

EU and Philippines work together to address issue of Extra-Legal Killings

Executive Secretary Eduardo Ermita and Ambassador Alistair MacDonald, Head of Delegation of the European Union to the Philippines (renamed from Delegation of the European Commission to the Philippines following the ratification of the Lisbon Treaty) signed recently the Financing Agreement for the EU Philippine Justice Support Programme (EPJUST).

Also present at the ceremony were Ambassador Luis Arias Romero of Spain (representing the Presidency of the European Union), Ambassador Cristina Ortega (Philippine Ambassador to the EU), and Mr James Moran, Director for Asia in the Directorate-General of External Relations, European Commission, Brussels.

Ambassador MacDonald said "The EU has been happy to respond positively to the Government's request to provide technical assistance to help the Philippines address the question of extra-legal or extrajudicial killings.

The EPJUST programme will help all stakeholders in the Philippines – both from government and civil society, as well as the

relevant constitutional bodies – to work together to bring an end to extra-legal killings and enforced disappearances, of political activists, journalists, trades unionists or farmers' representatives, and to identify and bring to justice the perpetrators."

The Ambassador added that "while the incidence of these killings has declined significantly since 2007, it is regrettable that there has as yet been so few convictions in relation to the killings of political activists."

The EU has allocated an amount of €3.9 million (approx. PHP 270 million) to cover the cost of the EPJUST programme, which over a period of eighteen months will provide support, advice, technical assistance and training in areas such as strengthening the criminal justice system (investigation, prosecution, judiciary), providing support for the Commission on Human Rights and for civil society groups working in this area, and including human rights awareness training for the police and military.

In addition, the programme will include support for the establishment of a credible and effective national monitoring system,



Philippines Executive Secretary Eduardo Ermita and Ambassador Alistair MacDonald exchange documents during the signing ceremony of the financing agreement for EU-JUST in Manila. (Photo Credit: Antonio Bosa, PISU, Philippines' Department of Foreign Affairs)

which will bring together all Philippine stakeholders to help track the nation's progress in addressing this issue. It is foreseen that the initial activities under the programme will start before the end of this year, and that the programme will be completed by March 2011.

Ambassador MacDonald noted also that "the signature of the Financing Agreement confirms the willingness of the EU and of the Republic of the Philippines to work together even in sensitive areas such as governance, reflecting the spirit of partnership which we have built up over the years".

Delegation of the European Union to the Philippines



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EU Presidency Statement on the killings in Maguindanao

The Presidency of the European Union strongly condemns the killing on 23 November of a large number of civilians preparing to participate in the electoral process in Maguindanao, the Philippines. The Presidency conveys its profound sympathies and condolences to the families of the victims of the brutal attack.

The Presidency is confident that the responsible authorities in the Philippines will do their utmost to identify the perpetrators and bring them to justice without delay.



what's inside a special issue on human rights

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Commissioner Ferrero-Waldner strongly condemns killings in Maguindanao

I condemn in the strongest possible terms the barbaric killing on 23 November 2009 of innocent civilians, including women, journalists and lawyers, who were preparing to participate in the electoral process in the Philippines.

I convey my profound condolences to the families of all those killed. I note with satisfaction the declaration of the President of the Philippines, that all will be done to bring the perpetrators to justice.

I call for calm in the period leading up to the forthcoming elections scheduled for May 2010. In the face of this atrocity, the rule of law and democracy have to prevail.

Editor's Note

In line with the celebration of Human Rights Month in the Philippines this December and to coincide with the Human Rights Day on 10 December 2009, this quarter's issue is devoted to human rights. Please find below excerpts from our global statement issued on 10 December 2009 in Brussels:

The Human Rights Day focuses on non-discrimination with the motto "Embrace diversity, end discrimination". While the Universal Declaration of Human Rights establishes that "all human beings are born free and equal in dignity and rights", millions around the globe face discrimination in their daily lives. Discrimination on grounds such as sex, racial and ethnic origin, religion or belief, disability, age or sexual orientation is incompatible with the basic principles on which the European Union is founded. The prohibition of discrimination is enshrined in the Charter of Fundamental Rights.

The EU is committed to fight against all forms of discrimination both in the EU and worldwide.

Discrimination as well as racism, xenophobia and related intolerance are problems facing all societies and all countries throughout the world. Combating racism and discrimination is a priority for the European Union (EU).

The Treaty on the Functioning of the EU provides the legal base to act against discrimination. More specifically, in addition to laws on equal treatment of men and women, the EU has put in place legislation to ensure minimum levels of protection from discrimination for everyone living and working in Europe. These laws are designed to ensure equal treatment irrespective of racial or ethnic origin, religion and belief, disability, sexual orientation and age. These laws aim to ensure equal treatment in many aspects of daily life: depending on the ground of discrimination, they cover employment and occupation, or also education, social security and healthcare and access to goods and services available to the public. The EU has also adopted legislation which prohibits public incitement to violence and hatred against a group of persons or a member of a group, defined by reference to race, colour, religion, descent or national or ethnic origin. This legislation is to be implemented by all EU Member States by the end of 2010. The EU has also put in place legislation which bans incitement to hatred on the basis of race, sex, religion or nationality in television broadcasts and video on demand services.

The first quarter issue, March 2010 will be devoted to the European Union following the Lisbon Treaty. Contributions or essays of at least 300 words with accompanying photographs in jpeg format maybe submitted to DELEGATION-PHILIPPINES@ec.europa.eu by 16 February 2010. The EU News thanks all contributors from the Delegation and from our partner institutions.

THELMA GECOLEA

new faces



MATTHIEU PENOT started his career in international development as a field officer in southern Laos in 2001. He later moved to West Africa and worked for the French Development Agency (AFD) and the European Commission in both Ghana and Guinea. He joined the Delegation in November 2009 to assist in managing our environment and sustainable development programmes. Matthieu has an MSc in Development Studies from the IRC Graduate School (Montpellier) and an MPhil in Economics from the University of Oxford. He and his wife had not visited the Philippines before and they hope to find out more about its wonderful people and culture during their stay in the country.



BRENDA CANDRIES has been a Programme Officer for the European Commission in Kenya, Suriname and Ethiopia covering various sectors such as health, private sector

development, capacity building. She also worked for Doctors without Borders for the South Sudan Programme as a Finance Manager and for the Belgian Technical Cooperation in the DR of Congo as Deputy Resident Representative.



RAFFAELLA BOUDRON has joined the EC Delegation in November 2009 as a Programme Officer in charge of the Food Facility programme. From January 2007 to November 2009, Raffaella worked in Europe-aid Cooperation Office of the European Commission in Brussels, as a Programme Officer in Natural Resources specializing in Natural Resources in the unit in charge of Centralised Operations for Africa, Caribbean and Pacific countries.

Before that, Raffaella worked as an agricultural expert for the Special Programme for Food Security in Guatemala implemented by FAO, and collaborated in Nicaragua with the Universidad Centroamericana and in Mali with the Projet d'Appui au Développement local on community based projects.

Raffaella graduated as an Engineer in

Agronomy in Belgium and has a Master's Degree in Tropical Agricultural Development in France.



ANTOINE GOUZÉE DE HARVEN joined the delegation on November 16 as Programme Manager for governance issues in particular in the field of human security and justice. He came impatiently with his wife, daughter and soon to be born child from Commission's HQs in Brussels (EuropeAid Co-operation Office) where he has worked for three years first as programme manager in the areas of organised crime, drugs and terrorism and then as thematic support officer on conflict prevention and peacebuilding issues. He was contracted by the European Commission after having worked for several INGOs involved in human rights-related advocacy.

Initially, a lawyer with a Bachelor's Degree focusing on Tax and Company Law, Antoine has rapidly shifted his studies to satisfy a long-standing interest in Political Science and International Law as demonstrated by obtaining two subsequent Master's Degrees in International Relations and International Legal Studies.

NGO grantees pose with Ambassador Alistair MacDonald during the signing ceremony in the Delegation of the European Union to the Philippines in Makati City. (Photo Credit: Patricia Simpao)



• 1.37 million provided to six human rights grantees in RP

by Romina 'Beng' Sta. Clara, Programme Officer, Delegation of the European Union to the Philippines

On 16 October 2009, in a simple ceremony, Ambassador Alistair MacDonald signed with six NGO partners grants agreements providing for •1.37 million or Php 95.9 million to boost human rights efforts in the Philippines. Ambassador MacDonald, Head of the Delegation of the European Commission to the Philippines, said that the grants give further concrete expression to the European Commission's commitment to strengthen the role of civil society in promoting human rights and democratic reforms, and in facilitating the peaceful resolution of resource-related disputes. He further said that, "I am pleased that the EC will be able to support the excellent work of these six NGOs, who are working to protect and defend the human rights of marginalised groups in the Philippines. Our NGO partners have consistently demonstrated their commitment and effectiveness in the area of human rights, and I am sure that our grants will give significant help in consolidating the political participation and representation of women, children, indigenous communities and other disadvantaged groups in the country".

A total of •1.37 million (approx. Php 95 million) in grants were provided to the NGOs. The projects will be implemented over the next 18 to 36 months and will focus on assisting marginalised groups across the country. The activities will include such issues as the rights of indigenous peoples, support for human rights defenders, combating violence against women, and support for civil-society participation in the 2010 electoral process.

An open forum with print and broadcasts journalists ensued after the signing of the six grants contracts. Ambassador MacDonald clarified that the NGO grants are separate from the EU-Philippines Justice Support Programme (EPJUST). The EPJUST is a •3.9 million (approx. Php 270 million) programme response to the Government's request to provide technical assistance to help the Philippines address the question of extra-legal or extrajudicial killings. *The EPJUST programme will help all stakeholders in the Philippines – both from government and from civil society, as well as the relevant constitutional bodies – to work together to bring an end to extra-legal killings and enforced disappearances, of political activists, journalists, trades unionists or farmers' representatives, and to identify and bring to justice the perpetrators.*

(This line can be removed if there is a separate article on the EPJUST signing). The funding support for the NGO projects came from the European Instrument for Democracy and Human Rights (EIDHR) which is an important EU programme providing direct support for human rights and human rights defenders around the world.

Five of the grants resulted from the local call for proposals known as the 2008 European Instrument for Democracy and Human Rights-Country Based Support Scheme (EIDHR-CBSS). And these are:

- **Asia Society for Social Improvement and Sustainable Transformation (AS-SIST):** *Monitoring and Facilitation of Implementation of RA 9262 Through Enhanced Claim-Making of Women Victim-Survivors.* In partnership with the Women's Crisis Center and the National Network of Family Violence Prevention Programs, the project would lay the seeds and build institutional framework for evidence based campaign, advocacy and create an alternative documenting, monitoring & intervention system that would on the medium and long term directly address the issue of women's exploitation, low level of awareness among right holders, loopholes in the law, lack of right based gender sensitive approach of the judicial system and help achieve equality and promote justice.

- **Institute for Social Studies and Action, Inc. (ISSA):** *Strengthening Capacity of CSOs in Advocating and Monitoring Domestic Implementation of Rights and Gender-based SRHR Policies and Programs in fulfillment of the Philippine Commitments to the CEDAW and ICPD.* In partnership with Development and Empowerment of Women, Inc. (DEW) and Women's Legal Education, Advocacy and Defense (WomenLEAD) Foundation, Inc., the project aims to strengthen the capacity of civil society organizations to advocate for and monitor policy and legal changes, in line with the Philippine commitments towards ensuring a supportive and enabling environment for the respect, protection and fulfillment of sexual and reproductive health and rights (SRHR) of poor women, youth and men from selected areas of Luzon, Visayas, Mindanao, and the National Capital Region.

- **Philippine Human Rights Information Center (PHILRIGHTS):** *In Defense of Land and Life: Addressing Human Rights concerns of Indigenous Peoples in Resource Con-*

flict Areas. In partnership with the Legal Resource Center – Kasama sa Kalikasan (LRC-KsK), Alyansa Tigil Mina (ATM) and PipLinks, this project will address human rights issues of indigenous peoples particularly in communities affected by large-scale mining operations in Zambales and the CARAGA Region, specifically the rights to ancestral domain and self-determination, information, participation, redress and women's rights.

- **Philippine Rural Reconstruction Movement (PRRM):** *Enhancing Civil Society Participation in Electoral and Other Political and Democratic Processes.* The project seeks to intervene in the coming local and national elections of 2010 by promoting the suffrage rights and participation of indigenous peoples in automated elections, and assist them in crafting a sustainable development agenda that local and national governments must recognise and implement judiciously.

- **Women's Education, Development, Productivity & Research Organization, Inc. (WEDPRO):** *Private and Public Faces of Violence Against Women: Addressing Domestic Violence and Trafficking in the Urban Poor Communities and "Red Light Districts" of Angeles City and Olongapo City.* The project, in partnership with BUKLOD and NAGKA, will identify factors constraining the effective implementation of the anti-trafficking and anti-VAWC laws in the selected areas, from a rights and gender-based perspective; and build the capacities of stakeholders to address the identified factors hindering the protection and fulfillment of the right against trafficking and violence.

The grantee from the global EIDHR call for proposals on 'enhancing respect for human rights and fundamental freedoms in countries and regions where they are at most risk':

- **Initiatives for Peace in Mindanao (INPEACE MINDANAO):** *Upholding the right to defend: building Regional Centres for Tri-People Human Rights Defenders in Mindanao.* The project is a consortium undertaking and hopes to synergize the efforts of civil society organizations from indigenous Lumads, Moro people, and the basic sectors to combat the prevailing culture of impunity that has swept Mindanao. One of the key interventions will be the setting up of a Mindanao-wide human rights monitoring mechanism (Bantay-Katungod Mindanaw).



HUMAN RIGHTS IN EU'S EXTERNAL POLICY

By **Nayia-Panagiota Barmaliou**
*Political and Human Rights Officer
Delegation of the EU to the Philippines*



Karapatan's Marie Hilao-Enriquez (third from left) discusses political killings in the country with Dutch lawyers and members of the Asia Human rights Commission.

From the outset, human rights have been at the core of the European history, let alone the European integration process. The values of pluralistic democracy, human rights, and the rule of law constitute a compound of principles which is defined by the common historical and cultural background of the European countries. Indeed, these principles are core values of the European Union, and are therefore embedded in the EU's founding treaties. Adherence to these principles constitutes the foundation and basic prerequisite for peace, security and prosperity and the EU is fully committed to promote and defend them both within its borders and in its relations with outside countries. In this light, respect for human rights is not only a prerequisite for countries seeking to join the Union, but also an essential element in our agreements with third countries world-wide.

For the European Union human rights are universal, indivisible, interdependent and interrelated and constitute a central aspect of its external relations. In the framework of its Common Foreign and Security Policy, the promotion of human rights and democratisation is a significant objective of the EU's external relations (specifically foreseen in Art. 11 of Treaty of Amsterdam).

To promote human rights and democratisation with its external partners the EU holds regular political dialogues, has an active role in multilateral fora such as the United Nations and furthermore has a great contribution through its development cooperation and assistance.

More specifically, the EU has forged a range of tools to implement its external human rights policy that consist of a set of Human Rights Guidelines, the establishment of Human Rights Dialogues and Consultations, the incorporation of a Human Rights Clause in all its agreements, and the significant assistance provided to civil society through the European Instrument for Democracy and Human Rights (EIDHR).

EU's Human Rights Guidelines

There are some specific thematic concerns in relation to which the EU is particularly well placed to act, or it has defined particular strategies for making action more effective. For these areas of key importance the EU has elaborated a series of "Human Rights Guidelines" on EU policy towards third countries. These thematic guidelines seek to provide the EU with an operational tool to be used in contacts with third countries at all levels as well as at a multilateral level, in order to support and strengthen ongoing efforts to prevent human rights violations.

To date, the EU has adopted eight sets of Human Rights Guidelines, namely on: Death penalty; Torture and other cruel, inhuman or degrading treatment or punishment; Human Rights dialogues with third countries; Children and armed conflict; Human Rights Defenders; Promotion and Protection of the Rights of the Child; Violence against women and girls and combating all forms of discrimination against them; and International Humanitarian Law.

These thematic human rights Guidelines are not legally binding but they do provide a general framework for EU action in the specific areas. This means that the Guidelines do not create new legal obligations, but are the expression of a political commitment to carry out systematic and sustained action in the protection and promotion of these thematic human rights areas. They foresee the use of all available tools of diplomacy and cooperation, most notably through political dialogue and demarches, and through assistance to civil society projects through the European Instrument for Democracy and Human Rights. In essence, the Guidelines are a "blueprint" for the EU in its work to persuade third countries to take effective measures for protection and promotion of human rights. In fact, the guidelines' implementation is periodically reviewed by the EU in an effort to assess their effectiveness and be up to date.

Human Rights Dialogues – Consultations

Apart from addressing human rights within the systematic political dialogue we hold with other countries, the EU created the framework of human rights dialogues-consultations, which entails the regular and structured discussion on human rights issues between the EU and third countries or other regional organisations. Human rights dialogues take place once or twice a year, either at local level in the capital of the country concerned, or in Brussels, or in the capital of the country which held the Presidency of the Council of the EU. There are also consultations held, on cooperation on Human Rights issues in the UN framework, in New York and in Geneva.

The aim of human rights dialogue-consultations is multi-fold and includes the discussion of questions of mutual interest as well as the enhancement of cooperation on human rights, inter alia in multilateral fora such as the United Nations and the OSCE; the exchange of information regarding the signing, ratification and implementation of international human rights instruments; the discussion around topics of the EU Human Rights Guidelines; the opportunity for the EU to raise its concerns regarding the human rights situation in the countries at hand; as well as the identification of practical steps to improve the human rights situation on the ground.

Hence, human rights dialogues-consultations contribute to supporting practical steps aimed at meeting human rights objectives at national level, in particular through financial and technical cooperation and specific projects. Of course, the fact that such dialogues exist does not exclude the discussion of human rights at other levels of the political dialogue with third countries.

At the moment the EU has established human rights dialogues with the African Union, China, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan, Georgia and Belarus. Moreover, there are existing human rights consultations with the countries that



have candidate status for acceding to the EU, Canada, Japan, New Zealand, the United States and Russia. In addition, the EU has a number of Human Rights sub-committees or local dialogues (held at the level of Heads of EU missions) among others with Cambodia, Bangladesh, Egypt, India, Israel, Jordan, Laos, Lebanon, Morocco, Pakistan, the Palestinian Authority, Sri Lanka, Tunisia and Vietnam. Moreover, in November 2008 the Council decided to initiate and enhance the human rights dialogues with a number of Latin American countries. This initiative started with a first round of local dialogues with Columbia, Chile, Brasil and Argentina during the first semester of 2009.

Human Rights Clause

As part of its external policy, the EU insists that all trade, cooperation, dialogue, partnership and association agreements with third parties contain a human rights clause. This consists of a clause defining democratic principles and human rights as an "essential element" of the agreement.

The rationale behind such a clause is to enable the EU to react immediately in the event of serious human rights violations in the given country with which it has the agreement. The human rights clauses generally refer to "appropriate measures" being taken in the event of human rights abuses. Such measures could be the suspension or termination of the agreement, but most often it entails applying sanctions such as changing the cooperation programmes or the channels used, reducing cultural, scientific and technical cooperation, postponing or suspending bilateral contacts or new projects, trade embargoes or suspending all cooperation. Evidently, there needs to be a certain degree of proportionality between the human rights breach cited and the degree of reaction.

The human rights clause has been invoked on a number of occasions since 1996 as the basis for consultations, suspension of aid or other measures, including with respect to the following countries: Niger, Guinea Bissau, Sierra Leone, Togo, Cameroon, Haiti, Comoros, Côte d'Ivoire, Fiji, Liberia and Zimbabwe.

The European Instrument for Democracy and Human Rights

In the context of its development cooperation, the EU launched in 2006 the European Instrument for Democracy and Human Rights (EIDHR) which replaced and built upon the European Initiative (2000-2006). The main purpose of this programme is to support "the development and consolidation of democracy and the rule of law, and of respect of all human rights and fundamental freedoms in third countries worldwide". For the period 2007-2013 the EIDHR has a budget of •1.104 million.

The reason for having a specific human rights-related financial instrument is that the EU considers democracy and human rights as universal values that should be vigorously promoted around the world. These principles are integral to effective work on poverty alleviation and conflict prevention and resolution, in addition to being valuable bulwarks against terrorism. Thereby, EIDHR aims to strengthen the role of civil society in the promotion of human rights, political pluralism and democratic participation and representation.

In particular, the EIDHR has five distinct objectives:

- Enhancing respect for human rights and fundamental freedoms in countries and regions where they are most at risk;
- Strengthening the role of civil society in promoting human rights and democratic reform, in supporting the peaceful conciliation of group interests and in consolidating political participation and representation;
- Supporting actions on human rights and democracy issues in areas covered by EU Guidelines, including on human rights dialogues, on human rights defenders, on the death

penalty, on torture, and on children and armed conflict;

- Supporting and strengthening the international and regional framework for the protection of human rights, justice, the rule of law and the promotion of democracy;
- Building confidence in and enhancing the reliability and transparency of democratic electoral processes, in particular through EU Election Observation Missions

Most significantly, the EIDHR instrument can grant aid where no established development cooperation exists, and can furthermore intervene without the agreement of the governments of third countries. It can support groups or individuals within civil society defending democracy as well as intergovernmental organisations that implement the international mechanisms for the protection of human rights. The added value of EIDHR is this direct assistance that can give to grass roots organisations, working for, with and through civil society.

Of course the assistance provided under EIDHR complements the other various instruments of financial and technical cooperation used to implement EU policies for democracy and human rights, including the Development Co-operation Instrument, the European Neighbourhood and Partnership Instrument and the Instrument for Stability.

This comprehensive nexus of policy, tools and instruments, ranging from political dialogue and demarches, human rights guidelines and consultations, human rights clauses to the assistance provided to civil society is indicative of the significance the EU places in the promotion of human rights around the globe, making it therefore one of the leading powers working for a world of equal rights for all.



Women's right forum in Austria by UNIFEM.



Children refugee at Cesmin lug camp.



What to Expect from the ASEAN Intergovernmental Commission on Human Rights (AICHR)

BY: MA. NERISSA M. NAVARRO-PIAMONTE

*Director, Strategic and Development Planning Office
Commission on Human Rights (Philippines)*

After more than a decade of relentless advocacy, the first regional human rights mechanism in the ASIA-Pacific was launched last October 2009 after the ASEAN Foreign Ministers adopted the Terms of Reference (ToR) of the ASEAN Intergovernmental Commission on Human Rights (AICHR). With the appointment of the 10 country representatives, the AICHR has been organized, and has been conducting preliminary meetings among its members.

The ASEAN Secretariat trumpeted this “historic step in developing regional cooperation in human rights”, but the ToR received strong criticism from the various stakeholders of human rights. The civil society, particularly human rights NGOs, are extremely disappointed that most of the things they were lobbying for are not found in the ToR. They complain that the body is not independent, is not accountable to the people but to the governments, and lacks protection mechanisms. They are worried about some principles in the ToR, such as the principle of “non-interference in the internal affairs of each Member State”.

Even the High Commissioner for Human Rights, Navi Pillay expressed her disappointment at the Commission’s “lack of a clear protection mandate,” but said she hoped its role would expand after its launch at the 15th ASEAN Summit in October 2009.”

The four national human rights institutions in Southeast Asia, collectively known as the South East Asia NHRI Forum, share the same sentiments and apprehension on the weak protection mandate, but have accepted the present nature of the body and hope it will eventually evolve to undertake more protection functions. As a key stakeholder, the NHRIs had strongly advocated for an independent, credible and accessible body, one that is compliant with the Paris Principles (relating to the status of national human rights institutions). One of the campaigns of the Forum is the recognition of the role of NHRIs and the explicit statement on the relationship of the AICHR with the NHRIs. Sadly, there is no mention of NHRI in the ToR.

“You have to read it between the lines,” according to the drafters of the ToR. In fact, the ToR should not be seen as a stand alone document, but should be interpreted within the ASEAN Charter and the context within which it was drafted.

This was emphasized by Prof. Vitit Muntarbhorn, the Alternate Member of Thailand to the High Level Panel (HLP) on an ASEAN Human Rights Body, at the 8th Workshop of the Regional Working Group on an ASEAN Human Rights Mechanism held prior to the adoption of the TOR.

But what does the ToR explicitly say about the AICHR?

Clearly, that it is an intergovernmental body, whose members represent the governments of the 10 member-states of ASEAN. It’s not an independent watchdog nor a body of human rights experts, but a “consensus-based body.”

Based on the ToR, the AICHR has high and noble purposes: to promote and protect human rights and fundamental freedoms of the people; to uphold the right of the peoples of ASEAN to live in peace, dignity and prosperity; to uphold international human rights standards... etc.

Its Guiding Principles are no less than international norms and those of the United Nations, except for the contentious “non-interference in the internal affairs, and “evolutionary approach”.

These principles are very universal: respect for the independence, sovereignty, equality, territorial integrity and national identity; adherence to the rule of law, good governance, the principles of democracy and constitutional government; respect for fundamental freedoms, the promotion and protection of human rights and the promotion of social justice; upholding the Charter of the United Nations including international humanitarian law; respect for international human rights principles, including universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms; recognition that the primary responsibility to protect and promote human rights and fundamental freedoms rests with each Member State.’

In the TOR, there is no protection mechanism to address individual complaints, or inter-state complaints; there’s no mention of monitoring nor of investigation, not even country visits. As one of the members of the HLP tersely said, the AICHR was not meant to be an independent watchdog to investigate human rights violations.



But “what is not forbidden is not prohibited,” according to Prof. Muntarbhorn. Thus, what is not included can still be undertaken, depending on one’s reading of the mandate. “What is omitted is not prohibited.” “What is not stated is not excluded”. As HLP members repeatedly advised, “read between the lines” to appreciate the AICHR’s value.

According to the drafters, there are several entry points where protection functions of the AICHR can still materialize:

Item 4.1 *To develop strategies for the promotion and protection of human rights and fundamental freedoms.* This provision opens a wide range of opportunities for the future AICHR to identify protection strategies and it will all depend on how the members and their staff interpret it. The operative word is creative interpretation or liberal application. At its infancy, the AICHR will have to develop the protection mechanisms along side with promotion.

Item 4.10 *To obtain information from Member States on the promotion and protection of human rights.* The power to get information carries with it the power to submit reports on human rights conditions or situations. If performed well, this can out rightly be a monitoring function; information gathering can lead to investigation.

Items 4.11 *To develop common approaches and positions on matters of interest to ASEAN.* and 4.12 *To prepare studies on thematic issues on human rights.* These two provisions which complement each other and support each other, can provide the basis for protection activities, for instance for specific sectors covered perhaps by a thematic issue.

While there is no mention of country visits, this type of activity may be undertaken during meetings in countries hosting the meeting venue. The ToR says the AICHR shall have two regular meetings a year, the venue shall alternate between the host of the ASEAN Secretariat and the member State holding the ASEAN Chair. The body may hold additional meetings either at the ASEAN Secretariat or in another country as agreed upon by the members.



Critics of the ToR should also look positively at the other provisions that mandate the AICHR to dialogue and consult with the civil society and other stakeholders. These functions give the NGOs and NHRIs opportunities to submit reports such as human rights situationers, or bring up specific issues or incidence of violations of human rights.

The challenge, therefore, is how to handhold this nubile creature to grow and develop as it should be. How should the stakeholders engage with AICHR given the realities about its nature and the context in the ASEAN Charter?

For the four national human rights institutions, reading the TOR and looking for the small avenues that will enable the AICHR to expand its mandate, requires creativity and tenacity to engage despite the odds stacked against them. It is to their credit that they have accepted immediately the nature of the AICHR – and how different the regional body is from the NHRIs. Their pragmatic view is one of positive and forward looking engagement, specially at the early stages of development of the AICHR. Thus, at the dialogue with the High Level Panel concerning the Political Declaration on the AICHR in August 28, 2009, the ANF offered a helping hand to the AICHR, and proposed that there should be a mechanism for a regular engagement between the two. The ANF went further as to propose a Memorandum of Undertaking, to which the Philippine representative to the Panel gave a positive response. The NHRIs, with their expertise, are indeed in a position to provide information and assistance to the AICHR, particularly in the areas of capacity building, treaty implementation and policy formulation. Even as now, they have prepared policy studies on five thematic concerns and inter-border issues in ASEAN: protecting human rights while suppressing terrorism, human rights aspects of trafficking in persons specially women and children, protecting human rights of migrant and migrant workers, implementation of economic, social and cultural rights and right to development, and human rights education. These were undertaken collectively by the four through joint projects, each project led by a focal NHRI. The policy studies on three projects – trafficking, migrants and ESCR/Right to Development are being finalized and the ANF will be able to submit the policy and program recommendations to the AICHR when it holds its regular and special meetings.

Nevertheless, fully aware of their own mandates and realizing the political nature of the AICHR, the four NHRIs have calibrated their strategies at their 6th Annual Meeting held in Yogyakarta, Indonesia last Nov. 11-13, 2009. The meeting concluded that the Forum should continue the constructive dialogue that started with the HLP in the spirit of co-operation and sharing concerns to promote and protect human rights of ASEAN peoples. Thus, it requested for a meeting with the AICHR in order to share experiences and discuss the possibility of cooperation between AICHR and the Forum in the issues of common concern.

Given that there are only four countries with NHRIs, there is trepidation that ASEAN HR Commissioners representing countries that do not want to put up a national human rights institution may not welcome this cooperation with NHRIs. Still and all, the South East Asian NHRIs Forum will be engaging with the AICHR in another level, when the NHRIs monitor the work of the AICHR at the national and regional levels.



The ASEAN National Human Rights Institutions Forum (ANF) Surges Forward¹



1. Human Rights in the ASEAN

The ASEAN National Human Rights Institutions Forum (ANF) is in the midst of major human rights developments in the ASEAN community.

After years of advocacy, there is now an ASEAN regional human rights body – the ASEAN Intergovernmental Commission on Human Rights (AICHR). The AICHR launching last October 23, 2009 highlighted the “15th ASEAN Summit” in Cha-am Hua Hin, Thailand.

Other parallel human rights efforts are ongoing. The Terms of Reference on the Establishment of the ASEAN Commission for the Protection of Women and Children (ACWC) is expected to be launched in 2010.

In all these, where does the ANF stand? More specific questions are: Is the voice of ASEAN NHRIs being heard? And if indeed we are being heard, what is that voice? Is this voice distinctly “ours” – that of NHRIs?

2. Rationale for ANF: An Organization for ASEAN NHRIs

Over the past two years or since 2007, the ASEAN National Human Rights Institutions Forum (or ANF for short) has slowly emerged as a fledgling organization of national human rights institutions (NHRIs) in the ASEAN community. Comprising the ANF are four national human rights institutions active in the ASEAN region namely: National Human Rights Commission of Thailand (NHRCT), Commission on Human Rights of the Philippines (CHRP), Komisi Nasional Hak Asasi Manusia Indonesia (Komnas HAM) and Suruhanjaya Hak Asasi Manusia Malaysia (SUHAKAM). ANF’s coordinative and collaborative efforts were largely funded through the European Commission (EC) grant entitled “Enhancing the role of National Human Rights Institutions (NHRIs) in the development of an ASEAN human rights mechanism”.

A major impetus for the creation of the ANF is the more than a decade of advocacy for the establishment of an ASEAN regional human

rights mechanism, the first of its kind in the Asia-Pacific region. Another compelling reason is the need to advocate for the promotion and protection of human rights at the ASEAN region, which includes pushing for the progressive realization of regional human rights standards.

Yet, in the midst of all these developments, the four ASEAN national human rights institutions (NHRIs) have also come to realize the need to be recognized. After all, NHRIs while similar in some respects to the advocacies of civil society organizations are entirely distinct entities by virtue of their mandates and functions in society and independent from their respective governments, as stated in the Paris Principles.

Within the ASEAN community, the ASEAN NHRIs have a specific role and task to fulfill in the promotion and protection of human rights at the regional level.

Hence, from simply holding informal meetings during human rights events at the ASEAN level, the four HRIs have come together to become the ASEAN National Human Rights Institutions Forum or ANF.

To-date, the ANF is officially acknowledged as a formal network of NHRIs active in the ASEAN region. Through its cooperation agreement, ANF plans and programs are implemented in a collaborative and coordinative manner.

This is best illustrated through the launching of coordinative actions and issuance of common position papers of the ANF in its engagements with ASEAN bodies such as the High Level Task Force (HLTF) that drafted the ASEAN Charter and the High Level Panel (HLP) tasked with the preparation of the Terms of Reference (TOR) for the ASEAN regional human rights mechanism now formally known as the AICHR.

To foster strong collaboration and networking among the four NHRIs, ANF decided to jointly address five human rights issues of common concern or inter-border issues. For each thematic project that will be jointly conducted a lead NHRI was designated.:

- Trafficking in women and children (CHRP lead NHRI);
- Migrants and migrant workers (SUHAKAM lead NHRI);
- Professional Study Visit on PEER/ESCR (NHRCT lead NHRI); and,
- Combating terrorism while respecting human rights (Komnas HAM lead NHRI)
- Human rights education (CHRP lead NHRI)

A common ANF Website was likewise established to enhance communication among NHRIs and non-NHRIs. To increase the capacities and technical skills of ASEAN NHRI staffers, ANF conducted several workshops and trainings focusing on web management, national human rights institutions and international human rights system; graduated curricula of the AFP and speakers’ training on human rights in the ASEAN and AICHR.

3. ANF Engagements

As a network of ASEAN NHRIs, the ANF has actively engaged the High Level Task Force (HLTF) that drafted the ASEAN Charter and the High Level Panel (HLP) as it prepared the TOR on the AICHR. The ANF, likewise maintained strong and harmonious relations with civil society organizations both at the country and regional levels.

Engagements with ASEAN bodies: HLTF and HLP

In engaging the HLTF, the ANF emphasized the importance of including human rights features in the ASEAN Charter.² Specifically, ANF voiced out its concern on two areas:

1. Establishment of an appropriate human rights mechanism within the ASEAN
2. Inclusion of a proviso on the establishment of NHRIs in ASEAN member states which have not done so.

In the numerous consultation dialogues held with the HLP, the ANF made the following declarations³ specifically with regard to the role of NHRIs:

1. The ASEAN Regional Human Rights Body and NHRIs have a complementary role in the promotion and protection of human rights in the region.
2. The ANF can render expertise and advice in the establishment of NHRIs in ASEAN countries still without one.

In its last engagement with the HLP on August 28, 2009 or two months prior to the launching of the AICHR in October 2009, the ANF proposed several recommendations detailing how it hopes to work as a sub-regional organization of NHRIs with the AICHR in the future, to wit:

¹ Article prepared by Mr. Ruffy Manaligod, Project Manager, Project Secretariat, EC Project, for publication by the European Commission Delegation to the Philippines

² “Position Paper of National Human Rights Institutions of Indonesia, Malaysia, Philippines and Thailand on Human Rights Aspects of the ASEAN Charter”, ANF paper submitted to HLTF, 26 June 2007, Bali, Indonesia.

1. On Institutional Engagement: The AICHR should develop a mechanism for regular engagement with NHRIs. The ANF proposed a "Memorandum of Cooperation between AICHR and the ANF" in this regard. The AICHR should institutionalize regular meetings with CSOs regionally as well as in individual ASEAN countries.

2. On the Establishment of a Secretariat for the AICHR: The AICHR should be supported by a separate, permanent, and professional Secretariat whose functions should be met by adequate and regular funding which provides for, among others, research, report writing, and creation and management of a resource center. The AICHR should have a separate and permanent identity.

Engagements with Civil Society Organizations

To strengthen its links with civil society, the ANF conducted joint activities with the Regional Working Group for an ASEAN Human Rights Mechanism (RWG). This included, among others, active participation in the "Regional Workshop for an ASEAN Human Rights Mechanism".

Likewise, the individual ANF members continue to engage civil society organizations in their own countries. The launching of public information and awareness campaigns ("socialization and university road shows") led by ANF members in coordination with CSOs are prime examples of linkages nurtured over the years.

Engagements with Non-NHRI Countries

An important aspect of ANF's advocacies is the establishment of more NHRIs among the ASEAN countries. To date, only four NHRIs are active in the ASEAN: Indonesia (KOMNAS HAM), Malaysia (SUHAKAM), Philippines (CHRP) and Thailand (NHRCT).

Jointly undertaken with the RWG, ANF's sponsorship of a regional conference on human rights in Cambodia giving special emphasis on the establishment of its NHRI holds promise.

4. Future Directions for the ASEAN National Human Rights Institutions Forum

The future of the ANF depends in large measure on the decisions of the four ASEAN NHRIs during the "Sixth Annual Meeting" held from November 11 to 13, 2009 at Santika Premiere Jogja Hotel, Yogyakarta, Indonesia. Below are areas considered crucial in that decision.

ANF as an Organization

It is noteworthy to emphasize that in the coming days the organizational capability and capacity of ANF will be put to the test. This is in the light of the launching of the AICHR last October as well as the inevitability of another



Delegates from the national human rights institutions (NHRIs) of Malaysia, the Philippines, Thailand and Indonesia pose for a group photo during "The 6th Annual Meeting" of the ASEAN NHRI Forum held in Premiere Santika Hotel Jogya, Yogyakarta, Indonesia, November 11-13, 2009.

ASEAN human rights body – the ASEAN Commission on the Protection of Women and Children.

The ANF currently works together based on agreements carried out under its "Declaration of Cooperation".

Hence, the ANF agreed to form a technical working group composed of a representative from each NHRI to formulate a draft rules and procedures of operations.

The decision is an important step towards establishing a system of working together for the ASEAN NHRIs in the pursuit of its joint activities and advocacies as well as in its relations with stakeholders.

For this purpose and in consideration of the arguments for a more effective NHRI organization, the ANF decided to explore the possibility of such a subregional setup under the APF.

Likewise to strengthen its partnership and linkages, the ANF has welcomed the suggestion of the National Commission on Human Rights of Korea to extend a dialogue relationship and co-operation to East Asian NHRIs (Mongolia and South Korea) as well as that of Timor Leste.

Engagements with ASEAN bodies and CSO

The ANF must be ready to engage the AICHR in a way that the ASEAN must learn to accept NHRIs as a viable partner in the progressive realization of human rights in the region. When the ANF begins to formally engage the AICHR, what will be the human rights agenda that ASEAN NHRIs believe must be seriously

considered by the regional human rights body? The ANF must be ready with its "to-do" list.

ANF has emphasized the complementary role that NHRIs play alongside the AICHR in human rights promotion and protection in the region. In this instance, what can ASEAN NHRIs offer in coordination with the AICHR as its contribution to regional human rights promotion and protection? ASEAN NHRIs must be able to help catalyze the establishment of an ASEAN convention/ declaration on human rights and other progressive regional human rights instruments applicable to the region.

The ANF can initially begin with submissions to the AICHR on the results of its researches (thematic issues) that will serve as basis for the establishment of regional human rights standards. Such researches will establish the ANF as a regional expert on critical human rights issues confronting ASEAN.

Overall, the ANF can count on the individual and collective experiences of NHRI members in setting forth a distinct human rights agenda and plan of action for consideration of the AICHR. In simply following the reasons and rationale on why NHRIs were established in the first place, ANF can make a big difference in engaging this new ASEAN baby called "AICHR".

As discussed during the 6th annual meeting, the four NHRIs decided to rename the "ASEAN National Human Rights Institutions Forum" to "South East Asia National Human Rights Institutions Forum" to emphasize the geographical location and to distinguish the regional concerns of the four NHRIs. Likewise, this was to avoid confusion with the ASEAN organizations.

³ "ASEAN NHRI Forum Position Paper on the Terms of Reference of the ASEAN Human Rights Body" and "ASEAN NHRI Forum Position Paper on the Political Declaration on the ASEAN Intergovernmental Commission on Human Rights", ANF papers submitted to HLP Consultation Meetings on 11 September 2008 and 20 March 2009 and August 28, 2009.



THE IMPACT OF CRIMINALIZATION ON HUMAN RIGHTS DEFENDERS

Reprinted with kind permission from *Observer: A Journal on Threatened Human Rights Defenders in the Philippines*, Volume 1, Number 2009. Thanks to IPON and Sarrah Potthoff

In the Philippines there are many cases of criminalisation of human rights defenders (HRD). Beside critical journalists, indigenous activists and NGO members there is another group that suffers from criminalization: tenants who struggle for the implementation of the Comprehensive Agrarian Reform Law (CARL). Usually this is initiated by powerful local landlords filing criminal cases against them.

As of March 2008, members of the local farmers in Bondoc Peninsula (KMBP) are facing around 300 criminal cases that include qualified theft, estafa, trespassing, murder, attempted murder, libel, grave coercion, malicious mischief, etc.. KMBP has about 3.800 members. The number of criminal cases is still increasing as human rights organisations' analysis shows. e.g. data from the IPON, the Philippine Commission on Human Rights and some local NGOs. The consequences of criminalisation are various. The HRD have to travel four to six hours from their homes to reach the regional court in Gumaca. In many cases the hearings are postponed several times so the persons concerned have to travel repeatedly to court. On days like that they have extra costs for transportation and food and additionally they are not able to work to gain income. This even increases their poverty. In many cases they and their families suffer from hunger and have no proper access to the health and educational system. Often their income is too little to keep their houses in good condition. Usually there are no sanitary facilities and no access to drinking water or electricity.

Some HRD lose their freedom because of fighting for their rights. They are imprisoned from a period of some days up to several months. The main consequences are fear, psychological stress and economical damage. To get free they have to pay a bail. The price of bail e.g. for qualified theft is about 30.000 Peso (around 500 Euro). This is usually far too much to pay for landless farmers.

So the imprisoned have to stay in jail when they are not able to get financial

support or credit. Furthermore every day in prison is a day they cannot work on their land and for the income of their families. Moreover, the imprisonment disrupts the economic activities of the entire family. Family members have to visit the imprisoned to give him or her psychological and moral support. As one can imagine this is like a vortex. The criminalisation of HRD by filing criminal cases is leading to deeper poverty and also to psychological stress. Because of these circumstances some of the farmers have already stopped fighting for their land. They continue to be tenants. The impact is to pay 60 to 75% of the harvest to the landlord. Given these consequences filing cases against the HRD of the KMBP seems to be a strategy of the local landlords and not a coincidence.

Regarding human rights the important question is where one can locate the role of the state in the process of criminalisation. The state is responsible to respect, protect and guarantee human rights. This analysis is essential for understanding the situation of HRD like the KMBP farmers in Bondoc Peninsula and also in the aspects of conflict transformation.

Who is responsible?

In the following I will have a look at the behaviour of the public prosecution and courts responsible in Bondoc Peninsula as an exemplary case for the situation in the Philippines. The prosecutor generally opens proceedings in all cases of qualified theft, estafa, trespassing, murder, attempted murder, libel, grave coercion, malicious mischief, etc.. It seems very unlikely that such things could happen so frequently. Especially when the persons who have several cases are the ones most relevant for the struggle for land. Usually they are leaders. So obviously there is a connection between the number of criminal cases a person has and her or his activities within the struggle for land.

Another relevant question is where the trial takes place because the Philippines

have special courts for agrarian related cases. The prosecution has to decide whether a case is agrarian related or a common criminal case. In Bondoc Peninsula nearly all cases are negotiated at the normal court and not at the special court for agrarian related cases even though the involved are landlords and tenants who fight for their land. So there is an agrarian related conflict in the area but nearly no agrarian related cases. It seems likely that there is some kind of alliance between the prosecution and the powerful local landlords.

Regarding the court it seems to be likewise. According to IPON the responsible judge generally does not doubt the prosecutor's decision. He hears a case at the normal court although it seems to be an agrarian related case. In addition IPON recognized that cases filed against HRD are executed usually faster than cases filed from HRD against landlords. These coherences harden the suspicion that filing cases against the KMBP farmers seems to be a strategy of local landlords in cooperation with the prosecution and the judge and not a coincidence. Accordingly IPON assumed that the HRD of KMBP are victims of strategical criminalization with a very high impact. In addition to the socio-economical consequences the HRD do not have equal access to justice. Furthermore IPON assumes that the KMBP farmers are criminalised because they fight for their right to own land. HRD worldwide are criminalised and harassed very often and extremely hard.

"They have been the target of executions, torture, beatings, arbitrary arrest and detention, death threats, harassment and defamation, as well as restrictions on their freedoms of movement, expression, association and assembly. Defenders have been the victims of false accusations and unfair trial and conviction" (United Nations 2004: 10).

State authorities are the most common perpetrators of violations against HRD yet they are primary responsible for assuring

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“Uniting for Children: The Role of Public Information in Advancing Children’s Rights” held on 20 November 2009

The European Commission Delegation on the occasion of the 20th anniversary of the UN Convention on the Rights of the Child organised a seminar on 20 November 2009 for information officers of government agencies, civil society organisations, academia and media under the title “Uniting For Children: The Role of Public Information in Advancing Children’s Rights”.

The seminar was in close collaboration with the United Nations Children’s Fund (UNICEF), being the leading international agency in the area of children rights, participated in the event.

The information session aimed to raise awareness of the significance of the rights of the child in general and familiarise relevant stakeholders with the comprehensive EU policy framework on children. In order to have a targeted audience that would have a multiplier effect, the Delegation invited information officers considering the role of information officers in advocating for the rights of children.

Ambassador Alistair MacDonald, Head of Delegation of the European Union to the Philippines opened the event underlining that questions of children’s rights, of the exploitation of children and the abuse of their rights, are issues which often remain hidden and therefore awareness raising of the issues at hand is fundamental.

He explained that the promotion and protection of children’s rights constitutes one of the priorities in EU’s external human rights policy and highlighted the close collaboration of the EU with UNICEF, specifying that the UN CRC has been the main reference document for the development and implementation of the EU’s child rights’ policy.

During the information session, he also presented EU’s policy framework on children and also described the activities of the EU in carrying forward its programmes of action to help promote and protect children’s rights in third countries.

Mrs Vanessa Tobin, Country Director of UNICEF, spoke of the case of the Philippines and the significant progress made in passing key legislation for the protection and promotion of children’s rights, with the Anti-Child Pornography Law being the most recent example.

According to UNICEF, the major challenges for the Philippines in the area of child rights is malnutrition, which evidently is directly linked to poverty, as well as access to primary education, given that the drop-out rates have been very high. Mrs Tobin noted that UNICEF in the Philippines is trying to intensify its work in the conflict-ridden South and also work closely with marginalised indigenous communities.



(Top photo) Mrs Vanessa Tobin of UNICEF urges information officers to become advocates for the promotion of the rights of the child. (Photo above) Gabriel Munuera Vinals of the Delegation of the European Union to the Philippines, Mrs Vanessa Tobin and Atty. Albert Muyot of UNICEF and Ms Tracy Pabico of PhilRights speak during the info session for information officers held in Makati City.

The Impact of...from page 10

their protection. Police and other security forces are the most visible but not the only perpetrators.

Others are state authorities pushing HRD into administrative “illegality” to use this as the basis for arrest and conviction. It can be difficult to identify the perpetrator of acts committed against HRD, e.g. in cases of anonymous death threats. In these situations the concerned State authorities bear responsibility for investigating the acts committed. Respectively when non state actors commit acts against HRD

and the state authorities bear responsibility as well. Those could be armed groups, transnational corporations or individuals and their actions can be both with and without state complicity.

Recognising the important and vulnerable role of HRD the United Nations understood that human rights defenders and their work needed a special protection. The declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights

and fundamental freedoms was adopted by the United Nations General Assembly resolution 53/144 in December 1998. In April 2000 the second step was taken, when the United Nations Commission on Human Rights asked the Secretary-General to appoint a special representative on human rights defenders to monitor and support the implementation of the declaration.



EU economy on the road to a gradual recovery

A gradual recovery ahead

The improved near-term outlook in the EU and abroad is partly the result of temporary factors. As the impact of these fade in the course of 2010, global activity is likely to go through a soft patch. EU export growth is therefore expected to firm only gradually over the forecast horizon. Domestic demand also faces a number of constraints going forward. Reflecting low capacity utilisation, relatively weak demand prospects, subdued profitability gains and still moderating credit growth, investment is not projected to recover until 2011. Although private consumption proved to be a stabilising factor during the recession, spending in the period ahead is set to be held back by the need for deleveraging of households' balance sheets and weak labour-market prospects. A further restraining factor is the estimated adverse impact of the financial crisis on potential output. Thus, following an initial upturn, GDP growth in the EU and euro area is forecast to ease somewhat before regaining ground in the second half of 2010 and beyond.

Labour market and public finances under pressure

While the EU labour market has been more resilient to the recession than expected (largely on account of short-term policy measures, past reforms and labour hoarding in some EU Member States), an increase in labour shedding is expected in the coming quarters. A contraction in employment of around 2¼% is foreseen this year, with a further decline of about 1¼% expected in 2010. A gradual stabilisation in employment is likely towards the end of 2010 and into 2011 as the recovery takes hold.

Public finances have also been hit hard. The government deficit is projected to triple this year in the EU (reaching close to 7% of GDP, up from 2¼% in 2008) and to rise further in 2010 to around 7½%. This deterioration follows in part from the working of automatic stabilisers and the discretionary measures taken to support the economy, but also reflects a stronger than usual fall in revenue in response to the downturn. A slight easing in the deficit, to just below 7% of GDP, is expected in 2011 as activity picks up and temporary measures come to an end. However, the debt ratio is set to remain on an increasing path.

Inflation remains subdued

Inflation in the EU and euro area is expected to rebound somewhat from its current, very low level, but to remain subdued over the forecast horizon. Consumer price inflation is projected to average slightly over 1% in 2010 and around 1½% in 2011 in both areas. While rising commodity prices are likely to put upward pressure on inflation, substantial slack in the economy and weak wage growth should have a dampening effect.

Uncertainty remains high

The outlook for the EU economy as it emerges from recession is highly uncertain, and subject to non-negligible but broadly balanced risks. The recovery could surprise on the upside if policy measures are more effective than anticipated in restoring the soundness of the financial sector and boosting confidence, or if there is a more pronounced pick-up in global demand. On the other hand, the impact of weak labour-market conditions and constraints on investment could prove stronger than expected. Moreover, if the banking sector does not repair its balance sheet, it may not be able to provide sufficient support to the recovery. Risks to the inflation outlook are also broadly balanced.

Further information

Readers interested in the details of the forecast should visit: http://ec.europa.eu/economy_finance/thematic_articles/article16051_en.htm

Further statistical information is available at the Commission's AMECO (annual macro-economic) database at: http://ec.europa.eu/economy_finance/db_indicators/db_indicators8646_en.htm

AMECO contains data for EU-27, the euro area, EU Member States, candidate countries and other OECD countries (United States, Japan, Canada, Switzerland, Norway, Iceland, Mexico, Korea, Australia and New Zealand). The database is regularly cited in Commission publications and is indispensable for the Commission's analyses and reports. To ensure that the Commission's analyses are verifiable and transparent to the public, AMECO data is made available free of charge.

Source: European Commission - Directorate-General for Economic and Financial Affairs, European Economic Forecast, Autumn 2009.

The European Commission's latest economic forecast projects that the EU economy will emerge from recession in the second half of this year, although for 2009 as a whole, GDP is still set to fall by some 4%. A gradual recovery is expected with GDP forecast to grow by ¾% in 2010 and around 1½% in 2011. The near-term rebound in activity follows from improvements in the external environment and financial conditions, as well as from the significant fiscal and monetary policy measures put in place. Further out, a number of factors are set to restrain private demand and thus, the strength of the recovery. In particular, labour-market conditions will remain weak, with the unemployment rate projected to reach 10¼% in the EU. The public deficit is also expected to rise, to 7½% of GDP in 2010, before falling back slightly in 2011 as the economy picks up and temporary measures gradually come to an end.

Having experienced the deepest, longest and most broad-based recession in its history, the EU economy has reached a turning point. Recent months have seen a marked improvement in the economic situation and financial conditions, largely due to the unprecedented fiscal and monetary policy actions that have been taken. Several financial indicators are now back at pre-crisis levels, while confidence is advancing. The outlook for global growth and trade has also strengthened, especially in emerging-market economies. On the basis of these developments, together with a favourable inventory adjustment, GDP growth in the EU and euro area is set to turn positive again in the second half of this year.



The European Commission and the United Nations Launch Four Philippine Projects under The Joint Migration and Development Initiative

By Maria Cecilia San, UNDP

The European Commission and the United Nations launched four Philippine projects funded through the EC-UN Joint Migration and Development Initiative (JMDI) on 17 November 2009 in Makati City. More specifically, •753,264 or PhP52.35 million was provided to four consortia, made up of Philippine NGOs and diaspora groups, to undertake actions in the priority areas of migrant communities, migrant rights, migrant capacities, and migrant remittances:

- **Enhancing the capacity of migrants as partners in economic development** (•200,000) - Unlad Kabayan Migrant Services Foundation (UKMSF), Philippines; Migrant Forum Association (MFA), Philippines; and Commission for Filipino Migrant Workers (CFMW), Netherlands;
- **Maximizing the Gains and Minimizing the Social Cost of Overseas Migration in the Philippines** (•198,575) - Atikha Overseas Workers and Communities Initiatives, Inc., Philippines and Comitato Internazionale per lo Sviluppo dei Popoli (CISP), Italy;
- **MARIA 4 the MDGs: Harnessing the diaspora, local women's groups, rural banks and local government for rural development** (•200,000) - Economic Resource Center for Overseas Filipinos (ERCOF), Philippines and COS Utrecht, Netherlands; and
- **Developing Interventions to address Stress and Mental Health problems among Women Migrant Workers** (•154,689) - Action for Health Initiatives (ACHIEVE), Inc., Philippines and Vrije Universiteit - Metamedica/Health Care and Culture (VU-MHCC), Netherlands.

These projects were cited by the EC-UN JMDI Steering Committee in Brussels as having emerged from the rigorous Call for Proposals selection process with among the highest scores globally, i.e. out of 540 proposals received from the 16 JMDI target countries.

Speaking at the launch, Ambassador Alistair MacDonald, Head of the Delegation of the European Union to the Philippines, and Dr. Jacqui Badcock, United Nations Resident Coordinator, reaffirmed the belief of the EU and UN System in the ripe potential of stakeholders from both civil society and local government in the country to be efficient actors for development.

Dr. Badcock spoke about the enthusiasm of the UN System in the Philippines about these projects. "[The UN] will surely contribute our institutional knowledge, expertise and extensive networks to ensure success of the projects. We are also looking forward to working even more closely with the European Commission, building on our existing partnerships in other areas, to ensure that Filipino migrant workers are able to contribute to development, and that their dignity and human rights and those of their families are protected and promoted."

Ambassador MacDonald added that: "This undertaking employs a novel approach to boost efforts of civil society organizations, NGOs and other groups in addressing migration-related issues", said, underlining the innovative character of the JMDI which involves, for the first time, the twinning of local actors in European countries with their counterparts in the countries of origin.





The Lisbon Treaty presented by Lech Kaczynski in the presence of Donald Tusk, Polish Prime Minister, Fredrik Reinfeldt, José Manuel Barroso and Jerzy Buzek (from left to right)

European Commission welcomes the entry into force of the Treaty of Lisbon



The Treaty of Lisbon entered into force on 1 December 2009. The occasion was marked by a ceremony in the City of Lisbon organised jointly by the Portuguese Government, the Swedish Presidency and the European Commission.

The Commission believes that the new treaty provides significant new benefits for citizens and will settle the institutional debate for the foreseeable future.

This will allow the European Union to fully concentrate on managing a smooth exit from the economic and financial crisis and pushing ahead with the 2020 strategy for greener growth.

President of the European Commission, José Manuel Barroso said, "The Treaty of Lisbon" puts citizens at the centre of the European project. I'm delighted that we now have the right institutions to act and a period of stability, so that we can focus all our energy on delivering what matters to our citizens".

The Treaty of Lisbon amends the current EU and EC treaties, without replacing

them. It provides the Union with the legal framework and tools necessary to meet future challenges and to respond to citizens' demands.

In fact, the Treaty of Lisbon ensures that European citizens have their say in European affairs and see their fundamental rights set out in a charter.

Moreover, the EU will be better equipped to meet expectations in the fields of energy, climate change, crossborder crime and immigration.

As for EU's role on the international arena, the new Treaty allows the EU to speak with a stronger voice on the international scene.

Among key improvements are:

- **a more democratic and open and accountable Union** – The European Parliament and national parliaments will now have a much greater say in the EU's decision-making process, and citizens will have the right to know what their Ministers are deciding at the EU level. All European

citizens will be given the opportunity to influence proposed EU laws.

- **a more effective Union** – through effective and streamlined institutions. Including swifter, more consistent decision-making on law and order issues, giving the EU greater ability to combat crime, terrorism and human trafficking.

- **more rights for Europeans** – the EU's values and goals will be set down more clearly than ever before. And the charter of fundamental rights will be given the same legal status as the EU treaties themselves.

- **a more prominent global actor** – new posts have been created as part of work to bring more coherence between the different strands of its external policy, such as diplomacy, security, trade and humanitarian aid. These improvements give the Union the capacity to deliver change, to make Europeans more secure and prosperous and to open up their opportunities to shape globalisation.



Part of the Christmas charity project of the Delegation of the European Union to the Philippines is its gift-giving project to welfare institutions during Christmas season. Instead of purchasing toys for the children of Delegation officials and staff, the Delegation opted to donate to the needy.

Delegation staff Jess Falmos, Cathy Desinganio and Joui Mendoza turn over the toys to children from Virlane Foundation last 16 December.

When EU Diplomats and Staff Turn Singers Equals EUROCRATS

Amazing EU Christmas at SM Mall of Asia opens on 3 December with the EUROCRATS performing for the second time

What happens when European Union diplomats and staff turn into singers during the Christmas season? It equals a riot of Christmas fun and gaiety as the "EUROCRATS" sing Christmas carols in the traditional Amazing EU Christmas which was held in SM Mall of Asia Atrium on 3 December. Ambassador Xenia Stefanidou of the Embassy of Greece to the Philippines and Mr. Holger Rommen, Chargé d' Affaires, a.i. of the Delegation of the European Union to the Philippines led diplomats and other staff of the European Union Cultural Group in the Eurocrats' performance on 3 December.

The event brought the magic and charm of European Christmas to Manila and unveiled that many of Filipino Christmas traditions have started in the European Union. Indeed, traditions of family gathering, sharing and giving, the concepts of Nativity and Christmas trees are shared traditions in the European Union and in the Philippines. The EU diplomats and staff who call themselves "Eurocrats" sang various Christmas carols such as Deck the Halls, De herdertjes (Dutch/Flemish) Les anges dans nos campagnes, il est né le divin enfant (French), Pujdem spolu do Betlema (Czech), Ande ande ande la Marimorena (Spain), O Tannenbaum and Stille Nacht in various languages. Mr Jonathan Coo, professional voice coach, conductor and pianist, has trained the Eurocrats, while Martin Macalintal, Audio-Visual Attache of the French Embassy accompanied them on the piano.

Mr Holger Rommen, Chargé d' Affaires, a.i. of the Delegation of the European Union to the Philippines and Mr Alvaro Trejo, Deputy Head of Mission of the Spanish Embassy also representing the EU Presidency, opened a month long display of Christmas trees with icons highlighting distinctive Christmas culture of EU embassies in Manila. The Ministrels of Hope chorale rendered special Christmas carols during the opening ceremony and children from various NGOs such as the Our Lady of Sorrow, Ministrels of Hope, Dagdag Dunong and Food for the Hungry also participated in the festivity.

"The Amazing EU Christmas" was presented by the Delegation of the European Union to the Philippines, the European Union Member States' Embassies and The SM Mall of Asia in collaboration with Museo Pambata and other NGO partners.



Eurocrats serenade children with Christmas carols in EU languages



Children from Ministrels of Hope, children's partner choir of Museo Pambata, awe audiences with their angelic voices.



EC allocates a further •7.0 million (PhP 490 million) for victims of Ondoy and Pepeng



The European Commission approved in November a grant of •7.0 million (approx PhP 490 million) in humanitarian assistance for the victims of Tropical Storm Ondoy and Typhoon Pepeng in the Philippines. This is additional to the •2.0 million EC grant approved already on 29 September, and brings EC funding for Ondoy and Pepeng victims to •9.0 million (approx PhP 630 million).

Ambassador Alistair MacDonald, Head of Delegation of the European Union in Manila, said that "the extent of the suffering and damage caused by Ondoy and Pepeng had called for exceptional efforts and resilience by the national and local authorities, and by so many ordinary citizens who responded directly to help those affected by the floods and landslides. The European Commission, through its Humanitarian Aid Office (ECHO), has been happy to add its support to these efforts."

Ambassador MacDonald recalled that the President of the European Commission, Jose Manuel Barroso, had written to President Gloria Macapagal Arroyo on 29 September to offer to the President and to the people of the Philippines the sincere condolences, sympathy and solidarity of the European Commission with all those affected by the disaster. The Ambassador noted also that the •9.0 million in EC humanitarian assistance, plus more than •7.0 million in grants from individual Member-States of the European Union, reaffirms the longstanding commitment of the European Union to help the people of the Philippines affected by natural or man-made disasters.

This latest EC funding of •7.0 million for Ondoy and Pepeng victims will be channeled, as before, through international organisations and international non-governmental organisations experienced in this field, working in close coordination with the relevant national authorities. The assistance will cover a broad array of priority needs, including for example the provision of food, shelter and non-food items, primary health care, psycho-social assistance, emergency livelihood assistance, logistics and transport.

In addition to its funding for humanitarian assistance, the European Commission had also dispatched experts to help assess humanitarian needs within days of the disasters, and has contributed substantially to the Post-Disaster Needs Assessment (PDNA) currently being carried out in cooperation with the World Bank and the United Nations.



Joint Press Statement on the Progress made during the Second round of Negotiations between the Philippines and the European Union on the Proposed Partnership and Cooperation Agreement

October 2009 – The Philippines and the European Union (EU) met in Manila for the 2nd round of negotiations on a Partnership and Cooperation Agreement (PCA) that will serve as the general framework of relations between the Republic of the Philippines and the EU.

This second round of negotiations was held from 6 to 7 October. In addition to pursuing discussions on all areas of cooperation, both parties agreed to cooperate on issues such as disaster risk management, the peace process, internally displaced person (IDPs) and development aspects of migration.

RP-EU ties are strong in these areas. The EU has been providing humanitarian assistance to the IDPs in Mindanao and have closely followed the peace process in Southern Philippines. Recently, the EU and its member states have provided more than • 3 million in assistance to the victims of Typhoon Ondoy (Ketsana).



Mr. James Moran, Director for Asia in the EC's External Relations Department, said "I am very happy to see that we've been able to address and agree on important issues, for example, regarding disaster risk management or peace process and conflict prevention, which affect us today and will require attention in the longer term." For his part, Foreign Affairs Undersecretary Edsel Custodio expressed appreciation for the EU side's commitment to continuously enhance the partnership "especially on these areas that have direct bearing on the Philippines' priorities".

Both parties continue to work to reach agreement on the texts relating to cooperation on trade and investment facilitation and economic development issues. The Philippines and the European Union are scheduled to resume a third round of negotiations in December 2009 in Brussels to further find convergence on articles that are still under discussion.