



**Ulaanbaatar Final Declaration  
11th Asia- Europe People's Forum (AEPF)  
Ulaanbaatar, Mongolia  
6<sup>th</sup> July 2016**

We, over 750 participants, representing social movements, people's organisations and citizens from 42 countries across Asia and Europe joined together from the 4th to 6th July 2016 in Ulaanbaatar, Mongolia at the 11th Asia Europe People's Forum under the title "**Building New Solidarities: Working for Inclusive, Just, and Equal Alternatives in Asia and Europe**".

**Urgent Concerns**

**Enforced Disappearance of Sombath Somphone**

On 15<sup>th</sup> December 2016, it will be four years since the enforced disappearance of Sombath Somphone. Sombath was one of the main organisers of AEPF9 held in Vientiane just before ASEM9. Sombath's abduction on 15<sup>th</sup> December 2012 was captured by a police CCTV camera. Since then, the Lao Government has provided no meaningful information to Sombath's family, friends and the public about his abduction and continuing disappearance. Instead, successive statements and actions by the Lao Government indicate a continuing denial of its basic responsibility and obligations.

We should be reminded that while concerns continue to be raised in the confines of the Universal Periodic Review and similar human rights dialogues, the policies and programmes of governments, donors, and development agencies remain largely unaltered. While Laos is the chair of ASEAN this year, for the first time in its history the parallel ASEAN People's Forum must be held in another country.

We remind all ASEM member states of their human rights obligations, both domestically and internationally. We sincerely demand that the Lao Government complete their investigation into Sombath's disappearance, make public the investigation report, and take forward appropriate legal processes against the perpetrators of the crime. We urge ASEM member states to monitor the fulfilment of these demands and ensure that Sombath and his family receive the justice that is surely their right and that he is returned safely to his family.

**Thailand**

The AEPF11 strongly condemns the military coup d'état and the establishment of a military regime in Thailand. While celebrating its commitment to democracy, ASEM is legitimising a military regime by recognising its representatives. The official statements by ASEM on democracy, human rights and good governance are mere rhetoric if no action is taken against the military dictatorship in Thailand. We demand that ASEM members exert real and significant

pressure on the military regime to return human rights, the freedom of speech, the right of assembly, - specifically the right to campaign on the constitutional referendum - and to return democracy back to the people of Thailand.

### **Our vision**

This year's forum took place in the city of Ulaanbaatar, Mongolia. The debates and discussions during the three days have shown how Mongolia's socio-economic and political governance issues relate to major concerns in both European and other Asian countries. During the twin transition period in 1990's from the one party rule to a plural democracy, a forced application of neoliberal market reforms in Mongolia by the international financial institutions de-industrialized the country and opened its fragile economy to international capital. As a result, foreign direct investment has been exclusively geared towards extractive industries and infrastructure for the export of its abundant natural resources.

Systemic problems inherent in the extractivist model heightened since 2013 as Mongolia plunged into an economic recession causing deteriorating social standards and changing political dynamics. Thus, due to increasing corporate influence over political decision-making, the country's dependency on mining and poor fiscal and monetary policy, the country faces problems such as mounting sovereign debt, extreme wealth inequalities, rapid environmental degradation and land grabbing. Moreover, the country has dealt with transnational investment claims in the past years at the expense of both public budgets and sovereign policy space. With new solidarities formed in AEPF11, the Mongolian civil society will continue to confront the impacts of globalization together with counterparts in Asia and Europe.

We met at a time of continuing and growing inequalities, injustices and poverty experienced by an increasing number of people across Asia and Europe. What is often presented as a 'financial crisis' is in reality part of a series of interlinked crises - food, energy, climate, human security and environmental degradation - that are already devastating our lives, and compounding the poverty and exclusion faced on a daily basis by millions of people across Asia and increasingly across Europe. The gap between the rich and the poor is widening, and access to resources, livelihood opportunities and basic services remains grossly unequal. The ASEM11 is an historic opportunity for ASEM governments to heed what the AEPF had been pressing for over the last twenty years - to reverse the current trends to more inequality and the erosion of people's fundamental social, economic and political rights.

Moreover, governments need to promote a fair and sustainable financial system, which aids the common people and supports the real economy. An end should be put to speculation on food commodities and a global transaction tax should be introduced, from which the returns will be used to tackle climate change. Fundamental regulation of the financial system is overdue. Measures must urgently be put in place to end the unregulated shadow banking system, which compromises societies all over the world. Additionally, national and appropriate regional legislation should urgently be implemented in order to end 'offshore' banking systems, which takes advantage of tax havens while facilitating tax avoidance globally.

There is a strong consensus among us gathered at the AEPF11 that the dominant development approach over the last decades - based around deregulation of markets, increasing power of multinational corporations, unaccountable multilateral institutions and trade liberalisation - has failed in its aims to meet the needs and rights of all citizens. This has led to a hollowing out of democratic accountability as elites make decisions and implement policies with little or no scrutiny from citizens, creating the conditions for poverty, inequality, environmental devastation and growing social unrest. There is a deeply felt need and demand for change and for new people-centred policies and practices.

There is a widespread and growing sense that the inequalities across Asia and Europe are creating now, more than ever, insiders and outsiders from concentrations of power and wealth. Fractured economies have consolidated divisive and polarizing politics. The growth of racism and xenophobia is corroding social relations and contributing to already pronounced democratic deficits. In a number of countries there is a perceived shrinking of democratic spaces. The AEPF is compelled to share these deep concerns with our elected representatives. Change towards a Just, Equal and Inclusive Asia and Europe is a key response and is urgently required.

Despite the policy failures of trade liberalisation, market deregulation and privatisation, our governments continue to ignore the growing tangible consensus for fundamental policy changes. Climate change, debt, financial, energy and food crises, which have been caused and compounded by the policies and practices of many governments in both rich and poor countries and the blanket privileges gained by big domestic and transnational business, have caused increasing social polarization between peoples and states. In Asia the crises are exacerbating poverty and inequality already widespread before the present crises. In Europe the crises are creating indebtedness, precarious work, joblessness and income insecurity. The powers of transnational corporations have become even more entrenched as 'corporate capture' of governance and policy processes spread to more political arenas, giving business almost complete control over our lives and livelihoods.

The responses of citizens are often at local and national levels and to complement these, the AEPF11 is looking to encourage and strengthen cooperation and solidarity of people's networks regionally, inter-regionally and globally.

Our governments have the responsibility to ensure that we can all live in peace, security and dignity. We, the citizens have already taken our responsibility by taking our governments to task through our participation in the creation and implementation of radical and creative solutions needed for people-centred recovery and change.

We therefore call upon the governments who are members of ASEM to implement people-centred responses to the current crises in an effective and responsible manner. Priority must be given to poor, excluded and marginalised people and more democratic and accountable institutions must be in place to assure that processes and measures will lead to a just, equal and sustainable world based on respect for gender equality and the promotion and protection of human, economic and socio-cultural rights and environmental security.

The AEPF is a strategic civil society gathering of Asian and European social movements, non-governmental organisations and campaign networks that are confronting poverty and inequality and work for social, economic and climate justice. We are committed to opening up new venues for dialogue, solidarity and action.

The following call to action is based on the recommendations from the many vibrant and exciting events that were held throughout these three days.

### **AEPF11 – People’s Visions**

The 11<sup>th</sup> Asia Europe People’s Forum (AEPF11) tackled seven major themes focusing on developing strategies and recommendations to our elected representatives in our countries, and to ourselves, as active citizens. These ‘People’s Visions’, which represent AEPF’s hopes for citizens of the ASEM member countries and the communities they live in are:

#### **Resource Justice, Land Rights, Equal Access to Water, and Participation - Going Beyond Extractivism**

The extractive industries are increasingly associated with land and resource grabbing, rights violations, environmental problems, repression of civil society organisations and human rights defenders. In addition, national laws frequently support corporations rather than peoples’ rights. The global extraction of resources ensures that transnational corporations receive the benefits of extraction, while the burdens fall on local communities.

We call on our governments to hold accountable the companies that violate human rights and whose activities lead to environmental destruction. The people at risk in a situation of shrinking space for civil society and increased human rights violations should be supported, with special regard to the extractive industries. Moreover, the ever-increasing cases of land grabbing by big corporations for resource extraction must cease immediately.

#### **Food Sovereignty/Food Security – Beyond zero hunger**

Food Sovereignty is fundamental to a more just, equal and inclusive Asia and Europe. Whilst corporations are continuously pushing for the privatisation of both land and other common resources resulting in increasing social, financial, economic, and ecological crises, new comprehensive and ambitious multinational trade and investment agreements gave tremendous powers to multinational corporations. Large-scale investments in agriculture and extractive industries are being made without regard to our ecology and to how they negatively affect rural livelihoods, human rights, and local food security.

#### **Key actions for ASEM member governments include:**

Promoting and advancing the arrested agenda of Agrarian Reform, including policies of “Land to the Landless” to ensure the realisation of more sustainable agriculture and agro-ecology. Protect our commons against privatisation.

Create common village level seed banks, to decrease dependency on seeds. Maintain a diverse selection of native seeds to ensure agro-ecology and the environment are kept re-generative. Strengthen local research and information availability on agro-ecology, for farmers and consumers. Develop strong support systems so that farmers and consumers can interact directly, through means of alternative food systems such as Community Supported Agriculture, Farmers' Markets and Community Gardens.

### **Climate Justice and Transformation of Energy Systems**

The aspiration to pursue efforts to halt the global average temperature increase to below 1.5°C from pre-industrial levels agreed in the 2015 climate negotiations was not matched by the reality of the current voluntary pledges submitted by governments. This actually condemns us to a path of up to a 3°C warmer world. Playing a key role in solving climate change is a complete transition, as soon as possible, from undemocratic processes and unjust preferences in energy production and use. There are still around one billion people worldwide with no access to energy and another one billion having limited access to energy. Universal access to energy must be achieved by allowing spaces for the development of alternative energy sources that will address the challenge of energy poverty through common or publicly owned energy resources.

We call on our governments to have concrete short term and medium term plans for appropriate emissions reduction to ensure the possibility that the 1.5°C limit will still be achieved in order to prevent climate catastrophe.

### **Fossil fuels must be kept in the ground. Subsidies to dirty energy must end.**

Furthermore, we urgently call on governments to support the transition needs of societies in their path towards increased use of energy that is renewable, clean, accessible, sustainable, and, importantly, democratically owned. Aggressive and comprehensive trade and investment agreements negotiated through highly secretive and exclusive processes must be put to an end. The inclusion of the extremely dangerous element of the Investor-State Dispute Settlement (ISDS) mechanism should be universally withdrawn. Their inclusion can adversely affect the introduction, strengthening and implementation of ecologically sound laws, policies and measures to ensure that environmentally harmful profit-driven economic activities are regulated.

### **Socially Just Trade Production and Investment**

We recognize that free trade and investment agreements in both Asia and Europe are connected to grave human rights abuses, the destruction of local and national economies and negative environmental impacts. The sovereignty of countries trying to protect public interest through legislation is frequently undermined by Investment claims by private corporations through ISDS mechanisms.

The AEPF calls for a halt to all on-going and planned negotiations based on current trade and investment protection frameworks until an alternative inclusive and sustainable model for international trade and investment is established. International trade and investment

agreements must first and foremost respect and promote policy space to regulate the economy in the public interest and in the interest of inclusive and sustainable social and economic development for each participating country.

We urge governments to firmly shape trade agendas by means of an open, transparent and inclusive dialogue with all stakeholders, and take the pre-eminence of environmental and human rights over investor rights.

### **Social Justice – Social Protection for All, Decent Work and Sustainable Livelihoods**

Social protection is a fundamental right that does not only protect individuals, but also mitigates against risks of impoverishment in situations of sickness, disability, unemployment, old age, general poverty and social exclusion. It covers the rights to work and sustainable livelihoods, adequate food, essential services, and social security.

Across Europe and much of Asia de-regulation, eroding of workers' rights, severe cuts to social spending and large-scale privatisation of essential goods and services have caused widespread joblessness and precarious work, and profound social inequality. The lives and livelihoods for millions of women and men have become more not less precarious.

We urge ASEM member governments as a matter of urgency to meet their international obligations and fulfil their responsibility to guarantee social protection for all.

Social Protection is economically productive, meets internationally negotiated obligations and is essential to sustainable development. Adherence to Social Protection is strong evidence of belonging to the fellowship of nations and is a national social responsibility;

We urge ASEM member governments to meet their obligations and fulfil that responsibility;

We urge ASEM member governments to ensure, in total transparency, the full participation of civil society, workers and employers' organisations in the process of extending inclusive, universal Social Protection."

### **Peace Building and Human Security - Responses to Migration and Fundamentalism and Terrorism.**

The AEPF has continuously appealed for a negotiated end to armed conflicts and opposed arms build-ups while arguing for universal disarmament, peace with justice and human security. Key additional issues include military spending and arms trade, nuclear weapons, weapons of mass destruction and other contemporary military technologies. The discussions were focused on disarmament policies and conflict prevention in both Asia and Europe.

**We recommend to the ASEM governments** that they welcome Mongolia's nuclear-weapons-free status, highlight it as successful government-civil society cooperation and expand the nuclear-weapon free zone including Northeast Asia. In addition, we call on all uranium mining operations in Mongolia to cease. Moreover, governments should support the Humanitarian Pledge and the Ulaanbaatar Process for civil society dialogue.

They must also put appropriate pressure on related parties to settle all conflicts and disputes in conflict areas including the Ukraine, the Middle East including Palestine and the Korean Peninsula. In the South China Sea and the East China Sea this should be by peaceful means in compliance with international law including the United Nations Charter, The United Nations Convention on the Law of the Sea (UNCLOS) and the Declaration on the Conduct of Parties in the South China Sea (DOC). Governments must also work out a concrete plan on cutting military spending by at least ten per cent in the next five years.

They must also support all war survivors- nuclear victims, victims of Agent Orange, napalm, chemical barrel bombs, in their daily lives and their struggles for justice. Lastly, governments must respect and promote the engagement of civil society organisations in decision-making processes and work out mechanisms involving them in peace-building activities.

### **Participatory Democracy, Gender Equality and Minority Rights**

Mongolia, our host country, with its long-standing history of commons, community sharing and collective wealth in resources and knowledge is a tremendous source of inspiration for participatory democracy. Currently in many countries, liberal democracy is in a crisis. However, democracy is a work in progress. The spirit of democracy – as Mahatma Gandhi said – has to come from within. People are organising in a participatory way from the local level to the global level. They can set their own agenda of rights and justice, raise unheard voices, influence and intervene into politics, and aim at social transformation. Inclusiveness is a core principle of participatory democracy.

Governments are urged to promote direct democracy or real citizen-led democratic processes by creating and expanding spaces for dialogue, interaction, and giving a voice to one another. At the same time the market and corporations must adopt democratic mechanisms and respect human, social and civic rights. They must support the citizens' organisations and social movements in order to counter undemocratic, and authoritarian tendencies within society and challenge non-transparent and corrupt practices.

We call on governments to support initiatives that establish mechanisms promoting positive discrimination amongst people to include, make visible and give voice to the youth, women, LGBTI people, differently abled people, as well as ethnic, religious and other minorities.

Across Asia and Europe the governments are responsible to share information with people, interact with local communities and ensure access to procedures of policy decision-making. They have to develop transparent and accountable ways of power sharing where citizens can engage in local and national policy development and implementation. Local communities must be consulted at every stage of the decision making process where their lives are effected. Citizens must be able to effectively use various mechanisms such as Right To Information, social audit, participatory budgeting etc. according to specific country contexts.

We also call upon Asian and European governments and civic organisations to promote democratic governance by making full use of Sustainable Development Goal 16, which is a cross-cutting goal and integrates peace, human rights, democracy and transparency at all levels for all nation states.

In addition to Sombath Somphone there are a growing number of cases of Enforced Disappearances and Human Rights abuses. We call on ASEM member governments to reaffirm their commitments to the Universal Declaration of Human Rights and subsequent agreed Human Rights including UN Conventions and end the gap between agreed commitments and many peoples and communities lived realities.

We have a specific recommendation to ASEM to adopt sign language as an official language and encourage Mongolia as the host of ASEM11 to take this forward.

**In conclusion, we agree that only a just, comprehensive and urgent transition away from the current neoliberal globalised capitalist system to a world based on just, equal and inclusive social and economic policies and practices could begin to address the manifold challenges of the profound concerns that have been shared by the participants at AEPF11. We strongly urge our elected representatives across ASEM to work with their citizens to make this Peoples' Vision a reality.**

**Short Action Plans with recommendations have been developed for each of the Seven Themes of AEPF11**

### **1. Resource Justice, Land Rights, Equal Access to Water, and Participation - Going Beyond Extractivism**

The extractive industries are increasingly associated with land and resource grabbing; with rights violations, including rights to land, water, health and the rights of Indigenous Peoples; with environmental problems including waste management and rehabilitation; with repression of civil society organisations and human rights defenders; with national laws which frequently support companies rather than peoples' rights; and with a lack of information and accountability at the local level. The global extraction of resources is not local development. It is unjust for companies to receive the benefits but the burdens fall on local communities.

### **Key Recommendations**

#### **We call on ASEM Member governments to:**

1. Provide support to those most at risk in a situation of shrinking spaces for civil society, and increased human rights violations against human rights defenders with specific regard to extractive industries;
2. Hold accountable companies along the whole supply chain, including downstream companies, for human rights violations and environmental destruction. To ensure this there should be support for a strong binding treaty on transnational corporations;



3. Oppose land grabbing for resource extraction, particularly respecting the rights of indigenous peoples to their lands, territories and resources;
4. Ensure good faith negotiations with affected communities, using free prior informed consent as a minimum standard specifically for indigenous peoples, and apply its principles to all communities;
5. Ensure a fair distribution of taxes and income from mining, particularly focused on the local level;
6. Facilitate the increased disclosure of information from companies and governments, particularly at the local level, including financial flows, and contracts;
7. Organize widespread campaigns to reduce overall consumption, which is driving resource extraction and, with the issue of climate change in mind, fossil fuels need to be left in the ground.

### **Strengthen Local Voices in Silk Road Strategy of China**

Besides the above recommendations, there were specific recommendations from the Strengthen Local Voices in Silk Road Strategy of China (One Belt One Road) Open Space. In the annual meeting of the Asian Infrastructure Investment Bank (the Investment Bank financing One Belt One Road projects) in June 2016 it was declared that the One Belt One Road would integrate the sustainable development goals and Paris declaration.

### **We call on ASEM Member governments to:**

Highlight and monitor this and we call on Asian leaders to endorse the development of a "Masterplan on sustainable connectivity in Eurasia" (which includes environmental social framework for bank loans with, for example, strategic environmental and social impact assessments for investments).

### **Land grabbing**

Land grabbing is a major problem in producing food commodities such as Palm Oil, Banana and Corn, in number of Asian countries including Philippine, Malaysia, Sri Lanka, India, and Indonesia. It is a major problem in Asian countries as part of urban expansion, infrastructure development and mostly for building tourism infrastructure. Land grabbing also happens after natural disasters as in the cases of the Tsunamis that effected Sri Lankan and India. It has also occurred during and after war, as in Sri Lanka. Some land grabbing in Mongolia is related to grabbing water rich pastoral lands for mining. While some land grabbing is commodity driven, some cases are institutionalized through policies that induce displacement and inequitable and one-sided contractual arrangements to produce commodities such as banana, palm oil produced for the European, Chinese and Japanese markets.

Displacement of the local communities, loss of land, loss of access to water resources, violation of local and human rights, degradation of the environment including pollution of water, air and soil, loss of natural resources and spiritual landscapes that will forever be lost to future generations have been identified as some major problems.

Trickle down benefits to the local communities, rich benefits to corporations, as well as corruption are a common feature of land grabbing. Financialisation of nature and landscapes and the criminalisation of dissent are also a major problem.

### **Key Recommendations**

We call on ASEM Member governments to:

1. Respect the communities' rights, laws, regulations and customary rights in the respected countries and ensure environmental governance;
2. Respect rules for European, Chinese and Japanese commodity markets;
3. Facilitate increased civil society space in Asian and European countries and increased civil society advocacy;
4. To support the UN Treaty on Business and Human rights and force European Banks to stop funding dirty investments.

## **2. Food Sovereignty/Food Security – Beyond zero hunger**

Labour rights have been diminished through labour reforms leading to their deterioration during the past 30 years. Labour migration in the agriculture sector increased while policies to protect them were either ignored or undeveloped.

Strong relationships between people and the origins of food have a direct correlation to food sovereignty and healthier food systems. Food sovereignty has become a major social, environmental, health and political agenda supported by diverse, locally driven, de-centralised, and re-generative food systems

Big agribusiness have appropriated the language itself as a method of redefining what food sovereignty means to continue its dominance in the decision making over how food is organized. Community Supported Agriculture (CSA), Farmers Markets and Community-Run Gardens are but some proven examples and valuable ways to assist urban dwellers to engage more with the realities and possibilities of local agro-ecology and food systems, and can be equally initiated and organized by customers or farmers.

Land use rights, land policies and redistribution of agricultural resources require the involvement of farmers, and appropriate education for farmers that can support them with new changes. Providing small-scale farmers with the necessary tools and information to be able to sustain and regenerate their communities and family's livelihoods, through allowing them to participate in the conversation and providing them with fully transparent and unbiased support.

This is a formal call to action by farmers, peasants, pastoralists, nomads, fisher folk, indigenous peoples, women, rural youth and their allies all over the world.

### **Key Recommendations**

We call on ASEM Member governments to:

1. Promote and advance the arrested agenda of Land Reforms, and Land to the Landless;
2. Promote sustainable agriculture and agro-ecology by providing research, extension, credit, subsidies and market access support;
3. Protect agrarian regions against land-grabs. Install the "Free Prior Informed Consent" and strong pro-peasant & people "Land Acquisition Rehab" policies under public scrutiny;
4. Provide opportunities for local farmers to engage in global level communities to receive guidance, appropriate education, technological and peer support;
5. Protect our commons against privatisation;
6. Develop and secure wage workers labour rights policies, social protections and dignified wages;
7. Create common village level seed banks, to decrease dependency on seeds. Maintain a diverse selection of native seeds to ensure agro-ecology and environment is kept regenerative;
8. Strengthen local research and information availability on agro-ecology, for farmers and consumers;
9. Develop strong support systems so that farmers and consumers can interact directly, through means of alternative food systems such as Community Supported Agriculture, Farmers Markets, and Community Gardens;
10. Technology initiatives to provide access to information and enable contact with global movements for collaboration and sharing

### **3. Climate Justice and transformation of energy systems**

Climate change is a manifestation of the planetary social and ecological crisis brought about by the dual expansion of capitalism and industrialism that produced a skewed process of global wealth creation. In 2015, the 196 governments that attended the 21<sup>st</sup> Conference of Parties (COP) under the United Nations Framework Convention on Climate Change (UNFCCC) agreed to pursue efforts to halt the global average temperature increase to below 1.5°C from pre-industrial levels. This aspiration, however, was not matched by the reality of current voluntary pledges in the submitted Intended Nationally Determined Contributions (INDCs). This is not only a step back from the principle of common but differentiated responsibilities, but will also actually condemn us on a path up to a 3°C warmer world. Only a just, comprehensive and immediate transition away from a globalised neoliberal capitalist system could begin to address the manifold challenges of climate change.

Inequality and injustice continue in the climate talks. The countries which are most affected by climate change, but have contributed the least to it have very little say to influence climate politics due to the asymmetry of power between the Global North and Global South and also between corporations and people. Playing a key role in solving climate change is a complete transition, as soon as possible, from undemocratic processes and unjust preferences in energy production and use. There are still around one billion people worldwide with no access to energy and another one billion have limited access to energy. A universal access to energy must be achieved by allowing spaces for the development of alternative energy sources that

will address the problem of energy poverty through common or publicly owned energy resources.

## **Key**

## **Recommendations**

We call on ASEM Member governments to:

1. Have concrete short term and medium term plan for appropriate emissions reduction to ensure the possibility that the 1.5°C limit will still be possible to prevent climate catastrophe. Financial resources and technology assistance to developing countries for mitigation and adaptation needs must be extended, also for the loss and damage suffered from climate-induced disasters;
2. Keep fossil fuels on the ground, end subsidies to dirty energy and support the transition needs of societies in their path towards increased use of energy that are renewable, clean, accessible, sustainable, and more importantly democratically owned;
3. Stop aggressive and very comprehensive trade and investment agreements negotiated through highly secretive and exclusive processes that include the extremely dangerous element of the Investor-State Dispute Settlement (ISDS) mechanism, which could adversely affect the introduction, strengthening and implementation of ecologically sound laws, policies and measures to ensure that environmentally harmful profit-driven economic activities are regulated.

## **4. Socially Just Trade Production and Investment**

Participants learned about a number of investment related cases during the forum. Most notably we discussed investment claims against Mongolia (notably the Khan Resources versus Mongolian Government case) and the experiences of other countries with investment protection. We also discussed the claims against governments when trying to regulate in the public interest and how this has sparked a process of revision of bilateral investment agreements in Indonesia. The examples highlighted how the same mining companies are active in several countries, and effective opposition includes linking our struggles and learning.

In the discussions, Mongolian civil society organisations indicated that they recognise the risks associated with trade and investment agreements, but that they lack the knowledge to take meaningful action in this regard, and would very much value exchanges and collaborations with the international networks working on these issues. Moreover, civil society organisations expressed grave concern at the pressures in trade and investment agreements to irreversibly privatise public services. Furthermore, exchanges were made on campaign strategies that have been successful in Europe in rallying resistance to the CETA free trade and investment agreement with the Canadians and the TTIP agreement being negotiated with the US. These exchanges can serve as avenues to rally potential allies, including trade unions, consumer and environmental organisations and SMEs in other countries embarking on trade and investment campaigns.

The fact that the EU is now on the receiving side of the negative effects of free trade agreements opens up space for linking struggles. For instance, the fact that Spain was the most

sued country under the Energy Charter Treaty last year, gives possibilities to link struggles, not just between continents, but by linking energy, climate change and trade and investment. Additionally, the strategic question on how to relate to the growing power and hegemony of China opens an arena for collaboration and common struggle. China's growing power and its more active role in Asia requires common strategizing. The fact that the EU and China are discussing a free trade deal can, or should, also bring European partners into this common arena. In the same way, the TPP opens up scope for a common struggle with friends in the US.

### **Key Recommendations**

We call on ASEM Member governments to:

1. Always give precedence of human rights over the profit of corporations. Equally, any trade and investment agreements and actions must not harm the climate beyond its sustainable frontiers. This is especially important for Mongolia, where land degradation and water scarcity are pressing issues.
2. Respect and promote policy space to regulate the economy in the public interest and in the interest of inclusive and sustainable social and economic development for each participating country in international trade and investment agreements
3. Halt all on-going and planned negotiations based on current trade and investment protection frameworks until an alternative inclusive and sustainable model for international trade and investment is established.
4. Positively engage with the Binding Treaty Process at the UN to arrive at binding and enforceable responsibilities and obligations for transnational organisations, to address the governance gap of transnational corporate actors at the international level.
5. Develop a toolkit for civil society in Mongolia and other countries on how to engage with negotiations on trade and investment agreements, enabling learning from experiences elsewhere.
6. Shape trade agendas to be by means of an open, transparent and inclusive dialogue with all stakeholders, and not just corporate industries. The pre-eminence of environmental and human rights over investor rights must firmly be established.
7. Impose strict control and monitoring of both their own and foreign investments pre- and post-establishment.
8. Monitor conflicts between trade and investment agreements and international agreements like the Paris Climate agreement.
9. Ensure that states be free to impose performance requirements on foreign investment to further their own development policies and objectives and limit capital flows and require that (a percentage of) profits realized are reinvested in the host country.
10. Scrap investor-state dispute settlement, including ICS, as an unjust, corporate-biased system that is beyond reform.
11. Make sure that trade and Investment agreements be accompanied by ex-ante and ex post human rights and environmental impact assessments under auspices of the UN. Finding of negative impacts will give parties to a treaty a right to unilaterally break open the treaty to renegotiate and amend it to address these impacts, in the interest of sustainable

developments.

## **5. Social Justice: social protection for all, decent work and sustainable livelihoods, essential services, and tax justice and other egalitarian alternatives to debt and austerity measures**

Social justice is based on the principle of keeping people rather than profit at the centre of policy-making. It seeks to stop and correct the major historical impacts of the dominant socio-economic geopolitical system: chronic poverty, and widening inequality and exclusion. Neo-liberal capitalism has become politically, economically, socially, and ecologically unsustainable. As Stiglitz said about ten years ago: “at the level of people the system does not work.”

Concretely, in Asia, despite a booming economy, workers' rights are crushed amid massive joblessness, work informalisation, and poverty-level income; peasants are dispossessed of their land; and millions live in hovels with barely any access to necessities for a life of dignity. In Europe, economic and social rights are also under attack through severe austerity measures. Worldwide, mega rich-skewed tax policies, tax havens, and illegal money flows result in foregone revenues that could finance social programmes. All these explain the growing authoritarian turn in Europe and countries of the South.

Moreover, modes of production are changing fundamentally. The commons, cooperatives, and sharing economy movements, while still weak, offer real alternatives of socially just approaches to economic activities, particularly in redistributing resources and giving equal access to income, opportunities, and services. On the other hand, the growth of the on-demand, zero-hour contracts, and platform economy (e.g., EBay, Uber, etc.) is restructuring labour markets, further weakening trade unions and worsening labour conditions.

After their failed poverty reduction policies, the multilateral institutions of International Monetary Fund, World Bank, Asian Development Bank, European Union, etc. are promoting “social policies,” including “social protection.” However, they complement neo-liberal economic policies and are more at the service of “stability, growth, and markets,” than at the service of the people. This means that left under these institutions, there can be no universal comprehensive social protection, but only targeted safety-net programmes for the poor with privatised social services through public-private-partnerships that ensure monopolistic profits to big business. And while social protection is on top of the agenda of States and global bodies like the International Labour Organisation, most existing programmes are minimal even if more can and should be done.

While at different levels of development, Europe and Asia face the same challenge: To pursue social justice with a renewed and more meaningful role for the State and social movements. Across the two continents, civil society groups and social movements urgently demand for social justice with the goals: To guarantee a life of dignity, to empower people, and to transform societies in a just and sustainable manner based on the principles of equality, justice, solidarity, and participatory democracy. Today, these tasks are particularly daunting as democracy is receding in some countries and an increasingly authoritarian form of neoliberalism is being imposed.

We aim to strengthen solidarities and pursue collective strategies and actions towards claiming basic human rights to universal social protection, decent work and sustainable livelihoods, essential services and social security, as well as tax justice and other egalitarian alternatives to debt and austerity measures; and towards democratic ownership and control of the social commons, including work, which are vital to life.

**Therefore, we call on our governments to pursue social justice that addresses the structural causes and processes of poverty, inequality, and disempowerment. To realise this, we are putting forward the following recommendations to ASEM and its Member-States:**

### **Overall**

Social justice -- through a combination of social protection systems, industrial policy, and development measures -- is a matter of political will that can be achieved with public pressure and full people's participation in decision-making.

1. Stop and ban the privatisation and commercialisation of common goods that are vital and indispensable for sustaining life. Promote instead public-public partnerships and cooperatives.
2. Develop and agree to a UN Charter on the Common Goods of Humankind that will establish the common ownership of resources, goods, and services essential to life. The international community must adopt cooperative management of these commons.
3. Ensure the full participation of civil society, workers, and employers organisations in State processes to fulfil its mandate to democracy.

### **On universal social protection**

Social protection protects individuals and societies by mitigating against risks of impoverishment all throughout a person's life cycle to include situations of sickness, disability, unemployment, disaster, old age, general poverty, and social exclusion. However, only 20 per cent of men, women, and children (1 per cent in developing countries and the rest in affluent countries) enjoy social protection.

Adherence to social protection is strong evidence of belonging to the fellowship of nations and of having a national social responsibility. Social protection is part of the social commons, which are essential things that support life and should not be treated as commodities. The commons paradigm is central to the sought-for alternative system that provides for the needs of individuals and society, and that considers the regenerative capacities of the environment.

Aside from meeting internationally negotiated obligations, social protection has been proven to be economically productive and essential to sustainable development.

1. Implement social protection systems that are universal, comprehensive, rights-based, state-driven, legislated, and with transformative mechanisms for strong public participation and control.
2. Meet international obligations and fulfil State responsibility to guarantee social protection for all.



3. Use the ILO initiative for a Social Protection Floor as an initial step for a universal and transformative social protection. This is due to the recognition that many social protection programmes are at initial stages.
4. Move beyond targeted social protection systems to cover everyone -- workers in the formal and informal sectors including women doing unpaid care work, migrants, refugees, and undocumented people. This is because human security, social protection, and decent work and life apply to all, with initial emphasis on the more vulnerable sectors like migrants, women, informal workers, people with disabilities, and people in agriculture in rural areas.
5. To the ASEAN Member-States,
  - Adopt a Social Agenda that includes a universal social protection system that puts people over and above corporate interests, and decommodifies all goods and services indispensable to life in the context of the ASEAN regional economic integration.
  - Work with social movements and workers' organisations to develop a people-centred ASEAN Social Charter that can enable decent work, sustainable livelihoods, and universal social protection.
6. Institutionalise mechanisms for people's meaningful participation in decision-making processes affecting their lives and livelihood in total transparency.
7. While working on global social protection, target main vulnerable groups, such as informal and precarious workers in the continuing process of universalising all rights, particularly economic and social rights.

#### **On decent work and sustainable livelihoods**

1. Implement programmes and policies for full employment that adhere to core labour standards, including decent wage and security of tenure. This is because decent work is the best form of social protection.
2. As a result of no. 1, end job contractualisation.
3. Implement work guarantee programmes for everyone, especially in this time of structural unemployment and precarious work.
4. Integrate all workers, including informal sector workers, care workers, the self-employed, and other precarious workers into a regulated social system.
5. Enforce living wages based on the average minimum wages and poverty lines in the region as proposed by civil society organizations and trade unions.
6. As half of the world's population are engaged in agriculture, make land as well as other common productive resources like forests and water accessible to all.
7. Improve the incomes of the rural population.
8. Protect the legal rights of peasants.
9. Recognise women's role in food production and social reproduction.
10. Address the imbalance among genders and implement policies for gender equality to cover both the labour market and the unpaid care economy. Recognise as productive and valuable work done by paid and unpaid care and social reproductive work.
11. Stop agreements, including free trade agreements (FTAs), that promote further liberalisation, deregulation, and privatisation. (Many States remove the protective

regulations for workers, consumers, and the environment.)

12. Ensure that human rights are respected, as people effect changes in their lives and livelihood. For instance, no development programme must lead to evictions or displacement of people from their land, natural resources, and livelihoods. Enforce adequate regulations to protect their populations against all kinds of human rights violations.
13. Ensure conducive conditions for people-centred, participatory, and innovative approaches to development that empower communities.

#### **On essential services and social security**

1. Guarantee and finance socialised decent housing, living requirements for safe water and energy, affordable and accessible health care, relevant and quality education, and other essential services -- all public goods for which States are responsible.
2. In connection to no. 1, reverse the process of public-private partnerships, and support and promote public-public partnerships or state partnerships with non-profit groups like people's cooperatives for the provision of these services.
3. Provide mechanisms for democratic access, ownership, and control of essential services.
4. Actualise the UN initiative for "global citizenship education."
5. Guarantee living pensions for the elderly and disabled, maternity and child benefits, and income in times of unemployment, loss of livelihoods, ill health, natural disasters, and armed conflicts.
6. Implement non-contributory social security systems based on taxes that are incorporated in national development strategies, in the light of massive precarious work and informalisation.
7. Stop the financialisation of social security. Some of these schemes use pension funds to finance public-private partnership that benefit only corporations.
8. Set up a Regional as well as a Global Social Protection Fund as proposed by the UN Special Rapporteur on the Right to Food Olivier de Schutter and UN Special Rapporteur on Extreme Poverty and Human Rights Magdalena Sepulveda, in order to meet the basic costs of putting social protection systems in place.
9. Facilitate the transfer of social protection/pension benefits to other countries, as more people exercise their right to movement.
10. Ratify and fully implement the UN Conventions on the Rights of Disabled People and mainstream disability concerns into local and national economic and social development; a focus should be placed on empowering people with disabilities and their organisations to ensure equal participation and full inclusion in all aspects of life.

#### **On tax justice and other egalitarian alternatives to debt and austerity measures**

1. Develop just and progressive fiscal policies that generate sufficient domestic funds for universal social protection and other social services.
2. Effect appropriate tax regimes that effectively tax transnational corporations, rich individuals, and large landowners rather than applying regressive taxation systems such as VAT (value-added tax).
3. Enforce a financial transaction tax.

4. Abolish and close down tax havens.
5. End secret banking.
6. Cancel odious debts.
7. Significantly reduce military budgets
8. Put an end to bureaucratic corruption.

In related open Spaces:

### **Strategic Perspectives on Migrants and Refugees**

Everybody has a right to stay in his/her country of origin, and everybody should have a right to migrate. In many countries the “refugee crisis” is actually a “humanitarian crisis created by the wars and military interventions initiated by some EU member states in coalition with other countries. The situation of resulting travelling migrants has been dramatically accentuated by the EU migration and border regime, and the erecting of walls and electrified fences. We denounce the death of thousands of refugees and migrants on the migration routes from Asia to Europe, many linked to EU migration policies.

### **Key Recommendations:**

1. All governments should ratify the Geneva Convention Relating to the Status of Refugees (1951) and its Additional Protocol (1967) and the UN Convention on Migrants’ Rights (2003). They should immediately enact appropriate domestic legislation and internal policies to ensure legal protection of the persons of concern.
2. All countries should adopt legal provisions for immigration, for granting asylum and for protecting stateless people. The prime framework of reference should be human rights rather than borders' regimes, nation states and national identities.
3. We call on ASEM Member governments to work collaboratively with other appropriate international institutions for an international status for economic migrants, similar to the UN Geneva International convention on refugees.
4. Civil society should monitor border regimes, movements of migrants and state practices. They should collect information, inform migrants and not reproduce the fear spread by the states. They should set-up support structures and self-organised grassroots solidarity in order to integrate different struggles, give migrants a voice and break up divisions between people.
5. Civil society has to counter all attempts to divide up migrants in legal and illegal, good and bad, and root causes of migration in legitimate and non-legitimate. Most of the time, there are mixed motivations for migration and for a life of dignity, peace and economic security.
6. Governments must stop the misuse of voluntary work and the "welcome culture". They have to accept responsibility for safe movement in order to avoid loss of life and violation of human rights.
7. Root causes of migration such as loss of livelihood, poverty, climate change, trade and investment policies, inequalities and war have to be addressed. Nobody should be displaced or forced to leave their country of origin.

## **Transforming Tourism**

As governments are implementing the Sustainable Development Goals at national levels, a window of opportunity has opened to advance analysis and awareness of the real costs and benefits of tourism, and to design appropriate policy frameworks. The SDGs specifically call for the development and implementation of monitoring tools to understand in detail in which ways tourism actually contributes to sustainable development. Numbers of tourist arrivals are not a suitable indicator. Experiences from destinations have shown that the participation of local people is crucial - not only in the provision of services, but also in holistic planning and decision-making that prioritizes sustainable community livelihoods and resource justice.

## **6. Peace Building and Human Security - Responses to Migration and Fundamentalism and Terrorism**

The AEPF has continuously appealed for a negotiated end to armed conflicts; lowering of threat perceptions between nations and social cohesion within countries and has opposed arms build-ups while arguing for universal disarmament, peace with justice and human security. In 2014, within the framework of the tenth Asia-Europe People Forum, the "Peace and Security" Circle, in coordination with peace movements in Asia and Europe, organized a series of activities which discussed a variety of issues including military spending and arms transfer/arms trade, nuclear weapons and weapons of mass destruction; killer drones, killer robots, other secret weapons and infrastructures; disarmament policies and conflict prevention in Asia and Europe, etc. Accordingly, various recommendations were made and submitted to ASEM leaders in order to maintain peace and security in the two continents and the world as a whole.

Two years later, it can be seen that although some countries said they would cut programmes and military weapons to reduce the defence budget deficit, the situation seems to be more complicated. The volume of international transfer of major weapons has gone up 14 percent in the 2011-2015 period compared to 2006-2010 (*SIPRI fact sheet – February 2016*); conflicts and disputes in such hot spots as the South China Sea, the East China Sea, the Korean Peninsula, the Middle East, Ukraine...; the worse ever so-called "refugee crisis" in Europe, which is said to be the result of conflicts, tensions and human insecurity in the Middle East and elsewhere (such as the long conflicts and other oppressions in Africa and Afghanistan and many other regions); the rise of the terror group calling itself the Islamic State (IS) and other terrorist movements that continue killing innocent people, using rape and violence as a way of threatening the world's security, shows that countries need to re-strategise methodologies to create a more sustainable peace.

In such a context, peace movements and people's organisations have raised their voices in efforts to contribute to easing the situation and making the two continents and the world as a whole a peaceful place to live for everyone. Clearly, much more needs to be done.

One of the ways to ensure practical results for civil society organizations to move forward is to exchange useful experiences of cooperation among CSOs or with their respective governments. As the Mongolian President has underlined at the opening session of AEPF, on many issues the

Government and CSOs have successfully worked together. Thus Blue Banner NGO has been productively working with the Mongolian government in promoting the idea of strengthening peace and security in the region. As a result of such cooperation Mongolia was able to have its unique nuclear-weapon-free status be internationally recognized and the five nuclear-weapon states provided it with assurances that they would respect the status and not to contribute to its violation. It is an inspiring example that needs to be greatly promoted as such. Hence the final declaration could reflect it as a positive example of CSO-Government cooperation.

The AEPF-11 underlines the importance of exchange of experience and best practices as well as lessons learned among civil society organizations as a recommended method of fruitful cooperation at the national, regional and inter-regional levels. Each of the 7 clusters of issues considered provided ample examples of fruitful sharing of experience and lessons learned. Thus the host country's CSOs shared their experience of fruitfully working with the government on issues of common interest that resulted in international recognition of Mongolia's unique nuclear-weapon-free status [and providing by the five nuclear-weapon states of appropriate security assurances].<sup>1</sup> Within the framework of ASEM and especially AEPF, promoting exchange views and experience with European CSOs and think tanks on their role in launching and promoting successfully the conflict resolution processes that might be useful for Asian partners; and adapting a new, flexible approach is needed to move from the stalemate in the Six Party Talks and other regional fora on the issue, including learning from the Ulaanbaatar Dialogue Process that can be useful in providing political space and venue for informal meetings and interaction on these and the region's other related issues.

We gather here again at the Asia-Europe people forum, join our hands and would like to submit our recommendations to ASEM Member governments:

### **Key Recommendations**

We call on ASEM Member governments to:

1. Welcome Mongolia's nuclear-weapons-free status, highlight it as successful government-civil society cooperation, and expand nuclear-weapon free zone including in Northeast Asia. Ban the research, development, use and proliferation of nuclear weapons and other weapons of mass destruction, and support the Humanitarian Pledge to "fill the legal gap for the prohibition and elimination of nuclear weapons." In addition, we call on all uranium mining operations in Mongolia to cease. Support the Ulaanbaatar Process for civil society dialogue;
2. Work out a strategy to: Find ways to solve the refugee crisis and to assist countries and populations through strategic partnering, association agreements, civil society/ people-to-people dialogue and direct aid. To sensitise different sections of society like political parties, organizations and institutions to the problems faced by refugees and the common responsibilities to address this issue;
3. Support and put pressure on related parties to settle all conflicts, disputes and tension in different areas such as the Ukraine, Middle East including Palestine, the Korean Peninsula, South China Sea and East China Sea, by peaceful means in compliance with international

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<sup>1</sup> Reference to Mongolia's experience was made at a number of workshops and supported by many civil society organizations.

laws and regulations including The United Nations Charter, The United Nations Convention on the Law of the Sea (UNCLOS), the Declaration on the Conduct of Parties in the South China Sea (DOC), etc., and in the spirit of constructiveness. To plan mass advocacy against the use of violence as a way of retribution;

4. Discuss and work out a concrete plan on cutting military spending (by at least ten percent in the next five years) and move the fund to social services as way to build peace with justice;
5. Support the promotion of Education for Peace, human rights and peaceful conflict resolution. To see peace advocacy as one based on rights and secularism;
6. Support all war survivors, including nuclear victims, victims of Agent Orange, napalm, chemical barrel bombs, in their daily lives and their struggles for justice;
7. Address differences and social inequalities between groups, races, religions, genders in states by clear and balanced definition of rights amongst those groups in the constitution of the country;
8. Call on the people's organizations and peace movements in two continents to initiate discussions on alternate theories and strategies. Meetings should be held as far as possible where there can be physical presence and intervention by organizations dedicated to the goals of AEPF; to strengthen the solidarity by concrete proposals, joint projects, and strategies for action adequate cooperation and connection in order to create effective synergies in the struggle for peace;
9. Propose the ASEM leaders to organise a symposium on connectivities between ASEM sea areas like South China Sea, Black Sea and Baltic Sea;
10. Recognise and respect the role of civil society organisations in the decision-making process and work out a mechanism, which would involve them in peace-building activities, formal institutions and structures

## **7. Participatory Democracy, Gender Equality and Minority Rights**

Mongolia, our host country, with its long-standing history of commons, community sharing and collective wealth in resources and knowledge is a tremendous source of inspiration for participatory democracy. Currently, liberal democracy is in a crisis in many countries. However, democracy is a work in progress. The spirit of democracy – as Gandhi said – has to come from within. People are organising in a participatory way from the local level to the global level. They set their own agenda of rights and justice, raise unheard voices, influence and intervene into politics, and aim at social transformation. Inclusiveness is a core principle of participatory democracy.

### **Key Recommendations**

We call on our governments to:

1. Promote direct democracy or real participatory democratic processes by creating and expanding spaces for dialogue, interaction, and giving voice to one another. This should be done without any kind of ghettoisation or creating and reproducing class, caste, ethnic, religious and other divisions and cultural layering;

2. Broaden the democratic processes and open procedures to all spheres of society, including household and throughout public and economic life. The market and corporations must adopt democratic mechanisms and respect human, social and civil rights;
3. Call on citizens' organisations and social movements to develop and strengthen locally appropriate and self-owned ways of direct democracy bottom up. Grassroots solidarities have to be built which bridge the gaps between people across communities and borders, and integrate different struggles. These are fundamental for youth, women and minorities to articulate their rights, interests and aspirations in order to strengthen their lives and livelihood;
4. Call on citizens' organisations and social movements to counter undemocratic and authoritarian tendencies within society and governance, and challenge non-transparent and corrupt practices. They should not allow neoliberal economics, the private sector or corporate interests to undermine democratic processes and people's livelihood interests. Civil society and rights activists have to be protected against hate and violent attacks by right wing and neoliberal forces;
5. Civil society should establish mechanisms and positive discrimination amongst themselves to include, make visible and give voice to youth, women, LGBTI people, differently abled people, ethnic, religious and other minorities;
6. Call on local and national governments to respect the importance of the wide range of democratic processes. Governments are responsible to share information with people, interact with local communities and ensure access to procedures of decision making. They have to develop transparent and accountable ways of power sharing where citizens can engage in local and national policy development and implementation. Local communities should be consulted at every stage of the decision making process where their lives are effected. Citizens should be able to effectively use various mechanisms like right to information, social audit, participatory budgeting, etc., according to specific country context;
7. Call upon Governments and Civil Society Organisations and social movements to promote democratic governance by making full use of SDG 16 which is a cross-cutting goal and integrates peace, human rights, democracy and transparency;
8. Promote equality for all, regardless of ethnicity, nationality, race, religion, sexual orientation, gender (including gender identity and expression) and age In fulfilment of the international human rights law,, we should inculcate the spirit of respect and diversity through the following:
  - i. ASEM governments should continue to uphold equality for all in legislation and policies by meaningful engagements of all relevant parties, especially of youth and the diverse minorities, through public information, awareness building and all forms of education aimed at ending all forms of discrimination and violence;
  - ii. ASEM civil society should continue building on intersectional solidarity arising from the diversity of people. With the view of promoting awareness, information and respect around these diversities and enabling meaningful participation and inclusion of all minorities in the matters of governance as well as of resources and means;

9. In addition to Sombath Somphone there are a growing number of cases of Enforced Disappearances and Human Rights abuses. We call on ASEM member governments to reaffirm their commitments to the Universal Declaration of Human Rights and subsequent agreed Human Rights including UN Conventions and end the gap between agreed commitments and many peoples and communities lived realities.
10. Appeal to the ASEM to recognise the special needs of disabled people, including those with hearing disabilities and introduce sign language as official means of communication.
11. We have a specific recommendation to ASEM to adopt sign language as an official language and encourage Mongolia as the host of ASEM11 to take this forward.