



Exploring the Nexus Between Technologies and Human Rights

**Opportunities and Challenges
in Southeast Asia**

Edited by

**Khoo Ying Hooi
Deasy Simandjuntak**



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This book is the result of SHAPE-SEA's 2019 Commissioned Research Project on "Exploring the Nexus between Technologies and Human Rights: Opportunities and Challenges in ASEAN/Southeast Asia." The project sought to examine potential and current impacts of technologies on various aspects/issues affecting human rights in Southeast Asia. SHAPE-SEA collaborated with Southeast Asian scholars and practitioners to comprehensively identify and critically analyse harms and benefits of technologies towards the protection of human rights and fundamental freedoms in the region.

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FOREWORD

Throughout the world, technologies are increasingly changing ways in which individuals and societies interact, influence others, and enjoy rights and freedoms. In Southeast Asia, technologies have shaped ways that we develop and disseminate information about our experiences and identities. Furthermore, in recent times, technologies have helped defy political and social norms, and have broken structural, language and even, ideological barriers amongst individuals and groups. People who are silenced and powerless have found technology as an ally in their daily struggle. While technologies have contributed to the improvement of the protection of rights, in the meantime, it also raises serious questions about potential harms against human rights and freedoms.

In realising its mission to build a culture of human rights and peace through evidence-based research, education and informed policy advocacies, SHAPE-SEA is well aware of the power of technologies in supporting steps towards achieving programme goals. In fact, we've been utilising the Internet to reach more learners through our online platforms and digital library on human rights and peace and to enable virtual participation in our national and regional events. We are also greatly conscious about its negative effects, especially the ill-use of information to oppress the people, proliferation of anti-human rights sentiments on social media, violations of the right to privacy, and purging of human rights defenders.

Hence, this book on “Exploring the Nexus between Technologies and Human Rights: Opportunities and Challenges in Southeast Asia,” is an homage and our contribution to efforts in increasing awareness and strengthening understanding on existing and imminent impacts of technologies towards the protection of human rights and fundamental freedoms throughout the region.

We are most grateful to the Swedish International Development Cooperation Agency (Sida) for supporting this commissioned research project. Our heartfelt gratitude is given to our editors, Dr Khoo Ying Hooi and Dr Deasy Simandjuntak, for their excellent leadership in developing this book. Last but not the least, we deeply appreciate the time, efforts and expertise shared by our esteemed authors in producing their respective book chapters.

We fervently hope that this book, among the very first under the theme of technology and human rights in the region, will inspire more collaborations amongst academics and practitioners towards maximising opportunities, as well as, eliminating harms brought about by technologies towards our quest to mainstream human rights and peace discourse and praxis in all corners of our beloved region.

A handwritten signature in black ink, appearing to read "Petchara S.", written in a cursive style.

Dr. Sriprapha Petcharamesree
Programme Chair
SHAPE-SEA

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CHAPTER 9

Workers' Rights in the Digital Economy: Assessing the Impacts of Technology Usage by Go-Jek and Grab in Indonesia

M. Falikul Isbah

Abstract

This chapter explores the human rights impacts of the technological usage on workers of the on-demand transportation industry in Indonesia, looking into Go-Jek and Grab services. This industry as a new business model resulted from the current Internet-based technological discoveries and innovation applied in smartphones. From the fieldwork in three cities of Indonesia, namely Jakarta, Medan, and Mataram, this study found potential abuses of workers' rights that have received little attention. Guided by the conceptualisation of the existing norms, guiding principles and indicators of human rights in business, this study found inconsistencies in respecting workers' rights, for instance, the lack of workers' representation, the lack of work accident protection and broader social security, negative impacts of the algorithm-based order distribution, unlimited working hours and cultural or religious constraints for female workers.

Introduction

In today's world, we are exposed to new Internet-based technological discoveries, which transformed many aspects of our life. One of the most striking transformations is the way jobs were distributed, as well as how workers are compensated and controlled. There are two categories of this new business model from the way it is distributed by the company and conducted by the workers: the first is web-based micro task, such as freelance marketplaces (e.g., Upwork), microtask crowd work (e.g., AMT, Clickworker), and content-based creative crowd work (e.g., 99designs), while the second is location-based, such as accommodation (e.g., Airbnb), transportation (e.g., Uber, Lyft), delivery (e.g., Deliveroo), household services (e.g., Taskrabbit), and local microtasking (e.g., streetsport) (Berg, Rani, Furrer, Harmon, & Silberman, 2018, p. 4). Workers in both types of jobs are hired to perform a certain short task, not a permanent or long-term job (Vallas, 2018, p. 1). In Indonesia and some countries of Southeast Asia, the location-based model seems to grow much more than the web-based micro task model.¹

¹ The most growing businesses of the digital economy in the region are e-commerce, logistics, ride-hailing and food delivery services. Southeast Asia's digital economy is to create 1.7 million jobs by 2025, hrmasia.com, November 22, 2018 (<http://hrmasia.com/southeast-asia-digital-economy-1-million-jobs-2025/>)

In Southeast Asia, motorbike ride hailing is found in Indonesia, Thailand, Vietnam, and the Philippines, while countries like Malaysia and Singapore are not accustomed to motorbike taxi service, but conventional taxi and ride-hailing car service. Therefore, only on-demand car-taxi is available in those countries. Grab is likely the more dominant player in the region (Chandler, 2019), while Go-Jek, which was Indonesia-based, is expanding regionally, such as towards Singapore, Vietnam, Thailand and Malaysia (Desk Editor Insider, 2019; Rahman, 2019; Russell, 2018; The Jakarta Post, 2018b). Recently, Go-Jek's expansion to Malaysia has ignited a resistance from taxi companies in the country, as was expressed in a controversial public statement by a Malaysian taxi company boss stating that Go-Jek is only suitable for poor people in Indonesia.²

Responses of governments in the region are varied. The Thai government, for instance, has been clear in declaring the legality of digital platform-based transportation services, including motorbike taxi; although in practice drivers of ride-hailing face protests, sometimes even hostile treatments, from conventional taxi, or conventional motorbike taxi drivers, such as in some places in Indonesia and Thailand (Rudi, 2016). In Thailand, there are two players, Grab and Get (a local brand of Go-Jek). Nine million users have downloaded Grab apps, while Get apps have downloaded by 500 thousand smartphone users. In the Philippines, the same service has operated with Angkas as the brand, but its legality is still in the process (Cepeda, 2019). In fact, Go-Jek has attempted to operate in the Philippines, but the expansion was constrained by a minimum 60% of local share-holding ownership (Franedya, 2019), while Grab has operated since 2015, beginning with GrabCar (Agence France-press, 2015). In Vietnam, motorbike taxi services were operating over the last few years, but their legality remains unclear (Tram, 2016).

The growth of this industry is made possible by a massive and widespread access to the Internet, especially through smartphones usage. A 2017 data published by digital economy consulting companies Hootsuite (<https://hootsuite.com/>) and Tech in Asia shows that 51% or 132.7 million people out of Indonesia's 262 million total populations have Internet access and 40% of them are active social media users.³ The mobile subscriptions of 371.4

² The verbatim statement by Shamsubahrin was, "These are poor countries, we are a rich country. Our young people are not like Indonesia. If Indonesia's young people are good, they would not go overseas to find jobs. Gojek is only for poor people like in Jakarta," Gojek 'only for the poor' resistance in Malaysia is part and parcel of expansion, The Jakarta Post, August 29, 2019 (<https://www.thejakartapost.com/news/2019/08/29/gojek-only-for-the-poor-resistance-in-malaysia-is-part-and-parcel-of-expansion.html>)

³ Hootsuite is a consulting company, founded in 2008 and based in Vancouver, Canada, providing services in social media management for business marketing through giving teams the platform, advice, personalized training, and advanced analytics. Meanwhile, based on the official description on its website, Tech in Asia is "the largest English-language technology media company that focuses on Asia. From the latest news to the hottest trends and the boldest startups to the strongest titans, we cover everything tech in the region. Our goal is to build and serve Asia's tech and startup community. Apart from producing and delivering quality editorial content, we connect brands with early adopters via Studios, our advertising agency unit. We organize tech conferences and events across Asia, and we operate the region's go-to startup and technology jobs marketplace."

million surprisingly exceed the population number, meaning that a significant proportion of Indonesians use more than one mobile number. A parallel development also occurs in other Southeast Asian countries. 65% of the region's population use Internet connection, 63% of them are active social media users, and mobile subscriptions have exceeded the population number by 132% (Hootsuite & We Are Social, 2019). That backdrop has inspired entrepreneurs to create digital platforms which mediate workers and consumers in providing various personalised services, from motor-bike and car hailing, massage, home cleaning, to food delivery.

The data discussed here was collected through fieldwork in Jakarta, Medan, and Mataram for a duration of three weeks, from the mid of June to early July 2019. Jakarta was chosen as it represents the city with the largest number of workers, Medan was chosen to represent a medium-size city in the western region of Indonesia, and Mataram to represent a small-size city in the eastern region of the country. Those three cities also reflect the gradation of worker numbers in this industry. In addition, based on the recently released regulation on tariff (Kementerian Perhubungan, 2019a), those three cities also represent different price zoning. Medan, the capital city of North Sumatera province is part of Zone I, Jakarta is part Zone II, and Mataram, the capital city of Nusa Tenggara Barat province is part of Zone III. As will be discussed further, the zoning implies a different level of market potential, cost of living in the city, as well as broader demographic and employment landscape across the three cities.

Table 1: Demographic Context of Research Sites

Type of data	Jakarta	Medan	Mataram
Population	10.7 million	2.2 million	468.509
Unemployment rate	5.13%	7.86%	6.7%
Poverty rate	3.47%	9.11%	9.3%
Regional monthly minimum wage	4 million rupiah	2.9 million rupiah	2 million rupiah

Source: Adaptation from the Indonesian Bureau Statistic's data and other official media releases by the respective local governments of the three cities.

In each city, I interviewed ten respondents drawing from both Go-Jek and Grab motorbike riders. The aim was not to provide a comparative assessment of Go-Jek and Grab but to explore the narratives of the workers concerning the two companies' policies, as well as gaps with regard to government regulations. The data collection and analysis were conducted based on my exploration of the existing norms, guiding principles, and indicators of human rights in business. Based on Universal Declaration of Human Rights (1948), the International Covenant of Economic, Social and Cultural Rights (1966), ILO's Declaration on Fundamental Principles and Rights at Work and Its Follow-up (1998), ILO's Decent

Work Indicators (2013), and the UN Guiding Principles on Business and Human Rights (2011), I will formulate concepts concerning workers' rights. Given the fact that this research is conducted on a new business model resulting from technological innovation, the concepts also take into account current discussions on the impacts of technology on this business model and the workers in it.

Go-Jek and Grab in Indonesia

In Indonesia, the pioneer of this business, as well as the current dominant player, is Go-Jek - an online application-based motorbike and car transportation service. Launched in 2010, the Go-Jek application has now been downloaded by 40 million users in 200 cities of this country. It claims to serve 10 million users weekly and to cater for 95% of food delivery services (Purnell, 2017). Following Go-Jek, there are some similar platforms in the sector, such as Grab and Uber (the latter having stopped its operation in Southeast Asia in 2018 due to tight competition against Go-Jek and Grab) (Goel & Lim, 2018). Table 1 shows the services offered by the Go-Jek application. The availability of those services varies in different places, but the first seven are likely to be found in all cities where Go-Jek operates, except GoBluebird. To ease the purchasing or paying for these services, Go-Jek provides GoPay as its financial technology service integrated in the Go-Jek apps.

Table 2 shows the services offered by Grab application. All of those services are available in all cities where Grab operates. To purchase or pay for those services, Grab provides OVO as its financial technology service integrated in the Grab apps. Unlike Go-Pay, however, OVO is a digital payment service company, which is not under the management of Grab, but Grab has a portion of share in it.⁴

Table 2: Services offered on Go-Jek Apps, as of August 2019

No	Service Title	Service Description
1	GoRide	Motor-bike taxi
2	GoCar	Car taxi
3	GoFood	Food shopping and delivery from partner merchants
4	GoBluebird	Car taxi serviced by the conventional taxi Bluebird
5	GoSend	Mail and logistic shipping/postal
6	GoPulsa	Purchasing mobile phone credit

⁴ Andri Suherman and friends initiated OVO with initial investment from Lippo Group. Presiden Direktur PT. Visionet International (OVO), Adrian Suherman: "Jangan Bersaing, Mending Kerja Sama", Sumatera.bisnis.com, June 07, 2018 (<https://sumatra.bisnis.com/read/20180607/250/803752/presiden-direktur-pt-visionet-internasional-ovo-adrian-suherman-jangan-bersaing-mending-kerja-sama>))

7	GoBills	Paying bills of electricity, health insurance, cable TV, multifinance, etc.
8	GoShop	Purchasing goods from shops
9	GoBox	Truck pick-up and delivery of goods
10	GoMassage	Massage service
11	GoClean	Cleaning houses and properties
12	GoFix	Fixing household equipment
13	GoLaundry	Laundry
14	GoGlam	Make-up and hair-do services
15	GoTix	Purchasing tickets of cinema, concert, touristic theme park, etc.
16	GoAuto	Car repair
17	GoMed	Doctor consultation

Source: Adapted from the Go-Jek apps by the author.

Table 3: Services Offered on Grab apps, as of August 2019

No	Service Title	Service Description
1	Car	Car taxi
2	Bike	Motor-bike taxi
3	Food	Food purchase and delivery
4	Delivery	Logistic shipping and postal

Source: Adapted from the Grab apps by the author.

The emergence of Go-Jek and Grab is not without challenges. In general, they have received positive responses from consumers that are delighted with the convenient services and cheaper price. However, there has been a strong rejection by the long-established conventional transportation service providers, who feel that their market is being taken away. As a result, due to the pressure from companies and drivers of conventional transportation service, the Indonesian Ministry of Transportation banned the ride hailing businesses in 2015, as they were considered not meeting the standard requirement of public transportation (Jakarta Post, 18 December 2015). However, President Jokowi withdrew the ban and supports the existence of Go-Jek as an alternative and reliable transportation (CNN Indonesia, December 18, 2015). Such mixed responses from the government show that there was dubiousness affecting decisions of the policy makers. Therefore, there is a strong need to develop a better understanding regarding the on-demand transportation sector to inform policy makers in creating good public policy.

Currently Go-Jek is expanding beyond transportation services, to include food delivery, logistics, mobile payments, and other on-demand services. The rapid business development of Go-Jek in Indonesia is mostly acquired through filling the gap left by 'traditional' taxi industries and looking into the changing consumption trends and culture of the society (cf. Posen, 2015). This trend, especially in the Indonesian context, can be interpreted as a result of several intertwining factors, from the poor infrastructure of public transportation, the extreme traffic jams and congestion in many major Indonesian cities that make motorbike the best option, a large portion of the population working informally, to the lifestyle of being accustomed to have personalized services (The Jakarta Post, 2018a). Nonetheless, whether on-demand transportation platform will fully replace the 'traditional' taxi industry or not, remains an unanswered question for the future. However, it is evident that their existence has significantly disrupted the business of the 'old players' in the transportation sector, creating tensions among drivers on the road.

Studying this sector in the Indonesian context is economically very important, as it provides a significant picture in the country's new employment landscape. Recent research by Fanggidae et al. (2016) noted that Go-Jek has evidently become a promising new source of income for many people and an opportunity to increase their quality of life. The research recorded more than 300.000 Go-Jek drivers in Indonesia and the number keeps increasing. Among 200 drivers surveyed in Jakarta, 82% were satisfied with their income because it was higher than their income from previous job, although more than half of them still earned less than Jakarta's minimum wage. The majority of drivers were also satisfied with their flexible working hours although many of them have excessive working hours (Fanggidae et al., 2016).

In a broader picture of the Indonesian employment landscape, people who work in informal sector account for as much as 69,02 million or 57.03% of the total working population (Badan Pusat Statistik, 2016). This is a very large proportion compared to other more economically developed countries. Most drivers working for on-demand transportation platforms are those who have previously juggled work in the informal sector. However, their job as Go-Jek drivers does still position them in the informal sector with the same informal working conditions, albeit now under large platform companies. This chapter seeks to explore the impacts of the technological usage by platform companies on the human rights of the workers in this industry in Indonesia. It aims to answer the following questions: 1) what are the profiles of workers in this industry? 2) what are the potential workers' rights abuses and the adverse impacts to them in this job? 3) what have the Indonesian government and platform companies done to protect, respect, and remedy potential workers' rights?

Digital Economy and Its Impacts on Workers

Several studies have discussed this business model in regard to its history and position in the capitalist economy (e.g., Vallas, 2018), employment relations in which platform companies treat workers as partners or independent contractors and its impacts on workers (e.g., Cherry & Aloisi, 2016; Malos, Lester, & Virick, 2018), and inadequacy of existing regulation to the business model (e.g., Collier, Dubal, & Carter, 2018; Natour, 2016; Stewart & Stanford, 2017).

Vallas (2018, pp. 4–5) noted that the platform economy, especially in the context of United States (U.S.), has its roots in a wave of massive investment in Internet start-ups in the mid-1990s. Although much investment in the dot.com era was not successful enough, it generated further technological discoveries on how services and goods can be marketed online. In short, the platform economy is part of a broader financialization in the capitalist economy. The other milieu paving the idea of outsourcing every single task is the “retail revolution” in which giant retailers rely on production sites and distribution points placed throughout the planet. To govern and control such global value chains, they developed technology such as bar codes, computerized inventory systems, and satellite technology, in order to ensure the production and distribution process, goods quality control, as well as consumer satisfaction. Giant on-site retailer such as Walmart and Target and website-based retailer such as Amazon are exemplary models of this “retail revolution”. The platform economy has learned from their business model in developing a technology of governance, but it uses the technology to match workers and end-users.

Meanwhile, many recent literature (e.g., Cherry & Aloisi, 2016; Malos et al., 2018) discuss the employment relations applied in the platform economy, in which platform companies treat workers as partners or independent contractors. Such employment relations lead to further problems in ensuring workers’ rights. Natour (2016) coined the “governance gap” and Flanagan (2017) coined the “regulatory deficit” to describe the inadequacy of the existing regulatory frameworks. For example, most labor laws in most countries define employment relations as an agreement between employer and employee on a certain task with agreed wage within a certain period of time. The relation lasts for a relatively long period, based on an agreed contract by the two parties. In contrast, employment in the gig economy is less secure and precarious (Lewchuk, 2017).

Based on their study on Uber in the U.S, Collier et al. (2018) point out that Uber is disrupting regulatory regimes, but there is no deregulation and instead new entrants capture and align the existing regulation for their interest. To address the situation, Flanagan (2017) proposed an eclectic approach to strengthening regulation and safeguarding the rights of consumers and workers or service providers regardless of their employment status, for example, by pushing hourly rates. Stewart & Stanford (2017) suggested policy makers to be creative and ambitious in better protecting workers by strengthening and expanding existing regulatory frameworks governing the gig economy. The options are enforcement of

existing laws, clarifying or expanding definitions of ‘employment’, creating a new category of ‘independent worker’, creating rights for ‘workers’, not employees, and reconsidering the concept of an ‘employer’ (Stewart & Stanford, 2017, pp. 429–431).

Business, Human Rights, and Technology: A Proposed Conceptual Framework

As noted by Waagstein (2017), the debate on whether business enterprises have to be responsible to ensure human rights norms and values can be dated back to the 1970s. It was an extended topic on corporate social responsibility, which required companies to be socially aware of the development and welfare of the community. However, business and human rights then conceptually culminated in a report written by the U.N. Special Representative of the Secretary General on the issue of human rights and transnational corporations and other business enterprises by Professor John Ruggie, entitled “Protect, Respect and Remedy: A Framework for Business and Human Rights”, which was based on his extensive research and consultations with governments, business, and civil society on five continents (Ruggie, 2008).⁵ The report was then developed into an operational document titled “Guiding Principles on Business and Human Rights: Implementing the United Nations ‘Protect, Respect and Remedy’ Framework” (United Nations, 2011).

To what extent have the Guiding Principle been adopted and implemented in Indonesia and Southeast Asian countries? According to Waagstein (2017, p. 2), there has not been a particular law or regulation enacting the Principles into practice. However, Indonesia has several laws, including Human Rights Law (1999), that regulates the protection of human rights of others. Some efforts, however, have been done, for instance, by the Indonesian National Commission on Human Rights (Komnas HAM). In 2017, Komnas HAM published a National Action Plan on Business and Human Rights or the NAP BHR (Komnas HAM & ELSAM, 2017). The document lays out methods and processes that the government and business enterprises should comply with. For the government, the Commission urges towards the establishment of a solid law instrument for implementing the United Nations Guiding Principles on Business and Human Rights (UNGPs). The method is, among others, by aligning all laws and their derivative regulations, at both national and local government level, to be in line with the UNGPs. The second method is creating a compliance standard for assessing human rights compliance of business enterprises in their activities. If they meet the standard, they will be able to obtain a human rights certificate. Following this standard, there must be a reward and punishment scheme. An example of reward or incentive would be easing business permits and related procedures for corporations passing a human rights assessment, while a punishment scheme is not clearly explained in the document (Komnas HAM & ELSAM, 2017, pp. 27–55).

⁵ The report was catered to the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises. The document I used for this study is dated April 7, 2008.

For business enterprises the National Action Plan (NAP) provides a map of potential human rights violations. The first identifies potential adverse impacts to certain groups of workers (e.g., women, disabled, migrant workers, child workers and those who are part of minority groups) due to higher levels of vulnerability. The second are potential impacts on the environment in the form of deforestation, food security, and pollution. The last are potential impacts on vulnerable communities such as aging groups, local ethnic groups, small and landless farmers, fishermen, and other vulnerable groups. Therefore, Komnas HAM urges business enterprises to create internal guidance and policy to avoid business practices that would threaten human rights; to conduct a periodical assessment for identifying, preventing, and mitigating human rights violations; to provide remedy mechanisms for victims; and to conduct periodic meetings with the government, Komnas HAM, NGOs, and communities to share their experiences and challenges in ensuring respect for human rights (Komnas HAM & ELSAM, 2017, pp. 59–68).

How far has that NAP being implemented by the government and adopted by business enterprises? So far, there has not been any rigorous survey to answer this question. Nonetheless, this chapter benefits from reports by NGOs, such as Oxfam Jakarta, the International NGO Forum on Indonesian Development (INFID), and the Indonesian Human Rights Committee for Social Justice (IHCS), which organised public discussion and policy advocacy on business and human rights. Nevertheless, there has been almost no study or policy discussion on the on-demand transportation industry with a special reference to business and human rights. As an exception, there was a study by an NGO named Perkumpulan Prakarsa which surveyed the situation of the on-demand motor-bike taxi workers using ILO's Decent Work Indicators in Jakarta and Surabaya (see Fanggidae et al., 2016). Therefore, this study aims to fill the gap by identifying the situation of workers' rights based on fieldwork data gathered through interviews.

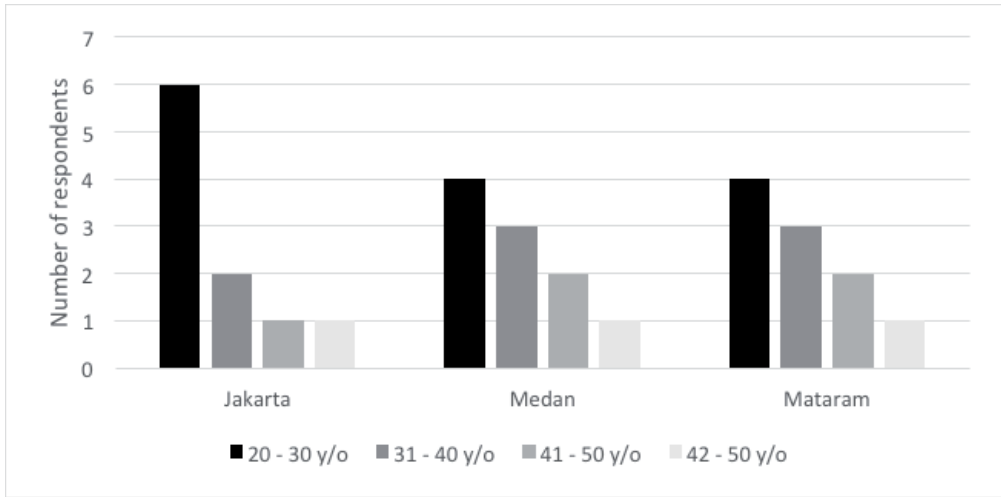
There are at least three advantages of a rights-based perspective on studying jobs in the gig economy. First, it will prevent us from falling into a 'legal trap', which often challenges scholars with a question whether existing regulations fit, or not to assess the fate of workers in the gig economy. Second, human rights are universal norms relevant and applicable across countries, and hence, the framework of this study can be extended to any other country for future research agendas. Third, the results of this research can inform policy makers and platform companies with a dedicated human rights perspective that they can adopt or reflect upon in future regulation and decision-making.

Who are the On-Demand Motorbike Taxi Riders?

Based on interviews with ten respondents in each city, most workers in Jakarta, Medan, and Mataram were in their 20s and 30s. In Jakarta and Medan, a number of them are either graduated from secondary vocational schools, dropped out from universities or are still studying at university level while pursuing this job. In Mataram, many of them only have junior high school education. This picture reflects a broader demographic structure

of those cities. In Jakarta, four million of its 10.1 million population is aged 20-39 years old. A current statistic shows that 25% of its working population is related to trading and small-business enterprises, while 65% of them work as employees in the formal sector. It is also a fact that 43% of workers in Jakarta hold senior secondary school certificates (Badan Pusat Statistik Provinsi DKI, 2018). This is also reflected in the majority of Go-Jek and Grab drivers, which are holding said school level certificate.

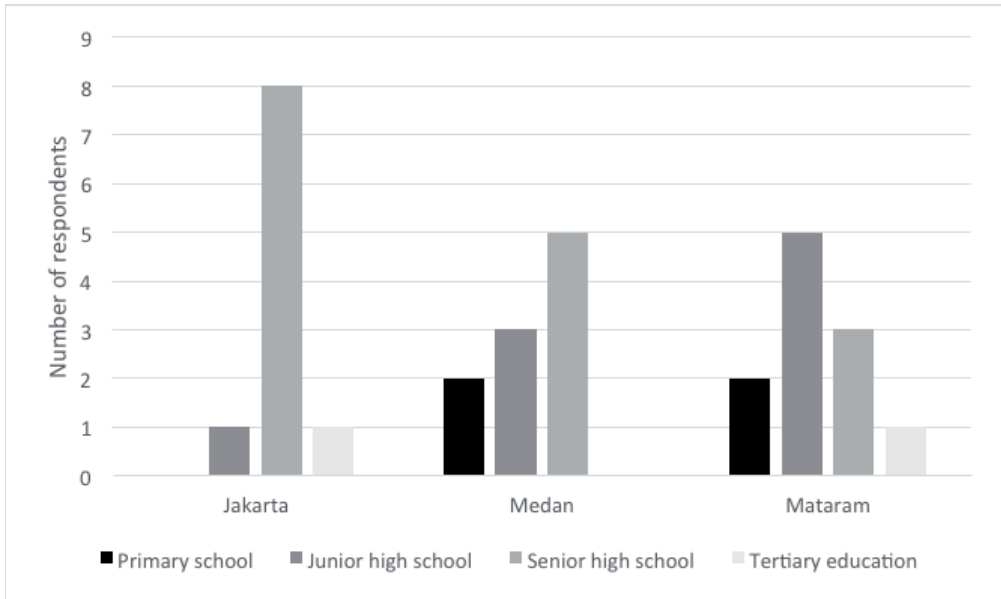
Figure 1: Age Cohorts of Respondents



Source: adaptation from interviews by the author

A similar picture was also found in Mataram. Most of the unemployed in this city are at the age of 20-24 (29%) and 25-29 (14%) out of its 355 thousand population. Among the three cities surveyed, Mataram has the lowest level of average educational level as evidenced in the fact that 25% of its population has no school certificate at all (Badan Pusat Statistik Kota Mataram, 2019). It was not surprising that many of the workers interviewed in this city were junior high school graduates (with one person having completed only elementary school). Inhabited by 2.2 million people, Medan is the largest city in Sumatera. The available data from the local statistics bureau reveals that 972,000 people are working, while 101,000 are unemployed (Medan, 2019). Unfortunately, the data does not provide a more detailed figure on age distribution of workers and unemployed populations.

Figure 2: Educational Level of Respondents



Source: adaptation from interviews by the author

A study by Fatmawati et al. (2019) pointed out that most workers in this sector are young workers and that they are experiencing a process of “de-skilling” and/or being in a “skill trap”. De-skilling happens when a worker is employed for a job under his/her qualification or skill competencies, while skill trapping happens when a worker does not have any opportunity for skill, career, and income upgrading throughout their working life. This job, indeed, entangles workers in those two processes. For example, many workers have the qualification of skilled factory machine operators as they graduated from secondary vocational schools majoring in engineering. By working as ride-hailing drivers, their skill is not used. According to Fatmawati et al. (2019), this fact can generate seriously negative impacts, both for the workers’ individual opportunity to have better living standards in the future and for the broader labor market to provide skilled workers in the future.

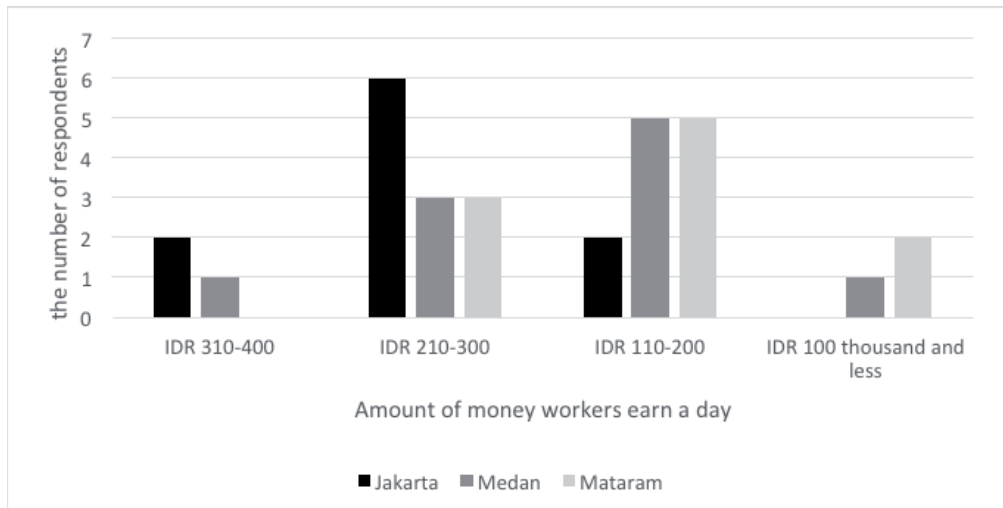
Why do they work for Go-Jek or Grab?

Based on the collected data, there are several reasons of why these respondents work for Go-Jek or Grab. Some of them took this as their first job after graduating from secondary schooling, while some others took this job after a series of job changes. It is important to note that almost all of their previous jobs provided them with a salary level of regional minimum wage. They considered this job as an opportunity to earn above their previous income, and many of them can meet this expectation, despite the much longer working hours. Most of the workers working in the gig economy work as full-time workers, while a few of them work part-time or as a side-job. They start working from early morning, 6am

or 7am, expecting to get passengers who are school students, or workers commuting to their schools or workplaces. The majority stopped working after 6pm or some even around 9pm, meaning that they were on roads more than 10 hours. However, they did not see this long working hour as a serious burden as they could relax when they wait for consumers.

Larger cities like Jakarta seem to provide an opportunity to earn more compared to smaller cities like Mataram. In Jakarta, some workers claimed to be able to earn up to 400,000rupiah, while the highest amount I found in Medan and Mataram was 250,000 rupiah. Nonetheless, workers in the three cities are able to earn a minimum of 100,000 rupiah a day. In average, they spent between 40,000 rupiah and 70,000 rupiah for fuel and meals. Almost all of them face the burden of bank credit installments, ranging from 500,000 to 1.5 million rupiah a month, for the motorbike they use for this job. Depending on the amount of the monthly installment, credits last from one to four years. They said that a good motorbike is needed to ease their task carrying passengers. If they ride a not-so good motorbike, they would feel more exhausted. According to the respondents I interviewed, the maximum usage of the motorbike to be registered for this job is 10 years, but I could not find this condition on both Go-Jek and Grab websites.⁶ However, my observation found that most of the motorbikes that were used were less than five years of production year.

Figure 3: Average Amount of Money the Workers Earn per Day



Source: adaptation from interviews by the author

⁶ I could not find that information on Go-Jek and Grab’s websites, but the following Internet sources confirmed that information: You are here: Home / Gojek / Syarat Tahun Motor Gojek Terbaru, Khusus Pendaftar Baru! Syarat Tahun Motor Gojek Terbaru, Khusus Pendaftar Baru!, infokerjakuu.com, June 27, 2018 (<https://infokerjakuu.com/syarat-tahun-motor-gojek/>); Perhatikan Syarat dan Tahun Motor Untuk Daftar Grabbike, infokerjakuu.com, July 27, 2018 (<https://infokerjakuu.com/syarat-tahun-motor-grabbike/>)

The amount of money earned differs across the cities due to the different levels of living costs and regional minimum wage. In Jakarta, the current minimum wage is almost 4 million rupiah a month; it is almost 3.5 million rupiah in Medan and only 2 million in Mataram. On average, the workers' gross earnings are above their respective regional minimum wage. From that amount, however, they spent operational expenses. This is different from the amount earned by employees of manufacturing industries or other conventional employment sectors; they are likely to spend less.

Across the three cities, workers held the same opinion that they feel it more difficult to earn the same amount of money compared to two years ago or before when they started this job. When they joined this job, they saw an opportunity to earn money easier in comparison to their struggles in previous jobs. According to a respondent, Agus, a worker in Jakarta, July 28, 2019, "...in the past, I could get 300 thousand rupiah from 7am to 5pm easily. Now, to get the same amount I have to go back home at 9pm."

The changing situation was a result of, first, the changing bonus scheme implemented by both Go-Jek and Grab. It seems that both companies tended to provide a generous bonus scheme to riders and low prices to consumers when they start to operate in a city. After some time, when the market has developed, they change both the bonus scheme and the price. This is a simple business strategy to attract potential workers to join the business and to attract potential consumers to be addicted with their services.

The second factor affecting workers' potential income is the "price war" between Grab and Go-Jek. Sometimes, one of the two companies implement discounted prices in certain areas to increase its captive market. In such a situation, workers of the platform company which does not implement the discount, would lose some of their opportunities to get passengers. Before making an order, some passengers would compare the prices of Go-Jek and Grab on their mobile phones and then choose the cheaper one.

The third factor is the increasing minimum tariff set by the government. As will be discussed later in this chapter, from July 1, 2019 onwards, the government has implemented a new regulation on minimum and maximum tariff calculation based on trip distance. When consumers perceive the tariff as too expensive, it will reduce the number of orders, which automatically reduces workers' potential income. On this issue, workers in Mataram raised great concerns and complaints, probably because of the potentially lower figure of available passengers when compared to Jakarta and Medan.

The fourth factor is the increasing number of workers in all cities. This job is easy for whoever can ride a motorbike, and both Go-Jek and Grab are likely to accept all new applicants to be their partners. From their business calculation, the more workers they have, the more money they can earn from them. However, the workers have to compete among themselves to get passengers in the field. In Mataram and Jakarta, all workers

complained about this issue; “You see...there are more riders than passengers” Imam, a worker in Mataram, complained.

The actual number of workers is unknown. When I asked this question to an officer of Go-Jek management in my previous research, they just provided me with a proximate number of about one million riders. Parts of the reasons are that the platform company recruits workers every day and it is hard to verify how many workers are active and inactive. Many workers are still registered in the system, but they are not active due to unknown reasons. Therefore, this number does not precisely reflect the number of workers who actively work in the field, as many workers quit the job without noticing the company. Moreover, the Indonesian Ministry of Transportation claimed to not be able to prohibit platform companies to recruit more riders, as they do not have legal basis to delimit partnerships conducted by private sectors with their partners (Al Hikam, 2019).

Potential Abuses of Workers’ Rights

From the fieldwork, I found the following issues as most often raised and complained over by the respondents. Indeed, it is not easy to find a solution, as the nature of work in this industry is mediated by digital applications workers are not located in a designated workplace, and the communication between companies and workers is mediated by an algorithm. It is not a conventional nature of work as in “traditional jobs”. My account here is based on the respondents’ verbal information during the interviews and my own observations in the field, in reference to the existing human rights norms, guiding principles, and indicators discussed in the conceptual framework.

Lack of Labor Union and Workers’ Representation

One of the basic workers’ rights is to form a union, to be represented in negotiation and consultation, and to have collective bargaining. In the media, I found Gabungan Aksi Roda Dua (GARDA) as the most often mentioned labor union representing the motorbike taxi riders in media citation (Tribunnews.com, 2019a). However, throughout this research, I did not find a rider claiming to be affiliated to the labor union. It seems that GARDA was active in opinion making, but not so solid in member consolidation. Furthermore, I found that the workers have only loose association, mostly based on their working area or places of hanging out (while they wait for passenger orders). They do not have a proper organization, such as labor unions in the manufacturing or other sectors. Based on the data collection, there are three reasons for this. First, it is hard to gather interested members as they work in constant mobility, moving from one place to another. Second, the number of riders is huge and scattered, especially in large cities like Jakarta and Medan. It is very hard to gather a significant number of them to form a union. Third, most workers based out of Jakarta did not see any chance to change the companies’ policies as all policies are made in the companies’ headquarters located in Jakarta.

Based on their experience of protest before the local management such management could not make any response or decision and was only promising to forward the issue to the central headquarters in Jakarta. In addition, conducting dialogue or protest before local governments was also useless as they did not have any authority to do anything regarding this industry. This situation illustrates a complex challenge for forming a labor union and a just mechanism of social dialogue. The fact that the workers were located everywhere but the decision-making is centered in Jakarta is an on-going challenge, especially to create new mechanisms for channeling workers' aspirations.

Work Accidents in “Partnership” Relations

We must understand that motorbike riding is risky and prone to accidents. In the three cities of my fieldwork, I found at least one worker out of the 10 interviewees stating to having had at least one accident in their work. Although the accidents did not cause major injuries, drivers were injured, transported to hospitals, and had to rest or not work for several days. In such cases, I found different situations among workers, as illustrated in the following story of Ridwan and Andi.

Ridwan, a 39-year-old worker of Go-Jek in Mataram, illustrated how workers have to bear the risk by themselves. One day Ridwan picked up a female passenger wearing a long Muslimah style gown. He had insisted the passenger to be mindful with her gown. Sadly, in the middle of their trip the bottom part of the gown tangled up to the chain of Ridwan's motorbike. His motorbike suddenly stopped in the middle of road and they both fell from the motorbike. Both Ridwan and his female passenger were seriously injured and had to be transported to a hospital. When they were in hospital, someone from the Go-Jek management of the Mataram office visited them, but they did not follow up on that visit with any financial support or insurance coverage. Both of them had to pay their medical expenses by themselves. A different story I found in Jakarta. Andi, a 23-year-old rider of Grab, told me that he had an accident once with his passenger. Grab covered all medical expenses and his passenger got the same support. He explained that Grab implemented a life insurance by debiting Rp. 15,000 per month from his Grab account. However, it does not cover damages of his motorbike. It turned out that what Andi received was a cover provided by his insurance, not by Grab.

The stories above illustrate the real impact of “partnership” relations in this industry. As we understand that the relation between the workers and the platform companies is based on “partnership” not employment relations. The situation forces the workers to bear the job risk by themselves, while the companies are free from the responsibility to guarantee job safety. This shows a need of policy improvement regarding the guarantee of safety for both workers and consumers in this industry in light of the “partnership” relation. A minimum prevention would be to integrate the life insurance to the fund paid to the company. Hereby, there would be no workers left without any protection.

The Negative Side of Algorithm-Based Order Distribution

The distribution of passenger order in this industry is based on an algorithm, as in those who perform better tend to get more orders. This is fair and accepted by all workers I interviewed. To perform well, they have to accept every order coming up to their Go-Jek or Grab account and not being picky. Normally, riders prefer orders of short trips because then they can complete them quickly and get many orders done. Such situation is created by the bonus scheme, which is calculated based on points. One trip is counted as one point. When they reach a certain number of points, they will earn a bonus of a certain amount of money. The more trips they can reach, the more bonuses they can obtain. The bonus is a substantial element of income expected by riders.

A problem arises, when the order they receive comes from passengers located in faraway places. In a city with notorious traffic congestion like Jakarta, picking up a passenger located more than two kilometers from the position of the rider is hard. Moreover, if they are late to reach the passenger, the passenger may be unhappy or even cancel the order. Unhappy passenger can be the beginning of further disaster for the workers. After the service, the passenger could give them a low rating. The rating from consumer is available on the apps right after a ride is completed in the form of stars, from one to five stars, and a column for a written comment. In some situations, riders are prone to get low ratings or bad comments. A group of riders whom I interviewed in Jakarta complained about this issue. They could not understand why the algorithm system often distributes an order to riders in a faraway place, although there were many riders around the passenger.

It is very dilemmatic if we get an order from a faraway location, say 2 kilometers from our position. Possibly it takes more than 10 minutes to get there as we have to go through a very busy traffic. If we take that order, there is a risk of being complained by the consumer as he/she waits for too long. Conversely, if we do not take that order, our performance drops and it reduces our next chance to get order... (Andi, Jakarta, July 27, 2019)

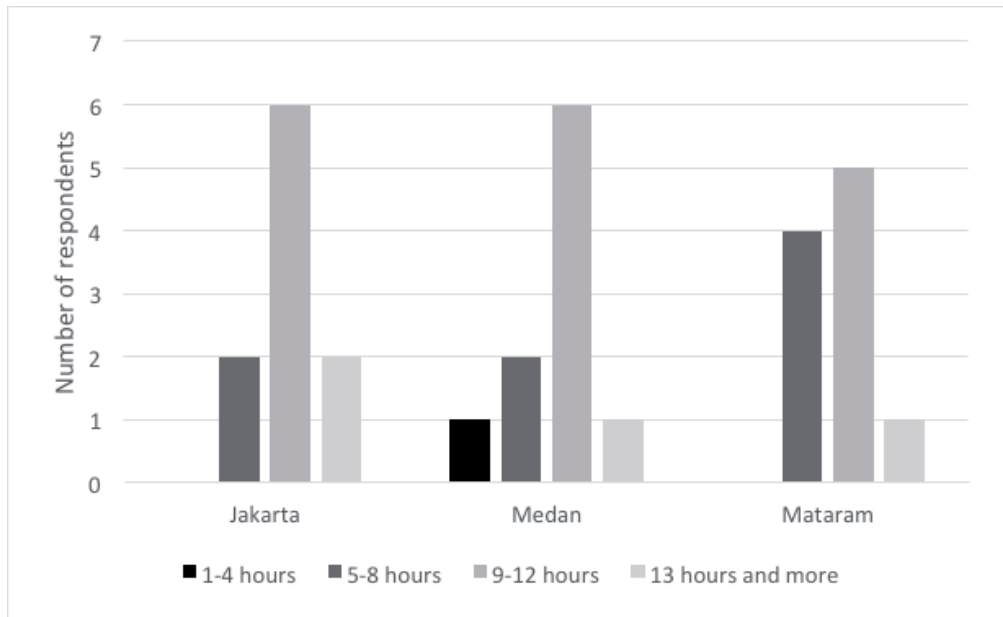
The Dilemma of Unlimited Working Hours

Most workers work for more than eight hours - a normal maximum working hour set in ILO's Decent Work Indicators.⁷ Some workers spent up to 15 hours a day on the road. The workers did not want the companies to limit their working hours, as it can hamper their opportunity to earn more money. Their main reason was that they are not always riding a motorbike but sometimes hang out waiting for orders by the roads. However,

⁷ International Labour Organisation (2013), Decent Work Indicators: Guidelines for Producers and Users of Statistical and Legal Framework Indicators. Table A on Measurement of Decent Work, the document outlined Decent Working Time with a statistical indicator: Employment in Excessive Working Time (more than 48 hours per week) (p. 15). It means that the maximum working time is eight hours a day and six days a week.

unlimited working hours can affect personal and family welfare or well-being of the workers (ILO’s Decent Work Indicator, Number 4). When I asked the workers about how they managed their family time, I found that most of them did not find having time for family very important.

Figure 3: Average Time Spent on the road



Source: adaptation from interviews by the author

Cultural or Religious Constraints for Female Workers

It is not known how many percent of female workers are in both Go-Jek and Grab, but I am sure there are some as I saw them on my daily life in Indonesia. During my fieldwork, I succeeded to interview only one female worker in Medan. She told a similar story to what I have heard previously from other female riders I encountered.⁸ The story is that sometimes male passengers canceled the order they received after they understand that the riders were female. The reason was not obvious; probably some passengers were not comfortable to be on a motorbike with a female rider either for cultural or religious reasons.

⁸ In 2018, I conducted a research on the nature of work in the on-demand transportation industry in Indonesia. One of my particular focuses was the emotional aspect of the workers’ in their relations with consumers and platform companies.

What the Indonesian Government and the Companies Have Done to Ensure Workers' Rights

In the early operation of the on-demand motorbike taxi in December 2015, the Indonesian government banned its operation based on a legal reason that two-wheel motorbike did not meet the criteria as public transportation as stated in the Public Transportation Law (Number 22/2009). The ban immediately triggered public reaction, especially from the workers of the industry. As a result, a day later on 18 December 2015, the Minister of Public Transportation withdrew the ban based on the reason that there was a huge gap between the public demand for public transportation services and the availability of public transportation. In the media, the Minister stated that it was a temporary permission until decent public transportation services are available (Praditya, 2015).

This incident shows a legal dilemma faced by the Indonesian government, as well as a regulatory deficit in the Indonesian legal system. Until now, there are no clear regulatory bases and frameworks governing this industry. What the government does is moderating the contested interest among the digital companies (Go-Jek and Grab), the workers, and the consumers. From 2015 to 2019, the industry operated without any binding regulation, while there were several mass protests by the industry's workers complaining about the changes of price and bonus schemes imposed by the digital platform companies.⁹ The changes were partly a result of a "price war" between Grab and Go-Jek in attracting as many consumers as possible. The changes made it harder for workers to earn money compared to previously (Zaenudin, 2018). Most of the protests were also held before the government including the Presidential Palace, not only the company offices (Ramadhan, 2018).

In order to respond and mediate the tension, the Minister of Transportation released two regulations, regardless of the legality of the on-demand motorbike taxis. The two were released at the same time. The government took this action based on its discretion right stated in Law Number 30/2014 on Government Administration. According to the government that law provides them a right to govern anything that has not been regulated or to release a regulation to solve problems faced by the public (Afriyadi, 2019). The first is the Rule of the Minister of Transportation Number 12/2019 on "the protection for the safety of riders of motorbikes used for public transportation" (Kementerian Perhubungan, 2019b) and the second is the Decree of the Minister of Transportation

⁹ For example, in August and September 2019, workers in several cities organized mass protest refusing the recent change of the bonus/incentive scheme. In the previous scheme, workers who accomplished 12 trips a day received 85 thousand rupiah, 16 trips would add another 30 thousand, and 19 trips additional 60 thousand rupiah. With the accomplishment of 19 trips, workers would receive an accumulation of those bonuses or 250 thousand. Meanwhile, the new scheme will give them 175 thousand rupiah for 19 trips. Driver Online di Semarang Demo Minta Perubahan Skema Insentif, Kumparan.com, August 2, 2019, (<https://kumparan.com/@kumparannews/driver-online-di-semarang-demo-minta-perubahan-skema-insentif-1ra1LEuJ6hy>)

Number 348/2019 on Estimation Guidelines for Apps-based Motorbike Taxi Service (Kementerian Perhubungan, 2019a).

The first Rule sets certain safety standards on the motorbike and the rider. In Chapter III and IV, the Rule defines the relation between riders and platform companies. Important points to note are, first, the relation between the two defines that the riders rent the digital application, which enables them to gain passengers. For this rental relation, the digital platform, as the owner of the app, can charge a certain amount of rental fee. It is important to note, at this point, that the relation between the two is not an employment relation (as traditionally defined as a relation between employer and employee) but a partnership in which the riders rent the digital app from the digital platform company.

Chapter III provides some basic definitions to calculate the amount both the riders and company can get from their business partnership. Direct costs are costs for every spending by the riders, from the motorbike, Internet cost, fuel, to insurance, while the indirect cost are the amount that the riders have to pay to the platform company as their rental cost for the digital app. Then, the Ministry released a more operational guideline to calculate the rental cost in the Decree of the Minister of Transportation Number 348/2019 on Estimation Guidelines for Apps-based Motorbike Taxi Service.

The Decree divides the operation of the industry into three service areas and introduces the so-called Bottom-Line Price and Top-Line Price as follows:

Table 4: Price Zoning, Implemented from March 1, 2019

Zones	Top-Line Price	Bottom-Line Price	Minimum price paid by passenger (for service below 4 kms)
Zone I (Sumatera, Jawa but excluding Jakarta, Bali)	Rp. 2,300/km	Rp. 1,850/km	Rp. 7,000 – Rp. 10,000
Zone II (Greater Jakarta)	Rp. 2,500/km	Rp. 2000/km	Rp. 8,000 – Rp. 10,000
Zone III (Kalimantan, Sulawesi, Nusa Tenggara, Maluku, Papua)	Rp. 2,600/km	Rp. 2,100/km	Rp. 7,000 – Rp.10,000

Source: Adopted from the Decree of the Minister of Transportation, Number 348/2019 on Estimation Guidelines for Apps-based Motorbike Taxi Service. The creation of the table was by the author.

This pricing guideline was a result of consultation and negotiation of the Ministry of Public Transportation with both rider representatives and platform companies. During the public consultation, riders actually proposed Rp. 3,000/km for the price before agreeing on the price formula in the table above.¹⁰ The Decree also sets the maximum amount that can be acquired by the platform companies at 20% of the amount paid by passengers. The minimum price is aimed to prevent “price war” among the platform companies in getting passengers. During this research, however, either Go-Jek or Grab still applied prices below that minimum price through discounted rates. For example, during my fieldwork in Medan in early July 2019, I compared the prices of those two platforms whenever I needed the service. I found Go-Jek charged only Rp. 5,000 for a ride of less than four kilometers, while Grab charged around Rp. 11,000. In contrast, in Yogyakarta, Grab tends to charge lower prices. In such cases, the platform companies cover the price gap, so the riders will receive the normal amount of fee. This can be explained by the categories of services that they offered. Their services are not only ride-hailing, but also food delivery, massage, and financial technology. The more consumers are becoming familiar and addicted to their services, the better for their broader and long-term services. Therefore, providing subsidy for long term is a worthy investment.

This shows that both platform companies are able to adjust the minimum prices set by the Decree through giving discounts. The companies play with discounts in accordance with their market acquisition in certain areas, and the two companies remain in “price war” up to now. However, workers of both Go-Jek and Grab across the three cities hold diverse opinions on who is better in providing opportunity to earn more money. Some viewed Go-Jek as the better option, while others thought the opposite. Many said both companies are the same. The amount of money that can be earned depends on how hard and how long they work. Related to the pricing issue, a study by Lee ((2017) explained how algorithms work in pricing by determining dynamic and fluctuating prices based on the supply of the service and the demand of the consumer order in certain spatial locations. Based on his simulation, the author indicated, “that even when a market is competitive in the symmetric sense (identical platforms), prices can bifurcate into two or more distinct bands of prices for different locations” (p. 33). Therefore, policy interventions or authority monitoring is still needed to ensure fair pricing, as algorithm-based pricing does not fully guarantee fairness.

The second important point in the Rule is about sanctions and termination in the “partnership” relations between the riders and the platform company (Chapter IV). The Rule obliges the company to set a standardised procedure and conditions where the company may apply sanctions or termination of “the partnership”. In this part, the Rule

¹⁰ Tarif Baru Berlaku Seluruh Indonesia, Driver Ojol: Ini yang Ditunggu-tunggu, Detikfinance, August 30, 2019 (<https://finance.detik.com/berita-ekonomi-bisnis/d-4686613/tarif-baru-berlaku-seluruh-indonesia-driver-ojol-ini-yang-ditunggu-tunggu>)

states clearly that the relation of the two is “a partnership”. It is important to note that those two Rules do not mention anything about occupational accidents or broader social protection schemes for the riders. Instead, it positions insurances (for the vehicle, riders, and passengers) as part of the direct costs, which has to be covered by the riders not the platform companies. This means that all risks, either affecting the riders or their passengers, are under the responsibility of the riders.

However, some associations of riders such as GARDA and GASPOOL (Gabungan Admin Shelter Pengemudi Ojek Online) have positive comments on those two regulations, since at least those had provided a legal basis for their work. They have set standardised procedures of how they work such as clothes, standardised conditions of motorbikes, and other conditions to ensure the safety.¹¹ There were resistances among the riders to regulate working hours because they worried that it would impede them to earn adequate income (Tribunnews.com, 2019b).

Conclusion

This research was designed against the backdrop of a regulatory gap with regard to existing legal frameworks, namely labour law and public transportation law, in Indonesia and other Southeast Asian countries. These laws do not provide a basic definition of the employment relation and business processes applied in the on-demand transportation industry. In Indonesia, meanwhile, there have been some efforts to contextualise the UN Guiding Principles on Business and Human Rights. However, this research found that those efforts are far from being implemented. What I found is that the government, after negotiations and agreements with platform companies and some public consultations with workers, has released two regulations ensuring the safety, service standards, and tariffs (Kementerian Perhubungan, 2019b, 2019a). Nonetheless, those regulations do not set workers’ rights, standardised protection or social security cover. Furthermore, it is interesting to note that both regulations do not mention the Indonesian Labor Law Number 13/2003 as one of the references or considerations. Instead, those laws labelled the relation between the workers and platform companies a “partnership”. Thus, the workers we discussed here hold legal ambiguities that need to be set out clearly in the Indonesian legal system.

Against such legal situation, bringing in the framework of business and human rights, this research offers the following findings: (a) the lack of labor unions and adequate mechanisms for workers’ representation in consultation and bargaining with platform companies, (b) the lack of integrated insurances for work-related accidents, (c) algorithm-based order distribution sometimes led workers to pick up passengers from faraway places, and (d) their lack of a limit of working hours may be unsafe or harmful for workers’ long term health. However, health experts should assess the impact of this work model to the long-term health situation of workers. For example, the government can assign a team of

¹¹ Examples of their positive responses in media are Kurnia (2019) and Tribun Bandar Lampung (2019).

health or medical expert to conduct a thorough study on this, then the government can discuss the results with workers' and companies' representatives as the basis for further regulation regarding working hours.

In conclusion, the business and human rights framework has helped us to unravel potential human rights abuses and adverse impacts to workers as explained above. This is important, as a recent policy response by the Indonesian government has too overtly emphasized the price issue. Broader workers' rights have not been considered adequately. A further cross-country study in some Southeast Asian countries where the same job is available is needed to find lessons or best practices of how to strengthen workers' rights and possible ways to formulate work, accident protection, as well as broader social security and other issues raised in this study.

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ABOUT SHAPE-SEA

The Strengthening Human Rights and Peace Research/Education in ASEAN/SEA Programme (SHAPE SEA) is funded by Swedish International Development Cooperation Agency (SIDA) and the Norwegian Centre for Human Rights, University of Oslo started its activities in April 2015. This program envisioned a Southeast Asia where the culture and values of human rights, peace and democracy are instilled through widespread research and teaching in higher education. It was premised on the assumption that building regional cooperation on human rights and peace in higher education would contribute to the promotion and protection of human rights and sustainable peace for all peoples in Southeast Asia. We believe that the threats to human rights, whether in rising populism, shrinking civil society space, increased racism, or the impunity enjoyed by human rights violators, cannot be effectively addressed unless there are evidence-based knowledge and highly skilled network of experts (or champions) in the region.

The overarching objective was to contribute to the improvement of human rights and peace situation in Southeast Asia through applied research and education. The strategy of the programme was to directly involve and engage universities to play a more significant role in promoting human rights and peace by contributing research and by increasing the knowledge of human rights and peace by incorporating them into university education.

Shape-sea has indeed, in a number of ways through its activities, innovated the landscape of human rights promotion and peace building through research and education in the region. It has tapped a significant number of scholars (58 projects in total) to do studies on human rights and/or peace at the local, national and/or regional levels. Another endeavor is research projects initiated by programme. Themes such as Authoritarianism in Southeast Asia, Human Rights and Peace Education, and Technologies and Human Rights were comprehensively tackled by both leading and emerging scholars based in the region. Furthermore, through its annual publication entitled, Human Rights in Southeast Asia Outlook, Southeast Asian scholars, for the first time, were given the opportunity to assess critical human rights and peace issues in all eleven Southeast Asian countries.

In summary, the following Programme Outputs from 2015 to 2019 were achieved:

58 research projects, ranging from support for MA and PhD theses to regional-level research, were supported and finished.

204 university-based scholars from 10 countries were trained on human rights and peace research design and methodology.

109 lecturers from 70 universities and two government institutions from 13 countries were trained on teaching human rights.

1008 scholars, academics and members of civil society participated in national seminars and regional dialogues on various critical human rights and peace issues

6000+ joined the national seminars through live streaming.

The SHAPE-SEA website was created to host open source materials, including the Human Rights Textbook, the Human Rights Outlook, Research Outputs- Academic Papers, Policy Briefs, among others.

12 books were published and made available as open source on the SHAPE-SEA website. SHAPE-SEA published books have been downloaded 10,000+ number of times. In addition, SHAPE-SEA has served as a platform for the SEAHRN series which has been downloaded 14,000+ times.

17 policy briefs are published on the website.

Co-organized two (2) international conferences on Human Rights and Peace in Southeast Asia in 2016 in Bangkok and in 2018 in Manila, with the Southeast Asian Human Rights Studies Network (SEAHRN).

7 lecture tours were organized with academics from 10 universities.

Conducted 7 high-level outreach at the ASEAN level to promote human rights and peace research and education.

We have supported the development/ refinement of new courses on human rights in partner universities. One of which, Human Rights in ASEAN, will now be offered yearly to the Master of Law students at Pannasastra University in Cambodia.

In this globally interdependent world, new developments in digital technology are increasingly changing ways in which individuals and societies interact with each other. As a region with some of the fastest growing economies, Southeast Asia witnesses a rapid growth in new technologies, some have referred to as the “Fourth Industrial Revolution” – offering innovative sources of value and opportunities previously unobtainable. Due to its “disruptive” quality, such sheer development also unprecedentedly affects various aspects of humans’ daily lives, most notably, the promotion and protection of human rights.

How do we understand the nexus between (new) technologies and human rights? To what extent can the former be used to promote the latter? And which themes and issues, pertaining to such interconnectivity between technologies and human rights, are relevant in the Southeast Asian context?

SHAPE-SEA’s Exploring the Nexus between Technologies and Human Rights: Opportunities and Challenges in Southeast Asia highlights various relevant issues pertaining to the role of (new) technologies in the promotion (and suppression) of human rights in the region. In this groundbreaking book, Southeast Asian experts discuss both the regulatory aspects of the technology-human rights interconnectivity as well as the function of technology as a “tool” to promote (or suppress) human rights activism. The volume’s eight original contributions range from the conceptualization of Southeast Asian “digital rights”, the debate on the “right to be forgotten” in Indonesia, Malaysia, and Singapore, digital workers’ livelihood in Indonesia, cyberbullying of sexual minorities in Malaysia, to the role of digital “trolls” in the Philippines’ notorious “war on drugs”. While not exhaustive of all the relevant themes, these are very good indicators of the issues that are pertinent to the region, making the book one of the first to provide a starting point on which to expand our understanding of the role of technology on human rights in the Southeast Asian context.



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