



APMM

Asia Pacific Mission for Migrants (APMM)

News Digest

Monthly Newsletter of the Asia Pacific Mission for Migrants

August 2005



Local supporters dramatize the plight of Thai workers under their brutal and repressive employers and brokers.

WE ARE EXPLOITED!

Migrants Uprising in Taiwan

It took a riot of 300 Thai workers in Kaohsiung last August 21-22 for Taiwan to realize that the human and labor conditions of its foreign blue-collar workers are very exploitative.

The Thai workers vented their anger on their broker after an electric truncheon was used on a Thai worker for using his cellphone as others were berated for drinking alcohol. All hell broke loose after this. It was later found out that their broker and employer were treating the Thais inhumanely.

Hua Pan Manpower Corp. is the said broker. It managed the workers for Kaohsiung Rapid Transit Corporation (KRTC), a state-owned corporation.

Apart from the said incidents, the workers lived in cramp dormitories. It was even said that prisoners had bigger spaces than them. Also, they

were not paid fully for their overtime work and could hardly eat the food served them.

Initially, Hua Pan Manpower Corp. was not to be a brokerage firm but a management and consultancy one. As such, it was not allowed to handle foreign workers. Some sources said that they got hired due to an influential person in the Kaohsiung provincial government.

Government Action

The incident pushed the formation of a human rights committee for foreign workers, as announced by Vice President Annette Lu on August 30. One of its functions is

to investigate private companies inhumanely treating foreign workers they employ.

A few days after, Chen Chu, the chairperson of Taiwan's Council of Labor Affairs (CLA), resigned from her post claiming full responsibility for the riot and the violations inflicted on the Thai workers.

The CLA, on its part, did a consultation with migrant and human rights non-governmental organizations regarding the management scheme for foreign workers.

Biased to the Employer

While the exploitation by the broker and the corruption stemming from its hiring were the only ones publicized, what the CLA revealed

continued on p.2

in the said meeting was startling and disturbing - it admitted that the payments migrants make to their brokers every month is management fee and not service fee. Essentially, the migrants are the ones subsidizing the employers' management expenses.

Such a scheme, the groups discerned, is a means to entice employers, especially local and foreign manufacturers, to invest in Taiwan.

Employers of individual caretakers and domestic workers, on the other hand, need no brokers to manage the employee yet documented cases show that a number of workers are directly paying their brokers NT\$25,000 – NT\$30,000 a year.

Apart from these unjust payments, violations like no rest days or non-

payment of overtime salaries run abound. Even domestic workers and individual caretakers are not



Thai workers and supporters staged a picket to condemn growing number of violations

covered by the Labor Standards Law of Taiwan.

This clearly states the bias of the CLA towards the employers and their brokers at the expense of the foreign workers. As such, the labor import policy of Taiwan is in essence geared towards using

migrants to work dirty, difficult and dangerous jobs while allowing foreign and local corporations to exploit them.

Concrete Action

What the CLA and the Taiwan government should examine is its whole migrant policy. The situation of the Thai workers in Kaohsiung is not an isolated one. Several cases of abuse and violations against foreign workers have grown alarmingly in the past months.

The Taiwan state, with or without its human rights committee, should have the political will to review its whole migrant policy and effect changes for the better.

Otherwise, more foreign, and probably even local, workers will suffer. And we can expect more than an uprising next time.

Women rights advocates strengthen ranks, unity

APWLD, in action for the year 2005

The Asia Pacific Women, Law and Development (APWLD) Task Force on Labour and Migration (TF on L&M) met last September 17-19, 2005.

Delegates to the meeting came from Malaysia, Indonesia, Philippines, Fiji, Japan, Korea, Mongolia, Hong Kong, Burma, Bangladesh and Thailand. Cynthia Abdon-Tellez represented the Asia Pacific Mission for Migrants in the said meeting.

In the meeting the participants reviewed their programs and projects. There were also brief updates on the developments on the current situation in the different countries represented in the Task force.

After which the group decided to have a detailed planning on the remaining months of the year 2005 which included a review of the current membership in the Task Force and the forthcoming activities.

Another concern that the group

discussed and decided on was the importance to take action on the long-awaited project on a research to give an objective situation of the current attitude of the different countries in the Asia Pacific on domestic work.

Promotional materials such as postcards and posters, they said, are being worked on after a successful on-going postcard campaign in the Philippines on migrant workers. In line with the issue is the concern to address the issue of trafficking of women and children in the context of migration. Again, this puts emphasis on the issue of domestic workers to be recognized as workers.

It was also agreed that the Task Force on Labour and Migration is linking with APMM and Migrante International as well as other active organizations in participating in the Anti-WTO events in Hong Kong in December 2005. Four representatives from the different countries represented in the TF will be

officially sent. In relation with this, educational materials to disseminate information will be produced to popularize the issues.

The Committee on the Elimination and Discrimination Against Women (CEDAW) will present the reports and information on the International Civil Society Forum in Qatar later this year. A training on UN mechanism to familiarize lobbyists among the members will be announced early next year. This puts serious attention to set a meeting with the UNSR (United Nations Special Rapporteur) on the Rights of Migrant Workers and Their Family and other UN personnel in Geneva come first week of December, 2005.

The meeting was concluded with a day of exposure and discussion with networks in Kuala Lumpur that included interaction with workers in the country coming from the different neighboring countries in Asia.

53% underpaid, 45% no holiday

Survey shows sad plight of Indonesian DH in Hong Kong

The Association of Indonesian Migrant Workers (Assosiasi Tenaga Kerja Indonesia di Hong Kong - ATKI-HK) released the results of the survey the group conducted from April to August 2005.

According to Eni Lestari, ATKI-HK chairperson, the organization conducted the survey because they want to determine the current employment situation of Indonesian domestic helpers.

ATKI-HK reported that they gathered 2,777 respondents.

Lestari said that fifty three percent (53%) of Indonesian domestics get less than the already low HK\$3,320 minimum wage, the majority of which receive HK\$1,800-K\$2,000. She also said that 52% pay more than HK\$20,000 placement fee to recruiters and the fee is deducted from their monthly salary for a period of seven months.

According to Lestari, the deregulation of Indonesian labor export has skyrocketed the fees charged by recruiters to prospective domestic helpers who largely came from rural and farming sector of Indonesia.

To further show the collaboration of recruiters and financing agencies, she revealed that 41% of those surveyed pay their placement fee to financing companies.



Additionally, Lestari said that other labour and immigration issues were also bared by the survey. Among these are: (a) the lack of holidays, (b) long working hours, (c) physical and sexual abuse, and (d) the confiscation of passports by employers or agencies.

The group also revealed that one in 100 Indonesians suffers from sexual harassment while one in 300 has been raped by her employer.

Also, 43% said that their passport were confiscated by their agency while 20% said that their passports were being withheld buy their employer. Such a practice is illegal in Hong Kong.

Lestari said that ninety-three percent (93%) of the Indonesian domestic helpers were in support of the call to bring back HK\$3,670 minimum wage and the abolition of the levy.

With this, they challenged the Indonesian and Hong Kong governments to address these concerns most importantly the demands to bring back HK\$3,670 minimum wage, abolish the levy, and stamp out underpayment and overcharging of fees by recruiters.



GMA impeachment gathers support in Hong Kong

House Representative Alan Peter Cayetano, spokesperson of the Congress impeachment team, shed light to the ongoing Philippine political controversy during the Leaders Kapihan organized by the United Filipinos in Hong Kong (UNIFIL) on August 21 at the St. John's Cathedral Harold Smyth Room.

More than 200 leaders of 65 Filipino organizations in Hong Kong got first hand information on the shameless acts of the Arroyo camp to cover up its schemes and deceitful ways just to hold on to power. Through a power point presentation, Cayetano shared glaring evidences on what he described as high level election fraud committed by the administration of Mrs. Gloria Macapagal Arroyo.

He also said that if corruption were corrected in our country, 200 to 300 billion pesos of uncollected taxes would be more than enough to replace the Value Added Tax (VAT) that the Arroyo government wants to impose on the people. This does not include the collected taxes that go the pockets of the government officials, he added.

Meanwhile, Migrante International chairperson Connie Bragas-Regalado,

continue to page 6

Dehumanized Deported Deprived!

Report on the Fact-Finding Mission and Medical Relief Mission for the Filipino Deportees from Malaysia

From May 29 to June 6 this year, a National Fact Finding and Medical Mission (NFFMM) in South Mindanao, Philippines was jointly organized by the Migrante International (MI) and the Asia-Pacific Mission for Migrants (APMM).

The team interviewed and obtained written statements from 36 deportees. The team conducted medical check-ups and distribution of medicines to deportees in Bongao, Tawi-Tawi with the assistance of provincial health officer Dr. Sukarno Asri.

The NFFMM came about in response to the massive crackdown against undocumented migrant workers implemented by the Malaysian government on March 1, 2005. Migrant organizations and advocates as well as the migrants themselves feared the repeat of the inhumane treatment perpetrated on undocumented migrant workers in 2002 during arrest, detention and deportation.

The findings of the NFFMM revealed that deportees are in a more miserable plight compared to the previous experiences of migrant Filipinos deported by the Malaysian government in the past. This time, there are more children and infants who suffered the brutal arrest, detention and deportation procedures of the Malaysian government and the Macapagal-Arroyo administration generally neglected their plight. In fact, the findings are painstakingly being withheld from the public by the state.

Filipino detainees were deprived of their right to legal counsel by the Philippine government. Their personal belongings were confiscated and visitors were prohibited from seeing their loved ones in jail. The detainees interviewed recounted that they were once visited by a Philippine Embassy official who asked them if they had problems. The official promised to return. The official did not return.

Back in the Philippines, deportees endure the dilemma of homelessness and the absence of livelihood support from government. Many of them either have only one of their parents or none at all. Even worse, children are stateless with no documents such as birth certificates for those who were born in Malaysia whose parents are undocumented; hence there is no chance to go to school because of this situation.

From the investigation, the NFFMM has recommended the following:

1) On the deportation process particularly in the transport of deportees from Sabah to the Philippines, a medical team should escort them to monitor the health condition of the deportees especially women and children;



Part of the fact-finding mission is meeting with the local authorities and coordinating all efforts to help the Filipino deportees



Meeting and living with the deportees provided the mission with the strongest insights on their actual experience

2) On birth registration, since the FFM team found out that a big number of children of deportees were born in Sabah and are undocumented, the Department of Foreign Affairs through the Philippine Embassy in Kuala Lumpur, Malaysia conduct a massive registration in Sabah;

3) On legal assistance and repatriation funds, the House of Representatives, particularly the Committee on Foreign Affairs, conduct an investigation to ascertain where and how the P100 million for the legal assistance fund and another P100 million for the emergency repatriation fund mandated by Republic Act 8042, were spent and require the DFA to submit a COA-audited report of the said funds; and

4) On government accountability, there should be an independent investigation on the Philippine government's accountability on the plight of thousands of Filipino deportees from Malaysia and victims of sex trafficking. Negligent government officials, including the President, is not immune to the Philippine Constitution and therefore should be punished.



Members and volunteers of the fact-finding mission joined with their friends and fellows in the community



Women experience more of the brutalities both as undocumented migrants and as women



Lisa, not her real name, is a victim of sexual abuse. Despite what happened to her, she continues to struggle.



Children comprise the majority of those deported and inhumanely treated

Table 1: Age Range of Deportees

Age bracket	March	April	May	Total	%
0-6	2	6	102	110	12.32
7-12	1	3	68	72	8.06
13-17	8	26	47	81	9.07
18-25	46	87	82	215	24.07
26-30	18	48	44	110	12.32
31-35	19	64	41	124	13.89
36-40	14	43	31	88	9.85
41-45	7	21	16	44	4.93
46-50	7	8	9	24	2.69
51-55	3	4	3	10	1.12
56-60	-	2	1	3	.34
61 & above	3	5	4	12	1.34
TOTAL	128	317	448	893	100.0

Table 2: Sex of Deportees

	March	April	May	Total	%
Male	105	247	253	605	67.75
Female	23	70	195	288	32.25
TOTAL	128	317	448	893	100.0

Table 3: Education of Deportees

	March	April	May	Total	%
Unschool ed	81	184	324	589	65.96
Elementary	35	85	97	217	24.30
High School	10	40	16	66	7.39
College level	2	8	11	21	2.35
TOTAL	128	317	448	893	100.0

Table 4: Status of Deportees

	March	April	May	Total	Percentage
Documented	-	6	-	6	0.67
Undocumented (backdoor)	128	311	448	887	99.33
Total	128	317	448	893	100.0

Source:
Department of Social Work and Development,
Philippine Government



GMA guilty of gross human rights violations, says International People's Tribunal

Seventy-three delegates from seventeen countries worldwide participated in the International Solidarity Mission (ISM) tasked to probe President Gloria Macapagal Arroyo's culpability for political killings and at least 3,560 human rights violations incurred in her local "war against terror" as of December 2004. The ISM was organized on August 14 to 16 this year by the International League of Peoples' Struggle (ILPS) and the Bayan Muna Party List.

The delegates were divided into five groups which visited and compiled pieces of evidence from five areas all over the country where the grossest human rights violations (HRVs) have taken place: Mindoro Island in the Southern Tagalog region, Hacienda Luisita in Tarlac, Central Luzon, Samar Island in Eastern Visayas, and Surigao del Sur and depressed Moro communities in Metro Manila.

"We saw the victims first-hand and heard their horrifying stories. We have actually experienced being harassed and intimidated by the military, particularly in Mindoro and Samar. There, we were "welcomed" with veiled death threats as streamers

suddenly sprouting all over the place, tagged as either 'terrorists' or 'communist front'," said the delegates.

The findings of the delegates were submitted to the International People's Tribunal (IPT) held in Quezon City on August 19. The thousand-audience – many of them farmers and indigenous peoples from the provinces – instantaneously stood up and applauded with shouts of jubilation and tears when a juror read the verdict of guilty on President Gloria Macapagal-Arroyo for gross human rights violations, reports stated.

Headed by a Presidium of Judges: Hon. Lennox Hinds, law professor from New Jersey, USA and vice chair of the International Association of Democratic Lawyers (IADL); Hon. Hakan Karakus, a Turkish lawyer and president of the International Association of People's Lawyers (IAPL); and Hon. Irene Fernandez of Tenaganita (women's force) Malaysia, and nominee to the Nobel Peace Prize, the International People's Court in Defense of a People Fighting Repression was convened at the Film Institute of the University of the Philippines.

GMA, continued from page 3

who was in town together with the impeachment team, lauded the efforts of migrant workers to contribute to the swelling ranks of Filipinos demanding GMA's ouster and the establishment of a transitional governing council.

As a private complainant, Migrante International recognized the HK OFWs in the Overseas Filipino Unite to Remove the Arroyo Government (OUTRAGE-HK) for initiating activities that aim to gather support to keep the impeachment case ongoing such as the initiative to write to their respective district representatives and HK-wide signature campaign.

8,000 signatures were gathered in a centralized signature campaign launched by the OUTRAGE-HK on the 28th of August. The signatures were sent to Migrante International as the group's contribution to the national day of protest against the Arroyo administration's dirty schemes to dismiss the impeachment complaint.



Stranded migrant workers are continually neglected by the Philippine government. (file photo)

Neglected Filipinos in the UAE

Filipinos in the UAE are estimated at around 200,000. UAE is part of the Gulf countries with an estimated two million Filipinos. The current population of Filipinos in the UAE increased to almost 100% for the last 10 years. With this estimated population, around 36,000 are domestic workers who are working for Arabs, expatriate Europeans and other Asian employers. Most of them receive a monthly salary of US\$160.00 or a peso equivalent of P8,960.00 per month. Other Filipinos are working in hotel and restaurant establishments, factories, Hospitals, shipyards, government agencies and other small establishments.

Recently, a local daily in Dubai reported that more than 60 Filipinos working as domestic workers are seeking the assistance of the Philippine Consulate in Dubai. Most of them ran away from their employers due to sexual and physical abuses and unpaid wages. The report also mentioned that an average of five (5) Filipino domestic workers seek refuge at the Philippine Consulate everyday.

Despite the report, the Philippine government through the office of the Department of Labor and Employment (DOLE) claimed that such conditions of Filipino domestic workers in Dubai are manageable.

However, APMM and MIGRANTE International think otherwise. In a phone conversation by APMM Managing Director with Consul General Generoso Calonge of the Philippine Consulate in Dubai few months ago, the Consul General admitted that both the Consular and labor office are undermanned. So, how can the Philippine government claim that such rampant cases of abuses among Filipino domestic workers are manageable? The Philippine labor officials must do its homework before making such irresponsible comments.

It is also clear that the Philippine government is hiding the real condition of Filipinos in Dubai to keep their good image through false claims.

On the other hand, MIGRANTE International are demanding that the Philippine government should file a diplomatic protest to the UAE government for failing to ensure the protection of the rights and well-being of Filipino migrants

particularly the women domestic workers. Such action is needed in order to teach host countries that it is not right to condone abusive employers and leave guest workers without justice, livelihood and food.

According to MIGRANTE, since the time of Sarah Balabagan, nothing has improved with the way foreign workers, especially domestic workers, are treated in the UAE. Sarah Balabagan is a Filipina domestic worker who was jailed for defending herself against her rapist employer and was repatriated back to the Philippines after a public outcry against Philippine government neglect.

To date, there are considerable number of Filipinos who are trying their best to find jobs in Dubai. Most of them are coming with tourist visas and end up empty handed and later become undocumented migrants. Some of them are even taking the chance of accepting job offers in Iraq, a country devastated by the US led invasion.

Last year, cases of Filipino women being trafficked in Dubai were also reported. They were recruited to work as receptionist and waitresses but later forced to work as prostitutes. Some of them managed to escape and returned to the Philippines with the assistance of some good-hearted compatriots while other were assisted by MIGRANTE through its member organization based in the UAE.

If the Philippine government is bent on curbing the number of violations against Filipino migrant workers, it should start by accepting this fact, not denying it. Protecting the lives and rights of the OFWs is and should remain their utmost priority and responsibility.

It is what they should do. It is what the OFWs expect them to do.

Migrante Hong Kong gears for OAV registration

As another round of registration for the Overseas Absentee Voting (OAV) starts on October 1 this year, the Migrante Sectoral Party Hong Kong Chapter (MSP-HK) is set to conduct training on Voter's Education in the territory.

In a meeting called by the Philippine Consulate General during a visit of OAV Commissioner Atty. Florentino Tuazon Jr, MSP-HK chairperson Vicky Casia-Cabantac raised the need for more mobile registration teams in the outlying islands.

Cabantac also proposed that instead of requiring OFWs to go to one voting center during the election period, COMELEC should allow field voting, where OFWs vote where they registered.

Although Hong Kong registered the highest percentage (65%) turnout of registrants and voters worldwide in the last election, more OFWs can participate if the COMELEC approved this proposal upon the recommendation of the consulate.

For a period of 11 months, OFWs will have plenty of time to register since registration ends in August 2006, Tuazon said. Registration in the consulate will be held from Monday to Thursday during weekdays and in Bayanihan on Sundays.

For defective Voter's IDs, the COMELEC official advised that voters could go through another video registration. He emphasized though that the Voter's ID is not a requirement for voting as long as the name appears in the voters list.

A major focus in the education campaign is the party-list voting. Although Migrante garnered the highest vote abroad, results of the last election revealed that many voters failed to fill up the space for party list.



Migrante members set up information and assistance centers for fellow migrants during the OAV registration in 2003.

Cabantac maintained that Migrante has and will always go "beyond the ballot box" in terms of advancing the rights and welfare of migrant Filipinos and their families.

"Our commitment and service go beyond the ballot box. The migrant legislative agenda is part of our over-all campaign to protect and promote our and families' rights and welfare," she concluded.

UPCOMING EVENTS December 2005 In Hong Kong

**Globalizing Economic
Justice & Social
Sustainability"**
(Forum on Migrants
GATS - Mode 4)
8-10 December

**APRN
HR - Speak Out
10 December**

**Peoples
Action Week
against WTO
11**

Opening March and
Cultural Program of the
Hong Kong People's
Alliance
13

People's March on the
Formal Start of the WTO
6th Ministerial Conference
14-17

Activities of Various
Organizations
18

Closing March and
Program of the Hong Kong
People's Alliance (HKPA)

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