

News Digest

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

Votes of overseas Filipinos: expression of protest and discontent

IF WE ARE to read the results of the second absentee voting, they indicate, at the very least, a strong sense of opposition of overseas Filipinos to the GMA administration.

In the senatorial race, Filipinos abroad gave an overwhelming support to candidates of the Genuine Opposition. Of the 12 seats, Gloria Macapagal-Arroyo's Team Unity only managed to get two slots placed towards the end of the list.

In the party list race, meanwhile, the militant women's group Gabriela Women's Party won the elections overseas. Gabriela garnered a total of 9,768, or 18.79% of the total votes cast for party-list and topped the partylist race in most countries in Asia-Pacific. The group that gathered the next highest was the Citizen's Battle Against Corruption (CIBAC) with 5,316 votes, or 10.23%. CIBAC is a group backed by charismatic leader, Eddie Villanueva, who is also a known critic of Gloria Macapagal-Arroyo.

The strong showing of the opposition – in the senatorial and partylist elections – show the stance of Filipinos abroad on the administration of GMA.

Looking into the record of the current administration on the concern of overseas Filipinos, the turnout of votes can be considered as a statement against the administration and what it has stood for in terms of the condition of migrant workers – excessive government charges, neglect of migrants in distress, negligible services and

protection to OFWs and families, and commodification of women and migrant workers.

The more recent POEA guidelines, which thousands of migrant workers have protested against, continue to hound OFWs. More and more cases are being reported of rackets being implemented to use the new rules for even more profit from migrant workers. Aside from this, organized ranks of migrant workers have not yet forgotten that it is under the regime of GMA that policies such as the OWWA Omnibus Policy and the transfer of the OFW Medicare Fund to PhilHealth were implemented.

The situation of families of OFWs in the Philippines is no better. Prices of basic commodities continue to soar even though GMA and her media wizards continue to drum up numbers on supposed economic recovery. Simply put, the touted economic upsurge has never reached the grassroots.

The second overseas absentee voting has come and gone. The low turnout of voters notwithstanding, the result is a telling indication of how OFWs stand with the GMA administration and its allies.

Votes of overseas Filipinos are protest votes. Protest against oppression, exploitation and injustice.#



Through efforts, mainly of migrant workers, the number of voters in HK increased towards the end of the voting period. Migrant workers blamed the low turnout of voters to the poor implementation of the OAV.

Subverting the will of the people with impunity

THE MAY 2007 PHILIPPINE election can be aptly described by the news report about the filing of cases in court of electoral sabotage and mockery of the election.

But it can be best describe by means of the sentiments of the ordinary Filipino people. "It is just waste of time to vote when beforehand, the winner is already decided upon by the powers that be" said migrant workers during the Overseas Absentee Voting (OAV) education drive in Hong Kong to convince them to go out and vote.

The go out and vote campaign teams do understand such reaction from the migrant workers. They attribute this to the until now unresolved "hello Garci" and "I am sorry" fraudulent 2004 presidential election in the Philippines.

Election should have been an exercise of a citizen's right to vote freely and at their own will. But the skepticism among Filipinos pervade for how many times did they experience subversion of their will by means of coercion, forced buying of their vote (in one television news money is being handed to voters by means of an M16 assault rifle) and by outright vote padding or vote shaving.

Certainly, the election last May 14 was no exception. In fact, almost all major newspapers in the Philippines carried the news about fraud, vote buying and coercion and of course political killings. It was also reported that a Pakistani member of the International Observers Mission was threatened when he asked if what they were doing was illegal, referring to poll watchers going with the voters and dictating what names to write in the senatorial slate. If all these dirty schemes failed, the perpetrators will resort to physical elimination. So far 126 killings were recorded during the election period alone. Included were those who were burned to death when the school-polling place was torched allegedly by police officers who are now being charged of murder.

This 2007 election can also be illustrated in the press release of the International Observers Mission (IOM) to quote: "Throughout the Philippines overt political coercion through electoral corruption, open 'vote buying', rampant breaches of electoral regulations and outright terror fashioned a context through which economic and political dynasties attempted to



The group Kontra-Daya is a concerned citizen's group, which counts among their members people such as former Vice President Teofisto Guingona, against fraud and violence in the elections.

perpetuate their positions of power through the mid-term elections."

They substantiated this by documented cases which they summarized as strong military presence, intimidation and harassments; perpetuation of political dynasties; labeling, use of fraud and force against legitimate party list and oppositions; and general chaos, irregularities and vulnerabilities to manipulation of election results. But one thing that must be added is the hand of the

entire administration that perpetuates such happenings in order for them to remain in power.

Yes indeed, the ghost of the fraudulent 2004 presidential election is very much felt in the 2007 national and local election. Though this time no one wants to say "I am sorry" even if the proof is so glaring. But maybe this time the people will be the one to say "we're sorry but you have to step down".#

Gabriela in HK holds victory party

CORNERING ALMOST 50% OF the partylist votes in Hong Kong, the HK chapter of Gabriela Women's Party held a victory party at Repulse Beach last May 27.

Attended by around 350 of its members and supporters, the event was a way of saying thanks to migrant workers in Hong Kong for giving their confidence to Gabriela, said Cynthia Tellez, chairperson of GWP-HK.

Though the rain prevented the group from conducting its major program for the day, Tellez said that the satisfaction of those who attended the event was evident.

Hong Kong garnered the highest number of voters in the recently concluded overseas absentee voting.

Still, Tellez expressed her dismay at the

dismal turnout of voters due mainly, she said, to the failure of the government to properly implement the OAV and encourage the OFWs to votes.

"This disenfranchisement of OFWs is further compounded by the rampant cheating and violence against progresisve partylists in the Philippines like Gabriela," she reported.#



Their hard work paid up. Gabriela members in HK took a break to celebrate and consolidate their ranks

STAND UP FOR YOUR RIGHTS

What awaits Ellese at Koh Samui prison?

ELLESE'S (NOT HER real name) dream of a good paying job in Thailand turned into a nightmare. Since July 2006, the 23 year old migrant worker from Davao City has been in prison at Koh Samui, Phuket on charges of robbery, theft, and causing destruction to property.

Ellese's family in Davao started seeking the assistance of the Philippine's Department of Foreign Affairs since her imprisonment when she reported to them that she was being maltreated by the Thai police. Her belongings were also taken from her and she pleaded to her family to bail her out.

They reported these to the Davao and Manila Offices of the Undersecretary for Migrant Workers Affairs of the Department of Foreign Affairs (OUMWA-DFA). In September 2006, the DFA-Davao wrote them about the bail amount and the opinion of the Philippine Embassy in Bangkok (PE-Bangkok) that a bail payment will not work out since her security is at risk outside Koh Samui prison.

The family felt that their numerous efforts to communicate with the Philippine

government offices in the Philippines and in Thailand to help them find out about Ellese's case and appeal for legal and welfare assistance for Ellese were given insufficient attention.

Ellese's family approached InPeace-Mindanao in January 2007 who referred the case to the Asia Pacific Mission for Migrants (APMM). APMM collaborated with its Thailand-based partner networks Asia Pacific Women Law and Development (APWLD), which wrote a letter of concern to PE Bangkok, and the Migrant Action Program (MAP) which tried to get additional updates on Ellese's condition. Meanwhile, the Davao chapter of GABRIELA and the Center for Overseas Workers Davao Inc. met and assisted the family. Congresswoman Liza Maza of Gabriela Women's Party also wrote a letter of concern to OUMWA-Manila.

Finally, PE-Bangkok, sent a letter to the APMM stating Ellese's case. The letter also stated that Ellese has denied the charges and said her foreigner boyfriend framed her up after she discovered that he was dealing in drugs. On the request for the bail payment, they said that **"As a rule, the DFA disburses**

funds only for professional fees of a lawyer but not to post bail".

It was later found out that a court trial for Ellese was set on 30-31 May 2007 and that she was also charged with overstaying and illegal work. It was also discovered that the pro-bono lawyer appointed by the court is yet to visit her and even PE-Bangkok is yet to see her in prison. Ellese also sent a letter to PE-Bangkok in April 2007 to ask for assistance for her basic needs.

Through pressure exerted by various groups in the Philippines and in Thailand, the Philippine government has been forced to act on demands for assistance to Ellese. As of this writing, PE-Bangkok reported that they sent a request to the DFA in Manila to approve support for legal fees for Ellese.

OUMWA-DFA and the PE-Bangkok are also discussing the visit of a family member of Ellese to see her and witness her court trial. However, they are forcing the family to shoulder the financial expenses for return air ticket and upkeep in Thailand. #

Impending Minimum Wage Increase in Taiwan Means Nothing for Migrant Workers

An impending minimum wage hike this coming July 1 might mean nothing for migrant workers in Taiwan. Those working in homes as caretakers and domestic helpers might be exempted from the increase as they are not covered by the Labor Standards Law. And those of other job categories will have an increase in the deduction of their board and lodging fees to NT\$1500 a month.

The Council of Labor Affairs (CLA) has never denied these facts in newspaper reports. And its new Chairman, Lu Tien-lin had even proposed the latter as part of measures to cushion the negative impact of a minimum wage hike on employers.

That is why it is very easy to get the support of the migrant workers themselves against these measures. Six Filipino migrant organizations and 1,500 individual

signatories including from Indonesian migrant workers have been collected.

These initial signatories including those from advocates will be handed over to the CLA this coming June 3. And the signature campaign will not stop before July 1 where there is a possibility of another protest action against the measures taken by the CLA.

The calls of the migrant workers include the following:

1. Include Migrant Household Service Workers in the Impending Minimum Wage Hike!
2. Abolish the Levy on Employers Hiring Migrant Household Service Workers!

3. Impose Mandatory Direct Hiring on Migrant Household Service Workers!

4. No to Any Increase in the Board and Lodging and Other Fees Imposed on Migrant Workers!

5. Stop the Exorbitant Mandatory Deductions on the Pay of Migrant Workers!

Other than the migrant workers actions, a coalition of migrant NGO's called PAHSA Promotion Alliance for the Household Services Act had already organized a picket/dialogue in front of the Executive Yuan on May 28, 2007. This was also joined by the APMM.

It is hoped that more groups would come out and support the migrant workers calls and aspirations.

Japanese Immigration rejects appeal of trafficking victim

JENA (NOT HER real name) came to Japan in July 2005 as a tourist. Unable to find decent work in the Philippines, she agreed to work as an entertainer in Japan using an assumed name and a faked passport. A Japanese promoter who frequents the Philippines to lure women like Jena, took care of securing her temporary visitor's visa on condition that she will work for him as an "exclusive talent" for three years.

As an entertainer, Jena was tied around the neck by her Japanese promoter who gave her a measly Y100,000 monthly salary when others would normally get Y150,000-200,000. Jena was also barred from working in other clubs until she finishes her contract. As a tourist, Jena can only stay legally in Japan for three months with possibility of another three months extension. Thus, by the time she finished her contract, Jena would become illegal or undocumented.

Jena, is just one of many trafficking victims in Japan today. Using "imitation" or faked passports they come in as tourist or spouse of a Japanese through the "aid" of a well organized network of syndicates that lure young and attractive women from poor countries like the Philippines to work illegally as entertainers in Japan. With tighter rules on entertainers, it has become easier to enter Japan as a tourist.

Perhaps, unable to bear her ordeal anymore in the hands of the Japanese promoter, Jena decided to run away with the support of her Japanese boyfriend who offered her marriage. They went to the Immigration Bureau in Nagoya to seek protection because she knew of her promoter's connections with the dreaded Yakuza. Jena told the Bureau her story and after going through tedious immigration procedures that lasted almost one whole day, she immediately was placed in a protective shelter intended for trafficking victims.

While at the shelter, Jena and her boyfriend told the Bureau that they plan on marrying in Japan and later apply for a spouse visa for Jena to legalize her status in Japan. It was their wish to ensure Jena's safety from her promoter whom she admitted as having a network in the Philippines that can easily harass her and her family. Also, according to Immigration Laws, an illegal alien may

legalize her status in Japan and not be subject to involuntary deportation by virtue of marriage to a Japanese. And considering that under the Bureau guidelines on handling victims of trafficking in person it was clear that the safety and security of the victim was of paramount importance, Jena was devastated when told by Bureau officials that she could not marry her boyfriend, otherwise, she will be declassified as a trafficking victim. If that happens, she will be treated like any ordinary undocumented alien that can be arrested and detained until involuntarily deported back to her country of origin. She may marry her boyfriend, but until they complete all the legal processes or until the Bureau decides to grant her a spouse visa, she would remain under detention.

Jena could not bear the thought of detention that's why when the appeal from a lawyer hired by her Japanese boyfriend was denied by the Bureau, Jena agreed to a voluntary deportation only to be told a month later that the Bureau, after carefully studying her case, decided to declassify her as a trafficking victim. No clear reason was given to Jena.

The case of Jena is just one of many cases where trafficking victims end up becoming victims again by the very institutions that are supposed to protect them. Had Jena known that she would experience this in the hands of the Immigration Bureau, she probably would have opted to stay away, in a safe place for a while, marry her boyfriend later, and apply for a change of status afterwards. She would have been a happy newly-married woman by now rather than a newly-married-soon-to-be-mother back in the Philippines



Women continue to get victimized by traffickers, negligent sending governments, and unjust host governments

waiting for her husband to come for his next short visit.

As a declassified trafficking victim, Jena now is affected by the five-year ban rule imposed by the Japanese Immigration Bureau on overstaying aliens. Meaning, Jena cannot enter Japan even though she is now married to a Japanese. While an appeal to suspend the ban on her is already at the Justice Ministry of Japan, no one, not even the Bureau of Immigration, can tell when she can set her foot in Japan once again to be reunited with her Japanese husband.

Without the support or guarantee from both the sending and receiving countries, there will be more like Jena – a victim from the beginning 'til end.#

INVITATION TO JOIN

Second International Conference on Foreign Brides

September 22 and 23, 2007; Taipei, Taiwan

Organized by: Asia Pacific Mission for Migrants (APMM), Graduate Institute for Social Transformation, Shih Hsin University, TASAT and Awakening Foundation, Law Department of the National Chengchi University

For those who are interested to join, please contact the APMM

Young Japanese lawyers probe killings in the Philippines



Japanese people are some of the most active in the human rights campaign in the Philippines

IN THE HEAT of the May 14 electoral campaign, a group of young Japanese lawyer from Human Rights Now (HRN) came to the Philippines on 14-21 April, 2007 on a Fact-Finding Mission to investigate on the growing number of extrajudicial killing and enforced disappearance in the country.

It was a grueling experience for these young lawyers who were able to interview 15 cases of extrajudicial killing involving 26 victims, three cases of enforced disappearance, and five cases torture. Through the help of various groups like KARAPATAN, an alliance of human rights groups in the Philippines, HRN was able to interview witnesses who were apprehensive to come out in the open for fear of reprisal from the military or the police.

In their initial findings, HRN says that they have gathered enough information to believe that government armed forces, including the police, have direct involvement in many of the cases of extrajudicial killing in the country. It stressed that in most cases, prior to the killing, "the victims were either profiled or condemned as 'leftist' or enemy of the state", according to HRN report.

"Such killings create fear among the people and cause chilling effects on the entire society," says Kazuko Ito, HRN Secretary General and head of the fact-finding team.

According to the report, many of the victims were respected lawyers, human rights activists, union leaders, church leaders, local government officials and activists identified with the progressive

political parties and people's organizations.

"There is a climate of impunity where government troops are free to target innocent civilians believed to be anti-government, or at least supporting known anti-government," the report stressed. It also noted that the killings and other human rights violations persisted even after the release of UN Special Rapporteur on Human Rights Philip Alston's initial report and the report of the Melo Commission where the military has been identified as having responsibility in most of the cases that have been documented..

For its recommendations, HRN calls on the Philippine government to resume thorough and impartial investigations of the killings and other forms of human rights violations against unarmed civilians and political activists; and to adhere to all international human rights and humanitarian law.

On the other hand, HRN demands that Japan suspend its Yen loan agreement with the Philippine government until the human rights situation in the recipient country has improved, and mechanisms to prevent future violations of human rights are in place; and calls on the Japanese government to exercise its moral obligation to ensure the protection of human rights in Japanese-aid-recipient countries.

HRN vows to continue monitoring developments in the Philippines and to seek dialogue with local human rights groups in the Philippines, and contribute in building awareness on the issue in Japan as well as in the international community.#



Human rights activists in Japan greeted GMA's visit with a protest against killings

Migrants in Korea gear to build the Int'l Migrant's Alliance

ON APRIL 29, MIGRANTS groups of different nationalities organized a Mass mobilization to celebrate the 117th year Anniversary of the International Workers day Korea.

The activity was jointly organized by the migrants themselves from preparation of the technical details, to mobilization of members and to the actual program and march from Seoul subway station square to Myongdong cathedral in downtown Seoul.

Organizers of activity were migrants communities from KASAMMAKO (Alliance of Filipino Migrants Communities and Organizations), BNS (Bangladesh National Society), Burma Action (Burmese migrants and refugee groups in Korea), Indonesia Community Council (ICC), Sri Lanka Community, Nepal Consulting Council (NCC) and the Migrants Trade Union (MTU). The rally was joined by Korean Labour union members under the KCTU, the Democratic labour party, students groups and different human rights groups and NGOs in Korea.

Speeches and cultural performances were shown to grace up the event.

According to Masum, the general secretary of the Migrants Trade Union, the event was an effort to unite and gather migrants from different communities and nationalities come up with a common call against crackdown and opposing the Korean government's harsh policies to the migrant workers.

Mr Carlo Oliver from KASAMMAKO (Philippines), on the otherhand reiterated that even though many migrants in Korea are undocumented, they have rights to organize. "Today, we workers and migrant workers are renewing our class commitment to oppose imperialist onslaught and raise our resistance against its most brutal attacks against the working masses and people," he said.

The mobilization was part of the results of the series of meeting and consultation in relation to the setting up of an International Migrant's Alliance.#

Campaign network for Domestic Work as Work launches tool kit on advocacy

THE CAMPAIGN TOOL kit for the campaign for the recognition of domestic work as work was launched at the Yayasan Tenaga Kerja Indonesia/Indonesian Human Resources Foundation in Jakarta, Indonesia last May 2.

The launching was attended by local NGO's and grassroots organizations of migrants, returned migrants and their families. Representatives of migrants and regional organizations from Thailand, Hong Kong, Bahrain, Malaysia and Bangladesh were present in the event.

Representatives from the Women's Commission in Indonesia, International Labor Organization and other government agencies in Indonesia were also present and spoke during the event.

The situation and experience of Indonesian domestic workers were expressed by some of the returned migrants through testimonies, poems and songs.

APMM attended the event as part of the campaign network.

The launching was organized by Solidaritas Perempuan, a local women's group and CARAM- Asia.#

IMA launches website

AS PART OF the process of building the International Migrant's Alliance or IMA, a global grassroots formation of im/migrant organizations, a website was recently created. Basic information about the IMA and its bases of unity were posted in the website.

The website address is <http://www.ima.pinas.net/>

News, articles, statements and updates from various global regions and countries are to be posted in the website together with photos of different activities.

The website is envisioned to be the center of information about the IMA especially on its upcoming founding assembly to be held in May 2008. The venue will be in Malaysia.#

APMM holds workshop for Indonesian migrant workers and families

A WORKSHOP AMONG different organizations and institutions attending to the plight of Indonesian migrant workers was held in Indonesia last April 18-20, 2007. It was organized jointly by INDIES in Indonesia and APMM.

The workshop revolved around the theme "Strengthening the Indonesian Migrant Workers Struggle". More than 20 people attended the workshop. Members of families of migrant worker actively participated in the discussion.

A short history of Indonesian migration was shared. Institutions shared their experiences on the issues and problems encountered by Indonesian migrant workers. They also shared their experiences in rendering their respective services to migrant workers.

The organizations of migrants and organizations of workers and peasants shared their experiences in organizing work. ATKI in Hong Kong through its



Indonesian migrant workers and their families deepened their understanding on migration and how to empower IMW's.

chairperson, Eni Lestari, shared their experiences in organizing Indonesian migrants in Hong Kong and how they relate and does alliance work with other organizations of Indonesian migrants.

The APMM resource person shared the experiences in organizing the families of migrants in the Philippines. The workshop cum conference ended with the resolve of establishing the first organization of families of migrants in Central Java.#

KASAMMAKo continues Stop the Killings in the Philippines campaign

KASAMMAKO PARTICIPATED IN the marathon for Human Rights in the City province of Jinju, Masan last May 9 - 10.

The peace marathaon was in line with the celebration with 47th year death anniversary of Kim Ju Yeol a local hero who exposed the massive fraud and cheating on the March 1960 Presidential election wherein then dictator and Korean President Lee Seung Man cheated on the election and took over the country. The death of Kim Ju Yeol sparked a big demonstration and uprising that resulted to the death of 125.

According to KASAMMAKO member Caloy Cueno, they joined the event because of its history's similarity with what is happening in the Philippines. Extrajudicial killings of activist escalated soon after Arroyo was exposed to have massively cheated in the 2004 polls."



Korean and Filipino activists in Korea show strong solidarity for human rights in the Philippines

"We are here to show that we will continue our struggle for democracy like what the Korean people did. We are also calling the Korean citizens to support our struggle against the fascist Arroyo government," he added#

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