

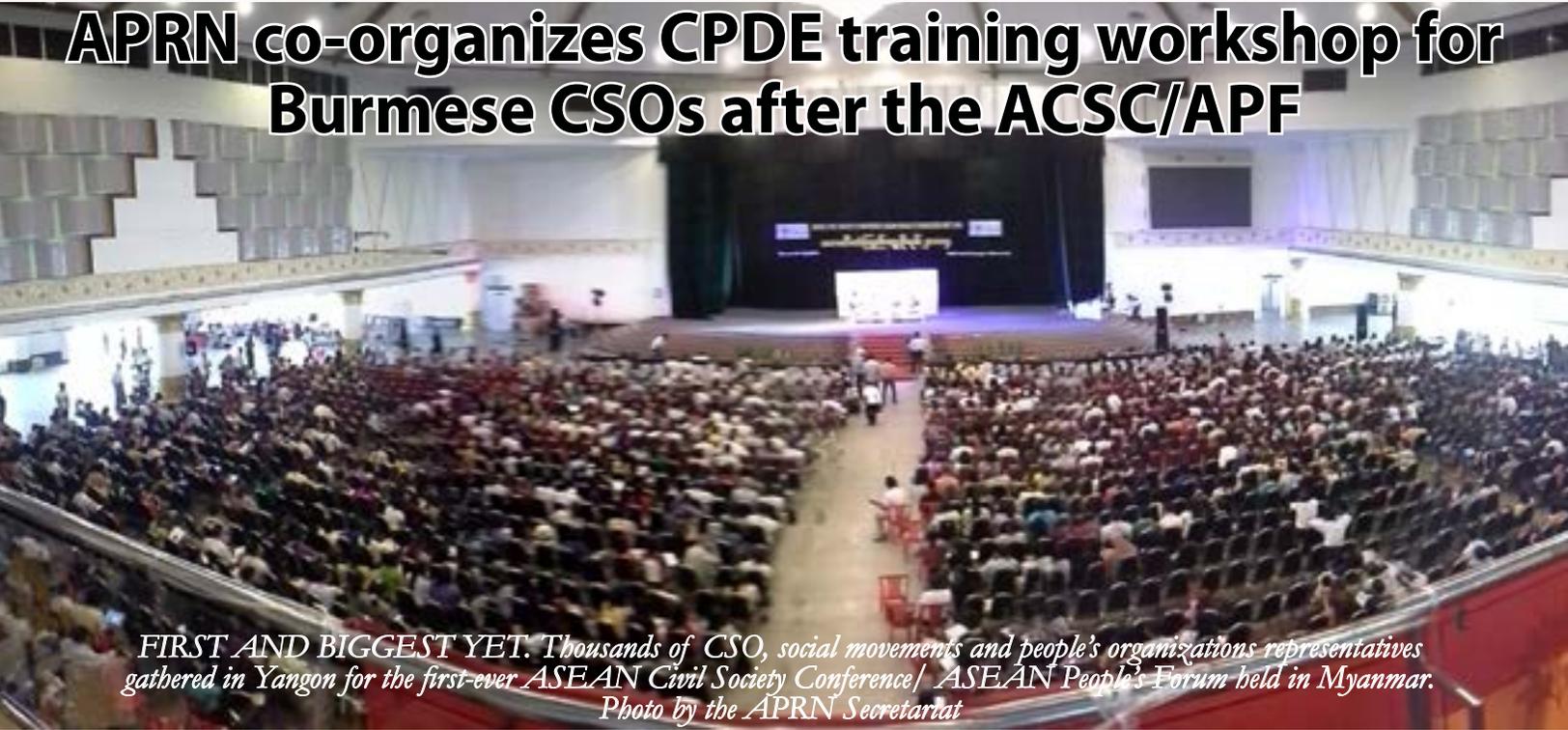


APRN NEWSLETTER

The Official Newsletter of the Asia Pacific Research Network

First Quarter 2014

APRN co-organizes CPDE training workshop for Burmese CSOs after the ACSC/APF



FIRST AND BIGGEST YET. Thousands of CSO, social movements and people's organizations representatives gathered in Yangon for the first-ever ASEAN Civil Society Conference/ ASEAN People's Forum held in Myanmar. Photo by the APRN Secretariat

What's inside?

- 2 Any future Global Partnership must include civil society and their demands
- 3 CSOs challenge all stakeholders: 'the Mexican High-Level Meeting does not go far enough for the people'
- 4 Failed US-Japan bilateral talks show Trans-Pacific Deal offers nothing to Australia ahead of Obama's Asian visit
Politicians demand TPP transparency
- 5 Tackling the yawning gap in Indonesia
- 6 Privatization causes MDG 2015 to fail - study
- 7 Erwiana's Case Should Hasten Migration Policy Changes in HK and Indonesia
- 8 1989 Labor Code amendments post-EDSA nightmare for workers – labor NGO
- 9 Global accountability — reserved mainly for intergovernmental development cooperation?
Nepal's new Deputy and Agriculture Ministers, good news for food sovereignty
- 10 CAP Very Concerned Over Negative Impacts of Sand Mining

Women against TPPA. APRN member APWLD organized a side event during the ACSC/ APF 2014 in Yangon. Photo by APRN Secretariat

APRN co-organizes CPDE training workshop for Burmese CSOs after the ACSC/APF

APRN Secretariat | www.aprnet.org

YANGON, Myanmar— On March 24 and 25, Asia Pacific Research Network (APRN) and Reality of Aid Asia Pacific (ROA-AP) organized a two-day training workshop designed to introduce Aid and Development Effectiveness (ADE) and the CSO Partnership for Development Effectiveness (CPDE) to Burmese CSOs and non-local organizations participating at the ASEAN Civil Society Conference/ ASEAN People's Forum (ACSC/APF). The training came at a very critical point now that large amounts of Official Development Assistance (ODA) from Northern countries started pouring in the country after the period of military rule.

Seventeen (17) Yangon-based civil society organizations participated in the training on ADE and CPDE. There were also representatives from the government, European Commission (EC), UK Department for International Development (DFID) and the United National Development Programme (UNDP). Andy Benfield, a consultant from the EC, gave a background presentation on development cooperation in Myanmar by focusing on the NawPyi Taw Accord on Effective Development Cooperation, the outcome document of the first Development Cooperation Forum (DCF) in Myanmar. Erin Palomares, Coordinator of the ROA AP and CPDE AP Secretariat, gave presentations on ADE and the CPDE, while Jodel Dacara, Programme Officer for APRN, gave presentations on CSO Development Effectiveness and Enabling Environment, as well as a detailed discussion on the Istanbul Principles, and how these could be used in Myanmar.

Participants of the said training signified their interest in working with the CPDE, and learning more about the Istanbul Principles. Leigh Mitchell, Policy Advisor to the government, said that they would find resources to have the Principles translated to local language for popularization and implementation. A mailing list was set up as first step for easier exchange of information and consolidation, especially in the run up to the DCF mid-year assessment in July. Both

ROA-AP and APRN signified their interest to help Burmese CSOs in this process.

ACSC/APF

After turning down past opportunities, the government of the Union of Myanmar (otherwise known as Burma) has finally decided to chair the ASEAN for 2014. Myanmar will host two ASEAN Summits-- one in May and the other in November. Parallel to the said summits are other high-level meetings which will be attended by ministers and head of states from the ten member-countries of the Association, as well as partner countries such as China, Japan and the United States.

In the run up to both Summits, over 3,000 representatives from civil society organizations, social movements and people's organizations gathered inside the Myanmar Convention Center for the first ACSC/APF held in Yangon from March 21 to 23, 2014. This conference is said to be the largest undertaking for the ACSC/APF since its first conference was held in 2005. Myanmar ACSC/APF is also the tenth gathering of ASEAN civil society. The conference opened with speeches from Daw May May Pyone, chairperson of the ACSC/APF, and U Tin Oo, Patron of the National League for Democracy, who spoke on behalf of Burmese Nobel Peace Laureate and parliamentarian Daw Aung Sang Suu Kyi. Representatives from the Office of the President of the Union, as well as the ASEAN Secretary General's office welcomed the participants.

The conference comprised of 5 plenary sessions and 35 workshops facilitated by local and regional organizations. At the end of the conference, participants produced a statement embodying the aspirations and recommendations of different groups and sectors in the region. The statement called on all governments to recognize the diversity of ASEAN people and develop mechanisms for protection of all human rights irrespective of religion, disability, sexual orientation, gender

identities and expressions, including intersex persons, ethnicity, race, occupation, political ideology and citizenship. The conference statement will be circulated among CSOs in the region, and forwarded to delegations, which will attend the ASEAN Summit in May. On April 10, the ACSC/APF Steering Committee met with the Myanmar Ministry of

Foreign Affairs to discuss the CSO-government interface on May 11. According to the Steering Committee, the interface should revolve around the principles of meaningful dialogue, advancing people's voices and advocacy, mutual respect and self-determination, the principles upheld by the participants of the said conference. #

Any future Global Partnership must include civil society and their demands

Civil society highlights their demands ahead of the High Level Meeting on Development Cooperation

CPDE Secretariat | www.csopartnership.org

MEXICO CITY, April 14 — A day ahead of the first High-Level Meeting (HLM) of the Global Partnership for Effective Development Cooperation (GPEDC) in Mexico, civil society organizations (CSOs) from around the world convened in a one-day forum to discuss the most pressing and pivotal issues at stake for shaping global development cooperation, and the role of civil society organisations in shaping that future.

“For development cooperation to be effective, we must ensure that existing commitments are met, that implementation of these is immediate and meaningful, and that the outcomes are inclusive of all development actors,” said Antonio Tujan Jr, IBON International Director and Co-Chair of the CSO Partnership for Development Effectiveness (CPDE). The CPDE is a global network of CSOs and trade unions that sits on the Steering Committee of the Global Partnership.

In Mexico, CSOs reiterate their calls on all development actors to commit to the following:

1. *Finalize the implementation of Paris, Accra and Busan principles and apply them to all actors. As the role of the Private Sector is strongly promoted in the meeting, development actors should ensure that ODA to or through the Private Sector follows and reinforces the agreed effectiveness principles, not undermine them.*
2. *Accelerate and deepen Busan commitments;*
3. *Strengthen the enabling environment for CSOs as independent development actors; and*
4. *Promote equitable and just development cooperation architecture leading to the creation of decent work, gender equality, respect for human rights and overall strong, shared and sustainable growth.*

“The HLM takes place at a critical point in time in which there is unequal and unsustainable growth and growing inequality everywhere in the world,” said Jorge Balbis, Executive Director of La Asociación Latinoamericana de Organizaciones de Promoción al Desarrollo (ALOP) and CPDE Co-chair. “In Mexico, members of the Global Partnership are in a position to take decisive steps towards promoting policy coherence for development and greater

stakeholder engagement that will promote the type of economic diversification and social transformation that the world needs,” said Paola Simonetti, Labour representative and Chair of the CPDE working group on Human Rights-Based Approach (HRBA).

Addressing key areas of development effectiveness remains at the core of CSO engagement in the process of reforming the global aid architecture, including removing policy conditionality, untying aid and improving the use of country systems.

The CSO Forum underscored:

- *The need for any new commitments made in Mexico to genuinely advance issues of enabling environment, democratic ownership, gender equality and human rights-based approaches, and that these be put at the core of the Global Partnership.*
- *The HLM should agree that overall aim of development cooperation through the Private Sector is to build a domestic economy that provides decent work and generates tax revenue, and thus acts as an engine for equitable, inclusive and sustainable economic development and transformation.*
- *The importance to fight against corruption and embezzlement that jeopardize national efforts made through the national tax systems.*

“CSOs are central to achieving these core principles, but we are faced with a shrinking space for our activities through legal and regulatory barriers, and tied aid that is closing these spaces even further—these trends must be reversed,” said Maria Theresa Lauron, chairperson of Asia-Pacific Research Network and CPDE Co-Chair.

“Strengthening the Global Partnership is key to meeting our development aspirations and contributing to the post-2015 process,” added Richard Ssewakiryanga, Executive Director of the Uganda NGO Forum and one of the Co-Chairs of the CPDE.

“The CSO Partnership stands ready to assume its role in these efforts,” added Emele Duituturaga, PIANGO Executive Director and Co-Chair of the CPDE. #



#LUCHALIBRE. CSOs staged a protest action during the First GPEDC High Level Meeting in Mexico City. CSOs particularly called on more progressive development actions from all stakeholders. Photo by CPDE Secretariat.

CSOs challenge all stakeholders: 'Mexico High-Level Meeting does not go far enough for the people'

CPDE Secretariat

MEXICO CITY, April 16— Over 200 civil society organizations (CSOs) participating at the first High-Level Meeting (HLM) of the Global Partnership for Effective Development Cooperation (GPEDC) challenged all stakeholders to make stronger commitments.

Two years following the Busan High-Level Forum on Aid Effectiveness (HLF4), the Global Monitoring Report showed that progress has been slow and unsatisfactory. The CSO Partnership for Development Effectiveness (CPDE) recognizes that the HLM provides a space for multi-stakeholder dialogue on key topics such as inclusive development and poverty eradication, domestic resource mobilization, South-South cooperation and inclusive partnerships.

The HLM communiqué is an outcome of collaborative efforts among Partnership stakeholders. But it does not bring us closer to the goals of development effectiveness. CSOs have pushed for stronger commitments and objected to several points during consultations.

CPDE co-chair and International Director of IBON, based in the Philippines, Antonio Tujan Jr said: “We welcome the commitments on inclusive development, untying aid, democratic country ownership, enhanced taxation and use of country systems, gender equality and women’s empowerment and most importantly the support for CSOs as independent development actors – but they are not new. The failure to commit to other issues leaves us deeply concerned.”

CSOs urged governments to guarantee mechanisms for enabling environment for civil society space. Human rights-based approaches also need to be agreed and implemented by all stakeholders. Yet, no concrete commitments have been made. This is in sharp contrast to the unbalanced promotion of the private sector, such as PPPs, and the lack

of commitments on its accountability and transparency to the people.

Just a year away from the launch of the new Development Goals, the Global Partnership proclaims to deliver the “how” of the post-2015 process. However, the GPEDC does not propose a concrete roadmap underpinning such an ambitious goal.

“There should be a clear commitment to policy coherence between the Partnership and the ongoing UN processes on climate and development goals that fulfill human rights and gender equality principles and standards,” said Patricia Akakpo of the Network for Women’s Rights in Ghana, and one of the CPDE Co-Chairs.

CPDE will continue to advocate for inclusive development in the post-2015 agenda. #

During the Global Council Meeting of the CPDE, APRN Board of Conveners (BOC) Chair Maria Theresa Nera-Lauron was elected as one of the new co-chairs of the platform. Other elected co-chairs are Justin Kilcullen of CONCORD, Jorge Balbis of ALOP, and Patricia Akakpo of the Network for Women’s Rights in Ghana. They will be sharing the position with Richard Ssewakiryanga of UNNGOF.

The five co-chairs will be replacing outgoing co-chairs Antonio Tujan, Jr., Director of IBON International and former APRN BOC Chair; Emele Diututuraga, Executive Director of the Pacific Islands Association of Non-Government Organizations (PIANGO); and Roselynn Musa of African Women’s Development and Communication Network (FEMNET). - Ed.

Failed US-Japan bilateral talks show Trans-Pacific Deal offers nothing to Australia ahead of Obama's Asian visit

Australian Fair Trade and Investment Network | www.aftinet.org.au

AUSTRALIA, April 22-- "President Obama's visit to Japan tomorrow, Wednesday, April 23 will focus on regional security issues rather than trade after Japan and the US last week failed to agree on access for agricultural and motor vehicle products in the stalled Trans-Pacific Partnership (TPP) negotiations," Dr Patricia Ranald, Convener of the Australian Fair Trade and Investment Network, said today.

"The stalemate between Japan and the US is further delaying the TPP negotiations which have now dragged on into their fifth year. It is clear that the two most powerful players are running the agenda and that there is no benefit for Australia from the TPP," said Dr Ranald.

"The Australian government has claimed the Japan-Australia FTA is a precedent for the TPP but the text remains secret, although it was announced two weeks ago. We will not see the text of the Japan FTA until after Cabinet has made the decision to sign it," said Dr Ranald.

"However, from the few details provided we do know that it appears to be very lopsided, with Australia reducing many of its vehicle tariffs levels to zero from next year, which will hasten the demise of employment in the vehicle industry. In contrast, Japan has provided very limited access only to selected agricultural products. For example, the tariffs on frozen beef products will only be reduced to 19% over 18

years, and there is no additional access to rice and many other agricultural products. This recalls the lop-sided deal in the US FTA in 2004," said Dr Ranald.

"We know from leaked documents that the US is persisting in its outrageous demands in the TPP for stronger medicine patents and higher prices for medicines, rights for foreign investors to sue governments over domestic legislation, and stronger copyright laws, which would reduce access to information on the internet," said Dr Ranald.

"It is unacceptable for the Australian government to trade away in secret its right to regulate medicines and copyright, or agree to foreign investor rights to sue over domestic legislation, as the Philip Morris tobacco company is doing over plain packaging legislation. These issues should not be on the table at all, and should certainly not be traded away for dubious promises on agricultural market access," said Dr Ranald.

"The Government should release the text of the TPP for public and parliamentary debate before any Cabinet decision to sign it. Such public debate would reveal that the TPP is not in the national interest, and should lead to withdrawal from the negotiations," said Dr Ranald.

Reference: Dr Patricia Ranald - 0419 695 841

Politicians demand TPP transparency

Consumers International | www.consumersinternational.org

Politicians from nine countries around the Pacific Rim have signed a joint statement published today by global NGOs Oxfam and Article 19. The statement calls for the release of the text of the Trans-Pacific Partnership (TPP) before it is signed, to allow for scrutiny and public debate.

The TPP is a sweeping new trade agreement that will affect consumer rights across the Pacific Rim, but is being negotiated in secrecy. The national lawmakers signed up to a simple message calling for transparency, The message states:

"We, the undersigned legislators from countries involved in the negotiation of the Trans-Pacific Partnership Agreement, call on the parties to the negotiation to publish the draft text of the agreement before any final agreement is signed with sufficient time to enable effective legislative scrutiny and public debate."

The letter has been formally released by Oxfam and Article 19, two of the global NGOs that Consumers International has been working with in their TPP advocacy. For the consumer movement, concerns are even broader than

just around the transparency of the agreement – though that is certainly fundamental. We are also concerned that the text, including chapters dealing with e-commerce, food, IP, and dispute settlement, could weaken established national consumer policies in order to grease the wheels of international commerce.

While consumers benefit from trade, not everything that benefits traders also benefits consumers. As CI's WCRD 2014 approaches, the TPP's intellectual property chapter is a case in point. The TPP could require signatory countries to make it illegal for you to unlock your mobile phone so that you can use it with another carrier. As legislators from around the Pacific Rim agree, it is not acceptable to have to wait until a final deal is struck before the people have a chance to scrutinize the agreement and debate it publicly. Recent history shows that this is no longer an acceptable means of policy-making, particularly for agreements that concern the rights of digital consumers and Internet users.

CI believes this statement to the TPP shows the support for transparency during negotiations, which began again in Singapore on 22 February. #

Tackling the yawning gap in Indonesia

International NGO Forum on Indonesian Development | www.infid.org

For the last 10 years, poverty reduction has been considered one of the most pertinent issues in Indonesia's development policies. This is in line with the commitment to fulfill the Millennium Development Goals, which aim to halve the number of people living on less than US\$1 a day, according to the UNDP.

In its 2011 report, the National Development Planning Board (Bappenas) claimed that this particular goal had been accomplished. And while such an achievement deserves credit, it is high time to push the boundaries one step further by addressing the issue of inequality.

A study published by the Institute for Public Policy Research posits two pivotal reasons why we need to broaden our development agenda through incorporating the notion of inequality. The first is intertwined with inequality in terms of income disparity.

In the last 10 years, Indonesia's economic growth has accelerated to over 4-6 percent, a Global Edge study reported. One of the tangible impacts of such growth is a significant increase in gross domestic product (GDP), which in 2012 amounted to approximately \$878 billion, the World Bank reported.

This positive trend should not make us complacent because the ugly truth is that our society is becoming more unequal. Based on the latest report, our Gini index — which reflects income disparities, with 0 indicating perfect equality and 1 showing perfect inequality — has been steadily rising from 0.37 in 2012 to 0.41 in 2013 (The Jakarta Post, Feb. 7, 2014).

A recent study by the International NGO Forum on Indonesian Development (INFID) in some regions found a sheer gap in income. For example, the monthly minimum wage in Jakarta, which is set at approximately Rp 2.5 million (US\$221), is highly incomparable to the salary of a CEO of a state-owned enterprise, who earns Rp 250 million per month.

Such a condition is exacerbated by our tax system, which hurts not only the poor but also the middle class. In 2010, revenue collected from income tax (PPh, Article 21) nationwide was Rp 55.3 trillion. This figure stands in contrast to the revenue collected from the private income of non-employee/entrepreneurs (PPh articles 25/29), which only stood at Rp 3.6 trillion, according to a 2012 study by the Prakarsa research center.

The latter figure certainly raises serious questions considering that the wealth of the top 40 richest people in Indonesia totals Rp 680 trillion, as Prakarsa stated. The unjust list could go on extensively, but the main message here is clear: while our middle class is upholding its duty in working hard and

paying income tax, there is a small group of super elite that has been accumulating enormous wealth and being taxed incredibly low. The second inequality is related to structural inequality. In this context, structural inequality hampers a person or a group's opportunity or outcome to live a life they consider to be of value (Sen, 2002).

The global audience's attention to structural inequality has been increasing rapidly as empirical evidence indicates that current development programs so far have only been successful in improving the average outcomes around a range of basic needs but leaving further behind groups and individuals that are the poorest and most excluded, such as the disabled, religious minorities and indigenous communities, according to the UNICEF.

In Indonesia, poverty alleviation initiatives clearly demonstrate such an occurrence. The Mandiri National Community Empowerment Program (PNPM Mandiri) has been praised for utilizing a community-based approach in creating more secure and sustainable employment and delivering resources directly to the community to alleviate poverty in rural areas.

Nevertheless, an evaluation study on PNPM Mandiri identifies the program's failure to incorporate marginal groups' aspirations, mainly because entrenched inequalities have not been acknowledged let alone overcome, such as discrimination on the basis of identity, a study by the AKATIGA research center revealed in 2010.

The impact is devastating when we perpetuate discrimination because this means someone is almost predetermined to be impoverished simply because the social or physical traits of a person places them in a subordinate position within society.

This is a disturbing fact also speaking from an economic perspective as we are losing a potential 3 to 7 percent of total GDP when we exclude persons with disabilities from the workforce, according to figures of UNICEF last year. There is a series of measures that can be taken to improve our current situation. Within the context of income disparity, the tax bracket needs to be expanded.

At present, anyone who earns above Rp 500 million per year is subjected to tax of only 30 percent of total income. With the surge of wealth as highlighted above, two layers need to be added — people who make a profit of a minimum Rp 1 billion per year should be taxed 35 percent and those making a profit of Rp 5 billion per year should be taxed 45 percent.

The second measure is advancing data of potential revenue that can be collected from tax. The government should aim to raise the tax ratio — the government's real capability to collect revenue from tax — of 1 percent every year.

Currently, our tax only accounts for 12 percent of total GDP whereas ideally, as a middle income country, tax should contribute 19 percent to GDP, as reported by INFID.

For structural inequality, policymakers at the local and national levels need to recognize that welfare deprivation cannot be separated from political, economic, cultural and social discrimination as they overlap and intersect.

Yet at the same, discrimination cases are viewed as part of the sheer complexity of this country's past, present and future

and have placed different groups along different historical discriminatory relationships.

Therefore, it is the government's duty to ensure that multiple barriers are dismantled so that people's aspirations and hopes can be realized. The upcoming presidential election would be the perfect momentum to push our future leaders to start devising policies to realize equality and justice. #

Reference: Dana Hasibuan, (62-21) 7919-6721 to 22

Privatization causes MDG 2015 to fail - study

Center for Women's Resources | www.cwrweb.org

MANILA, Philippines -- Privatization of social services will still result to failure of Millennium Development Goals (MDG) even after the adjusted 2021/2025 projection. This is according to the Center for Women's Resources (CWR), a research, training and advocacy center for women, referring to the recently released Philippine Institute for Development Studies (PIDS) discussion paper on millennium development scenarios in the Philippines.

PIDS has revealed that the government will miss its MDG target to reduce poverty, cut maternal mortality rate, and improve education by 2015. So the government has set its post-2015 development agenda instead, indicating poverty reduction and attainment in education in 2025 and attainment in maternal health in 2021.

"Despite the adjustments made by the Aquino government, the goal to cut poverty into half will not be attainable even by 2025. Its mindset of pursuing the public-private partnership program (PPP) results to government's low spending on social services. For example, attaining the 2021 target of reducing maternal mortality to 52 per 100,000 live births is impossible with just less than Php3.00 per capita per day spending for health," explained Jojo Guan, CWR executive director.

According to CWR's computation, per capita per day spending for health this year is only Php 2.58. Even with the 40 percent increase in Department of Health (DOH) budget, almost half or 40 percent is allocated to Philhealth, an insurance system that collects fees from its members. A meager Php 1.25 billion is allocated for around 3,000 barangay health stations and rural health units, which also includes birthing homes. Approximately, the budget would only be around Php 400,000 a year or Php 1,100.00 per day for each health station.

Dr. Jose Fabella Memorial Hospital, the public maternity hospital for the poor, is included in the government's "modernization and corporatization" project through its PPP. There is one born every minute in Fabella and three



Members of GABRIELA Women's Group protested the planned privatization of government hospitals in Manila. Photo by Bulatlat.com

mothers are crammed in one bed. Its Php 743-million contract was awarded to J.D. Legaspi Construction to design and build the new Fabella hospital.

CWR believes that the privatization move will further increase maternal mortality rate and therefore will make the government's new goal in MDG fail again.

"Privatizing the most affordable maternity hospital will further deprive poor women of their much-needed maternal health and childcare. So whether the government changes its MDG to 2021 or even 3021, as long as its mindset is making health service as a profit-making business, 11 women will still die everyday," Guan said.

Guan added, "Poor women fear that Fabella will increase fees with the looming privatization. The country's long experience in privatization warns us that prices shot up once the private sector comes in. This is already happening with electricity and water services delivery. DOH Secretary Ona's explanation that Fabella is only up for corporatization or modernization and not for privatization is just a play on words. The tragic end-result is a big profit for the private sector while more women are denied access to maternal health and childcare." #



Erwiana's Case Should Hasten Migration Policy Changes in HK and Indonesia

Press statement of the Asia Pacific Mission for Migrants

Photo by APMM

Having one of the most neoliberal and corrupt governments in the region also exposes Indonesia's migrant workers to increasingly exorbitant processing fees from both public and private agencies, such that debt-bondage and vulnerability to abuse is a common condition for Indonesian migrant domestic workers in the region.

First Kartika, now Erwiana. They are Indonesian domestic workers in Hong Kong who have been abused so badly by their employers in this most “civilized” of Asian cities. In the case of Erwiana, the maltreatment was done with such wanton cruelty as has shocked even the local citizenry and triggered the largest ever indignation rally of Indonesian migrant workers in the region. Press photos of Erwiana’s current state speaks volumes on the level of degrading treatment she has experienced in the hands of her erstwhile employer.

Erwiana Sulistyarningsih was practically tortured for eight months, involving beatings, scorching of skin and deprivation of sleep and adequate nourishment. She was also unpaid for several months, and was threatened by her employer to keep silent about her ordeal before she was sent back to Indonesia. Her injuries are such that it will take months for her to recover and some of which may even be permanent, while her employer denies culpability and remains remorseless when questioned by police. Susi, another domestic worker who used to work for this same employer, has come forward and has narrated similar stories of maltreatment.

Right in the heels of Erwiana’s case, another one surfaced that involves an associate college head and dean of students at Chinese University’s United College physically abusing her 50-year old maid. The cases of grave abuses of foreign domestic workers in Hong Kong pile up every year, and many of these do not even see public scrutiny.

While it is easy for the Hong Kong government to point a finger to erring employers and treat each case in a legal way, there are attendant policy issues that it habitually ignores and which migrant organizations have been bringing up for so long. For the longest time, the HK government has mandated that all foreign domestic workers live in the houses of their employers, a rule that even the International Labour Organisation (ILO) in its Domestic Workers’ Convention (C189) considers as violative of migrant domestics’ fundamental rights. Aside from restricting the migrant domestics’ freedom of movement, this archaic work arrangement creates conditions for

other violations to occur, such as overly long working hours (averaging 16 in Hong Kong); lack of privacy that encourages sexual harrasment; and deprivation of cultural rights (such as that of freedom of worship and religion-based diets).

Another is the two-week rule which requires that migrant domestics in Hong Kong return to their country of origin when breaking contract with an employer, a costly recourse for Indonesian migrants who are obliged to pay placement agencies for every new contract. This intimidating prospect acts as a leverage for HK employers to keep on abusing their domestics with impunity, especially Indonesians whose own government has empowered private recruitment agencies to extract fees even for re-contracts.

But the biggest issue at stake is the moral correctness of exporting workers en masse to offset domestic unemployment and to generate profit for the big banks. As one of the largest migrant-sending countries in the Asia Pacific, the Indonesian government has also been one of the most aggressive in undermining the basic rights of its migrant domestics to ensure that they remain highly-marketable in the increasingly competitive world of temporary labor migration. Having one of the most neoliberal and corrupt governments in the region also exposes Indonesia’s migrant workers to increasingly exorbitant processing fees from both public and private agencies, such that debt-bondage and vulnerability to abuse is a common condition for Indonesian migrant domestic workers in the region.

The profit-oriented pragmatics of labor migration has created an unholy alliance of migrant-sending and receiving countries, and does much to explain the intransigence of China’s and Indonesia’s respective governments in ratifying ILO’s C189. Doing so would have provided added protection to Indonesian domestics in Hong Kong and Macau, and would have allowed Erwiana, Kartika and other victims of worker-abuse greater leeway in avoiding oppressive conditions of employment. In line with this case and its ongoing regional campaign for the widespread adoption of ILO C189, the Asia Pacific Mission for Migrants (APMM) is calling on the governments of Indonesia and China to make the redress process

for Erwiana as a timely occasion for ratifying the Convention and integrating its provisions in their local laws, including that of Hong Kong and Macau. Referencing C189 in both countries will do much to improve the end-to-end institutional landscape for Indonesian migrant domestics, paving the way for their greater empowerment based on the principles of human rights and social justice.

This being said, simply adopting the C189 will not be enough to fully address the vulnerabilities of foreign domestic workers especially in the

long term, as the root cause of their oppression lies in state policies of labor exportation and remittance-driven development. Economic, social and political injustices at home conspire to push workers outwards to take on precarious jobs abroad, and therein lies the true source of their vulnerabilities. This must be addressed by the Indonesian government, as should all migrant-sending countries in the Asia Pacific. This is the only enduring way to give justice to Erwiana and all abused foreign domestic workers everywhere.

Reference: Joselito Natividad, (852) 6498-6079

On Herrera Law's 25th year: 1989 Labor Code amendments post-EDSA nightmare for workers – labor NGO

Ecumenical Institute for Labor Education and Research | www.eiler.ph

The 1989 Labor Code amendments, also known as Herrera Law, has made Filipino workers more vulnerable to exploitation and suppression for 25 years according to a labor research group.

Ecumenical Institute for Labor Education and Research (EILER) said Herrera Law created the legal grounds for contractual work arrangements that cheapened workers' wages and for the Assumption of Jurisdiction (AJ) which is Labor Department's signal fire for police-military crackdown of workers' strikes.

"Ironically, Herrera Law constitutes Filipino workers' worst nightmare in a period supposedly marked by restoration of democracy following the EDSA 1 uprising. For the first time, the law legalized contractualization that has become a grave threat to workers' right to job security and decent wages," EILER executive director Anna Leah Escresa said.

Escresa explained that under Articles 106-109 of the Herrera Law, the Labor Secretary is given the power to issue orders that will promote hiring of contractuales and other non-regular workers such as the current Department Order 18-A issued in 2011.

"Herrera Law legalized the plague that is contractualization. What was initially a work arrangement for janitorial and other casual jobs became the normal labor arrangement that cuts across all economic sectors from manufacturing to wholesale and retail trade up to business process outsourcing (BPO)," Escresa said.

Contractualization and other forms of flexible employment also contribute to the employment of child labor in plantations, as the "pakyawan system" is massively used to evade hiring of regular agricultural workers. Under the system, child laborers are forced to help the family meet the production quota.

Moreover, the Herrera Law also infringes on workers' right to strike and peaceful assembly. "The Law's Article 263 authorizes the Labor Secretary to issue an Assumption of Jurisdiction (AJ) order that will serve as basis for the swift deployment of police and military forces in companies with labor disputes – a legal government crackdown that was demonstrated during the Hacienda Luisita massacre where seven striking farmworkers were killed and dozens injured," Escresa said.

"Assumption of Jurisdiction is clearly a fascist government instrument to quell democratic actions of unions. It has clearly no place in a democratic society we all aspire to live in," she added.

EILER also noted that Herrera Law provided the framework for tripartism in the labor sector, a mechanism that uses bogus social dialogue among representatives from labor, government and companies to implement anti-labor policies.

"With all the ill effects of Herrera Law to workers' right to security of tenure, right to strike and decent wages, it is but timely for the government to repeal the law and replace with a genuinely pro-labor Labor Code," Escresa concluded. #

Herrera Law constitutes Filipino workers' worst nightmare in a period supposedly marked by restoration of democracy following the EDSA 1 uprising. For the first time, the law legalized contractualization that has become a grave threat to workers' right to job security and decent wages

Global accountability — reserved mainly for intergovernmental development cooperation?

IBON International | www.iboninternational.org

As a pillar of the post-2015 agenda, accountability is crucial in delivering a transformative framework for sustainable development, along with the sustainable development goals and the means of implementation. The UN Development Cooperation Forum (DCF) has an important role in shaping the renewed global partnership for development and delivering the global accountability mechanisms that will make sustainable development truly happen. But among various frameworks and global partnerships for development, the Global Partnership for Effective Development Cooperation (GPEDC) that was created in Busan stands out from other similar processes.

The GPEDC is a multi-stakeholder partnership where not only government and international organizations but including CSOs are considered as development actors in their own right. For GPEDC, the architecture of global accountability in development cooperation not only goes beyond government-centered approaches but is crafted in true multi-stakeholder fashion where actors collaborate and intersect at country and at international levels. GPEDC's vision of global accountability is premised on the consolidation of existing country-level mechanisms with strong regional and global frameworks, matched with active multi-stakeholder participation, in order to maximize development results.

In contrast, UN bodies are mostly focused on intergovernmental methods of global accountability often sidelining other stakeholders in the process of shaping a global framework post-2015. The DCF is an exception because there is an avowed and genuine effort to bring other stakeholders especially CSOs, parliamentarians, local government and the private sector to the table. Nonetheless, while it has been successful in facilitating the establishment of national mutual accountability mechanisms, linking these to global processes remains a crucial challenge.

The principles of development effectiveness — such as democratic ownership (including the role of CSOs, parliaments and local governments), transparency and mutual accountability, inclusive development, human rights, and accountability to the people — should operate not only at the country-level, but in the international arena as well. A global framework based on mutual accountability, in this context, implies the essential role of international networks of development actors in ensuring that global mechanisms serve to support country processes of accountability. Thus regional and global networks of CSOs, parliamentarians, LGUs and private sector play crucial roles in ensuring that international accountability mechanisms deliver in supporting

mutual accountability at country level.

A global mutual accountability mechanism is integral not only for the effective implementation of development goals, but also for the sustainability of country-led mechanisms. Such a system allows local development actors to seek support in holding international partners to account, whether in challenging or working with their own government. In other words, mutual accountability should not exclusively operate at the country level. Instead, it should be an essential building block of a post-2015 global accountability framework.

To ensure full accountability at a global scale, mutual accountability mechanisms require the full participation of international networks that represent parliaments, civil society organizations (including women's organizations and trade unions), local governments, businesses and even international audit institutions. Furthermore, a global accountability mechanism must also be based on human rights obligations and should effectively utilize existing human rights monitoring mechanisms, as well as internationally-recognized principles like those emerging from Busan and the Istanbul Principles on CSO Development Effectiveness.

Mutual accountability serves as an essential principle for effective development cooperation as it holds all stakeholders accountable for progress and development effectiveness. But the intergovernmental approach of the UN and its processes in defining global accountability has so far been shielded under the premise of respecting the rights of sovereign states.

In essence, then, what makes the GPEDC far more advanced than the UN processes is the recognition of the premise that the principles of development effectiveness — in particular, respect for human rights and democratic processes — should operate at every level, for every stakeholder. Indeed, a new global development agenda backed by the strength of multiplicity of all development actors would benefit not only in shaping global accountability processes, but in promoting the democratic sovereignty of nations. ###

Reference: Antonio Tujan, Jr.

The First GPEDC High Level Meeting held in Mexico City, Mexico from April 17 to 19 produced a Communique jointly approved by different development stakeholders, including CSOs.

You may download a copy [here](#).

Nepal's new Deputy and Agriculture Ministers, good news for food sovereignty

Pesticides Action Network Asia and the Pacific | www.panap.net

“The appointment of Bam Dev Gautam and Hari Prasad Parajuli to key national government posts in Nepal should be welcomed by all those who are struggling for social justice, including the small food producers who are asserting their right to land and resources and fighting for food sovereignty. It's certainly good news for us.”

This was the statement made by Ms. Sarojeni Rengam, Executive Director of the regional advocacy group Pesticide Action Network Asia and the Pacific (PAN AP) following reports on the appointment of Bam Dev Gautam as the new Deputy Prime Minister and Home Minister of Nepal, and of Hari Prasad Parajuli as Minister for Agriculture.

“We deeply recognize the steadfast commitment of both Gautam and Parajuli as staunch defenders of the rights and interests of small food producers and we believe that they will utilize their government posts as a platform to advance this advocacy and serve the poor farmers, agricultural workers, and other small food producers, as well as other marginalized sectors in Nepal,” Rengam added.

Gautam was among the recipients of the Outstanding Peasants in the Struggle given by the Asian Peasant Coalition (APC) to mark its tenth anniversary last year. APC is a close partner of PAN AP working together for genuine agrarian reform and campaign against land grabbing and for the promotion of food sovereignty.

His latest selection will be the third time that Gautam would serve as Deputy Prime Minister and concurrent Home Minister of Nepal. He was also appointed in the same position in 1997 and again in 2008. Meanwhile, Agriculture Minister Parajuli will serve in his first Cabinet post.

Gautam and Parajuli are the Chairperson and Secretary, respectively, of the All Nepal Peasants' Federation (ANFPa), an umbrella organization of Nepali peasants fighting against feudalism, imperialism and neoliberalism.

“We warmly congratulate Gautam and Parajuli, our friends and comrades in the struggle. We wish them all the best,” said Rengam. #

CAP Very Concerned Over Negative Impacts of Sand Mining

Consumer Association of Penang | www.consumer.org.my

The Consumers Association of Penang (CAP) is very concerned over sand mining activities in Kedah that has brought about environmental problems and affected the lives of the people here. CAP is disappointed that the issue which has been pending for more than five years until now, has not been tackled effectively by the state authorities.

CAP's survey found that in addition to degrading the environment, the sand mining operations had affected the lives of nearly 5,000 residents of eight districts in Kedah. The affected districts are Kubang Pasu, Padang Terap, Pulau Langkawi, Sik, Baling, Kulim, Kuala Muda and Yan.

Among the adverse effects of sand mining in the state is pollution of the river and sea, erosion, sedimentation, landslide, pollution of public water supply, and slope failures involving agriculture land and houses, in addition to threatening public safety, especially children.

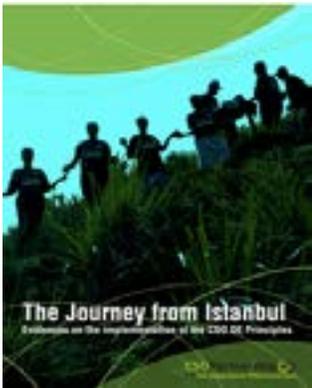
Hence, CAP urges the Kedah State Government to take immediate action to stop all operating sand quarries and revoke sand mining permits to review the adverse effects of these activities.

CAP supports the directive given by the Kedah State Education, Transport and Public Works Committee Chairman Datuk Tajul Urus Mat Zain recently after the State Executive Council decided to stop the sand mining operation in Kampung Batu Belacan, Bukit Selambau, near Sungai Petani as it affected the villagers here. We hope that the state will issue a stop work order to other sand mining companies in the state.

CAP believes and is worried that if sand mining is allowed, it will cause pollution and severely affect communities.

CAP also urges all District and Land Offices and local authorities to cooperate with the State government to implement the directive and strictly enforce regulations so that problems can be dealt with effectively.

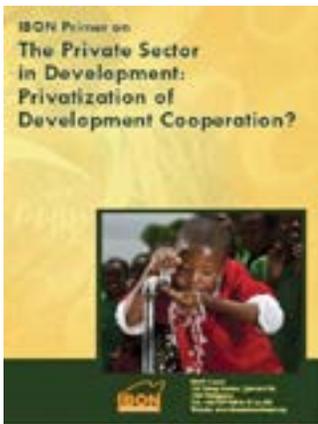
CAP calls upon other State governments to emulate the decision made by the Kedah state government to stop sand mining operations that have caused environmental problems and threaten lives of the local community. CAP proposes that people who have suffered losses due to damage to their property following sand mining activities are compensated by the responsible parties. #



The Journey from Istanbul: Evidences on the implementation of the CSO DE Principles

The CPDE Working Group on CSO Development Effectiveness, co-chaired by APRN, produced a case book entitled ‘The Journey from Istanbul’. The project aims to showcase experiences, practices, and lessons learned by different organisations in performing their various mandates in terms of implementing the Istanbul Principles and promoting the concept of CSO DE.

You may download a copy [HERE](#)



On Private Sector in Development: Privatizing Development Cooperation?

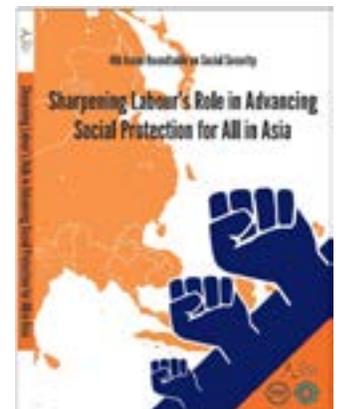
As the world approaches the crucial year of 2015, the basic question remains to be clarified: What is the role of the private sector in development? This IBON primer offers to pursue the question and find some answers that are especially relevant for developing countries and their people’s aspiration for full, sustainable, and equitable development.

You may download a copy [HERE](#)

Sharpening Labour’s Role in Advancing Social Protection for All in Asia

The content of this book is upon of the discussion in the Fourth Asian Roundtable on Social Security meeting which was co-organized by Asia Monitoring Resource Centre (AMRC) and the University of Philippines in Manila. The book includes country reports on social protection in Asia, overview on the road to social protection in Asia, outcome of the conference, among others. The book serves to provide comprehensive information on social protection for all from the labour perspective in Asia.

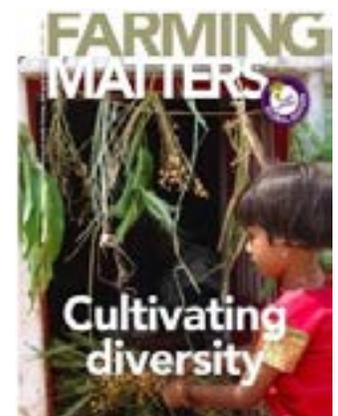
You may download a copy [HERE](#)



Farming Matters | Cultivating Diversity: Peasant women in India

Agricultural biodiversity plays a huge role in maintaining resilient local economies, balanced diets and balanced ecosystems. The rapid disappearance of agricultural biodiversity and the lack of measures to protect it are therefore great causes of concern. Although mainstream agricultural policies threaten such agricultural biodiversity, in recent years many promising initiatives have been launched around the world that aim to preserve and manage agricultural biodiversity.

You may download a copy [HERE](#)





The **Asia Pacific Research Network** is a network of leading research NGOs in the Asia-Pacific. It is active in promoting exchange, coordination and capacity building support in research.

Office Address:

2nd Floor, IBON Center
114, Timog Avenue
Quezon City
1103, Philippines

Landline: (632) 9277060
loc. 202

Telefax: (632) 9276981

Email: secretariat@aprnnet.org

Website: www.aprnnet.org

Secretariat:

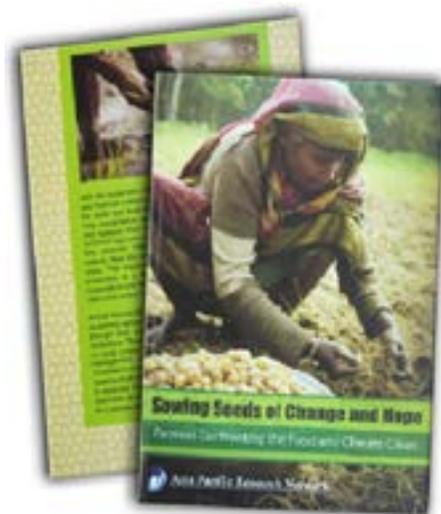
Marjorie Pamintuan
General Secretary

Jodel Dacara

Programme Officer

Send your comments, inquiries, write-ups, and contributions to secretariat@aprnnet.org

Available APRN Publications



Sowing Seeds of Change and Hope

The food producers of Asia Pacific are now reclaiming agroecological farming systems and methodologies through their own farmers' organizations and other support institutions. These local 'alternatives' from the people are rooted on local context and situation and are mindful of sustainable management of communities' resources



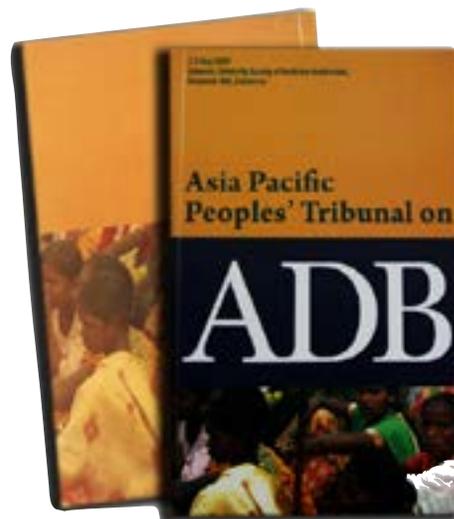
WTO and Maldevelopment

Two decades since the establishment of the World Trade Organization, only developed countries gained and prospered. Developing countries, on the other hand, suffer from the plunder of corporate economy, giving way for more profit for the rich and powerful nations.



Women Resisting Crisis and War

Although women are mostly at the receiving end of the negative impacts of neoliberal globalization and war, the reality is that they also go through various cycles of coping with, adapting to, and resisting the onslaught of the multiple crises.



Asia Pacific People's Tribunal on ADB

Taking into account the need to create space to examine the roles and impact of ADB on the issue of development, APRN and its members from Indonesia, organized the Asia Pacific People's Tribunal on ADB to gather studies, researches, and testimonies from affected communities on the negative impacts of ADB projects and submit these evidences before a tribunal of law experts, development practitioners and parliamentarians.

Contact the secretariat to get the full list of publications and how to avail of copies.