

Statement on the Japan-Philippine Economic Partnership Agreement

Saturday 27 October 2007, by [Movements \(Japan\)](#) (Date first published: 23 October 2007).

Hon. Senator Miriam Defensor-Santiago

Chairperson, Committee on Foreign Relations

Senate of the Philippines

October 23, 2007

RE: Japan-Philippines Economic Partnership Agreement

The Japanese Citizens Strongly Support the Philippine Citizens' Opposition to the Ratification of the Japan-Philippine Economic Partnership Agreement as Currently Proposed

The Philippine President Gloria Macapagal-Arroyo and then Japanese Prime Minister Junichiro Koizumi signed the Japan-Philippines Economic Partnership Agreement (JPEPA) in September 2006. A total of five hearings for the ratification of the JPEPA were held by the Committee on Foreign Relations of the Philippines Senate from September 14 until October 8th. The subject matter of each hearing were "economic impacts", "investment", "environment" "movement of natural persons" and "constitution" respectively. A range of citizen groups, who tackle the issues of the environment, human rights, fisheries, agriculture, labor, education, and politics, expressed at the hearings their opposition to the ratification of JPEPA for its various problems. Also, outside of the hearings, many people and groups have stood up to protest against the ratification as they are concerned that JPEPA could infringe their rights and lives.

We, the Japanese citizen groups working on environmental, human health, human rights, agriculture, trade, and consumers' issues, too have been warning of a possible consequence of the ratification of the JPEPA, which lists hazardous wastes as zero tariff products. Since November 2006, we have released a number of statements urging the Japanese government to remove all the hazardous waste trade liberalization provisions from the JPEPA, to make the negotiation process of the JPEPA public, to immediately ratify the Basel Ban Amendment, and to achieve national selfsufficiency

in the management of wastes instead of relying on developing countries to take care of wastes. (Reference - at the end of the statement)

Currently, numerous citizen groups in the Philippines are expressing their opposition to the JPEPA due to its various problems. We as Japanese citizen groups sympathize with the concern of the Philippines citizens and agree with their arguments about the problems of the JPEPA. We oppose the JPEPA as currently proposed because we are certain that, unless the problems pointed out below are solved, the ratification of the JPEPA will not lead to mutual benefits of the people in the Philippines and Japan, and become a barrier in the friendship between the two countries.

1. It is problematic that the negotiation concerning the JPEPA has been done behind closed doors and exclusive of several stake holders including lawmakers. The information regarding the negotiation process has never been disclosed to the public. The right to participate in public matters should be guaranteed for all people, as it is guaranteed in the Philippine constitution.
2. Despite the national laws and international agreements that control trades in toxic/hazardous waste, the JPEPA include toxic and hazardous wastes as products for which tariffs would be eliminated. To address this point, the diplomatic notes were exchanged between the Philippines and the Japanese governments confirming that Japan would not be exporting toxic wastes to the Philippines. However, if indeed no waste trade is contemplated by the JPEPA, any kinds of toxic and hazardous wastes should have been removed from tariff reduction provisions of the JPEPA.
3. Contrary to repeated media statements, the actual text of the JPEPA reveals that the Philippine government exempted Japanese investors from the obligation to transfer technologies to support the Filipino partners. The Philippines also relinquished the right to require Japanese investors to hire a certain number of Filipinos. Among those countries who have negotiated with Japan to establish Economic Partnership Agreements, the Philippine is the only country who voluntarily gave up the rights. Malaysia, Indonesia and Thai did not voluntarily abandon their rights. In addition, twisting arms of the Senators and Congress members in the Philippines, the Article 4 of the JPEPA allows each country to “examine the possibility of amending or repealing laws and regulations that pertain to or affect the implementation and operation of this Agreement, if the circumstances or objectives giving rise to their adoption no longer exist or if such circumstances or objectives can be addressed in a less trade-restrictive manner.” This article does not exist in the EPAs that Japan has signed with Malaysia, Indonesia, and Thai. Such agreements and articles, which force a country to abandon its rights and put one country in a position less advantaged than others, should be eliminated.
4. Contrary to the promising outlook of the JPEPA that the Philippine government provided for the Filipino nurses, JPEPA makes strenuous demands on the Filipino nurses when it comes to entry to Japan and employment in Japan, making it impossible for them to participate in the Japanese market. Moreover, even if they manage to enter the Japanese market, Japan currently does not have an adequate domestic system to support the Filipino workers and it is most likely that the Filipino nurses will be treated and abused as second-class labor. A fundamental improvement on this matter is needed.
5. In terms of market access, JPEPA is clearly lopsided in favor of Japanese agricultural and industrial products. The Philippines will drastically eliminate tariffs on agricultural products except for rice (5 tariff lines) and salt. On the other hand, Japan was able to exclude 238 tariff lines, which include a wide range of fish and marine products, vegetables, fruits, seaweed, sugar and related products, and footwear. There is much doubt about market access claims raised by the negotiators. For seaweeds, some of the species, for which Japan has made commitments for tariff elimination, do not even grow and/or are not even farmed in the Philippines.

The Article 27 of the JPEPA addresses cooperation in relation to export of used four-wheel motor vehicles. It is obviously in violation of the Executive Order (EO) Number 156, which prohibits the very cooperation and ignores the effectiveness of the EO supported by the Supreme Court. The negotiators of the JPEPA repeatedly stated at several discussion tables that national laws would be respected by JPEPA. However, the Annex 1 of the JPEPA [Part 3, Section 1, 3 (c)]

clearly states that “On the request of either Party, the Parties shall negotiate on issue such as market access conditions on used motor vehicles.” This commitment is a serious threat to the 77,000 workers of the automotive industry. Again, the EPAs Japan signed with Malaysia, Indonesia, and Thailand don’t contain such article.

On the contrary to the government’s claim that the JPEPA would ease poverty by spurring economic growth, the JPEPA has several articles that are in favor of Japan and lacks a clear vision for development for the people of the Philippines, and thus JPEPA would rush only to ending of industry and agriculture in the Philippines and throw the Filipino citizens into deeper poverty. Re-negotiation on the JPEPA is definitely needed to tackle the economic inequality between the Philippines and Japan.

6. The JPEPA was the first among the series of free trade agreements and economic partnership agreements that the Philippine is currently negotiating. Thus the JPEPA sets a precedent for agreements on trade and investments that the Philippines would sign with other countries in future years. That is why it is critical to address all the issues weighed against the Philippines in the JPEPA and revise them for the sake of the Filipino people.

Japanese citizens, who wish to advance the mutually beneficial and friendly relationship between the Philippines and Japan, strongly urge together with the Philippine citizens for the Philippine Senate to decline the ratification of the currently-proposed JPEPA, and renegotiation between the Philippine and Japanese governments in order to solve the issues discussed above.

On behalf of the followings signing organizations:

Network for Asian Workers in Kansai (NAW)

ATTAC (Association for the Taxation of financial Transaction for the Citizens) Japan

Campaign for Future of Filipino Children (CFFC)

Chemical Sensitivity Support Center

Citizens Against Chemicals Pollution

Citizens Policy Research Committee

Community and Collaboration Research Center

Environmental Forum of Toyonaka Citizens

Forum for Peace, Human Rights and the Environment

Globalization Watch Hiroshima

IKKI IKKI ASIA

Japan Family Farmers Movement (NOUMINREN)

Japan Occupational Safety and Health Resource Center (JOSHRC)

Jubilee Kansai Network

KAFTI

Kansai Action Center on Philippine Human Rights Issues

MMB-JPIC-Japan

Nagoya Center for Philippine Concerns

No-to-WTO/FTA Grassroots Campaign

Stop! Dioxin Pollution! East Japan Network

Stop the Dioxin Pollution! Kansai Network

Wheelchair's EYE

Sincerely,

Takeshi Yasuma

Citizens Against Chemicals Pollution

Z Bldg. 4F, 7-10-1 Kameido, Koto-ku, Tokyo, 136-0071, Japan

TEL/FAX +81-3-5836-4358

E-mail: ac7t-ysm asahi-net.or.jp

<http://www.ne.jp/asahi/kagaku/pico/>

Reference 1

List of Joint Statements on JPEPA issued by Japanese Groups

November 29, 2006

Japanese Citizen Groups Joint Press Release Call for Removal of Tariff Reduction for Wastes from the Japan- Philippines Economic Partnership Agreement (JPEPA)

http://www.ne.jp/asahi/kagaku/pico/basel/JPEA/JPEPA_Joint_Appeal_e2.pdf

December 8, 2006

Citizen Groups Joint Statement of Opinion Critique of the Japanese Government's Strategy to Export Wastes to Developing Countries Under the Name of International Resource Recycling

http://www.ne.jp/asahi/kagaku/pico/basel/JPEA/NGO_joint_statement_061208_en.pdf

February 11, 2007

Japanese Citizen Groups Urge the Japanese Government to Remove Wastes from EPAs with Developing Countries and to Seek National Self-Sufficiency in the Waste Management

http://www.ne.jp/asahi/kagaku/pico/basel/JPEA/EPA_Jpn_NGO_Joint_Statement_070211_en.pdf