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Reform without rights not sustainable: APEC faces major credibility test

With the region engulfed in a financial and social crisis of unprecedented proportions APEC must recognize that economic recovery and reform depends on human rights, Amnesty International said in a report released today, as APEC Leaders gather in Kuala Lumpur for their sixth annual Meeting.

“Previous arguments about the irrelevance of human rights to APEC cannot be sustained when workers and activists complaining about corruption, job losses and inadequate social provision are being harassed and gaoled in the region,” the human rights organization said.

As APEC promotes economic reforms in Asia, it must also support open and free debate on these issues in the region.

“People who are suffering the effects of the economic downturn have a right to be heard and to organize themselves to protect their livelihoods,” Amnesty International said. “APEC will be judged not only on what financial measures are taken to alleviate the worst impact of the crisis, but on what it does for human rights.”

In its report, Amnesty International argues that reform to economic policy cannot be dealt with in isolation from recognition and respect for fundamental human rights, such as freedom of expression and association. Effective scrutiny of government legislation and actions requires the ability of people and organizations to participate in political discussion and defend their human rights and economic interests without fear for their safety. It also requires an appropriate legal framework where the judiciary is independent and the rule of law secured on relevant international human rights standards.

Speaking from the NGO gathering in Kuala Lumpur, Amnesty International’s Regional Campaign Coordinator John Kellock said : “APEC’s traditional reluctance to raise issues about human rights is short sighted. As Malaysia’s own case shows, freedom of expression and association are fundamental to tackling problems of transparency and corruption”.

According to Amnesty International, thousands of workers and activists throughout Asia continue to be detained, harassed and imprisoned for speaking out about the job losses due to the economic crisis and endemic corruption in some countries:

- In Malaysia’s longest running trial Irene Fernandez, director of a women’s non-governmental organisation, returns to court this week to face charges of allegedly publishing ‘false news’ in a report written in 1995 about abuses in camps for migrant workers. The report detailed how migrant workers, detained as illegal immigrants, complained of denial of adequate medical care, ill-treatment and sexual abuse. If found guilty Irene Fernandez faces up to three years in prison.

- On 19 October 1998, Dan Byung-ho, Vice president of the Korean Confederation of Trade Unions, left Myongdong Catholic Cathedral in central Seoul, South Korea to join a trade union rally. He was promptly arrested. He had sought refuge in the Cathedral after arrest warrants were issued against him and scores of others for organizing strike action to protest the wave of redundancies and the lack of social protection in Korea which have arisen as a result of the economic crisis.
- On 8 March 1998 Li Bifeng, a labour activist from Mianyang, Sichuan province, China was escorted from a taxi at a toll booth by police officials. He was on his way to visit his family. He had been in hiding since July 1997 when he publicized protests by thousands of workers in Mianyang over alleged misappropriation of unemployment funds by corrupt cadres in three collapsed state firms. Li Bifeng was charged with fraud on 6 April and sent to a Detention centre.

“As APEC tackles issues of financial transparency and good governance, it must ensure that people in the region can freely and openly engage in this debate. These issues touch the everyday lives of ordinary people throughout the region – they cannot be excluded,” Amnesty International maintained.

Amnesty International has set out some areas in which APEC can take immediate action to begin to address its human rights deficit. These include:

- ensuring the social and human rights dimensions of the crisis are addressed as a cross-cutting theme in all APEC ministerial meetings and working groups;
- opening up its process to members of civil society such as non-governmental organizations and trade unions;
- highlighting in its leaders’ statement the importance of human rights protection – including freedom of expression and association – in good governance, particularly in dealing with the crisis;
- encouraging member states to ratify and implement international standards on human rights and labour;
- producing guidelines for companies on compliance of human rights and labour standards

- For further information, please refer to Amnesty International’s report: *APEC: Crisis, which crisis? ASA Index: IOR 30/03/98, October 1998.*

- Irene Fernandez’ trial resumes at 8.30 am on 10 November 1998 at Magistrate's Court 8, Jalan Tun Perak, Kuala Lumpur, and expected to be adjourned on 13 November.

- Amnesty International’s (AI) delegation to APEC can be reached on mobile: +44 831 667215. They include: John Kellock, AI’s Asia-Pacific Campaign Coordinator & APEC contact, and Tim Parrit, AI’s researcher on Malaysia. John Kellock will be the primary contact & he will be in Kuala Lumpur from 8 -19 November. He may be reached at: Federal Hotel Kuala Lumpur Tel. 3-248-9166 fax 3-248-2877