan of stakeholders' engagement that are accessible for civil society organisations. In comparison with the ASEAN Political Security and ASEAN Socio-cultural Pillar, ASEAN Economic Pillar has been reluctant to engage with civil society to assess the effectiveness of its policy and implementation under the Vision 2025. Therefore, moving forward to the ASEAN Post 2025, ASEAN must include civil society right from the start of drafting and formulating the post-2025 vision, and provide a transparent and inclusive monitoring, evaluational, and learning for the vision, in which a strategic partnership with civil society is institutionalised to ensure that ASEAN and civil society works in equal partnership to fully realise the implementation of the post 2025 vision.

SESSION IV. ON STAKEHOLDER ENGAGEMENT OPTIMISATION

Guiding questions:

- How can ASEAN optimise its stakeholder engagement to support efforts towards achieving economic integration in the post-2025 agenda?

The ASEAN Economic Council can leverage the existing civil society forum in the region, such as the annual ASEAN Civil Society Conference / ASEAN People's Forum as the biggest civil society convening in Southeast Asia to hear and engage with grassroots civil society in the region, particularly on reviewing the impact of economic integration in ASEAN. This is held in conjunction around the time of the ASEAN Summit so it's also held twice a year. Furthermore, an interface with civil society and AEC needs to be institutionalised and annualised. The interface should also include a public hearing where victims or impacted communities can convey their grievance without fearing reprisals. This is to ensure that the insights from stakeholders must be accounted for in the development of policies. Stakeholders must also be involved in the periodic review process of the agenda's implementation.

- How do you envision the role of civil society organisations (CSOs) in contributing towards this agenda?

A human rights-based approach must be the key to realise the ASEAN Economic Integration vision. This should also include the meaningful participation of various stakeholders, including civil society and those affected by economic development particularly the marginalised ones such as indigenous people, women, those affected by development projects and climate change and so on. Civil society can bring valuable insights into the impact of economic integration to society at different levels and can bring the voices that are usually being unheard and ignored. These insights could contribute in the measurement of goal achievement of the post-2025 agenda. However, this can only be achieved if there is an enabling environment for meaningful civil society participation to the ASEAN Economic Pillar. Therefore, a human rights-based approach that includes meaningful participation and engagement of various stakeholders must be the back-bone of the ASEAN Economic Community Post 2025 Vision.