Labor Protest in Macau (2000-2017)

Lio Chi Fai

Ieong Meng U

Abstract

Recent studies on Macau politics have increasingly focused on protest as a type of political participation. However, few studies provide an overall pattern of protest after 1999. Through an original dataset that contains 544 labor protest events from 2000 to 2017, this study finds that labor disputes are the most common issue that triggers protest in Macau and that labor disputes have the following three essential patterns: 1) they steadily increase in number; 2) they are fragmented in appeal issues; and 3) they are moderate in protest repertoire. The above patterns have appeared because the traditional peak labor association is no longer able to act as an intermediary between business and the labor sector in the rapidly changing socioeconomic conditions of the past twenty years. Accordingly, this study challenges the stereotype that Macau has a politically apathetic society and renews the understanding on Macau's political participation.

Introduction

There are two different points of view on political participation in Macau. Traditionally speaking, Macau's society is described as "politically docile" and "conservative" (Hao, Sheng, and Pan 2017, 198; Lo 2008); Macau's people generally lack interest in participating in political activities (Yee, Lou, and Chan 2011). However, more recent studies have paid increasingly attention to labor protest (Ho 2011), the protest repertoires in Macau (Lin 2018; Liu 2013), and the mobilization mechanisms behind the large-scale demonstrations that have occurred in recent years (Ieong 2017; Lio 2018a; Kwong 2014).

This study intends to provide a more comprehensive discussion on political participation in Macau by focusing on the labor protests that have occurred between 2000 and 2017. The analysis is based on an original dataset that consists of 544 labor protest events with interviews with organizers as a supplement. Three essential patterns are observed. 1) Although the number of labor protests is increasing, 2) the extent of confrontation is mostly moderate, and 3) significant divergences exist in the appeal issues. These patterns are a joint result of an increasingly fragmented labor sector, the rapidly changing socioeconomic conditions in Macau after 1999 and the strategies that the regime uses to cope with the perceived threat brought by labor protest. Given that labor protest is the most common type of protest in Macau (Ho 2011; Yu and Chin 2012; Lio

2018b), we believe that it not only can advance the understanding of the local protest repertoire but also has the potential to mediate the two distinctive views toward political participation in Macau.

The arrangements of the sections in this paper are as follows. First, this paper briefly introduces the state-society relationship in the post-1999 Macau with a particular focus on the role played by voluntary associations. A brief review of the history of the local labor movement is also provided as background knowledge. In the second section, a descriptive statistical summary of the patterns in labor protest is presented. The reasons behind the patterns are then discussed and explained. The implications of the findings concerning further studies on Macau politics are discussed in the conclusion.

State-Society Relationship and the Development of Labor Movements in Post-1999 Macau

Voluntary associations are the most active actors in Macau's political system. Dating back to the colonial period, voluntary associations had long represented the local Chinese community to discuss and bargain with the Portuguese Macau government over public affairs and government policies through the participation in official appointed consultation committees and the Legislative Assembly. Because the Portuguese Macau

government was parsimonious in public goods provision, Macau society also relied on voluntary associations to provide medical, educational, financial, and even administrative services before 1999 (Gunn 1996). As a result, voluntary associations were important to both ordinary people and the colonial government for their intermediary role in sustaining a stable political order, especially when the authority of the Portuguese Macau government was significantly undermined in the 1966 Chinese Communist riots (Lam and Clayton 2016).

Of all the voluntary associations, five are the most influential peak associations. They are the Macau Chamber of Commerce, the Federation of Labor Unions (FLU), the Chinese Educator's Association of Macau, the Neighborhood Association and the Women's Association of Macau; these associations arguably cover the main social sectors in Macau society (Chou 2015).[1] Macau's political system is therefore described as corporatism (Lou 2004). However, it should be noted that Macau does not fully represent the classic definition of corporatism from Schmitter (1974), and the above peak associations lack the authority to order and control the other associations that exist in the same sectors. These peak associations could act as a middle man simply because they were founded (or joined) by influential social elites whose opinions were respected by

[1] This paper notes that the FLU is an association, not a substantial labor union, because Macau has not had a labor union law until now.

both the Chinese community and the colonial government. In the case of labor disputes, this means that the FLU can assist the business and labor sectors by reaching an agreement through negotiation without the need for a strike.

This situation changed when the gross domestic product (GDP) per capita grew from 125,271 MOP in 2000 to 625,254 MOP in 2017 after Macau opened its gambling market in 2002. The peak associations were no longer able to dominate public opinion in a more interest-diversified Macau society under rapid economic growth. The Macau people began to form new associations. The number of registered associations increased from 1,728 to 4,629 merely within the first decade (1999-2010) of the Macau Special Administrative Region (MSAR) (Wang and Hung 2012, 193). The pro-establishment position shared by the peak associations further eroded their legitimacy as they were unwilling to take a policy position different from the government's view. As a result, the state-society relationship in Macau gradually transformed from corporatism to a normal elite-cooptation that is similar to the case of Hong Kong (Fong 2013).

The patterns of labor protest in Macau must be interpreted considering the background mentioned above. In general, three waves of protest have been recognized by the media and scholars. The participants in the first wave were unemployed manufacturing and construction workers when the 1997 Asian financial crisis caused

a high unemployment rate of approximately 8% between 1999 and 2002. Unemployed workers constantly marched on the street and appealed for government legislation on illegally employing nonlocal workers, restricting the quotas for nonlocal workers and improving employment. These protests were organized by labor associations unaffiliated with the FLU (Ho 2011). Several demonstrations had physical confrontations, and the police had to use tear gas and water cannons to maintain order.

As the MSAR government was reluctant to adjust its labor policy, the second protest wave soon came when Macau suffered from mounting inflation from -2.6% to 8.6% from 2002-2008 accompanied by the fury from local unemployed construction workers, as 40% of nonlocal employees were reported to be working in the construction sector during the same period. The most violent confrontation occurred in the 2007 May Day demonstration when protestors, who were mobilized by the labor associations that had previously participated in the first wave or the new labor associations derived from them, clashed with the police. One plainclothes police officer even tried to intimidate protesters by shooting air (Lo 2008, 68–69).

The third wave between 2013 and 2014 involved a total of 51 protest events and thousands of participants that comprised casino employees. Although this wave of protest was triggered by similar grievances as the previous waves, a distinct difference was that

this time, protesters appealed for more labor rights, not simply material benefits (SCMP, September 3, 2014). These three waves of protest clearly illustrated the incapability of the FLU as the intermediary that it used to serve as despite a remarkable organizational and political expansion. Its subordinating unions rose from 49 to 72, and the public consulting entities that it attended also increased from 18 to 40 (Lou 2004, 96–97, 146–47; FLU 2017). This history explains why labor protest has become common in Macau in recent decades.

An Overview of Labor Protest in Macau

The descriptive statistics in this section were derived from the electronic news archive database Wise News via a keyword search approach.[2] In total, 544 events are identified. Figure 1 shows that between 2000 and 2017, the overall trend is a steady increase in the number of protest and participants. On average, 21.2 labor protests occurred annually in the Edmund Ho era (2000-2009). Frequent increases occurred, even once to 41.5 protests in a year, when Fernando Chui led the MSAR government. Indeed,

[2] The search procedure is Protest Event Analysis (PEA), a widely applied technique in social movement studies for tracing the historical development of protest activity (Snyder and Tilly 1972; Biggs 2013; Koopmans and Rucht 2002). A protest is even counted when news reports mention "worker" or "employee" and are accompanied by any one of the following ten keywords: "petition letter submitting"; "petition"; "rally"; "sit-in"; "street blocking"; "occupying"; "surrounding"; "sabotage"; "strike"; and "hunger strike".

48% (263 out of 544) of the protest events in our dataset occurred in Chui's first term (2010-2014). The three waves of labor protest mentioned previously clearly illustrate these figures. The magnitude in general becomes increasingly more intensive from one wave to the next. However, interestingly, the number of participants has decreased since 2014. The reason behind this decrease will be discussed in the next section.

Approximately 80% or 434 of the events listed in Table 1 involve letter petitions, a prevalent repertoire in Macau. A letter petition usually does not require a significant effort to mobilize because the number of participants is small, and the event is short and is usually quickly dismissed after submitting signatures to the target, taking a group photo or conducting a media interview. In contrast, more aggressive actions such as strikes and sabotage make up only 2% of the events (11). Furthermore, only 9 events involve direct physical conflict with the police. The frequency distribution in the repertoires suggest that labor protest in Macau is highly moderate.

[Figure 1 inserts here]

[Table 1 inserts here]

Most of the protest events occur on a small scale. Overall, 83% have participants of less than 50 people. However, if we draw attention to the distribution of the number of participants, 20 events involve more than 70% (43,450) of all participants in the dataset.

These findings suggest that the labor sector indeed has the capacity to launch large-scale protests. Nevertheless, most of the large-scale protest events happened after 2010 and have a close relation to casino employees, which further suggests that the mobilization capacity is highly uneven within different labor sectors.

[Table 2 inserts here]

Finally, Figure 2 illustrates that the appeal issues are fragmented. Approximately 63% (348) of the events involve specific requirements related to labor issues. However, another 154 events are organized by labor associations but with no appeals related to labor problems or rights; instead, they appeal for housing and against traffic congestion, corruption, inflation, etc. The remaining 42 events have overlapping issues.

[Figure 2 inserts here]

Overall, the general pattern of labor protest in Macau does not fall into the conclusions made in previous studies. A steadily increasing number of protest events clearly contradict the stereotype that Macau people are politically apathetic (Yee 2001). However, unlike the case of Hong Kong, a growing number of labor protests neither post substantial challenges to the regime nor suggest that the labor sector shares a strong consensus on pushing forward labor rights, as the extent of confrontation is moderate, and the appeal issues in protests are fragmented.

Explaining the Labor Protest Patterns

Pattern 1: Steadily Increasing in Protest Number

A certain extent of social grievances is certainly one condition behind the outbreak of labor protests. They are, however, less likely a sufficient condition as social grievances have always existed. The literature on social movements has long pointed out that the political structure is another important factor that determines the rise and fall of protest activities (Tarrow 1998). Any collective action must involve efforts in organization and mobilization, and in the case of Macau, this would mean whether protest organizers can find resources, attract participants and launch labor protests outside the FLU. Figure 3 shows that close to 90% (195) of the overall 220 officially enrolled labor associations between 1987 and 2017 were established after 2000. The peak that occurred between 2001 and 2007 suggests a seeming correlation with the first and second labor protest waves. In this period, 15 established labor associations were extremely active and conducted 38% (59) of the 156 protest events under Edmund Ho's tenure. The FLU only appeared at two events.

[Figure 3 inserts here]

Keeping silent in many labor issues distance the FLU from the labor sectors as it fails to represent the sectors' interests. Its membership that accounts for the entire labor

sector had declined from 30.7% in 1999 to 19.3% by 2013 (FLU 2000), which was one of the reasons that pushed aggrieved workers to become politically active. Another reason is the structure of political opportunity brought by a gradually more open Legislative Assembly that provided incentives for other labor associations to compete in elections as political representatives. Theoretically, a proportional system that applies to the direct election to the Legislative Assembly would favor a wider ideological spectrum if it is compared with the "first past the post" method. As a result, candidates with labor backgrounds who participated in the 2001, 2005, 2009, and 2013 direct elections increased steadily from 7% to 28% (Lo 1995; Yee 2005).

Labor associations may also choose to compete in the indirect election, which is similar to the design of the functional constituency in Hong Kong. The indirect election is unlike the direct election that requires enormous resources in electioneering and faced evaluations from all voters. Candidates in the indirect election are elected by interest groups from the five functional constituencies of (1) Business, (2) Labor, (3) Professional, (4) Welfare and Education, and (5) Culture and Sport. Prior to 2008, an association register in the Department of Identification Services that was distributed by the Standing Committee for the Coordination of Social Affairs (CPCS) to respective constituencies for three years according to functional differentiation indicated that an association is eligible

to vote and be elected in the indirect election. Once an association is qualified, it has more or less bargaining power in the policy making process because each constituency should ensure that the selected legislators and the association who represents them are not harmful to the ruling coalition. That is, each eligible association that can vote in the indirect election and their members' opinions and interests, regardless of the size and influence, should be consulted and coordinated if the ruling coalition intends to control the election result. Otherwise, it is difficult to explain why seats in the indirect election are constantly occupied by a single candidate elected before 2017 (Yu 2007, 423–25; Kwong 2014).[3]

Further evidence can be observed from the effect of the 2008 amendment on the method of the indirect election. The amendment originated from an 86-page investigative report from the Macau Commission Against Corruption (CCAC) regarding the report of election fraud in the 2005 Legislative Assembly election. According to the report, the dramatic increase in the total number of associations was abnormal. The CCAC further asserted that certain “conspirators” with specific political purposes could use an indirect election by creating and manipulating a “shadow association” to “exert decisive influence

[3] Three protest-oriented labor associations have already become eligible voters in the indirect election. They are the Macau Confederation of Trade Unions, the Association of Defense of Labor Rights, and the Association of Macau Local Labor Rights (CPCS 2019).

in the legislative assembly" (CCAC 2006, 17). To close the legal loophole, the CCAC called for a higher threshold in the vote eligibility in the indirect election (CCAC 2006, 72–73). In the later amendment, the vote eligibility threshold was raised from three years to seven years. Associations also currently have to submit an annual report about their internal operations and activities to certify that they are associating with their functional constituency to avoid disqualification from the indirect election (DACS 2019). This is why a drop in the number of newly registered labor associations promptly appeared after 2008. For the peak associations in the ruling coalition, they should welcome the amendment as it legally rules out many potential rivals who may threaten their seats in the indirect election. Like many other hybrid regimes (Schedler 2015), the regime has an incentive to manipulate the election rule in its favor if the outcome is not manageable. However, in the case of Macau, it is empirically difficult to verify that this purpose is the intention behind the amendment for outsiders who do not know what is happening inside the black box.

Pattern 2: Fragmented in Appeal Issues

Authoritarian regimes are assumed to have two essential means in coping with social discontent: repression and concession. Repression is defined as "the actual or threatened

use of physical sanctions against any individuals or organizations, within the territorial jurisdiction of the state, for the purposes of imposing a cost on the target as well as deterring specific activities and/or beliefs perceived to be challenging to government personnel, practices or institutions" (Davenport 2007). In the case of Macau, Article 23 of the Basic Law legally allows the use of what Levisky and Way (2010) called "high intensity repression" if it is necessary. However, harsh repression would also expose the regime to a moral hazard and in return, undermine the regime's legitimacy. As the MSAR government receives considerable government revenue from the gambling tax, it mostly relies on material concessions in maintaining regime stability. According to the official gazettes, at least 13 public entities, from the social welfare realm to the economy and from official departments to public foundations, provide civic associations with various types of financial support.[4]

For example, both the Labor Affairs Bureau and the Macau Foundation have annual funding schemes that labor organizations can apply for. As seen in Table 3, the funding amount has continuously increased. In 2015, the Labor Affairs Bureau approved 12.13 million MOP, which is more than 7.6 times this amount in 2002. The case of the Macau

[4] The official entities are the Civic and Municipal Affairs Bureau, the Health Services Bureau, the Social Welfare Bureau, the Sports Bureau, the Tertiary Education Services Office, the Macau Foundation, the Science and Technology Development Fund, the Sports Development Fund, the Culture Fund, and the Culture Industries Fund (GPB 2017c).

Foundation, a public entity that is widely described as a "private treasury" of the Chief Executive (Ieong 2017; Chou 2015), is even more interesting. Labor associations received an unprecedented growth in the funding amount from less than 3 million previously to more than 30 million in 2008; this is the same year that the indirect election method was revised. Such changes are unusual and would be difficult to explain if not for the purpose of maintaining regime stability.

[Table 3 inserts here]

Many labor associations soon replaced their targets and quickly engaged in the money game set up by the government. For example, The Macau Confederation of Trade Unions (MCTU), which had actively participated in the first wave of protests, received a total of 64,000 MOP from the Labor Affairs Bureau in 2006; this number is several times larger than the sum of membership fees from its 600 members (12,000 MOP). The Macau Workers' Self-Aid Association (MWSAA), another active labor association that organized 20% of the protest events that occurred between 2010 and 2016, received 2.5 million MOP from the Labor Affairs Bureau and the Macau Foundation in 2014; this is ten times the number it received in 2010 when it was established in this year.

Because mobilization capacity seems to positively correlate with the amount of material concessions, labor associations have the incentive to oppose social problems

(e.g., problems in public housing and transportation and government official misconduct) that society is concerned about rather than simply focus on labor issues (e.g., the legal right of collective bargaining and the minimum wage for all labor sectors) to attract more participants to protest. The former president of the MWSAA even admitted to the author in an interview that issues related to livelihood are more "profitable": "we [MWSAA] are responsible for all issues that the public wants us to address!"[5] The reason that fragmented issues widely exist in protest events is thus easy to understand. Moreover, the government's material concession strategy has profound consequences on labor solidarity. Labor associations that receive more government funding may lead to suspicion and jealousy from other members in the same sector. In another interview, the founder of the MCTU judged from the organization's own experience and asserted that the MWSAA's outstanding mobilizing capacity for protests is fake because most demonstrators were temporarily recruited.[6] The cooperation among different labor associations becomes more difficult because now they become rivals in the battle for government funding. The cleavages among labor associations also explain why labor protests constantly increase in number but mostly on a small scale.

[5] Interview January 25, 2017.
[6] Interview January 24, 2017.

Pattern 3: A Moderate Protest Repertoire

Repertoires in protest events are a strategic choice. Authoritarian regimes' despotic nature always requires protests to balance the costs and benefits and attempt to choose the channel that involves a greater chance to receive a remedy and that risks less suffering (Goldstone and Tilly 2001). For example, Ieong (2019) found that in China, people who have a connection to the state would use a "rule-bound" strategy to directly negotiate with local officials in an administrative dispute, as it is more likely to solve the problem than a petition. In the same vein, the popularity of using petitions in local labor protests may suggest that they are useful in addressing protesters' discontents without the need to confront authority. The usefulness of petitions, nevertheless, is suspicious because it contradicts the theory of political survival, which suggests that leaders in authoritarian regimes only have an incentive to respond to the people who are crucial for them to stay in power (Bueno de Mesquita et al 2003; Svolik 2012). For example, Cai's (2010) study shows that petitions in China can achieve government concessions only when it is sufficiently "forceful".[7] In the case of Macau, it is unlikely that a petition would have any direct influence on government policy as most of the protest events with petitions

[7] Cai (2010) regarded a petition as forceful if it has 500 or more participants, which is the threshold to define a so-called "large-scale mass incident" according to the Ministry of Security. Because maintaining social stability is a "hard" target in the cadre performance evaluation in China, a local official is more likely to make a concession when a "large-scale mass incident" has occurred to avoid sanctions from the upper government. See Heberer and Trappel (2013).

involve less than 50 participants. In recalling that large-scale protest events happened intensively between 2011 and 2017 (see Table 2), especially in 2013 and 2014, local casino employees participated in total in 38 petitions, 7 public demonstrations and assemblies, 3 assemblies surrounding casino buildings, and even 3 sabotages in the workplace (Lio 2018b). How these protest events end suggests an alternative explanation in interpreting Macau's protest repertoire. An association called the Forefront of the Macau Gaming (FMG), which was founded by casino employees, first called for protests within the gambling sector. The main appeals of the FMG included improving working conditions (e.g., no smoking in casinos) and ensuring local residents' priority in the employment in casinos (e.g., dealers should be exclusively reserved for local residents). Although the FMG had successfully started a protest wave, when it attempted to escalate the action into a strike, it did not succeed. This failure is largely the result of the penetration and differentiation of other pro-government associations within the same sector.

Supporting pro-government associations to countermobilize social movements has been a common strategy of authoritarian regimes in coping with protests (Sebastian and Weidmann; Fong 2017). The same strategy is also observed in Macau. Recent studies have found that clan associations, which have a close relationship with casino and real

estate tycoons, instead of traditional peak associations have currently become the new collaborator with the MSAR government in addressing opposition (Kwong 2017). Because clan associations have usually formed based on cultural or regional affiliations, they can mobilize new immigrants who traditional peak associations are unable to reach (Lo and Chong 2016; Chong 2016). In July, 2014, a newly registered association named the Gaming Employees Advance Association (GEAA), which is believed to have close connections to a legislator who has substantial influence in clan associations and casinos, appeared against and competed with the leadership of the FMG. The FMG is in a disadvantaged position because casinos are more willing to negotiate with the GEAA due to its connection with the aforementioned legislator. The FLU also sent a subordinated association, the Macau Gaming Enterprises Staff's Association, to organize several moderate petitions. The protest wave became divided into different coalitions. In fact, in 24 of the overall 51 protests in the entire wave of protests actually held by another 11 labor associations in addition to the FMG, all of them involved only letter petitions.[8] Interestingly, 9 new labor associations suddenly emerged after the wave of protest ended in 2014. At least three of them (the Gaming Employees' General Association, the

[8] In the overall 12 protests that involved strikes, sabotage and hunger strikes, none of them involved more than one organization; 7 were actually spontaneous labor actions. When less organizations are involved, the more likely it is that the protest escalates.

Gaming Supervisors' Association, and the Gaming Dealers' Association) are affiliated with the FLU to target different positions in the casino (e.g., casino supervisors, dealers, or even the children whose parents work in the industry). The labor associations in the gambling sector (which total 29) eventually became highly fragmented in representing sector interests, and at least half of them (16) share a pro-government position. For this reason, none of the later protests have been able to gather over one hundred participants since 2015. As the secretary of the FMG articulates, "the sector has been permeated thoroughly".[9]

Conclusion

While the Basic Law has stipulated that Macau's political system will remain the same until 2049, the existing institutional settings become increasingly more powerless in addressing the social grievances generated from the rapid changes in the socioeconomic conditions that have occurred in the past 20 years. The outbreak of the three waves of labor protest are just one example. Through an original dataset of 544 labor protests that happened between 2000-2017, the following three protest patterns are observed: 1) a steadily increasing number of protests; 2) fragmented appeals in protests; and 3) a

[9] Interview August 16, 2016.

moderate protest repertoire. Although previous studies have concluded that the Macau people are either politically apathetic or have gradually turned to post-materialism, the above patterns do not fully fall into these above conclusions. An important observation from this study is that the pattern of labor protest is heavily shaped by Macau's authoritarian setting. As a result, more attempts to apply general theories of authoritarian politics should be encouraged in further study to understand Macau politics in a broader sense.

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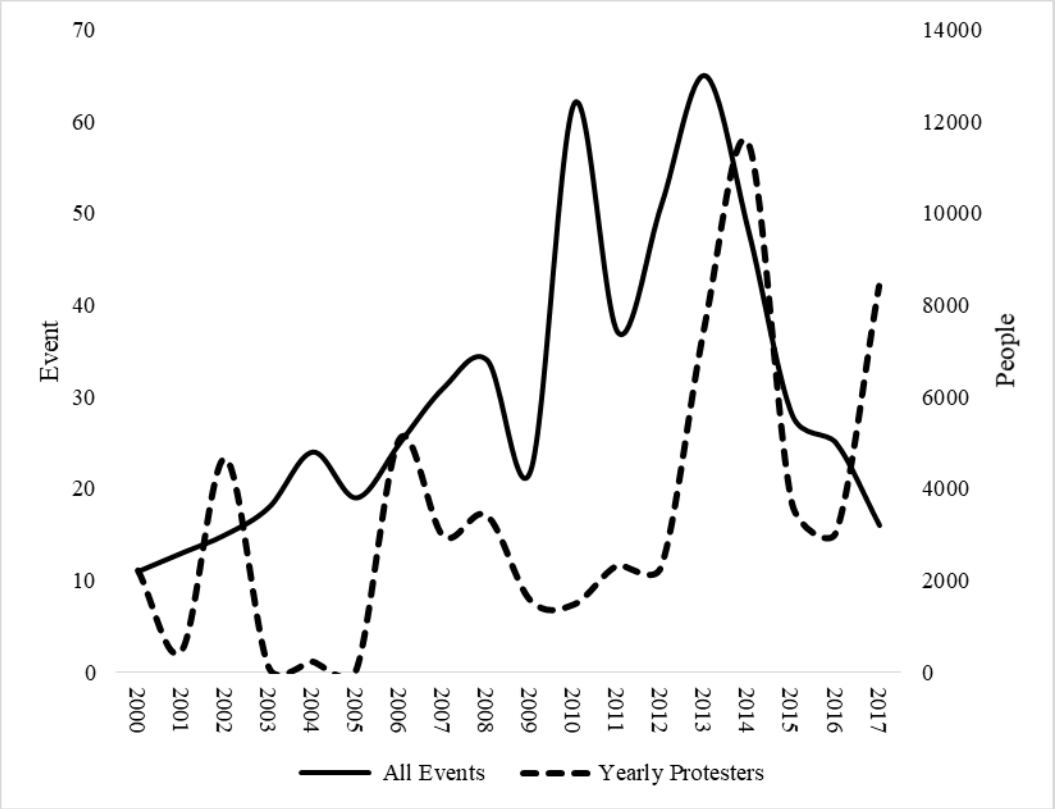
Figure 1. The Number of Labor Protests and Participants in Macau (2000-2017)



Source: The Author.

Table 1. Frequency Distribution in Protest Repertoires (2000-2017)

Year	Petition	Rally/Sit-in/Demonstration/ Occupying	Strike/Sabotage/ Hunger Strike	Conflicts with the police
2000	3	7	1	3
2001	7	6	0	0
2002	12	3	0	0
2003	17	1	0	0
2004	20	3	1	0
2005	18	0	1	0
2006	16	9	0	1
2007	27	3	1	1
2008	21	12	1	0
2009	17	5	0	0
2010	47	14	1	2
2011	34	3	0	0
2012	47	3	1	0
2013	60	5	0	1
2014	36	9	3	0
2015	23	4	1	1
2016	22	3	0	0
2017	7	8	1	0
Total	434	98	12	9

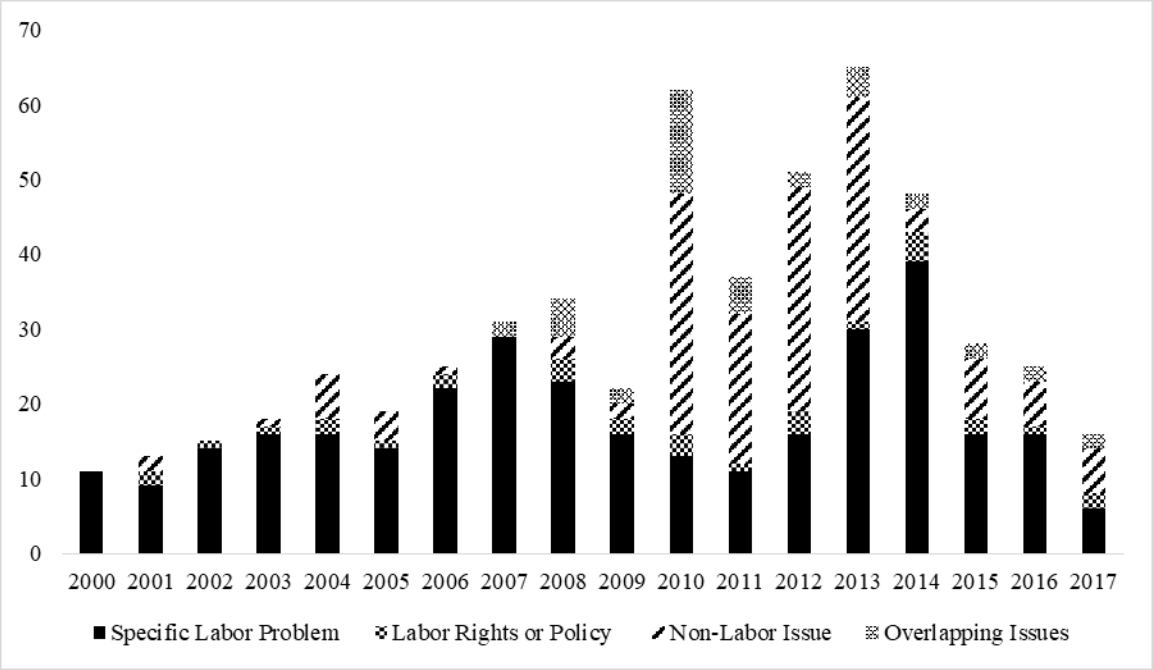
Source: The Author.

Table 2. Frequency Distribution of the Participants in Events (2000-2017)

Year	All events	Events with less than 50 protesters	Events with 50－999 protesters	Events with 1,000 protesters or more
2000	2220	6	4	1
2001	470	9	4	0
2002	4657	10	4	1
2003	110	18	0	0
2004	235	23	1	0
2005	40	19	0	0
2006	5080	18	5	2
2007	2971	27	3	1
2008	3419	21	13	0
2009	1570	18	3	1
2010	1480	56	6	0
2011	2330	35	1	1
2012	2301	49	1	1
2013	7557	58	4	3
2014	11510	32	12	4
2015	3680	23	3	2
2016	3031	23	1	1
2017	8410	10	4	2
Total	61070	455	69	20

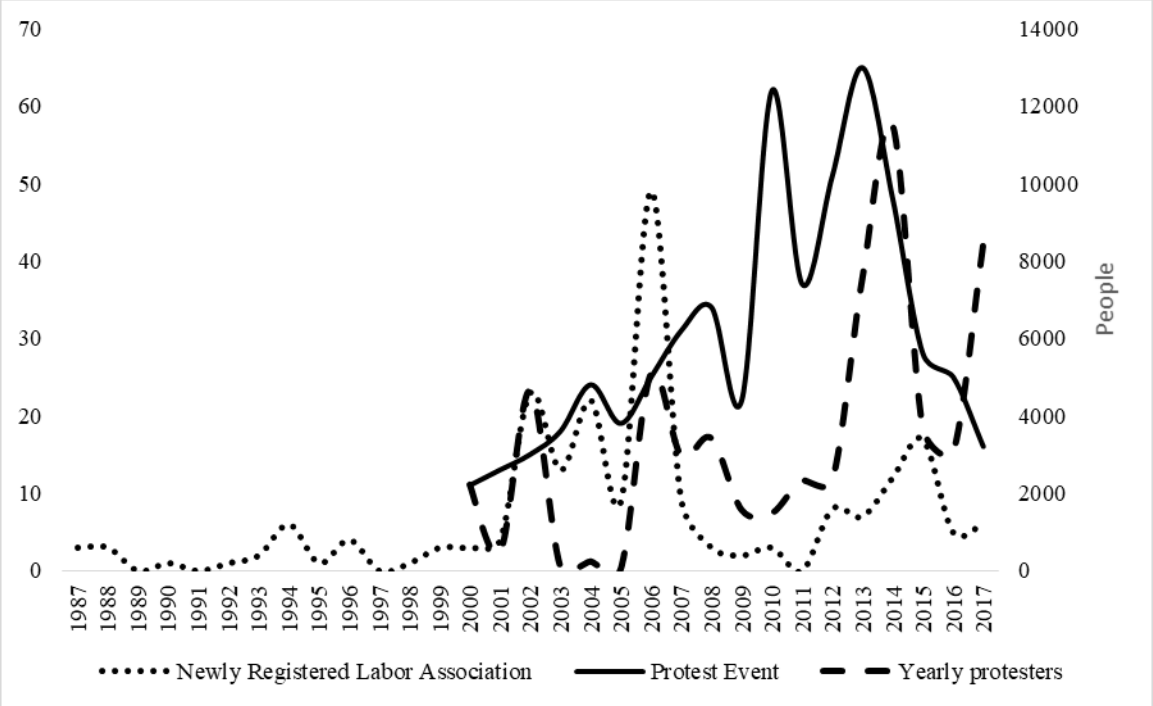
Source: The Author.

Figure 2. The Distribution of Protest Issues (2000-2017)



Source: The Author.

Figure 3. Number of Labor Associations and the Trend of Protest Events



Source: The Government Printing Bureau (2017a).

Table 3. Annual Funding from the Labor Affairs Bureau and Macau Foundation

Year	**Labor Affairs Bureau** (Million MOP)	**Macau Foundation** (Million MOP)
2000	—	0.007
2001	—	008
2002	0.92	0.12
2003	—	9.48
2004	—	3.94
2005	2.14	1.66
2006	—	0.54
2007	—	2.89
2008	16.53	32.33
2009	—	56.96
2010	—	32.79
2011	7.94	45.97
2012	—	64.72
2013	—	81.54
2014	—	46.07
2015	12.13	48.57

Source: The Government Printing Bureau (2017b).