



## ASIA- PACIFIC REGIONAL CSO ENGAGEMENT MECHANISM (AP-RCEM) SUBMISSION:

### STOCK TAKING OF SDGs AND POST-2015 DEVELOPMENT AGENDA – DEMANDING DEVELOPMENT JUSTICE -

Asia-Pacific Regional CSO Engagement Mechanism (AP-RCEM) is a civil society platform currently representing over 100 (and expanding) organisations and peoples movements in the region. It is currently in transition mode to a permanent structure. AP-RCEM is initiated, owned and driven by the CSOs, and has been set up under the auspices of UN-ESCAP and seeks to engage with UN agencies and Member States on the post 2015/SDG processes as well as other development related issues/processes

#### Introduction

The Asia region represents 60% of the world's population including 2/3 of the world's indigenous peoples, which belong to the world's poorest of the poor. Asia- Pacific is also expected to fuel economic growth and yet, remains the most vulnerable to climate disasters.

This submission is the joint analysis of the documents that have been developed through the lens of Development Justice. Development Justice is the model that more than 100 civil society networks and groups in the Asia Pacific region have promoted that will deliver sustainable, just and equitable development. Development Justice requires Redistributive Justice, Economic Justice, Gender and Social Justice, Environmental Justice and Accountability to the Peoples.

While recognising some of the positive proposals of the outcome document, we feel that it nevertheless contains glaring omissions, gaps and provisions with potentially deleterious implications. While paragraph 7 in the Chapeau clearly reaffirms international human rights commitment, the OWG outcomes and Post 2015 processes still show the absence of any binding accountability or genuine commitment to develop a new international order to deliver on the commitments that have existed for many years.<sup>1</sup> The proposed SDGs do not properly frame goals and targets around existing human rights obligations and do not promote the integration of a human rights based approach. We believe that the proposals must represent the floor, not the ceiling of the ambitions for a truly transformative and people-centered framework.

We also note that the Post-2015 development agenda should acknowledge that achieving development justice requires addressing various issues of poverty, hunger, gender inequality, health, including sexual and reproductive health and rights, and their root causes, holistically, and that these issues are intertwined.

Our reflection on the work to date through the 5 required 'transformative shifts' of Development Justice, which are the following:

#### Redistributive Justice:

***Absence in addressing the over-concentration of wealth, power and resources between and within countries.***  
We support the inclusion of Goal 10 - Reduce inequality within and among nations. By including this

<sup>1</sup> Both procedurally and for the ambition and breadth of content, the current SDGs are an improvement on the MDGs. The expansive nature with 17 goals and 169 targets is welcome. However, the targets don't provide for genuine accountability, they don't genuinely address implementation and the document fails to anchor structural reforms desperately needed to genuinely shift inequalities and provide a sustainable future.

goal, the new development framework commits to address both economic inequalities and forms of discrimination that affect poor, marginalised and vulnerable social groups. Only a goal with both of these components will truly “leave no one behind”.

However, the goal currently does little to redistribute wealth between countries or even measure it. Demands to include a measureable target of wealth distribution were ignored. It fails to include the need for an equitable redistribution of income, in light of labor’s shrinking share in the GDP in contrast with the ever expanding profits of corporations.

The documents fail to convincingly address one of the biggest structural impediments to just and equitable development, which is the asymmetrical international economic order that has historically stripped developing countries of their resources and limited their domestic policy space to implement development and human-rights oriented decisions. This imbalance is evident in the functioning of international trade and finance, capital markets, investments and international financial institutions and agencies, which not only favour developed countries, but also favour corporate interests in developed countries above all else.<sup>2</sup> This can also be gleaned in the worrying implications of the ASEAN economic integration by 2015, which will further liberalize weak economies and open up peoples’ resources for the exploitation of corporations in the implementation of the ASEAN Investment Plan.

The outcome document does not uphold food sovereignty, it shows the absence of right to land, land redistribution, sustainability for the rural population – including women – to provide them with food sovereignty, livelihoods, and equitable benefits from the sustainable use of resources. There is a reference to this in the documents, but the references are not interpreted in a way that will track land control for the peoples. A strongest reference to this is in Goal 1, however this may be interpreted as merely a non-discrimination clause. We thereby recommend the inclusion of clear indicator that tracks land security and land grabbing under this target, especially in relation to indigenous peoples and small farmers<sup>3</sup>. There should also be clear indicators in the sustainable use of lands in relation to agro-business including biofuels that heavily relies on toxic inputs. It should also respond and address to the monopoly control of the wealthy few over investment resources and finances; the corporate capture of natural resources; and the neocolonial plunder of the Global South’s resources by wealthy developed nations and their multinational and transnational corporations.

No reference was made about the strong stance taken by G77+China against the increasing financialisation of the agriculture sector that is posing severe threats to the economic and social right to food and nutrition of vulnerable populations in developing countries. We need a proper regulation of agricultural commodity markets to avoid excessive volatility and speculative activities, not only a proper ‘functioning’ as reworded in the outcome documents. We also demand that countries in developing countries must have the right to have public stock-filing and public distribution system to its poor people without any hindrance from any other multilateral bodies.

Likewise, the means of implementation of the SDG remains very weak as there is no clear commitments made by developed countries in the differentiated responsibilities of developed and developing countries for achieving sustainable development and effectively combating climate change. Although technology is put forward in many different goals as an essential component to realize each goal, there is not recognition of the urgent need for fair and equitable access to technology and to overcome intellectual property barriers. There is also the need for developing countries to build and develop their own technological base, and the extremely important need to integrate multilateral, independent, and participatory evaluation of technologies for their potential social, economic,

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2 The target to ‘improve regulation of global financial markets and institutions’ lacks specificity and, without specific targets around specific regulatory frameworks and institutions, will be meaningless.

3 ‘by 2030 ensure that all men and women, particularly the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership, and control over land and other forms of property, inheritance, natural resources, appropriate new technology, and financial services including microfinance.’

environmental and health impacts. The establishment of a Technology Transfer Mechanism that could address these aspects should be clearly affirmed.

### **Economic Justice**

**Absence on Regulating Financial Speculative Investment and Tax Evasion.** While there is language in the SDGs on the need to ‘respect each country’s police space...’, there is a lack of commitments to the specific reforms that are necessary for that to occur. For example, despite the profound impact of the global financial crisis, there is no language on the need to urgently reduce speculative investment. Similarly, despite the fact that tax evasion and tax minimization strategies are used by companies to deprive developing countries of hundreds of billions of dollars each year, tax evasion is not addressed other than a weak reference to improving the capacity of developing countries for tax collection and without clear measures in ensuring tax payment of corporations.

In this regard the mandate of UN tax committee should be enhanced to prepare and monitor standards in relation to universal tax and bank transparency, to stop illicit financial flows, and to ensure accountability of multi national companies in national level, and all above to avoid tax competitions between countries. G20 and OECD countries are now preparing action plans in respect of BEPS (Base Erosion and Profit Shifting); we urge them to take participation of G77 countries in this regard too. Developed countries must take steps to eliminate so called tax havens or so called secrecy jurisdictions.

**Absence of Universal Social Protection.** Requiring governments to “implement nationally appropriate social protection systems’ falls far below the universal social protection we expect to see; that this should be clearly consistent with the full respect and protection of human rights as part of the international obligation of states. Minimum standard for social safety nets that accounts for the basic welfare of peoples, aligned with the Human Development index shall be part of the SDG goals including appropriate indicators for indigenous peoples’ collective wellbeing. The critical fault of the document is that it ignores the entrenchment of neoliberal policies which for the most part have undermined human development indicators in most regions and weakened governments’ capacity to ensure the progressive realisation of peoples’ rights<sup>4</sup>.

While Goal 8 is welcome for its focus on DECENT WORK, it should be de-linked from the dominant economic growth approach. We are pleased to finally see the inclusion of migrant workers; particularly women migrants and we recommend including indicators for this target the codification of domestic workers’ rights. On the other hand, there is an absence of reference to the living wage and the repeated resistance from some developed states, obstructing the delivery of development justice to the poorest paid workers of the world, the majority of whom are women in the Asia region. It also neglected to address existing policies of labour market flexibility and deregulation, especially in the context of cash-strapped developing economies pursuing foreign investments where employment is made vulnerable, cheap and docile and where workers’ union rights and collective bargaining rights are completely trashed.

We are also concerned that the outcome document promotes labour-export policy and migration for development. Although we welcome the fact that migration and migrant worker are included in the discussion, the framework needs to move away from the paradigm of promoting the neoliberal labor export strategy as a means to alleviate poverty and to mobilize resources for sustainable development. Remittance-driven development will only increase the vulnerability of migrants to violations of their rights, promote temporary/guest workers programs in destination countries, and systematize labour export instead of generation of decent jobs in source countries.

We are opposed to the retention of the poverty measurement of \$1.25ppp a day, which has been

4 The current proposed goal 3 “Ensure healthy lives and promote well-being for all at all ages” will have to deal with current drive of governments towards privatization, public-private partnerships, and patents monopolies in international agreements and bilateral, regional and international free trade agreement. The same also applies for goal on equitable quality education and goal 6 on water and sanitation.

described by civil society in our region as a starvation indicator.<sup>5</sup> This is a mockery addressing the basic needs of the poor, including workers who are the backbone of economic production. This is also irrelevant for indigenous peoples' whose key indicator for poverty alleviation is the security of their lands and resources, and not by mere monetary targets.

### **Environmental Justice**

*Lacking the agenda to move to a new sustainable model of consumption and production.* While there are four (4) goals to limit global warming, it does not provide for clear measures in achieving environmental justice, and lack ambition or specificity. While clearly UNFCCC processes need to be harmonized to the SDGs, target to live within plenary boundaries are gone. The chapeau noted that there is a consensus about the need to hold global atmospheric rise below 2 degrees celcius, however it is not indicated as a target for a climate change mitigation goals.

Countries must consider internal displacement policies for climate forced migrants and especially developed countries should consider to relax immigration and labour policies that how they can accommodate climate forced migrants from other countries. There should be a new UN protocol in this regard.

The general reference to implement existing commitments on consumption and production are inadequate. The effects of climate change extend beyond the environment and come with a broader set of socio-economic and political consequences. It will be a severe impediment to efforts aimed at eradicating poverty and promoting sustainable methods of production and consumption.

### **Gender and Social Justice**

We welcome the stand alone gender goal and while it is an achievement to get governments to recognize the importance of ending violence against women for sustainable development, there is a need to ensure the means of implementation' and requirements from governments to act.<sup>6</sup>

In order to address violence against women and girls and respect, protect, and promote their right to choose on matters regarding their reproduction and sexuality by ensure universal access to sexual and reproductive health and rights. It is important that sexual reproductive health and rights is included as a target under gender as well as health goal. The current formulations of the sexual and reproductive health targets, and of only acknowledging reproductive rights, are insufficient. The principles in the International Conference on Population and Development Programme of Action and the Beijing Declaration and Platform of Action state that both sexual and reproductive health and rights, are fundamental rights. Further, we believe that SRHR is integral to achieving gender and social equality and justice, and sustainable development. We call for the inclusion of Universal Access to Sexual and Reproductive Health and Rights in the stand alone goal on gender equality as well as the stand alone goal on health.

We also urge that comprehensive sexuality education to all young people, in and out of school, be added in target 3.7, as this is crucial for young people to be empowered to make informed decisions about their bodies, and that SRHR—and not just reproductive health—be integrated into national strategies and programmes.

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<sup>5</sup> No developed country accepts a measurement of poverty for their citizens of less than ten dollars a day, and most have poverty lines that are much higher than that. In the Asia Pacific region, the poverty line is also measured above \$1.25 a day. This is because \$1.25 is not an amount that allows even a minimum quality of life—it is not enough to secure sufficient food, housing, healthcare and education, let alone to live a life of dignity.

<sup>6</sup> The target on VAW be accompanied with targets to reduce weapons globally and to tax the arms trade (providing both revenue and promoting peace). We also suggested policy 'MOI' targets which could simply be drawn from existing obligations like the Beijing Platform of Action target to produce National Plans of Action to eliminate violence against women.

Barriers to achieving gender and social justice, including religious fundamentalisms which impacts on health, sexuality and rights of women, young people and sexual and gender minorities, must be addressed and countered.

### **Accountability to the Peoples**

*Accountability should be the central feature of this agenda.* The Post-2015 framework must be underpinned by the strongest, most robust and comprehensive accountability framework possible. Accountability means more than data, more than monitoring and reporting. Accountability should be, first and foremost, to those the SDGs are designed to help – the poorest and the most marginalised, and hold to account the powerful at home, in the community, at the state and state officials, power of other states and power of corporations.

The concentration of wealth and corporate power including by financial institutions remains unchecked, and there are no clear goals to make them to account. Accountability mechanism to people are largely absent – while binding remedies for ‘investor rights’ for corporate are rapidly expanding. Likewise, the practice of good governance of states, ensuring the respect for human rights and democratic participation of people in sustainable development processes especially by the most marginalized – including farmers, fisher-folks, urban poor, workers, migrants, indigenous peoples, people living with HIV and AIDS, elderly, people in conflict and disaster areas, dalits, people of diverse sexual orientation and gender identity, people living with disabilities, stateless peoples, and among those women, youth and children as the most vulnerable - shall be included in the SDG.

Countries should reorient their approach from “government ownership” toward “democratic ownership”. Democratic ownership has been embodied especially with the principles of participation of civil society, media, opposition parties and institutional mechanism of people participation in local level. Hence, mechanisms at the local and national levels, as those closest and most accessible to affected populations, must be strengthened and must feed into processes at regional and global levels. There must be enabling environment for civil societies in country level which in fact acknowledging rights of development initiatives by diverse stakeholders, similarities of policy and practice in this regard and in all level and all above including civil society participation in bilateral development assistance negotiation. Country government must take advantage of civil society led parallel budget analysis in country level.

In spite of the sustained efforts by indigenous peoples as rights-holders, and has much to contribute in achieving sustainable development, they remain almost invisible in the SDG. This also ignores the fact that indigenous peoples are over represented amongst the poor --- 5% of the total population but 15% of the poor. The historical subjugation, systematic discrimination and massive grabbing of their lands and resources brought about this condition. The SDG needs to ensure that the rights and wellbeing of indigenous peoples are fully integrated in the SDG with specific indicators and data-dis-aggregation that will be included in the means of implementation. Unless this is incorporated, the goals of sustainable development will remain irrelevant to indigenous peoples and will result in its failure to alleviate the worsening condition of indigenous peoples.

### **Financing for Sustainable Development**

On the crucial question of financing for sustainable development, we know that states will look for guidance to the recently published report of the Intergovernmental Committee of Experts on Sustainable Development Financing.

We welcome the Committee’s recognition that its work must be founded on the key Rio principles, including human rights, gender equality, and common but differentiated responsibilities. We are also glad that the Committee recognises the fundamental need for country ownership supported by a strengthened global partnership for development, although we regret that, given the resistance of many developed countries to effective means of implementation in the SDGs, these principles are not

expressed in stronger terms.

Further, we are deeply concerned at the primacy of private financing in the Committee's recommendations, especially in the absence of a clear call for binding frameworks that ensure that the private sector acts consistently with environmental and human rights norms, and is accountable for doing so. We are also disappointed to note that many of the important outcomes that the Committee clearly supported in its early work, such as reduction in inequality within and between countries, the introduction of a global tax floor to prevent a regulatory race to the bottom in tax policy, the impact of military expenditure on national spending on sustainable development, and addressing land-grabbing, do not appear in the final report.

Civil society has repeatedly argued that the challenges the world currently faces require bravery and a commitment to transform the very rules that our global economic order is based on. The obscene levels of inequality that allow 85 people to own more wealth than 3.5 billion people, half the Earth's population and the growing urgency of climate change are both born from a global agreement to set rules that promote profit making over human rights. Although states have expressed similar concerns through this process we do not see a shared commitment to dismantle the rules and systems that enable such gross inequality and threaten our future. Neo-liberalism still haunts the goals and targets proposed.

While we acknowledge some progress in the OWG goals, the work of ICESDF, fundamental elements for equity and accountability are largely still missing. Unless there is genuine transformation of the current international economic and political order of domination, the full recognition and protection of human rights, and real practice of democratic governance where the people are the drivers for development, the SDGS will only remain a wish list of states, and the deteriorating inequity and deprivation of the majority will continue to prevail.