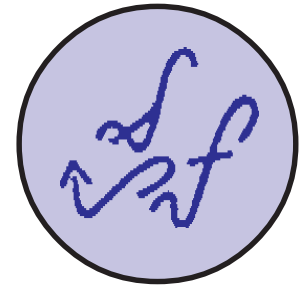


# News Digest

October  
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APMM

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

## *The 3<sup>rd</sup> Global Forum on Migration and Development*

# Integration of migration policies to development policies: to whose benefit?

THE GLOBAL FORUM on Migration and Development (GFMD) is on its third run. Based on its past meetings and the themes to be discussed in the Athens GFMD 2009, the future of migration – as the expression goes – is in the bag for monopoly capitalist businesses and states while migrant workers get more commodified and their status reduced to as no more than modern-day slaves.

Athens GFMD 2009 works under the theme “Integrating Migration Policies into Development Policies for the Benefit of All.” The crucial question is: who does benefit from such integration?

The 3<sup>rd</sup> GFMD is convened while the world is reeling from an economic crisis. The crunch caused by the monopolization of finance capital in the United States is wreaking havoc to the lives and livelihoods of people especially in the already crisis-ridden economies of colonies and semi-colonies.

Migrant workers are some of the first to take the brunt of the economic downfall. On two sides – in the host countries where they work and in the countries where they come from – migrant workers suffer from the impacts of the crisis to their jobs and their daily survival.

With businesses closing down, cutbacks in the workforce have been made and some of the first casualties were migrant workers. Many countries have also implemented various restrictive policies against migrants or policies that worsen the condition of migrant workers.

For example, from October to December last year, 9,644 migrant workers in the manufacturing sector in Taiwan were retrenched. Meanwhile South Korea has issued a directive that takes away free board and lodging for workers under the Employment Permit System (EPS) while in Malaysia, like in Saudi Arabia, the government has directed businesses to lay off foreign workers first if cuts have to be made. In Macau, 14,078 were laid off from September 2008 to January 2009.



*Migrant workers under the banner of the International Migrants Alliance around the world continue to protest the agenda and framework of the GFMD.*

A crackdown against undocumented migrants is also underway in South Korea while in Europe, the EU plans to implement the EU Return Directive by next year that is expected to affect hundreds of thousands of undocumented migrants in the whole region.

This situation is expected to even get worse. The ILO’s annual Global Employment Trends reports global unemployment in 2009 could increase over 2007 by a range of 18 million to 30 million workers, and more than 50 million if the situation continues to deteriorate.

Meanwhile in poor countries where migrants come from, the condition of the people worsens. As most of these countries have export-oriented economies and since importing countries also are experiencing problems, the economies of the more backward countries also have setbacks.

Unemployment, poverty and displacement worsen in backward countries. Prices of basic commodities continues to soar while social services even become even more inaccessible.

In such a situation, exportation of labour and importation of migrants even become more imperative for sending countries and receiving countries, respectively.

### **GFMD's agenda: intensified labour export and cheaper labor**

In labour-sending countries, integration of migration to national development policies will result to further commodification of human labour. Meanwhile, in receiving countries such policy integration means more policies that will ensure that migrant workers remain productive and cheap.

The Philippines is a prime example of a labour-exporting country that has developed migration as a national program more sophisticated than most countries. It uses migration as a tool to address the growing unemployment in the country.

In every policy address of the Philippine president, labour export always figures in as contributing to the national economy. Target for exportation of Filipino workers are also constantly increased.

Indonesia – that has been learning from the Philippine experience of migration – in recent years has also been systematically developing its migration program. In Hong Kong, for example, the number of Indonesian domestic workers has already surpassed the number of Filipinos with its exponential increase for the past 10 years.

Meanwhile, the integration of migration to national policies of labour-importing countries follows the Mode 4 agenda of now stalled negotiations on the GATS or General Agreement on Trade and Services.

For example, the Australian government has expanded and relaxed the rules on the 457 visas or the Temporary Business (Long Stay) visa (Subclass 457) that opened up the importation of more skilled foreign workers that are paid lower than the local workers and removed safeguards on the rights of migrants working under the said visa.

Since 2001, the removal of the requirement for labour market testing or to demonstrate an activity is key to the business, requirement for employers to demonstrate a training benefit to Australian workers and requirement to have the sponsored person's credentials first vetted by Australian accrediting authorities has resulted to the rise of 457 visa holders from 24,000 in 1996-97 to 70,000 in 2005-06.

Integration of policies in labour-importing countries is only to the extent where they can benefit from the cheapened labour of skilled migrant workers. In Hong Kong, since the importation of foreign domestic workers started, FDW labour has been maintained as cheap and even the recent process of instituting a Statutory Minimum Wage for Hong Kong workers has excluded FDWs.

### **Conclusion**

The agenda and direction set forth by the Athens GFMD 2009 still do not address the flawed framework of development and labour migration that labour sending and receiving countries are working on. Neo-liberal globalization's design on migration and development pervades the GFMD process and under such framework, migrants will always be on the losing end.

Already shadowed by the impacts of the global economic crisis, migrants can only expect but a worsening of their condition as labour-exporting countries bask on the remittances, government income from fees and easing of chronic unemployment as the benefit of migration to them. Labour-importing countries and their monopoly businesses, on the other hand, are expecting to reap more profit and capital from migrant labour.

The GFMD has time and again proven to whose interest it works for: to big businesses, monopoly-capitalist states and the inhuman labour export program of sending countries. Obviously, the its benefit shall never be for the grassroots migrant workers. ☹

*This article was mainly taken from the critique on GFMD released by APMM and the ILPS Study Commission No. 16. The critique took off from another one released last year. Both are available in the APMM's website. In the next issue, challenges by grassroots migrants to the GFMD will be featured.*

## **HK advocates call court ruling on Sison as major victory**

HUMAN RIGHTS ADVOCATES in Hong Kong hailed the victory of Prof. Jose Maria Sison in his case against the European Union's inclusion of him to its terrorist listing as a major victory.

On September 30, the European Court of First Instance ordered the removal of Sison from the terrorist listing because he has never been investigated, prosecuted and convicted on any of the charges used as bases for his terrorist listing.

Groups and individuals under the HK Committee to Defend the Rights of Prof. Sison (HK DEFEND) conducted an action in front of the Dutch Consulate to call on to the Netherlands government to recognize the rights of Sison as a political refugee.

"Let the truth set Prof. Sison free from further political persecution," the group said in a statement.

HK DEFEND stressed that it will be hypocritical for the Council of Europe that projects itself as promoter of human rights to continue Prof. Sison's inclusion in its terrorist listing when its own court has ruled against it. Such will also only further highlight the repression that Prof. Sison has been experiencing for years.

They warned that if the prosecution of Prof. Sison persists, then the Council of Europe and the governments of the Netherlands, USA and the Philippines will only show to the world who the real terrorists are. ☹



*HK DEFEND submitted a petition to the Dutch Consulate to stop the prosecution of Prof. Sison and recognize all his rights.*

## STAND UP FOR YOUR RIGHTS

# Rex goes home

*"Thank you for assisting my son in Saudi. At last, Rex arrived home safe last October 16!"* These words of happiness were expressed APMM by Rex's loving mother, Mrs. Nati Catajoy.

Mrs. Catajoy is a foreign domestic worker in Hong Kong for almost a decade now while his son only had almost 5 months employment as a steel fixer with Saudi Oger since May 2009.

Rex has been incapacitated since 2009 due to severe pain in his kneecap, waist and hips, coupled with on-and-off fever. The company had him physically checked-up in the hospital. He was diagnosed with arthritis and prescribed with medicines but did not help him

recover. He was bed-ridden at the company barracks and without salary. Scared of his health condition, he kept requesting the management to send him home. However, his plea was not granted. His co-workers took turns in looking after him and sharing him their food. They also helped him report to the Philippine Embassy but no one came to see Rex.

Mrs. Catajoy did not give up even if she received lukewarm responses from some concerned departments of her government. Mrs. Catajoy then turned to non-government organizations in early September 2009 to seek their assistance.

APMM then sent a referral letter to the Philippine Embassy in Riyadh, KSA with

copies furnished to the DOLE, POEA, OWWA and ATN/OUMWA of the DFA. The Migrante Middle East was also informed of Rex's situation. Migrante and APMM coordinators personally spoke with Rex. After some days, Rex received a call from someone who introduced himself as a Welof. He was promised of a visit to see his condition and Welof will also talk with the management for his immediate repatriation.

Mrs. Catajoy will have to again stand by his son's side. Rex will have to further gain strength to stand for his right in his follow-up with the OWWA for benefits he rightfully deserves. ☺

## NZ OFWs score COMELEC ban on Migrante

AUCKLAND, NZ/7 NOVEMBER 2009 - Migrante Aotearoa New Zealand joined Migrante chapters around the world in launching text and e-mail barrage calling on Comelec commissioners to "Let the voices of OFWs be heard, Let Migrante Run in 2010.

"We have very serious doubts about the integrity of the Comelec's process of accreditation as it unfairly disqualified Migrante Sectoral Party while accrediting Malacañang-backed party-list groups to fraudulently claim seats as representatives of the marginalised sectors. The Comelec's recent resolution requiring all partylist groups to bare their nominees is a welcome development. We challenge Chairman Melo and all Comelec Commissioners to delist those who are not genuine representatives of marginalised sectors and immediately heed appeal of OFWs around the world to reverse its decision to disqualify Migrante from the 2010 partylist race," Mr Dennis Maga, Migrante Aotearoa national coordinator stated.

"Since 2001, hundreds of members of progressive partylist groups Bayan Muna, Anakpawis and Gabriela Women's Party became victims of political persecution because they stood at the forefront of exposing fraud, corruption



*Migrante NZ, though newly-formed, launches actions to solicit support from overseas Filipinos in New Zealand against the deprivation of the chance of Migrante to take part in the 2010 polls.*

and human rights violations under Arroyo. Now, Migrante has also become a victim of unjust disqualification as another form of political persecution. Migrante is considered another threat to the administration's plans in the 2010 elections as it exposed corruption of OFW funds during the fraudulent 2004 elections. We can see that Arroyo's desperate bid to stay in power is behind Migrante's delisting and for sure the progressive partylist groups will continue to be targets of political

persecution this election season," the group warned.

"It is really frustrating that the present party-list system has yet to fulfil the avowed goal of ensuring adequate representation to underrepresented sectors. The continuing trend of Malacañang-backed groups getting accredited and Comelec disregarding appeals for Migrante to be allowed to run further expose sham democracy in the Philippines," Maga concluded. ☺

# Macau gov't official reneges on promise on New Migrants Bill

SECRETARY FOR ECONOMY and Finance Francis Tam reneged on his earlier promises to consider acting on two concerns of the non-resident workers in Macau in its new Migrants Bill. This leaves no option for the migrant workers and advocates but to intensify the campaign against the Bill including raising the issue to the ILO and the UN.

Francis Tam who is second to Macau's Chief Executive reneged on his promise to consider exempting employers of foreign domestic workers from paying the levy.

He also reneged in his promise to include regulations on the practices of placement agencies in the Bill. A lot of these agencies charge exorbitant placement fees; confiscate identity documents especially of domestic workers; some even engage in illegal recruitment practices.

The Macau Migrants Bill which officially came out in the Official Gazette on October 27 still retains its major anti-

migrant provisions besides those earlier mentioned. This includes:

1. The 6 month re-entry ban allows migrant workers to terminate their contracts as long as he/she gives a just cause for this. This is rather vague and the burden of proof might lie solely on the migrant worker.
2. There is a provision to mandatory regular medical check-ups of non-resident workers but who will pay for this is not described.
3. In nos. 3 and 4 of the general principles, it states that there should be no discrimination against non-resident workers and that there should be equal pay for equal work, but there is no provision stating that they amended article 3, letters a and d of Macau's Labour Law that stipulates that domestic workers and non-resident workers are excluded in its coverage. At the

same time, the 6 months re-entry ban and levy are only applied on non-resident workers and those who employ them respectively.

The new law will take effect on the last week of April, 2010. This gives the migrant workers and their advocates enough time to campaign anew against the Bill. An earlier but shorter campaign gained some concessions from the government including removal of the MOP250 penalty for those who cannot show any identity documents and the promises made by Francis Tam which he eventually reneged on.

More protest actions and advocacy work can be made and there is even a possibility of challenging the new law in a judicial review. Migrant workers and advocates can also raise the issue in the international level including to the International Labor Organization, United Nations Committee to End Racial Discrimination (UNCERD) and to the Special Rapporteur on Human Rights. ☺

## Filipinos in HK join workshop on the Race Discrimination Ordinance

Around 70 Filipino migrant workers participated in a Race Discrimination Ordinance (RDO) workshop jointly organized by the Equal Opportunities Commission (EOC), St. John's Cathedral HIV Education, United Filipinos in Hong Kong and the Filipino Migrant Workers Union on 18 October this year.

Majority of the participants acknowledged that the seminar promoted the message of equal opportunities for migrant and local workers in Hong Kong.

However, a considerable number of the participants said that the exclusion of foreign domestic workers from the statutory minimum wage (SMW) is discriminatory.

The EOC spokesperson maintained that there exists protection of foreign workers in Hong Kong and that there is need for the workers to submit their complaints to the EOC in order to address these.

As a whole, the Filipino migrants expressed appreciation to the EOC for knowing their rights under the Race Discrimination Ordinance.

Organizations present in the workshop pledged to conduct more education activities on the RDO among migrant workers. ☺



*Filipino workers from various organizations in Hong Kong deepen their understanding on the Race Discrimination Ordinance and how it will impact on the advocacy for the rights of migrant workers.*

# AMCB Gelar Aksi ke CGO Tolak GFMD

MINGGU, 1 NOPEMBER AMCB (Asian Migrant Coordinating Body)-IMA (International Migrant Alliance) mengadakan aksi ke pemerintah Hong Kong untuk menolak pertemuan GFMD (Global Forum on Migration and Development). Pertemuan GFMD kali ini diadakan di Athena–Yunani. Aksi di Hong Kong ini, juga bagian dari rangkaian aksi yang diadakan oleh IMA di Athena. AMCB-IMA menolak adanya pertemuan GFMD karena pertemuan ini berakibat mengancam upah, perlindungan dan hak buruh migran diseluruh dunia.

Sebelum berjalan menuju ke CGO massa aksi berkumpul di Charter Road untuk mengadakan orasi dan tampilan kesenian dari setiap Negara anggota AMCB (Indonesia, Philipina, Nepal, Thailand, Sri Lanka). Mr.Leung atau biasa dipanggil Long Hair salah satu legislator Hong Kong juga ikut memberikan pesan solidaritas mendukung kampanye buruh migran untuk menuntut dimasukkannya pembantu rumah tangga asing kedalam UMS (Upah Minimum Standar). Acara ini diadakan sekitar satu setengah jam bertujuan untuk mengajak bergabung

buruh migran disekitar tempat tersebut, sembari menunggu kedatangan massa aksi lain yang akan bergabung dalam aksi tersebut.

Tepat pukul 2.30 massa aksi berjalan menuju CGO, dengan menyerukan yel-yel dan lagu diiringi musik rebana. Massa aksi dari Indonesia, yang terdiri dari PILAR (Persatuan BMI Tolak Overcharging) dan GAMMI (Gabungan Migran Muslim Indonesia) sepanjang jalan manbuh alat musik rebana dan menyanyikan lagu-lagu perjuangan diselingi juga dengan yel-yel Minimum Wage For All, Now dan yel-yel yang lain. Sesampai di depan gedung CGO-HK massa aksi berkumpul, dan mengadakan program sekitar setengah jam. Juru bicara AMCB, Dolores Baladares membacakan statement AMCB yang berisi tuntutan buruh migran untuk dimasukkan kedalam UMS, pesan solidaritas oleh organisasi lokal dan penyerahan petisi ke pemerintah Hong Kong. Aksi ini akan dilanjutkan pada tanggal 13 Desember 2009, dalam rangka Hari Migran Internasional dengan tuntutan yang sama yaitu memasukan pembantu rumah tangga asing kedalam UMS. ☺

## Gov't extends crackdown on undocumented migrant workers in S. Korea

The intensified crackdown on undocumented migrant workers (UMW) in South Korea has been extended to December of this year. To further demonize the workers, the Korean government is now saying that the crackdown is needed to reduce the number of crimes that the former have committed.

Spearheading the hysteria against the UMW is the Grand National Party. The South Korean government has even set up the 'Anti-Foreign Crimes Unit' to hunt them down.

Other than going randomly after any undocumented migrant worker, the government is intentionally targeting migrant activists among their ranks. In particular, it arrested cultural activist Minod Moktan on October 8 and subsequently deported him.

Last year and earlier this year, the Korean government arrested several leading officers of the Migrant Trades Union (MTU) to ensure that their leaders cannot mobilize them against the crackdown. ☺

## Global Filipinos condemn de-listing of Migrante Partylist

THE COMELEC EN banc Resolution No. 8679 dated 13 October 2009 ordering the de-listing of Migrante from the partylist candidates in the 2010 elections has triggered massive protests and condemnation from the thousands of Migrante Sectoral Party (MSP) members at home and around the globe.

In Hong Kong, Migrante Sectoral Party Hong Kong Chapter (MSP-HK) members immediately launched the "No to De-listing! Let Migrante Run" campaign during the Tribal Filipino Sunday held on October 18<sup>th</sup> at the Belcher Park, Kennedy Town. Organizers of the event include the Cordillera Alliance, Mindanao Federation, Palawan Migrants Association and the Abra Tinguian Ilocano Society.

On October 21 a picket action followed at the Philippine Consulate General where

MSP-HK and the United Filipinos in Hong Kong (UNIFIL) criticized the COMELEC for its flawed interpretation of the partylist system act and the hasty and arbitrary process in disqualifying the Migrante Partylist along with twenty five other groups from the 2010 partylist elections.

The protesters stressed that MSP participated in only one election (2004), so the COMELEC's first basis for delisting thus, "failure to participate in the last two elections" does not apply. Neither does the second argument "failure to obtain at least two percentum (2%) of the votes cast in the two preceding elections" since MSP participated only once. This fact was clearly manifested to the COMELEC when MSP decided not to run in the 2007



Women members of Migrante launches a Run for Migrante to drumbeat the issue of de-listing.

elections so that it can prepare itself better for the 2010 elections.

With the absence of a legal basis, the COMELEC decision smacks of political persecution and disenfranchisement of the overseas Filipino workers who have worked hard to keep the economy afloat, according to the group.



*Migrante chapter in Hong Kong and supporting organizations mounted consistent actions such as petition signing, text barrage, "jog" for Migrante and protests at the consulate against the de-listing.*

No one can also deny the significant contribution of the MSP and its partner organizations in the success of the overseas absentee voting (OAV), the groups attested. As a matter of fact, Hong Kong's record as the top in the OAV registration this year can be attributed to the active involvement of MSP and UNIFIL members.

Thus the COMELEC's anomalous action must be opposed and exposed, the groups affirmed. Already, MSP-HK had gathered protest letters from at least 60 migrants' organizations and faxed these to the COMELEC commissioners. Individual signatures were also solicited and together with the protest letters from individual organizations, these were submitted to the PCG in another picket protest on November 5 this year.

On November 1, sixty representatives from various organizations gathered at the Chater Road to send a simultaneous text barrage to COMELEC chairman Melo.

Another symbolic run on the campaign "Let Migrante Run!" is scheduled on November 8 to pressure the COMELEC to respond to the MSP appeal to remove the Migrante Partylist from the list of delisted partylist candidates for the 2010 elections.

With around ten million overseas Filipinos scattered in different parts of the world, there is an urgent for their voices to be heard in the halls of Congress in 2010. This is the call of the Migrante Sectoral Party chapters in 23 countries.

Like Hong Kong, Migrante members from the Philippines to the Asia-Pacific, Middle East, Europe, US and Canada expressed their indignation and strong opposition to the COMELEC's baseless and illegal delisting in various protest activities.

Together with their families back home, they vowed to pursue their struggle to

have their own representative to speak for them in Congress and have the opportunity to create laws and policies that will protect them from the existing exploitative and commodifying guidelines of the Arroyo government. ☺

### **Excerpts from the MCA statement on the 15th ASEAN Summit**

GRASSROOTS ORGANIZATIONS OF migrants, advocates and concerned groups under the network Migrants' Caucus on ASEAN call on to leaders of the Association of Southeast Asian Nations (ASEAN) members to work for the genuine development of countries in the region that will put an end to forced migration and the commodification of migrant workers.

It is already beyond doubt for the peoples of southeast Asia that the neoliberal globalization agenda destroys life and livelihood.

Sadly, the ASEAN has not yet learned from the lessons of the past years that have seen countries reeling from crisis after crisis. Countries in the region have not yet recovered from the devastations of the 1997 Asian financial crisis and now, an even worse economic crunch is in the offing. Already, in the region and elsewhere, workers – particularly migrant workers – have been laid off from work or their economic capacity reduced in the face of skyrocketing costs of goods and services.

In place of the multilateral agreements previously advanced through the World Trade Organization, neoliberal globalization is now being spread through bilateralism.

To make matters worse, there are clear indications that point to the increasing interest and intervention of the United States – the major imperialist and champion of neoliberal globalization – to the ASEAN. As the trend goes, an FTA between the US and the ASEAN may soon emerge.

ASEAN is now in the process of establishing an instrument on migrant workers. In this process, transparency must be practiced and the participation of the grassroots people must be ensured. While working towards such an instrument may be a positive step towards the protection and promotion of the rights of migrant workers, refugees and asylum seeker, such can only be of true service to the migrant workers if the voices of the grassroots will be considered and their concrete issues are addressed. ☺

## **APMM NEWS DIGEST**

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