

Dr. Steven Rood
Country Representative, the Philippines
The Asia Foundation

Testimony
Senate Foreign Relations Committee
Subcommittee on East Asian and Pacific Affairs

Rebalance to Asia: What Does it Mean for Democracy, Good Governance and Human Rights?
March 21, 2013

Mr. Chairman, Ranking Member and Members of the Subcommittee:

I am pleased to be asked to testify on behalf of my organization, The Asia Foundation, on the issue of democracy and human rights in Asia. Thank you for the invitation to speak before the Subcommittee on a very important topic.

The Asia Foundation is a private, non-profit organization that was founded nearly 60 years ago. Through its programs, the Foundation has made sustained investments to build democratic institutions, reform economies, support civil society capacity, and empower women throughout Asia. These investments have helped to support more politically and economically stable countries throughout the region that are important and reliable allies and partners for the United States.

The Foundation has 17 country offices in Asia, and works with hundreds of established and emerging Asian partner organizations and identifies reform minded individuals and future leaders. We accomplish this through grants to local organizations and through our staff and experts on the ground across Asia. The Foundation's grantees can be found throughout the public and private sectors in Asia, and are leaders of government, industry and a diverse civil society. Over our long history in Asia, at the heart of The Asia Foundation's mission has been advancing democratic institutions and expanding civil society to protect human rights, improve governance and promote economic reform and growth.

For those of us who have worked in Asia for a long time, increased attention to the region is always welcome. The "Rebalance to Asia" will help to reinforce U.S. commitment to the region on all fronts.

Despite the economic and political advances of the last decade, many countries in Asia continue to face challenges in democracy and governance, adherence to the rule of law, elimination of corruption, decreasing religious tolerance, political volatility and, in some cases, armed conflict. In fact, even many countries who have made important progress in democracy continue to struggle in making democracy meaningful beyond periodic elections, and delivering on democracy's promise on a daily basis.

In this context, assistance programs have made an important contribution toward Asia's democratic development and economic well being, and can continue to do so. But there have been concerns over the impact of these programs. How do we know they are effective? How do we measure success? This is a challenge not only for the U.S. but for other donors as well, and there are growing efforts by donors to coordinate and harmonize their programs in order to avoid duplication and increase impact. The extent to which U.S. programs are coordinated with other donors always depends on the scope and focus of the assistance, but there is clearly more of an effort in this direction and progress is being made to refine and develop measures for evaluation.

The development cooperation landscape is changing. In addition to the traditional donors such as USAID, there are a wide range of emerging Asian donors who look at development in an entirely different way. Asian countries have emerged as game changers in the aid arena, challenging traditional notions of aid, reshaping global aid architecture, and placing new challenges on the global development agenda. As countries turn to these new donors, who often offer unconditioned aid, there is concern that the influence of established donors, particularly on controversial topics, might be reduced.

Recognizing the importance of these new actors to future development policy and practice, since 2011 the Foundation has provided a platform for emerging donors from Thailand, Korea, China, Indonesia, Malaysia, Singapore, and India to share their views on development cooperation and international development challenges alongside traditional donors. Following the Foundation's side event on Asian Approaches to Development Cooperation at the High Level Forum for Aid Effectiveness in Busan, Korea in 2011, the Foundation has held several dialogues in Asia on Asian perspectives on international development cooperation and strategies on issues such as pro-poor growth and climate. We have also expanded our work facilitating south-south cooperation between emerging donors and other countries in Asia on issues such as disaster risk management.

This and similar engagement also provides an opportunity for the U.S. to work with countries like Thailand, as emerging donors in their own right, but who continue to face certain democracy and governance challenges domestically, as well as issues that are rooted in broader East Asian regional issues like economic integration and environment. This could also be an important model for partnership in Burma and other East Asian countries.

What we are learning from this series is that the modalities, focus, and effectiveness of providing assistance differ between the emerging and traditional donors. While it is true that the United States has sustained a long term commitment to the expansion of democracy, human rights, women's rights and civil society, this is not true of all donors. To date, the focus of these new donors has been more on traditional infrastructure, economic growth, and development.

At the same time, non-governmental organizations like The Asia Foundation are able to contribute to the protection of women's rights, advance the rule of law, promote greater public security, expand transparency and counter corruption through work with both government and local civil society partners. Effective programs require committed partners and adequate and stable funding, as well as the right mechanism and approach in executing the assistance.

The Asia Foundation's approach takes into consideration both political and economic factors in looking at the incentives for reform, and has a few dimensions that might prove helpful in assessing the effectiveness of programs and their linkages to progress on democracy, governance, and human rights issues. Our holistic approach looks at the inter-related interests of government, the private sector, and the NGO communities to identify whose interests are most served by the desired changes. Then, by working with local partners, the Foundation acts as an honest broker to support strategic inputs, whether they are technical assessments, training, strategic design, or even seed funding for pilot projects, and support and enable local partners to take the lead in achieving more sustainable solutions to national and regional challenges. In this context, focused problem identification, local knowledge and flexible mechanisms contribute to successful outcomes. In addition to country specific investments, the Foundation also facilitates regional exchanges to share experiences among Asian countries and local partners in many of the countries where we work.

In the Philippines for example, one success that touched on increased transparency, counter-corruption and increased rights for citizens relates to land titling. The right to land title and therefore access to credit is tremendously important to millions of Filipinos. Many people have lived on their land for decades, have built homes, opened businesses and even paid taxes on the land but don't have the documentation to pass along to their children, to sell it or use it as collateral to get a bank loan, or sleep at night knowing that their property rights are secure. Property rights reform in the Philippines, as outlined in our recent book [Built on Dreams, Grounded in Reality](#) (2012), was the result of an approach that consisted of analyzing the problem, pursuing a strategy that identified the incentives and motivation for reform, and developing an action plan. With USAID assistance, the Asia Foundation and its local partner, the Foundation for Economic Freedom designed a program that helped to pass the Residential Free Patent Act of 2010, which increased the registration of land titles 1420% in 2011, the first full year of implementation, from approximately 6,600 in 2010 to 55,300 in 2011, and 65,600 in 2012.

In Vietnam, working with local partners, programs to support women victims of trafficking have been highly successful. The Foundation just completed a three year anti-trafficking program that delivered safe migration education to over 62,000 people. We provided technical assistance and held extensive consultations with NGOs and other service providers working with trafficking victims to provide inputs into the government's development of the National Minimum Standards for the treatment of victims of trafficking.

In Thailand, there is a continued need to enforce human rights protections. The Foundation's Department of State funded forensics project advances human rights protection by strengthening the capacity of formal justice agencies, forensic pathologists, university medical faculties, human rights NGOs and human rights lawyers associations, and the print and broadcast media to apply forensic investigative techniques. The same approach has been utilized in the Philippines, again with funding from the Department of State, to help end a culture of impunity by going beyond reliance on testimony to scientific evidence.

In the context where space might be shrinking for civil society, it is important to try to identify effective ways to achieve increased public participation and citizen involvement. In such

restrictive environments, it is critical to try to support local organizations to have the space to continue to do their work and carry out dialogues about the issues that matter to them and to society. Civil society in these contexts are also quite weak and atomized, so building their organizational capacity is important for the long term, as well as an opportunity for different groups within civil society to work together. Preserving an enabling environment for civil society, interacting with governments to the extent possible, and accepting the inevitable twists and turns of democratic development can require patience and new modes of thinking.

One way is to define civil society broadly. We are not only talking about political parties and advocacy groups, just as we are not defining democratic progress only by free and fair elections. The Foundation defines civil society to include not only these groups, but also business and trade associations, bar associations, women's groups, religious organizations, journalists and media groups, health and education NGOs, and civic and charitable organizations of all kinds. These groups all have an important role to play and help to expand the space for reform. We have seen this unfold over time throughout Asia. The Foundation, often with U.S. government funding and support, has invested significantly in civil society organizations, broadly defined, building their capacity and identifying individuals who are working toward reform.

For instance, in the post-World War II era, the Asia Foundation's programs in countries where democratic traditions were weak, like Korea, Japan and Taiwan, supported a wide range of civil society groups. They provided education, health, and other important social services, as well as advocacy and the generation of new ideas, and thus became important contributors to economic development and growth. Today, these countries stand as models of stability and democracy in the region, bolstered by increased public participation and expanded opportunities made possible through the inclusion of civil society organizations in policy making.

More recently in countries like Indonesia, it was civil society and religious organizations working together under the Suharto regime, which provided not only service delivery, but in the post-1999 era, the creative ideas and basis for legal reforms, women's rights, human rights advocacy, counter corruption and watch dog functions, and important economic reforms which drew on broad consultations with the public. We should continue to take stock of the fruit of the long term U.S. investments – many in leadership in post-reform institutions are people with whom the Foundation partnered with in the past as part of Foundation civil society partnerships with USAID funding. For instance, this includes leadership in the Election Commission, Corruption Eradication Commission, Committee for Free Information, Press Council (which existed in New Order but revamped post-*reformasi*), Judicial Commission, National Committee of Human Rights, and National Commission on Women's Rights.

The Philippines is another good case in point, where under the Marcos era, civil society became an important contributor to the country's political and economic development and remains so to this day. Civil society organizations have contributed to more transparency and accountability in governance, expanded press freedom shone the light on human rights abuses, and worked to develop political will for economic reform.

Another example is in Thailand, where the Foundation supported the 1997 People's Constitution, the first of its kind to be informed by the inputs of women and other citizen stakeholders. We

also provided follow-up support for public institutions like the Constitutional and Administrative Courts that were created under the Constitution and continue today.

In Vietnam, where the Foundation works with a broad range of civil society, we seeded an initiative with the Vietnam Chamber of Commerce and Industry. USAID viewed the program as important, and has continued to support the Provincial Competitiveness Index (PCI), a survey of small and medium enterprises. PCI was just released for the 8th time to tremendous public and media interest in Vietnam, having established itself as a respected national instrument measuring provincial economic governance and allowing the voice of the private sector to reach policymakers.

We see real opportunities for the U.S. in the rebalancing toward Asia in:

- 1) Making a long-term commitment to the region, in terms of relationships and resources;
- 2) Understanding of the uncertain path towards democracy, and a commitment to continue pressing forward; and
- 3) Building relationships with other donors, including Asian donors, in coordinating on mutually beneficial goals and objectives.

The Asia Foundation's experience in Asia shows that such long-term commitments, local partnerships and relationships with other donors can advance democracy and protection of human rights in the region, thereby advancing the mutual interests of the United States and Asia.

Thank you again for the opportunity to testify before the Subcommittee and I am pleased to respond to questions.