

# **A Soft Approach: How Unionists Paved an “ASEAN Way” to Success**

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## **Institutionalising Labour’s Voice in ASEAN: The ASETUC Initiative**

### **A Case Study by Melisa R. Serrano**

Acts of confrontation such as sit-ins, strikes, and demonstrations are common tactics adopted by unions trying to win labour disputes. What better way to show the power of a united workforce than on the street?

Things work differently in Southeast Asia, where patient dialogue has offered a surer way to success than through heated showdowns. That, at least, is the experience of union representatives trying to make their voice heard at the Association of Southeast Asian Nations (ASEAN).

Since its formation in 2007, the ASEAN Services Employees Trade Union Council (ASETUC) has successfully influenced the discourse on regional integration towards a more socially aware ASEAN. The methods it applied provide valuable insight on how trade unions can develop and use their power in different ways to shape the political, economic and social landscape.

### **A Special Way of Getting Things Done**

ASEAN is an intergovernmental body led and driven by the governments of its 10 member states Brunei, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, Philippines, Singapore, Thailand and Vietnam.

In 2007—40 years after the formation of ASEAN - its member states adopted the ASEAN Charter. Considered as ASEAN’s ‘Constitutional moment’, the charter provides the legal and institutional framework for community-building of ASEAN’s three pillars - the Political Security Community, the Economic Community, and the Socio-Cultural Community.

The Charter proclaims the so-called ‘ASEAN Way’—an adherence to flexibility, consensus, informality, openness, and pragmatism—to guide the member states’ relationships and interactions. This ‘ASEAN Way’ comprises non-binding rules, non-interference in domestic affairs, and respect of national sovereignty. It ensures that regional concerns do not supersede domestic concerns.

There have been numerous Free Trade Agreements implemented within ASEAN since its formation. By the end of 2013, 90 bilateral and multilateral FTAs had either been signed, negotiated or proposed within ASEAN. In short, an ‘open economic regionalism’ that privileges the market is at the core of ASEAN’s integration process.

Through all this feverish economic activity, the social dimension of regional economic integration was all but forgotten. Although ASEAN’s Socio-Cultural Community seeks to address human and social dimensions, ASEAN efforts to promote decent work, social justice, social welfare and

environmental sustainability have been lackluster at best.

Thus, despite remarkable economic growth—regional gross domestic product has nearly doubled between 2007 and 2014, making ASEAN the world’s seventh largest integrated market—income inequality persists within and between member states. More than half of the projected employment gains by 2025 in member countries will be in vulnerable employment.

### **Strategic Decision**

It is against this backdrop that the leadership of three Global Union Federations—Union Network International Asia-Pacific Regional Office, Building and Wood Workers International Asia-Pacific, and Public Services International Asia-Pacific—came together in 2007 to formally establish the ASEAN Services Employees Trade Union Council. The idea was to influence the discourse and decision-making on regional integration towards a more socially just ASEAN.

A consensus-based organization, ASEAN will only engage with groups that play by its rules, and adhere to non-confrontational and constructive dialogue. It was thus a strategic decision of the three global union federations to embrace ‘non-conditional’ social dialogue as its main approach to engaging with ASEAN.

“It was decided at the outset that the soft approach—regular and sincere social dialogue—is the most appropriate in forging partnerships in ASEAN and in engaging with ASEAN governments. ASETUC’s actions are more strategic: it is very patient in its engagements,” says Christopher Ng, Regional Secretary of Union Network International-Asia-Pacific Regional Office, one of the three founding federations.

### **The Fruits of Patience**

Through its work, ASETUC made sure that labour issues were not lost amongst all the NGOs and civil society organizations that are competing for the attention of ASEAN bodies. It proved able to leverage its power—the ability to persuasively articulate the need for change - and develop cooperative relationships between trade unions and other groups like NGOs and civil society organisations. The possibilities for mediation in terms of consensus-building, and for framing discourses and strategies in a larger context, have proven crucial to the success of ASETUC.

Although ASETUC is still not accredited as a civil society organization in ASEAN, its continuous and patient initiatives have earned it de facto recognition from several national government and ASEAN bodies who recognize its industrial relations expertise.

From the outset, ASETUC played a long game, concentrating on what could be achieved in the future by shaping a socially just ASEAN. Without doubt, ASETUC has been able to raise a legitimate voice ‘of and for’ labour in relevant ASEAN bodies and organs.

Some of the results of ASETUC’s work can already be seen and measured:

At the regional level, the ASETUC-initiated annual Regional Tripartite Social Dialogue Conferences have been embraced by the ASEAN senior labour officers and labour ministers who agreed not only to participate in these conferences but also to actively engage in the organization of these conferences until 2020. At the national level, ASETUC implements its tripartite social dialogue initiatives through national conferences.

ASETUC’s occupational safety and health guidelines for the retail sector have been translated into various languages including Bahasa Indonesia, Khmer, Lao, Thai, Vietnamese and Japanese, and

have been adopted by the labour ministries of several ASEAN countries.

In May 2016, the ASEAN Intergovernmental Commission on Human Rights, the overarching ASEAN body on human rights, has officially granted ASETUC a consultative relationship status in recognition of the latter's expertise on workers' rights and decent work, areas where the former lacks competency. ASETUC leaders have also been regularly invited, either as resource persons or participants, to many events organized by a number of ASEAN bodies. All this suggests that ASETUC's legitimacy and competency in advocating for social and labour dimensions in ASEAN policies and processes is gaining wide recognition.

National unions are now more knowledgeable about developments within ASEAN and the impact of ASEAN integration on workers thanks to education campaigns launched by ASETUC.

Important insights and learning opportunities can be drawn from ASETUC's experience in gaining a voice 'of and for' labour in ASEAN. By remaining open to experimentation and adopting innovative strategies, ASETUC has used its existing power resources— associational and social power both at the regional and national level—to develop and maintain real institutional power within relevant ASEAN bodies.

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<http://www.europe-solidaire.org/spip.php?article44913>

Un enfoque suave: Cómo los sindicalistas abrieron camino a un "ASEAN Way" hacia el éxito by Ulrike Putz

<https://www.fes.de/index.php?eID=dumpFile&t=f&f=31106&token=4c7acccc40f75442a3032d83e444002dc7433b8f>

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## **Ulrike Putz**

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