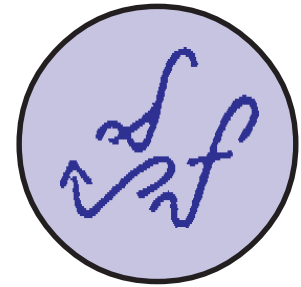


# News Digest

July  
2008



APMM

Monthly Newsletter of the Asia Pacific Mission for Migrants (APMM)

## The Year of Living Dangerously for Undocumented Migrant Workers

BEING AN UNDOCUMENTED migrant worker has always been a risk and this year is getting more dangerous living as one in the Asia Pacific and Middle East regions. What is more known publicly and internationally are the crackdowns again in Malaysia and South Korea but not those in the Middle East and Taiwan. Ironically some of the countries who would attend the upcoming Global Forum on Migration and Development (GFMD) in Manila are those who are leading said crackdowns on said workers.

Going now to Malaysia, its government has announced that it is hell bent on arresting and deporting 100,000 – 150,000 undocumented migrants this year particularly in the state of Sabah. It had been reported in the Borneo Post that from January to May this year that 7,233 illegal immigrants had been repatriated back to their respective countries. This includes 4,281 Filipinos, 2,771 Indonesians and 181 of other nationalities. There are a reported 1.3 million undocumented workers in Malaysia.

The Philippine government's response to this has been pathetic. Vice President Noli de Castro who would most probably run as the next administration bet in the coming Presidential elections in 2010 suggested that Malaysia postpone the crackdown until after the Ramadan. The Muslim holy festival starts on September 1.



*The crackdown, abuse, and torture of undocumented migrants has earned the ire of groups in many countries. In the Philippines, Migrante International held a rally in front of Korean Embassy in Manila together with some of the returned undocumented migrants and their families.*

Malaysia's crackdown is known for its cruelty with a paramilitary group called Rela allowed to arrest and detain undocumented migrants. Past crackdowns resulted in migrants being arbitrarily arrested with a big number being caned; put in crowded and filthy detention centers where children and some adults died as a result of this; and put on overcrowded ships. Predictably this would once more occur.

Not to be outdone, the ongoing crackdown in South Korea resembles in cruelty to that of Malaysia's by using tasers (electroshock weapons) and electric stun guns in rounding up migrant

workers. South Korean President Lee Myung-Bak himself gave the order for the crackdown last February and immigration authorities were given quotas of 3,000 arrests and deportations monthly. Earlier it had twice arrested and deported the leadership of the Migrant Trades Union (MTU) which is an affiliate of the Korean Confederation of Trade Unions (KCTU).

Taiwan which had 23,502 absconders as of June 2008 seems to benefit from its international isolation by silently cracking down on the former. Last year it had attained its target of arresting and

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(from p. 1)

deporting 10,000 of its runaway migrant population and is bent on attaining that quota again this year. And unlike Korea, Malaysia and even the Gulf Cooperation Council (GCC) countries in the Middle East has never declared an amnesty on absconders since migrant workers were legalized in 1992.

The Gulf Cooperation Council (GCC) countries which comprise the United Arab Emirates (UAE), Kingdom of Saudi Arabia (KSA), Kuwait, Qatar, Bahrain and Oman routinely cracks down on its legions of undocumented migrants. What is unique about these countries from the rest is that employers can and do charge their employees, most of whom are domestic workers for absconding even if such workers had filed legitimate grievances against them in their respective embassies and even in the local labor bureaus.

Kuwait's Immigration Department based on the instructions of its Ministry of Interior is preparing a comprehensive report on the number of foreigners in its country. There are reliable sources that made it known that this would lead to the deportation of a large number of Asians especially those who are undocumented. These developments come about in the aftermath of the unprecedented strike and riot of 7,000



A major agenda of the upcoming International Assembly of Migrants and Refugees (LAMR) will be on the plight of undocumented migrants. Critics have challenged the Global Forum on Migration and Development (GFMD) to prohibit the criminalization of undocumented migrants and work for their legalization

Bangladeshi cleaners over low, delayed and reduced pay and other legitimate grievances.

All these are coming at a time when the GFMD will be held in Manila at the end of October this year. Its theme "Protecting and Empowering Migrants for Development" rings hollow to the ears of the estimated 35 million undocumented migrants worldwide. More so when one of the three roundtable discussions in the activity entitled "Secure, Legal Migration

can achieve greater development impact" will be used to formalize the criminalization and subsequent crackdown on undocumented migrants under the guise of development.

It is now up to the International Migrant Alliance (IMA) to raise this as one of the issues in the International Assembly of Migrants and Refugees which will be held side by side with the GFMD. Who else can speak for the undocumented migrants but themselves and their friends.#

## MECO official says placement fee for overseas Filipino household service workers to Taiwan legal

WELFARE OFFICER ROSAN Siray of the Manila Economic and Cultural Office (MECO) in Taipei said that the placement fee equivalent to one month salary for overseas Filipino household service workers (HSW) to Taiwan is legal. This was the most controversial point that came out during a dialogue between migrant workers and MECO on July 27 in the latter's office.

The dialogue was organized by Migrante – Taiwan and was joined by Samahang Makata International (SMI) and the OFW Family Club.

Ms. Siray's comment was the most controversial because this contradicts the Philippine Overseas Employment Administration's (POEA) new Guidelines on the Implementation of the Reform Package Affecting Household Service

Workers (HSWs). Said guidelines stipulate that new hires whose visas or job orders processed by the POEA after December 16, 2006 are exempted from payment of placement fees.

Of course it is another matter if the POEA guideline is really being implemented for Taiwan bound OFW's. As most of them have monthly deductions for this with a maximum of NT\$10,000 for ten months. This is another matter though.

Other issues discussed in the dialogue include the following:



Filipino household service workers in Taiwan hold dialogue with MECO on agency fees

1. A provision in the employment contract of HSW's that employers will only shoulder the airfare of their

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# Bangladeshi cleaner’s protest actions in Kuwait: Tip of the iceberg of migrant’s condition

THE PROTEST ACTIONS and subsequent deportation of Bangladeshi cleaners over non-payment and reduced wages in Kuwait is only the tip of the iceberg. Labor uprisings will continue in this Gulf Cooperation Council (GCC) country as long as rampant exploitation of the migrant workers persists.

Kuwait is one of the richest countries in the world. It ranks 5<sup>th</sup> in the world on per capita income of US\$32,882 in 2005. This is larger than two other places that import migrant workers namely in Hong Kong and Taiwan at US\$26,094 and US\$15,674 respectively.

Yet when it comes to remuneration for so called menial jobs, Kuwait ranks last among the three. The pegging of a minimum wage for cleaners for security guards and domestic workers is far below than that of Hong Kong and Taiwan as the table below shows.

month. Yet Kuwait only pays its cleaners 27% compared to Taiwan and 23% to that of HK. For security guards, Kuwait only pays 47% compared to Taiwan and 36% compared to HK.

What makes the statistics and conditions worse is that the GDP of Kuwait includes the contributions made by its expatriates who comprise 68.5% of the population. At the same time only this year the Kuwaiti government added KD170 (US\$643) to the Social Fund of Kuwaiti families so that they can cope up with high inflation rates. This is much bigger than the average wage of the majority of the migrant workers in the GCC country including those working in fast foods and hotels.

The protest actions and riots staged by 7000 Bangladeshi cleaners from different companies and the subsequent crackdown like deporting over 1000 of

<b>Comparison of Wages of cleaners, security guards and domestic workers in selected countries</b>			
	Kuwait	Hong Kong (Minimum Allowable Wage MAW for DW)	Taiwan (Minimum Wage)
<b>Cleaner</b>	US\$151	US\$667.68	US\$563
<b>Security Guards</b>	US\$265	US\$728	US\$563
<b>Domestic Workers</b>	US\$151 - 227	US\$479	US\$516
<b>APMM Research</b>			

All three places hire foreign domestic workers, yet Kuwait only pays 32 – 47% compared to Hong Kong and 29 – 44% compared to Taiwan. Kuwait is the only place among the three that hires foreign cleaners and security guards while only locals work as such in HK and Taiwan. As foreign workers comprise 96% of the work force in the private sector and 100% in menial jobs.

For Taiwan we only used the minimum wage that all foreign workers except domestic workers get and do not necessarily reflect how much local cleaners and security guards make in a

them would not deter future strikes of migrant workers in Kuwait. As long as their salaries remain very low and as long as these are delayed and reduced by deductions labor unrest would ensue.

The implementation of very low minimum wages for expatriates in doing menial work in the aftermath of the strikes; the failure of the Kuwaiti authorities to even publicly identify the companies involved in exploiting the workers; and the failure in penalizing these employers only adds insult to injury to the plight of foreign workers in Kuwait. #

## Grassroots migrants prepare to challenge GFMD

MIGRANTS, IMMIGRANTS, REFUGEES and other displaced peoples around the world are gearing to challenge the second Global Forum on Migration and Development (GFMD) with regards to its avowed aim of addressing migration and its relation to development.

Migrants under the banner of the International Migrants Alliance as well as its wide variety of networks are set to launch different types of actions to expose the neoliberal framework of the GFMD and its adverse impacts to the rights of migrants. The actions shall culminate in an International Assembly of Migrants and Refugees that shall be jointly organized by the IMA, Migrante International, Asia Pacific Mission for Migrants (APMM) and IBON International.

The IMA is a newly-established alliance of grassroots migrants from 25 countries. It counts among its member organizations those of domestic workers, factory workers, constructions workers, small- to medium-scale professional, agricultural workers, foreign brides and those working in entertainment, restaurant and other service sectors.

According to Eni Lestari, IMA chairperson, it is an opportune time for grassroots migrants to speak out on the GFMD and its agenda. “As it is being held in the Philippines which is being touted as a model of labor export, the concerns grassroots migrants must be heard and acted upon,” she said.

Lestari reported that IMA members in several countries such as in HK are already preparing for the GFMD. Preparatory activities include education campaign to migrants on the GFMD and national gatherings of migrants to consolidate the position of the grassroots on the GFMD.

More than 150 representatives of different organizations from major sending and receiving countries are expected to come to the Philippines to take part in the GFMD actions.#

# Charges on remittances ignite disgust of GMA

DESPITE THE HUGE foreign exchange contributions of the overseas Filipino migrants (OFWs), they are always coveted by the past and present Philippine Presidents and the private local and foreign companies. The OFWs become their favorite milking-cows and the government does not address their rights and welfare needs.

Understandably there is more resentment and outrage echoed amongst the OFWs worldwide when Mrs. Gloria Arroyo's administration imposed the .15% documentary stamp tax covering the remittances of the OFWs. This is despite the hard times when their meager incomes overseas are already stretched to the limit by their families increased needs due to unstoppable price increase of basic goods and services at home and inflation in the host countries where they are working.

This condition of the OFWs and their families reached the Philippine government through the statements made by migrants' organizations and their advocates several times in the past. In April, Migrante International and its Middle East chapters challenged the Philippine government to at least help ease the impact of the soaring price hikes of rice and services in the country and the relatively "strong peso" by exempting the OFWs from remittance charges, junk the E-VAT and regulate oil price hikes.

Last July 25, Migrante International initiated and launched an online petition with major calls to the Philippine government — to remove the remittance



*Amidst the worsening economic crisis in the Philippines, the call for ouster of GMA among overseas Filipinos intensifies as the GMA government refuses to scrap the VAT on oil, act on demands to lower remittance charges and even introduces a new fee for migrants.*

charges, government taxes on remittances, and the VAT on oil and power. It also intends to expose the real state of the OFWs and their families in contrast to the expected lies of economic development under the Arroyo governance.

"Overseas Filipino workers are also adversely affected by this crisis. Remittances amounting to billions of dollars are not an indicator that OFWs have more money to provide for their families", says part of the petition.

It added, "The government directly benefits from the remittances of OFWs through taxes such as the .15% documentary stamp tax collected in every transaction." It further stressed that, "For every billion dollars remitted monthly, the government earns \$1.5M or P62M."

The petition also indicated the profits that the banks and private businesses collect from OFWs remittances. It cited that, "For every \$200 remittance sent monthly, \$15-\$22 is charged as service fee. For every 10 million OFWs sending remittances, banks earn a staggering \$1B."

Apart from the signatures online by affiliate organizations of Migrante International and its allied organizations abroad, OFWs in various countries keenly embraced the petition.

In the Middle East, it has gathered at least 1000 signatures in the past week when it circulated the petition via e-mail and more are pouring in.

In Hong Kong, UNIFIL-Migrante-HK launched a signature campaign for the petition on August 10. Within an hour, it sold like hotcakes — with 2,775 signatures were gathered by the teams coming from UNIFIL-Migrante-HK, ATIS-HK, UPHK, CORALL, FMWU, Gabriela and other faith groups who roamed along the "tambayans" and path ways where OFWs congregates in Central.

"Gloria is too much! The bank already charges high for what we remit and our corrupt government adds a further cut when our families get our remittance, complained the signatories. OFWs waiting for their turn to sign-up asked, "Why has Gloria not yet been deposed considering she stole the last elections!" They cited in different forms that there was never a progress when Gloria came to power and that she must not stay on until 2010.#



*Filipinos in HK brought forward issues of overseas Filipinos in time for GMA's annual state of the nation address*

# HK gov't gives in to demand for suspension for all contracts FDWs reap initial victory in campaign against the levy

AFTER FIVE YEARS of struggle, the HK foreign domestic workers' (FDWs) campaign to abolish the levy finally paid off. On the 1<sup>st</sup> of August this year, suspension of the collection of payment for the retraining levy from employers was implemented effective 1 August 2008 to 31 July 2010.

The Asian Migrants Coordinating Body (AMCB) claims that the suspension is victory enough since the HK government conceded in including ongoing contracts in the suspension instead of its original announcement that only new contracts were covered.

Many premature termination of contracts ensued as employers wanted to avail of the suspension immediately. But the persistent protest actions staged by the FDWs pressured the government to change its original position.

Not wanting to lose face the government introduced a complicated scheme that would provide added problems to the FDWs. The Immigration Department called this Advanced Contract Renewal (ACR) that would let employers avail of the levy suspension.

An AMCB member, the United Filipinos in Hong Kong (UNIFIL-MIGRANTE HK) conducted its own public information and education activity on Sunday, August

3<sup>rd</sup>, at the Chater Road in Central to alleviate their members' anxieties due to lack of clear guidelines from the HK government.

In a late attempt to appease FDWs, the HK Labour and Immigration Departments conducted a briefing to clarify their discriminatory policy on August 5 this year.

Representatives from the AMCB and migrant organizations, service providers and human rights advocates saw this as an opportunity to pursue other issues that would benefit the FDWs.

According to the AMCB, despite the ACR, there will still be FDWs who will be terminated but shall not be renewed by the employer. Given this situation, they urged the Immigration Department to exempt them from the Two-Week Rule so that they can be given enough time to process visa for another employer and they will also not be forced to go back home.



Thousands of Asian FDWs joined the protest action of the AMCB to call for coverage of all contracts on the levy suspension. The rally triggered the HK government's move to adopt the advanced contract renewal system.

Consistent with their anti-migrant stance, the government officials refused to budge to the groups' appeal. Instead, they insisted that termination of contracts were bound to happen with or without the suspension of the levy.

While defending their policy, apparently they would gain from the collection of visa fee from the thousands of ACR applicants as well as providing bonus collection for employment agencies for additional processing fees and consulates for charging authentication and verification costs.

Nonetheless, the AMCB, consisting of Indonesians, Thai, Sri Lankans, Nepalese and Filipinos, vowed never to stop for as long as policies that trample on the rights of FDWs are in place.

Despite its suspension, they will continue their campaign until the levy is totally abolished. They shall also actively campaign for a significant wage increase for FDWs as well as the abolition of the Two-Week Rule that makes FDWs vulnerable to abuses.

Finally, they called on all migrant workers to continue to be vigilant in protecting and upholding their rights and wellbeing. Through their collective actions, victory was gained in the levy suspension.



The victory of the levy campaign in HK showed that militant and united actions of migrants are still their best weapon in protecting their rights and upholding their wellbeing.

# ANNOUNCEMENT

*Migrants' Challenge to the GFMD*

## An International Assembly of Migrants and Refugees

*October 28-30, 2008; Manila, Philippines*

Migrants from all over the world will gather in Manila on October 28-30, 2008 and will speak for themselves when the inter-government-led Global Forum on Migration and Development (GFMD) holds its second session to discuss about issues surrounding migration and development. This concerted voice is the Migrants' Challenge to the GFMD.

This international assembly of migrants, refugees and advocates is organized by the International Alliance of Migrants (IMA), Migrante International (Philippines), Asia Pacific Mission for Migrants (APMM-HK) IBON Foundation (Philippines) and BAYAN (New Patriotic Alliance-Philippines). IMA is the first-ever global alliance of more than a hundred

grassroots associations, organizations, unions, networks and alliances of migrant workers, immigrants, refugees and displaced peoples.

The international gathering aims to: 1) to develop awareness on the GFMD process and discuss and analyze critical issues surrounding the GFMD agenda ; 2) critically discuss and analyze the impact of neoliberal globalization and its devices, strategies and policies (i.e. labor export policy) on the lives of migrants, refugees and their families; 3) build the process of attaining the migrant consensus as the legitimate and genuine platform of migrants to the GFMD; and 4) help strengthen the unity and solidarity among migrants, refugees and advocates.

The theme for the International Assembly is - "Migrants' Challenge to the GFMD: End poverty, ensure jobs at home, stop forced migration! Uphold and Protect the rights of Migrants and Refugees!"

The three-day International Assembly shall hold a conference, workshops, a speak-out (co-organized with Asia Pacific Forum on Women, Law and Development or APWLD and CARAM-Asia) and other activities.

There shall be a registration fee for each participant to cover for food, accommodation, conference and mobilization expenses. The final amount of the registration fee and venue for IAMR will be announced soon.



MIGRANTE International



Asia Pacific  
Mission for  
Migrants



IBON  
Foundation

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## TASAT officers visit Hong Kong

FOUR OFFICERS OF the Trans-Asia Sisters Association in Taiwan or TASAT visited Hong Kong last June 12 to 15. TASAT is a grassroots organization of immigrant brides in Taiwan. Most of their members comes from Indonesia, Thailand, Vietnam, Philippines and mainland China.

During their four-day visit in Hong Kong, the group visited and met some of the staff of APMM. They also met some of the residence-clients of the Bethune House Migrant Women's Refuge, a temporary shelter for foreign domestic workers who are in distress and with pending cases filed against their employers and recruitment agencies.

The group also participated in the protest rally organized by the Asian Migrants Coordinating Body or AMCB last 13 July against the levy suspension.#

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employees upon return of the HSW to the Philippines

2. That addendums to the contract not signed by the POEA are illegal

MECO however denied that a new employment contract proposed by governments of sending countries have not yet been approved by Taiwan's Council of Labor Affairs (CLA). And that they are the ones (labor attaché) that

authenticates such contracts. Their answer pertaining to the addendum is also quite strange as supposedly Philippine laws do not allow revisions to the contract as this is equivalent to contract substitution.

Essentially MECO is guilty of doublespeak as they say one thing but mean another. They only seek to confuse the migrant workers. Migrante Taiwan and its allied organizations and friends should expose this kind of language and mobilize migrant workers to assert their rights and welfare. #

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