

FILIPINO WOMEN MIGRANT WORKERS' SUMMIT HONG KONG 2006



July 2, 2006

Hong Kong University

REPORT AND RECOMMENDATIONS

JOINTLY ORGANIZED BY:

ABRA TINGUIAN ILOCANO SOCIETY (ATIS)

CORDILLERA ALLIANCE (CORALL)

FILIPINO MIGRANT WORKERS UNION (FMWU)

UNITED FILIPINOS IN HONG KONG - MIGRANTE (UNIFIL-MIGRANTE-HK) AND

UNITED PANGASINAN HONG KONG (UPHK)

This project is supported by:

**ma
ba
cash**

and



Asia Pacific Forum on Women, Law and Development

apwid.org

This historic gathering to reclaim our rights was also made possible through the solidarity and support of Mama Cash and Asia Pacific Forum on Women Law and Development. Thank you for believing in the vision and power of Filipino grassroots women migrants in Hong Kong.

Our work is continuously assisted by migrant-serving institutions and advocates: Mission for Migrant Workers (MFMW), Asia-Pacific Mission for Migrants (APMM) and the Bethune House Migrant Womens' Refuge. Thank you for your support.

Table of Contents

Final Report 4

Presentations

Presentation 1: Back Home: Globalization and Migration
in the Philippine Context 9
Connie Bragas-Regalado
Migrante International Chairperson

Presentation 2: From a Local's Perspective:
Human Rights Situation in the Philippines 13
Ng Koon Kwan
Hong Kong Confederation of Trade Unions

Presentation 3: Hong Kong Government's Policies on Migrants
and Neoliberal Globalization 15
Elizabeth Tang
Hong Kong People's Alliance Chairperson

Workshop Reports

1 On Philippine Issues and Impacts to Women Migrant Workers and Families 19

2 On Recruitment Agencies and Government Exactions 22

3 On the Overseas Workers Welfare Administration (OWWA) and
Government Service and Protection 25

4 On the Issues concerning Immigration, Labor, and
Social Services in Hong Kong 28

5 On Money-Lending, Police Procedures and Practices 31

Resolutions 34

Policy Recommendations (Submission) to the Hong Kong Government 35

Policy Recommendations (Submission) to the Philippine Government 37



Final Report

The situation of Filipino women migrant workers and their families has become so severe as a result of the policies of both Philippine and the Hong Kong government.

As domestic workers in Hong Kong, Filipino women are exposed to situation very much vulnerable to abuses and exploitation of unscrupulous employers, recruitment agencies and financing agencies. The Hong Kong government has fallen deaf to the pleas of migrant workers for improved wages and working conditions. Although it attempted to give piecemeal increases, the wages remain at the level 10 years ago.

In addition, it continues to employ discriminatory policies like the New Conditions of Stay (NCS) or Two-Week Rule which puts domestic workers in very vulnerable situations. It has even continued to implement a levy purportedly charged to employers of foreign domestic workers but was actually from the HK\$400 wage cut it implemented the same time as the levy. As if this is not enough, the HK Immigration Department recently increased the visa extension fee that is very much needed by migrant workers who have ongoing cases but are not allowed to work.

Burdened with problems, Filipino women migrants in distress rightfully turn to the Philippine government for assistance. However, to their disappointment, service delivery and protection of the government, through the Philippine Consulate General and its various offices is either slow, insufficient, or totally absent. For the Philippine government, migration is a profitable business for private recruitment agencies and the Philippine government through various fees that they impose. This situation is even compounded by the worsening condition of the economy, political situation and public services in the Philippines that family of migrant workers directly experience.

Under this situation, Filipino women migrant workers in Hong Kong have decided to come together to discuss the common concerns of migrant workers, build the broadest unity of Filipino women migrants in Hong Kong and map a plan of action to address these concerns.

A timely endeavor

The First Filipino Women Migrant's Summit was organized by five (5) grassroots formation of women domestic workers. The steering committee was composed of the biggest alliances, federations and unions in Hong Kong, namely the United Filipinos in Hong Kong (UNIFIL-MIGRANTE-HK), the Abra Tinguian Ilocano Society (ATIS), the Cordillera Alliance (CORALL), the United Pangasinan Hong Kong (UPHK), and the Filipino Migrant Workers Union (FMWU).

The focus of the summit was on policy advocacy of women domestic workers to both the Philippine and the Hong Kong governments. In particular, the summit aimed to:

1. Gather 400 women leaders representative of the Filipino women migrants community;
2. Forge common analysis on the existing policies on migration and migrant workers of the Philippines and the Hong Kong governments;
3. Formulate a platform of action on policy advocacy;
4. Formulate plans for cooperation for the advancement of rights as migrants and as women;
5. Build the capacity of women migrants to address policy concerns and participate in policymaking
6. Create the Women Migrant's Agenda for the Philippine and the Hong Kong government that shall encompass policy changes as well as policy recommendations.

To achieve the objectives, the summit program included the following:

1. Input on the trends in migration policy of the Hong Kong and Philippine governments and provision of services by the Philippine government
2. Workshop on the Issues of Filipino women migrant's in Hong Kong and plan for common actions
3. Plenary discussion on the agenda of Filipino women migrants to the Philippine and Hong Kong government.

As the first of its kind and with the support of Mamacash in the Netherlands and the regional group Asia Pacific Forum on Women, Law and Development (APWLD), history was made with the huge success of the First Filipino Women Migrant Workers Summit.

Filipino Women Migrant Workers – united to advance the rights and wellbeing of migrants and families

A broader and stronger movement of Filipino women migrant workers fighting for comprehensive demands on the rights and wellbeing of migrant workers in Hong Kong and families of migrants in the Philippines – such was the result of the historic first Filipino Women Migrant Workers Summit 2006.

With firm determination to register the voices of Filipino women migrant workers on burning concerns of migrants and their families, 98 migrant organizations came together to tackle the impacts of policies of the Hong Kong and Philippine governments to migrants and their families and, more importantly, come up with a plan of action on policy advocacy, campaign and education to address these concerns.

Migrant groups that attended include ethnolinguistic organizations, provincial organizations, interest groups in line with skills and previous professions (nurses, midwives, and teachers) and unions. Also present to lend support were known migrant-serving institutions such as the Mission for Migrant Workers (MFMW), Bethune House Migrant Women's Refuge (BHMWR), and the Asia Pacific Mission for Migrants (APMM).



Celebrating the success of the Summit



Registration of Delegates

Guests and speakers including leaders of local organizations in Hong Kong supportive of the demands of migrant workers gave important inputs that served well in the workshops.

The summit participants were welcomed by HK University Students Union (HKUSU) president Mr. Lau Fong, who expressed the importance for students to learn about the situation and concerns of other sectors in the society. As part of the workforce in the future, he emphasized the need for students to also be united with worker's groups – including migrant workers – for the advancement of the rights of the working people.

Ng Koon Kwan of the HK Confederation of Trade Unions (HKCTU) gave a testimony on his experiences as a participant of the International Labor Solidarity Mission to the Philippines last May. Many participants were moved to tears when he recalled the grave poverty he witnessed and great disparity and inequality in Philippine society. He relayed how he felt when he heard from the residents of the urban poor community they visited that they had to buy distilled water because no clean drinking water is available in their community while in a nearby posh village, residents were wallowing in clean, sparkling swimming pools.

Meanwhile, Elizabeth Tang, chairperson of the HK People's Alliance on Globalization and Chief Executive Officer of the HKCTU, gave a presentation on HK policies on migrants. She focused on the policies of the HK government that are in line with globalization and the policies of the World Trade Organization (WTO). She encouraged the participants to continuously oppose the New Conditions of Stay (Two-Week Rule), advance the campaign for wage increase of migrant workers, and further the fight to scrap the levy on employers of foreign domestic workers.

The presence of Migrante International Chairperson Connie Bragas-Regalado, herself a former domestic worker in Hong Kong, boosted the participants' courage and morale to continue their struggle for a just and humane working conditions, not only for the migrants in Hong Kong but all over the world.

Ms. Bragas-Regalado gave a comprehensive discussion on the current trend of migration policy of the Philippine government, Philippine laws and programs that impact on the situation of migrant workers, and burning issues in the Philippines that affect the families of migrants.



The hall starts to fill up

The delegates greatly appreciated her input on globalization and migration with particular focus on the Philippine context where she emphasized on the impacts of globalization policies in the Philippine economy and how such result to increased migration of Filipinos.

Speaking from experience

Five workshop groups tackled five major areas of policy making and advocacy which were on: National Issues and Their Impacts to Migrants and our Families; Recruitment Agencies and State Exaction; Government Services and Protection; Labour and Immigration Policies, and Services to Migrant Workers of the HK Government, and; Money Lending, Police Matters and Police Procedures.

All the workshops were lively, fruitful and emotionally charged. Many of the participants shared their actual experiences such as denial of services due to them when they were in need, experiences with recruiters and money-lending agencies, their hardships in making ends meet for their families in the face of the rising cost of commodities in the Philippines, and the abuses they have experienced from their employers.

The participants took turns in contributing to the list of demands to the Philippine and the HK governments. Increase in government budget for education and health, a genuine charter of the Overseas Workers Welfare Administration (OWWA) that is service-oriented, abolition of the Two-Week Rule or New Conditions of Stay (NCS), scrapping of the levy for employers of foreign domestic workers in HK, transparent and participatory mechanism on the annual review of wages of domestic workers, more stringent rules against illegal recruitment and overcharging of recruiters, and scrapping of dubious government fees were some of the most popular demands that were incorporated in the Migrant's List of Demands.

The demands and plans of action drafted by each workshop group were unanimously and overwhelmingly approved by all the delegates in the plenary that followed the workshops. Additionally, the resolution to take part on the protest action on the occasion of the State of the Nation Address (SONA) of President Arroyo on July 23 was wholeheartedly carried by the participants. As well, the summit approved a resolution to support the Free Ka Bel Movement* and conduct actions, including a letter-writing campaign, to lobby for his release.



Leftmost:
The summit starts

Left:
A women's migrant cultural organization does a choral presentation

Rightmost:
Dolores Balladares, UNIFIL-MIGRANTE-HK chairperson welcomes delegates



Plan of actions

Campaign, lobbying and advocacy for these issues were the central action plan of the summit. The list of the demands will be transformed as policy recommendations for the Hong Kong and Philippine governments and, in particular, will be drafted as a legislative agenda for the Philippine Congress. Furthermore, submissions to various international bodies of the United Nations will be made on the bases of the demands.

These policy recommendations will be advanced through various forms such as dialogues, letter-writing campaign, and mass actions.

In order to further broaden the participants of the campaign, massive education, information dissemination and networking activities shall be done. Immediately, the participating groups committed to echoing the results of the summit to the rest of their members.

**The Free Ka Bel Movement is a network calling for the release of Representative Crispin "Ka Bel" Beltran, a consistent progressive parliamentarian championing the cause of workers and Filipino migrants. He was arrested without warrant under false charges by the Arroyo administration and is currently detained in a hospital where he is being treated for heart problems. He is one of the prominent victims of the increasing repressive trend in human rights situation in the country.*

The women workers' demands and recommendations will be formally submitted to the Hong Kong and Philippine governments on July 23, 2006 in time for a protest action on the occasion of the State of the Nation Address of President Gloria Macapagal Arroyo.

In addition, these will be carried in future actions particularly during the International Migrants Day on December 18 and on the International Women's Day in March 8 next year.

A stronger women migrants' movement

The First Filipino Women Migrant's Summit was a step towards developing the broadest movement of organized Filipino women migrant workers in Hong Kong united to address the issues facing them as migrants, as workers, as women and as Filipinos.

In high-spirit and carrying even higher the banner of the strength of the movement of women migrant workers, the participants ended the first Filipino Women Migrant Workers Summit with a resounding pledge to implement the campaign, advocacy, education and organizing plans that the Summit came out with.

The historic summit may have indeed ended but actions of a stronger and broader movement of Filipino migrant workers in Hong Kong that comprehensively address concerns of Filipino migrant workers and families have just begun.

With this, the migrant workers will continue to make history.



Listening intently to the speakers at plenary session



Above:
The panel of resource persons during the opening plenary



Off to workshops to discuss issues



The Steering Committee of the Summit during report back after the workshops

Below:
Strength in alliance. Filipino Women migrant workerrrs vow to continue the campaigns





Keynote Address

Globalization and Migration in the Philippine Context

Magandang hapon sa lahat ng mga kababayan dito sa Hong Kong. It is with great pleasure that I am here today on the historic First Filipino Women Migrant Workers Summit.

I was invited here to present on the topic **Globalization and Migration in the Philippine Context**.

The crisis of the world capitalist system is ever worsening. It has aggravated and deepened at a faster rate since the adoption of the so-called free market globalization. This has further devastated the economies of the overwhelming majority of countries that are already underdeveloped, dependent on raw material exports, deficit-ridden and overburdened with foreign debt.

The monopoly capitalists from the imperialist countries - *nangunguna na dito ang United States, Japan at mga bansa sa Europa* - extract superprofits from the underdeveloped countries through some direct investments, trade of surplus goods, foreign loans, debt service, licensing fees and other financial transactions.

While globalization remains the major economic thrust of the US imperialism to squeeze out the natural and human resources of the world for super profits, it is important to note that this policy has evolved greatly since the year 2002, when the Bush government waged the global 'war against terrorism'.

Natangalan na ng maskara ang globalisasyon. Its rampage on the economies of the third world and the resulting devastatingly widespread poverty has generated resistance in all forms from the peoples and governments throughout the globe. *Nakita na rin natin ito sa pagbuhos ng protesta ng mamamayan ng daigdig nang idaos ang pulong ng World Trade Organization dito sa Hong Kong noong nakaraang taon.*

There reemerged the real character of imperialism which the world had witnessed in the two global wars and scores more of wars in smaller scale in the 20th century. There came about the US war on terrorism, enforcing globalization through aggression.

Four years after, the US war on terror has become more brutal, more oppressive and more extensive. It is invading countries and provoking wars. It is actively pressuring governments to support its wars of aggression and impose repressive 'anti-terror' laws.

Connie Bragas-Regalado,
Chairperson of MIGRANTE-
International gives the Keynote
address



Ano naman ang ekspresyon ng ganitong kalagayan sa Pilipinas?

Palubog ng palubog ang Pilipinas sa karukhaan. The Arroyo regime is so subservient to the dictates of the US and the IMF, World Bank and WTO, that it cannot even dare pretend that it is for national industrial development and land reform. Aside from depending on the foreign exchange remittances of Filipino migrants, the regime has to continue begging for foreign loans and has to increase the tax burden on the people despite their depressed incomes due to the severe economic crisis.

Ang malawak na bilang ng mamamayan, laluna ang mga manggagawa at magsasaka, ay biktima ng kawalan ng hanapbuhay, mababang halaga ng sahod, pagsirit ng presyo ng pangunahing bilihin, at pagkabulok ng pampublikong serbisyo. Eighty-eight per cent of the people live below the poverty line. Fifty-five per cent of the people live on less than USD 2, *mababa pa sa HK\$ 15 sa isang araw.* Under the current circumstances, an increasing number of workers, peasants and professionals are driven to go abroad and find work for the survival of their families.

The puppetry of the Arroyo regime to the US is of no contest. Pres. Arroyo is fanatically following the US' every step and dictate in its desperate bid for political survival. The regime is willing to please its master to no end just to clinch the US backing amidst the growing call for its ouster.

Aside from its direct support to the US war of aggression in Iraq, Pres. Arroyo is dutifully doing her homework. Oplan Bantay Laya, its grandiose recipe of carnage is in full force, pledging to end 'insurgency' in two more years. *Pinakawalan nito ang pasistang Armed Forces of the Philippines at Philippine National Police sa isang pambansang kampanya ng pamamaslang. Pinatay na ang 690 katao, dinukot ang 200 sibilyang aktibista, kasapi ng mga progresibong grupo, taong simbahan, abogado at media.*

These deplorable acts of human rights violations is also an attempt to silence the detractors of the extremely isolated



Arroyo regime, along with its anti-people proclamations and policies such as the calibrated preemptive response, Presidential Proclamation 1017, the Anti-terror bill, the national ID System and the undemocratic Charter Change.

Batay sa kontekstong ito, pasukin naman natin ngayon kung ano ba ang polisiya ng gobyerno ni Arroyo sa mga OFWs.

Arroyo regime's policies on migrants

Far from the much-touted 'modern heroes' tag, the Arroyo government treats OFWs no more than like milking cows – "*gatasang baka*"- in which it can profit from, or working animals that can be abused.

The Arroyo regime has given consent to the use of OFWs as mercenaries for U.S.' occupational wars. Security firms such as Blackwater USA and Triple Canopy are taking advantage of the poverty and desperation of the Filipinos and actively recruit our countrymen to be human shields and cannon fodder, *mga pambala sa kanyon*, of the US war on terror. Lured with \$5,000 monthly salary and hefty death benefits, they are trained for combat in Subic and sent to war-torn countries such as Iraq and Afghanistan. This is in spite of the official ban on employment in Iraq which the Arroyo regime imposed due to our strong pressure to pull out Filipino troops in the war-torn country when Angelo dela Cruz was held hostage there in 2003.

Sa Pilipinas, tumitindi ang polisiyang labor export ng gobyerno ni Arroyo. Last year, it was able to deploy a total of 981,677 OFWs, just a few thousands short of its one million target.

The regime's heightening labor export policy aims to supply its master of the much-needed cheap labor. Around 73% of the new hires in 2005 are domestic helpers, entertainers, factory and construction workers who among OFWs receive the lowest salary rates.

It also intends to milk from the OFWs the much-needed dollar remittance to sustain the country's bankrupt economy. The dollar remittance of OFWs has become the country's largest and most steady source of foreign exchange. *Sa datos ng Bangko Sentral ng Pilipinas, ang remittance ng mga OFWs ay umabot na sa \$12 bilyon*, surpassing the

country's earnings from exports. Migrante International estimates the 2005 remittance at \$19.85 billion, based on the figures of Money Transfer Association in the United States. These billions of dollars have mainly financed the regime's debt-servicing and importation, and has backed the local currency to evade a deep plunge.

Ang kaban naman ng pamahalaan ay patuloy na tinutuyo ng malalang korupsiyon. The Arroyo administration has resorted to the boldest and most immoral ways of plundering the people's money, its latest target: the private fund of OFWs entrusted to Overseas Workers Welfare Administration.

It has redirected the thrust of the OWWA from being a welfare agency to being investment-oriented through the approval of the OWWA Omnibus Policies in 2003. It has gambled the OFW on losing terms by handing P6 billion of the P8 billion OWWA fund to the Landbank of the Philippines and Development Bank of the Philippines for management. The two government-owned banks are tasked to gamble the OFW money in investments but could not be held liable if the funds incur losses. For their services, the banks are entitled to collect 1% of the fund every three months. *Tubong-lugaw!*

Just before the 2004 elections, Pres Arroyo instructed the transfer of P530 million OWWA Medicare fund to Philhealth, following former Philhealth President and Chief Executive Officer Francisco Duque III's advice that such move would be greatly beneficial to Arroyo's presidential campaign. Apparently, the OFWs' saved fund for their health insurance has been squandered for Arroyo's cheating to win the polls. *Tanda nyo pa ba si Hello Garci?*

The Arroyo government is eyeing the OFW funds deposited in Land bank and DBP, and the remaining funds held by OWWA to be used as seed money for its new baby, the

OFW Bank. *Mas malala pa*, it has pinpointed the bankrupt Philippine Postal Savings Bank to be incorporated in the scheme.

The OWWA Omnibus Policies further alienates the agency from its task by abandoning its program for medical and legal services. The move has resulted to the displacement especially of rank and file employees and has greatly affected the agency's capacity to address the numerous OFW cases.

Sinuspinde pa ang General Financial Assistance Program ng OWWA at ang Lending Operations through Livelihood Development Program para sa OFWs.

Save for some token services such as the 100-slot scholarship for OFWs' children and a handful of livelihood programs, OFWs benefit nothing from the OWWA. Needless to say, the agency has degenerated into total inutility, spending more for the hefty salaries of its intricate bureaucracy than for the services it delivers. *Ayon sa 2005 financial report ng OWWA, sa bawat P10 badyet ng OWWA, P8.80 ay napupunta sa gastusing administratibo at P0.60 lamang sa serbisyo.*

As if it has not bled dry the OFWs enough, the Arroyo regime is now proposing the mandatory membership of OFWs to the Social Security System. No doubt, more than its propaganda line that the scheme aims to secure the OFWs, *ang pangunahing layunin nito ay gatasan na naman ang mga OFWs.*

The list of government ploys to bleed dry the OFWs has no end. It extorts every OFW hopeful P17,875 for various fees and documents even before they are deployed to work. *Nitong 2005 lamang, kumita ang gobyerno ng di bababa sa P18B mula sa pangongotong sa mga OFWs.*

The Arroyo government systematically neglects OFWs and their families

Imagine these figures:

There are 282 migrant women who squeeze themselves in a 100-capacity Bahay Kalinga in Riyadh.

During the last quarter of 2005, Migrante assisted 500 stranded men and women in Jeddah and Riyadh, more than 90% were not paid of their salaries and benefits.

As of December 2004, there were 4,775 imprisoned including 673 women and 50 minors; and at least 30 of them are on death row. *Ayon ito sa report sa Congress ng Office of the Undersecretary of Overseas Workers Affairs ng DFA.*

Ayon naman sa OWWA, during the first quarter of 2003, they recorded cases of OFWs who returned to the Philippines mentally ill (45), physically ill (88), in distress (683) and as human remains (120). From 1991 to 1995 alone, 4,691 Filipinos died overseas and sent home in caskets for burial in the Philippines.

From 2002 to 2004, there were 61,875 medical claims unprocessed that were endorsed to



"Unity and cooperation of Filipino migrants in Hong Kong should continue and even become stronger beyond the summit..."



the Philippine Health Insurance Corporation and therefore were deprived of medical assistance. Another 461 medical claims involving P1,850,000 were either pending or checks withheld in 2004. This was made upon instruction by Sec. Patricia Sto. Tomas that no medical claims should be processed. If OWWA officials continue to process, a disciplinary action will be imposed on them.

These numbers show the sad state of services of the Arroyo government sa mga OFWs. *Higit pa sa pagiging istadistika, sila ay mga biktima ng matinding kapabayaang sa migrante Pilipino.*

Hindi lamang tayo pinapabayaang ng gobyerno. Ang mga migrante, ang ating pamilya at yaong nagtatanggol sa ating karapatan at kagalingan ay puntirya din ng war on terror ng gobyernong Arroyo.

Arroyo's intensifying political repression

Prof. Jose Ma. Sison, an asylum seeker and political refugee, is continuously being demonized by the Arroyo government.

Last May of this year, a journalist, Mr. Batul of Mindoro, was shot and killed over its recent expose on the recruitment of seafarers for Taiwan, who ended up working as garbage collectors. The recruitment was facilitated by Philippine Employment Services Office (PESO), an attached agency of the Department of Labor and Employment (DOLE).

As Mrs Arroyo intensifies its political repression, she did not spare Cong. Crispin Beltran – masugid na tagapagtaguyod ng karapatan ng mga OFWs. He was arrested without warrant on February 24, 2006. He is currently confined at the Philippine Heart Center. He has filed at least 20 house resolutions and bills on migrants which are now pending at the House Committee on Overseas Workers Affairs.

A black propaganda against Migrante International is out in Pasay City. A group called MASK hanged streamer in EDSA-Rotonda that said *Yes to OFW, No to Migrante* and distributed leaflets of the same message up to Libertad in Pasay. Based on the investigation on the circumstances surrounding the incident, Migrante spearheads the ongoing campaign against demolition in Vizcarra where quite a number of OFWs reside, which earned the ire of local officials in this particular barangay in Pasay City.

In this situation, the First Filipino Women Migrant Workers Summit is a very timely endeavor. *Tama lamang na ating talakayin ang mga napapanahong isyu ng migrante at mula dito ay bumuo ng plano ng pagkilos para sa atin, sa ating pamilya at sa ating bayan.*

Migrante International's Call

Unity and cooperation of Filipino migrants in Hong Kong should continue and even become stronger beyond the summit. *Ang ugnayan at pagkakaisa ng mga organisasyong narito ngayon ay kailangan pang palakasin para isulong ang bubuuin ninyong demands sa gobyerno ng Hong Kong at Pilipinas.*

To further widen the participation of HK OFWs in the future efforts following this summit, information and education work must be conducted especially to the rest of the members of organizations present here today. *Nabalitaan ko ang plano ng ilang mga organisasyon na public program sa darating na July 23.* Let us try our best to have all our members present in this program so that they will also know the true situation of the Philippines, ng mga OFWs at ng mga kababayan natin sa Pilipinas.

The demands that you shall draft for this summit must be turned into campaigns. *Ang mga kampanyang ito ang titipon at magpapakilos sa pinakamaraming bilang ng mga migrante ng Hong Kong.* Not only should we campaign on the issues and interest of our sector but we should as well carry the burning issues facing our families, friends, and compatriots in the Philippines such as the intensifying human rights violations, charter change and the like.

In particular, we encourage all HK OFWs to take part and be active in the campaign for the release of Ka Bel. His forced absence in the Congress and in the parliament of the streets is a great loss to us OFWs for he is one of the few who carries our voice inside the halls of the House of Representatives.

Maaari din ninyong i-transporma ang inyong mga demands bilang isang legislative agenda ng mga migrante. The national election is again on our doorstep. We should maximize this to further achieve gains for the rights and welfare of OFWs.

Sa huli, mag-organisa, mag-organisa, mag-organisa. It is only through our organized and militant actions can we achieve our demands. *Sa pamamagitan lamang ng pagbubuo, pagpapatatag at pagpapakilos ng organisadong lakas ng migrante, na mahigpit na naka-ugnay sa kilusan sa pagbabago sa Pilipinas, makakamit natin ang tagumpay.*



Presentation 2

From a Local's Perspective: Human Rights Situation in the Philippines

Thank you very much. I am Koon Kwan from the Hong Kong Confederation of Trade Unions.

I have been sent to visit Central Luzon in the Philippines from 2 May to 9 May for the International Labour Solidarity Mission. In this mission, I was able to talk to the family of victims of human rights violations, visit union leaders and discuss about matters of human rights with government officials.

The mission established as a fact that there is a large-scale violation of human rights including political killings, enforced disappearance and harassment of activists in the Philippines.

These human rights violations are highly political since all the victims are workers leaders or community leaders and the religious people who stand together with these leaders. All of these people were resisting the rule and policies of the Arroyo government.

These activists were shot dead and these shootings take place near their work place, or near the victim's house or inside their village. In some cases, the wife or the father witnessed the shooting and the death of their husband or sons. There were always two killers – one who waited on the motorcycle and then the other one who shot the victim, got on the motorcycle and drove away.

Aside from political killings, there is also military harassment to unions. The soldiers get into the workplace and arrest the union officials and take them for interview. They question them about their connections with underground New People's Army or other underground organizations. They also order them to disaffiliate from the Kilusang Mayo Uno (KMU or the May First Movement). As a result, workers become afraid to participate in union activities and are also afraid to take up a post in the union.

For the families who lost their loved ones, they still have lots of fear. Even if they can identify the killers, they are afraid to testify in court because they think that if they do, their family members will be in trouble. Also, even if some of them are willing to testify in court, they do not have the money to hire lawyers and file the case in court. Since the husband and sons – usually the main breadwinners in the family – are gone, leaving the old parents or the kids, their financial situation is very difficult.

Ng Koon Kwan of the HKCTU gives a powerful sharing of his experience in the recently concluded International Labor Solidarity Mission to the Philippines



I think this is a crime against the people. It is very ridiculous for people who have legitimate causes to be stopped from filing cases because they do not have money to employ a lawyer.

We also talked to the regional and local government officials about human rights violations. They either deny what is happening now or say that they are unable to do anything to protect the people. We asked them about the protection scheme in villages or legal aid scheme. They said that those schemes are present but nobody is able to get them. This makes the scheme useless. Some officials even admitted that they are unable to control the situation because military actions are from the national level policies.

Coming from Hong Kong, it seems like what is happening in the Philippines is so far away. Then again, I see many Filipino migrants working here in Hong Kong everyday. It makes me think about why they need to give up their own families, their own children to come to Hong Kong to take care of other people's families, other people's children. I believe that family life is a very, very basic human right.

Half of the national budget of the Philippines goes to repayment of foreign debt. The second largest part goes to the military. We can see that the government is not able to provide enough public services to the people. Most of the people cannot afford to buy clean food, cannot afford schooling or even clean water. I have been in the village beside a river that has been polluted by surrounding factories. The people have to buy water from outside. But because of unemployment problem, they do not have enough money to have clean water. This is very bad since I also saw another place where there is a very big swimming pool, there's a lot of clean water where people enjoy their afternoon. It is a very ridiculous situation.

Of course, everyone has heard of the garbage hills in Manila where many children make a living everyday.

From here, we can see that everything is interconnected – domestic helpers in Hong Kong, the unions in the Philippines, political killings, human rights violations, foreign investment and foreign debt. It is in fact an exploitation and resistance to exploitation. When we get to know more the depth of the poverty problem in the Philippines, we know why people have to get organized and protect themselves and why the government pick up, harass and kill the union leaders.

This is the situation that the people need to struggle against in order to have a better life and a better future.



"Coming from Hong Kong, it seems like what is happening in the Philippines is so far away. Then again, I see many Filipino migrants working here in Hong Kong everyday. It makes me think about why they need to give up their own families, their own children to come to Hong Kong to take care of other people's families, other people's children. I believe that family life is a very, very basic human right."



Presentation 3

Hong Kong Government's Policies on Migrants and Neoliberal Globalization

Good afternoon everybody. I am so pleased to see many familiar faces here again. Were you with me in December? Good! Thank you so much!

As I proceed with my speech I will tell you more about what happened after December. Supposedly today I'm here to talk more of the present HK society. Just now, Connie and my colleague Koon Kwan have talked mainly about situation in the Philippines. Koon Kwan came back from the Philippines and shared with us what he has seen, what he has heard in the Philippines. Myself and many of our members were moved.

Of course the situation in Hong Kong is very different. Maybe you can say it is far, far much better. But what I want to tell you today, the kind of prosperity we are having in HK was built upon the sacrifices of the workers of many common people of Hong Kong and also of other Asian countries including the Philippines.

Secondly, I also want to tell you that, unfortunately, our society is becoming more and more difficult for the working people – for poor people. I remember that during some of the education session and mobilization sessions, I met some of you there and I already told some of you, you know why we were so concerned about the WTO ministerial meeting. It is trying to push faster and deeper its neo-liberal policies which will hurt our workers.

Many workers in HK are experiencing lower and lower wages. Many also have been forced to become part time workers. Wages are falling continuously and, as if that is not grave enough, our government is also trying to privatize public services or else to introduce what they call user fees. Actually, what they try to legitimize is the principle that people who can afford should pay. People, who are not Hong Kong people, who do not pay taxes to our government, should pay. The discussion for migrant workers to eventually pay for your own hospital fees and your medical fees is already in the pipe line.

These mean that we are being squeezed in two sides. On one hand, we are paid less or less income. On the other hand, we have to pay more. While our government is trying to introduce these kind of policies, they also try to make popular the international agreements in the WTO. They will say that these policies are being implemented all over the world, so why not make the Hong Kong people face them as well? We don't have any other choice because all governments in the world are doing it! It's international trend. It's a world trend. Then our people will be made to believe that it is inevitable. We all know that globalization is inevitable. But the problems and the policies are not inevitable. They are created and made by policy makers. They can be changed and I think that is why it is very important that we act together.

Elizabeth Tang is the chairperson of the Hong Kong People's Alliance on Globalization. A formidable woman trade unionist, she consistently supports the struggle of migrant workers in Hong Kong



I just came back from a meeting in Geneva this morning. Of course I don't live there. It's too expensive you know. But one news that is very important which I'm sure you also want to know is that later this year, there will be series of discussion happening at the International Labour Organization or ILO, which is the labour office of the United Nations. Also, various sections of the United Nations will be discussing how to make employment decent – that is, workers, after they have worked will earn enough at least to have a decent life, to at least enable their family members to have a decent life.

So I was in Geneva for two days having meetings, very much the same as we are having now, with the representatives from organizations all over the world to prepare our workers demands to give to some of the governments who will meet in the UN meeting next week. One subject which has come high at the agenda is the protection of migrant rights. I must say, as what Connie has said, it's very timely to have this summit. I hope very much that today you can gather all your thoughts and then put them into position statements and then into policy demands and give them to our government as well as to those making policies and standards in the international level. Together we have to push these. I think this is really a crucial time for migrant workers to be able to achieve more protection.

The other thing I want to talk about is the need for us to support our organizations. When I say organizations, I mean migrants organizations, migrant workers organizations and also peoples organizations such as the HKCTU. You know better than me the importance of having strong workers organizations, strong migrant organizations. It is through these organizations that we will be able to make our voices heard not only by our government but by also the policy makers at the international level.

To make our organizations strong, one very important element is that we have to act together and try to find common links between our groups. The presence of over over 80 organizations here is very powerful. But I think it can be even more powerful if all of you from all this 80 organizations will come together and act together as what we have done in December. I want to tell you that somebody from the local Chinese people told me that what you have done in December really impressed a lot of people in Hong Kong. You have impressed a lot of our members. Of course you and also many of us and many people in Hong Kong have been talking about the Koreans and the Korean peasants a lot. If we say the Koreans participants have set the highest standards, I can say you set the second highest.

You proceeded until the end of the week and this is really moving. Even though there was a lot of police harassment but still I saw a lot of you on the 18th. We have to keep this kind of spirit to fight for workers rights and for migrants rights.

After the May Day just two months ago, a lot of our members again talked about the participation of the migrant workers at the May Day rally. I want to tell you – this is true because I took the minutes – our leader said that we have to learn two things from migrant workers.

First of all, in the HKCTU we have two migrant workers unions. Even though their members earn very low pay but still they give ten dollars (\$10) a month as dues to the organization and this is important to keep the organization alive and going. Some of our much richer unions do not even collect that much from their members.



"Migrants rights are workers rights...", Ms. Tang addresses the plenary session

Left:
Ms. Elizabeth Tang together with
the other resource panelists



Secondly, our leader said that at the May Day rally, we all marched together and then when we reached the Central Government Office (CGO), a lot of the local members went away. They said it was very hot. They were tired and then they wanted to go to shopping. So they left in a hurry, they did not stay until the end. But look at the migrant workers! We marched together. They also perspired but they stayed until the end.

So, our leader asked the question: how we can learn from them? Nobody could answer and I hope that later on, you can tell me so I can go back and start doing the same thing to our members and I hope in the May Day rally 2007, it will be better.

I know that in this conference, your main objective is to put together demands and give them to the government. I think there are four very important demands that we should campaign for, to make them become policies.

First of all is, we have been talking in the last 15 years, to remove the Two-Week Rule. I have put this in the first or second paragraph of my written presentation. I think that this is really something which renders all the rest of legal protection meaningless. Legally, we are all covered under the same framework. But if a migrant domestic worker knows that if she or he loses his or her job, he or she only has two weeks to stay in Hong Kong. He or she will instead try to endure very unreasonable demands or even very abusive situations. The protective labor laws, the protective framework is meaningless.

Also, this Two-Week Rule demand is not imposed on any other migrant workers. We have a lot of other migrant workers in Hong Kong. The professionals do not have this kind of policy. They can come and then if they do not like the job, they can quit after one day. Then they can still stay in HK and look for jobs. Why not domestic helpers?

To remove the Two-Week Rule must be put high up in our priorities. Otherwise, all other protective legislations are meaningless.

The second one is that we have to demand our government to implement ILO conventions without modification so that the migrant workers and local workers will really get equal treatment.

There is something that you probably do know about HK. Actually, I learned about this just a week ago. The Chinese government ratified ILO convention 111 which is about anti-discrimination in work. Hong Kong now is part of China. So, in theory, when the Chinese government ratifies a convention, automatically it should be applicable to workers in HK. However, our HK government has stated it will opt out. Sadly, the Chinese government permitted it. This happened in January.

This is something we have to expose because Convention 111 and Convention 143 are very important conventions which direct governments to give equal treatment to all workers including migrant workers. I think we have to campaign for these conventions to be implemented.



Women workers solidarity

I have joined a few marches together with some of your members to campaign to bring back the HK\$3,670 minimum wage. We need to continue this campaign so that we can bring our wage back to the original level at least. More importantly, we have to demand our government to set up a wage fixing mechanism for migrant workers. This is something our government has no reason to refuse. Our government said that the standard wage for domestic helper is being fixed according to a very fair procedure – which I don't exactly know. Our government said that they consider consumer price index, local wage median and then economic growth rate, productivity rate etc. After putting all these pieces together, they suddenly come up with a wage reduction. This is really a miracle! A bad miracle! Why not have a fair and open mechanism and procedure so that we will all know how wages are being fixed? This is number three.

Number four demand to our government is that we have to make our government acknowledge migrant workers organizations as actors in fixing labor policies in Hong Kong. Migrants rights are workers rights. Migrants rights are human rights. In the last 25 years, maybe even more, HK have already been having over 200,000 migrant workers. I remember when I began working in the labor movement people said that later on, it will become smaller. I am already getting old. Many of you have come and gone home. So many years have already passed and the number of migrant workers in HK is only growing not only in the sector of domestic work but also in other sectors. Migrants came not only from the Philippines but also from other countries. But as a whole, the number is growing. So I think our government has to face the fact that migrant labor is a permanent component of the work force. Migrants should be given a rightful place in fixing their policies, to also have a voice in the decision making on the welfare and on laws policies affecting them.

I think these four demands should be put high on our priority when we – including myself and the CTU –talk to our government. I'm sure we will succeed at the end.

I want to end my speech by telling you once again how people in HK really appreciate very much the contribution of migrant workers and migrant organizations during the WTO campaign. You have demonstrated your ability and your potentials to lead a strong people's movement against neo-liberalism. I hope you will continue to do so and I hope we will all work together.

Thank you very much.



Workshop 1

On Philippine Issues and Impacts to Women Migrant Workers and Families

The workshop was attended by 82 participants who came from diverse groups of Filipino women migrants including regional/provincial organizations, cultural group and associations based on previous professions in the Philippines (nurses and midwives).

Ms. Dolores Balladares, chairperson of the United Filipinos in Hong Kong (UNIFIL-MIGRANTE-HK), gave a short presentation on the theme of the workshop. Recognizing the comprehensiveness and broad range of the issues, Balladares focused on major concerns that usually plague the everyday lives of migrant workers and their families.

The first issue that was tackled was on the increase of prices of basic commodities. As breadwinners of their families, it was pointed out that the increases in the prices of food, clothing, shelter and other basic needs due to the frequent increase in oil prices compounded by additional taxes such as the 12% Value Added Tax (VAT) that businesses transfer to consumers, result to constant and intensifying financial burden to migrant workers.

Balladares added that everyday needs are not only the worries of migrant workers. The heaviest financial need of migrants, she said, are on services that are very inaccessible to many Filipinos who are poor – education and health.

Tuition and other school fees are always on the rise. Privatization of schools and university services, and very low budget on education force many migrant workers to borrow money in order to cover the expenses at every start of the school year.

Meanwhile, health services have become inaccessible to millions of Filipinos because of privatization of hospitals and the allotment of very minimal budget. The economic problems of many Filipinos have also forced millions of doctors, nurses and a host of other health workers to leave the country. With the massive exodus of health professionals seeking jobs abroad, it is not surprising that there is only one doctor in the country for every 26,000 patients in the country, Balladares reported to the workshop.

The second main issue that Balladares discussed was the planned change of Constitution of the country. She pointed out that the main objective of the proposed charter change is to allow the unbridled implementation of liberalization, deregulation and privatization – policies that have been proven to put many in even worse situation.

Lastly, Balladares elaborated on the grave situation of human rights in the Philippines that was discussed by Mr. Koon Kwan, one of the panel speakers in the summit. She emphasized the fact that included as victims of the intensifying human rights violations in the Philippines were human rights defenders such as Rep. Crispin Beltran.



In her presentation, Balladares also emphasized on the impacts of these issues to women such as women forced to slave-like labor or the sex trade just so they can augment their income, young women dropping out of school due to lack of resources to pay school fees, and tens of thousands of nurses, midwives and teachers forced to leave the Philippines and their families to work as entertainers, factory workers or domestic workers.

After her presentation, a lively discussion of the workshop theme followed. Participants took turns in sharing their experiences in order to concretely see the impacts of the issues at hand to Filipino women. With the participants coming from such diverse backgrounds – peasants, workers, nurses, government employees, students – the discussion was rich and informative.

The workshop participants approved the resolution to conduct a public program and mass action on July 23 – on the occasion of the State of the Nation Address (SONA) of Gloria Macapagal-Arroyo and committed the participation of their group.

Also, the participants approved the resolution to support the Free Ka Bel Movement in the Philippines.

The workshop came up with the following list of demands as well as plan of actions:

Demand to the Philippine government

A. On public services

1. Increase the budget to services such as education and health
2. Stop the commercialization of education and yearly tuition fee increase. Lower tuition rates and improve the quality of public education including improvement in facilities.
3. Stop the privatization of public hospitals and create decent employment for doctors, nurses and other health professionals.
4. Scrap hospital policies of non-admittance without deposit.

B. On the situation of peasants and workers

1. Provide subsidies to Filipino farmers including financial, implements and other agricultural needs. Build irrigation to agricultural areas in need.
2. Stop the liberalization of agriculture.
3. Create decent employment for Filipino workers and implement a nationwide, across-the-board P125 increase in the daily wage for workers in the private sector and P3,000 for government employees.
4. Scrap the contractualization of labour policy.
5. Give to coconut farmers the long-withheld Coco Levy Fund

C. On the issue of price increase

1. Establish a Price Control Commission that shall protect the poor consumers.
2. Scrap the Oil Deregulation Law and roll back the prices of oil and of transportation.

D. On Human Rights

1. Stop the political persecution of leaders and members of progressive organizations and free all political prisoners.
2. Scrap the Anti-Terrorism Bill and other laws that violate the people's civil and political rights.
3. Resume the peace negotiations with the National Democratic Front of the Philippines and the Moro Islamic Liberation Front.



Above and Right:
Participants express their views on issues affecting their families back home

Plans of Action

1. Send the demands to the Philippine government and send copies to members of the House of Representatives especially those from congressional districts where Filipino migrants come from.
2. Launch various activities and ensure maximum media coverage to expose the realities of the Philippine situation
3. Conduct a mass action and public program on the occasion of the International Migrants Day (December 18) and the International Women's Day (March 8)
4. Conduct an educational discussion on the summit results to migrant's organizations. Ensure the dissemination of related materials.
5. Encourage children of OFWs to join actions against tuition fee increase and encourage our families to join Migrante International.
6. Unite with migrants of other nationalities in Hong Kong to advance policies that will be beneficial to all foreign workers in Hong Kong.



Workshop 2

On Recruitment Agencies and Government Exactions

The workshop was attended by 59 delegates. The facilitators explained that workshop aimed to discuss the problems encountered by migrant workers with recruitment agencies and the extent of government charges to migrant workers. From the discussion, the facilitators said that demands for the Hong Kong government and the Philippine government will be drafted and a plan of action shall be made.

One could easily see and feel the enthusiasm of the delegates because many wanted to share their experiences and views on both topics. In fact the workshop lasted way past the time allocated. The facilitators accommodated the views of the delegates who were very insistent in sharing their views and experiences.

In the sharing and deliberations, the participants explained the intricate scheme of recruitment agencies on how they can extract huge fees on prospective migrant workers applying for jobs abroad. The fees range from HK\$8,000 – HK\$20,000. Some of the modus operandi of recruiters are:

1. Because most of the applicants have no ready cash to pay the agency, payment by installment is allowed on the condition that they will apply for loan but only to financiers referred by the agency itself. The interest is definitely usurious.
2. The applicants can give the "down payment" and the rest will be paid to the assigned collector in the country of destination or to a certain bank account.
3. Upon arrival at the country of destination, passport and employment contract will be confiscated by the counterpart agency and it will immediately be used as "collateral" for loan. The migrant worker is forced to pay the loan which was actually an agency payment.
4. No official receipt will ever be issued even upon demand.

It was clarified at the workshop that if a migrant worker applied in the Philippines, the supposed legal fee is P5,000 plus the equivalent of one month salary abroad. If the applicant applied in Hong Kong, the agency fee should only be 10% of the first month's salary. But the participants attested that no agency follows the said policy. All are charging them way beyond the legal limit.

The workshop also discussed the inaction of the Philippine government to curb the illegal practices of recruiters even if it is already a well-known fact. The participants said that the overcharging committed by recruitment agencies is only addressed by the Philippine authorities through the Consular office in Hong Kong after the migrant worker has already been fired by his/her employer (the contract was terminated).

Furthermore, the workshop participants agreed on the point that the method of resolving cases of overcharging, if the migrant lodged a complaint against the agency, is unsatisfactory. The conciliation meeting method of the Philippine government practically absolves the recruitment agency of any criminal offence or gross violation of the laws of both Philippines and Hong Kong.

One participant even shared that during the conciliation meeting, the Consular officer even tries to convince the migrant worker to just accept the bargained offer of the agency rather than get nothing. The rest of the participants agreed and sharing of similar experiences followed.

It was also pointed out that in the Magna Carta for Overseas Filipinos or the RA 8042 there are provisions - Sections 29 and 30 - which state that five years after the enactment of the law, the regulatory power of the government (through POEA) over the private recruitment agencies will cease to function. The participants made a strong point against this because of the fact that even when there is still regulatory function of the government, the agencies are already overcharging them. The question "who will police the private recruitment agencies" was raised. There was a strong demand to remove the said provisions.

Meanwhile, on the topic of state exaction, the facilitator first made a run down of fees charged by various government agencies to prospective migrant workers. It was noted that the fee for a permit or clearance varies depending on whether it will be used for employment locally or for employment abroad. It is of course higher if it is for the purpose of working abroad. The example given is when getting a clearance from the National Bureau of Investigation (NBI) and from the Municipal Office in the province. Additionally, if one plans to work abroad, she/he is also required to authenticate her/his school diploma at Malacanang (the official address of the President of the Philippines).

The irrationality of the government requirement to secure the Overseas Employment Certificate (OEC) from POEA or Philippine Consular offices abroad before being allowed by the Philippine Immigration to exit was also pointed out. The participants were very much aware that this is only to make money out of the migrant workers. Filipino migrant workers already have an authenticated employment contract, a visa issued by the Hong Kong Immigration, and other pertinent documents which will prove that they are authentic contract workers leaving to work abroad. What is the use then of an OEC as an exit permit except as a way of "milking" migrant workers more of their hard-earned income?

The participants were all agitated when they were asked to identify one by one all the requirements of the Philippine government with the corresponding fee. To borrow their description "every window collects money from us", which means one has to pay a fee in every counter in every government agency.

Finally, towards the end of the workshop, demands and resolutions were raised and passed. The workshop approved the resolution to actively support the campaign to free Rep. Crispin "Ka Bel" Beltran as well as the resolution to participate in the July 23 protest action against the State of the Nation Address (SONA) of Gloria Macapagal Arroyo.

The demands approved by the participants are as follows:

On Recruitment Agencies

1. To remove Sections 29 and 30 in the RA 8042 and for the government to seriously address the monitoring and prosecution of recruitment agencies doing illegal acts.
2. The conciliation meeting and the very long period of resolving agency cases discourages migrant workers to pursue their case against the agencies. In connection to this, it is demanded of the government to create a special court that will attend to the cases being filed by migrant workers.



Left:
Workshop in action

Right:
Indigenous women migrants take part



The following fees are the ones usually paid by prospective migrant workers:

1. Picture	1,200.00
2. Medical	2,800.00
3. Video	2,500.00
4. Registration Fee	5,000.00
5. Job order	15,000.00
6. Training	4,850.00
7. Visa	4,000.00
8. POEA	2,375.00
9. Medical before departure	4,635.00
10. Insurance	4,020.00
11. Ticket	10,920.00
12. Agency Fee (US\$850.00)	46,332.00
13. Insurance	<u>448.00</u>
Total	P99,080.00 (Approx. US\$1900)

On Government Exaction

1. To stop relegating to Central Bank the printing of Passport if it will cause the raising of the amount of passport.
2. To abolish OEC. It is only one way of getting more money from migrant workers.
3. The queue-less processing method must not be imposed to every one and instead make it as an option. Even at its early stage, one migrant worker was almost fired by her employer when somebody from the consulate called at 9:00 in the evening to just inform her that she can already pay at HSBC and get her papers.
4. Abolish the authentication fee as it is not being required by the HK government and it was done away with before.
5. Passport fee must be the same as in the Philippines.
6. The Consulate should only take holidays as that enjoyed in Hong Kong instead of also declaring Philippine holidays as holidays of the Philippine Consulate





Workshop 3

On the Overseas Workers Welfare Administration (OWWA) and Government Service and Protection

The workshop was attended by 65 participants. The facilitators of the workshop introduced the theme of the workshop as well as the flow of discussion.

Ms. Connie Bragas-Regalado of MIGRANTE International, guest speaker of the Summit and co-facilitator of the workshop, expounded on the issues surrounding the Overseas Workers Welfare Administration (OWWA).

Ms. Regalado related that the OWWA was set up in 1974 through a Letter of Instruction by the Philippine government. The welfare fund would come from the OFWs' contribution of US\$25 for "services." There was no contribution from the government side.

At first, she said, OFWs only paid once to OWWA. This was then made into a per contract basis upon the implementation of the OWWA Omnibus Policies in 2003.

In a study made by the UNIFIL-MIGRANTE-HK, only 11% (equivalent to US\$2) of the total budget of OWWA is allocated for direct services. Three to six billion pesos have been allotted for investments.

The PhP6B OWWA fund is now under the management of the Development Bank of the Philippines which gets 1% service fee every year. Time will come that the OWWA fund would be depleted so before this happens, she said, the fund should be returned to the OWWA. In addition, more than PhP10 million go to the POEA annually.

With the majority of the Board of Trustees made up of government officials, the OWWA fund has been misused, mismanaged and misappropriated. Like the secret and unauthorized transfer of OWWA Medicare before the 2004 elections and the use of OWWA money for the campaign projects of GMA.

After the presentation, the participants shared their views on the issue. Based on their experiences, most of the delegates declared that the OWWA does not provide services and protection.

A participant, Josefina Martinez of BSK Kowloon/NT said that in her 41 years as an OFW, "Wala akong napakinabangan sa OWWA" (*"I did not get a single benefit from the OWWA"*).

Fely Bautista from Pangasinan related how her niece, Catherine Bautista died in Lebanon as a result of neglect and lack of protection by the Philippine Consulate in Lebanon. Tears flowed as she described in detail how her niece suffered because instead of protecting her, the welfare officer brought her back to her employer who pushed her to her death. She called on the delegates to be strong and work together for their welfare and protection.

Chloebelle Dogeno of ACFIL shared her own account of Saudi embassy officials who have been engaged since 1994 in pimping women OFWs who were in need of money for their air fare. She also mentioned about marriage certificate authentication business of some embassies. In a mixed state of emotions, she enjoined the delegates to speak up and fight for their rights.

Cynthia Talamor from MOVERS suggested that medical services program should include mentally ill OFWs as a growing number of cases at the Mission for Migrant Workers (MFMW) reveal the severity of this problem.

Joy Pigao from Bucay Migrant Workers-ATIS shared the story of her friend who was denied services and protection by the PCG in Hong Kong when she asked assistance about her employer who terminated the contract after learning that she was pregnant. Joy described physical attributes of the officer who ill-advised her friend because she did not know her name. A suggestion was made that name tags should be worn by consulate officers.

A similar personal experience was told by Luvimin Farola from Sts. Peter and Paul Center who was advised to go home by Mr. Gaspar from the consulate. She also asked help from the Vice Consul but all the same, nothing happened. She suggested that consulate officials should be knowledgeable about migrants' issues.

During the forum, Ms. Regalado related how Filipinos are now used as mercenaries by private companies in the US war of aggression particularly in Iraq and Saudi. In reaction, Flor de los santos (FILCOMSIN) suggested a ban on deployment of OFWs to Iraq and the KSA.

Suggestion to draft a petition against the appointment of former Labor Secretary Patricia Sto. Tomas at the DBP and/or disqualification from holding public office was also made. The suggestion was further expounded to include other public officials who are guilty of corruption and neglect of OFWs.



A fellow migrant tells first-hand her family's experience of Philippine government neglect.

"My niece, an OFW, sought help from the Philippine Embassy in Lebanon, reporting abuses from her employer. The Philippine government overseas welfare officer returned her to the said employer. She died soon after under mysterious circumstances"

The following are the demands and respective actions on each demand as discussed by the workshop:

1. Scrap OWWA Omnibus Policies

Actions

- Gather cases of OFWs /make statements and supporting documents (letters from DFA, OWWA, etc.) were deprived of services and benefits
- Petition signing
- Hold picket at the PCG

2. Work for a pro-migrant charter that will also include:

- a. OFW representatives comprising the majority of the OWWA Board of Trustees
- b. OWWA budget should come from the national budget through the General Appropriations Act (GAA) and allotment should be 80% for services and 20% for administrative expenses.
- c. Reinstate OWWA programs such as legal services and medical assistance
- d. Create special programs for women migrants on reproductive rights, psychosocial counseling, etc.

Actions

- Coordinate with Rep. Roseller Barinaga – principal author of OFW charter bill.
- Forum on the draft OFW charter
- Lobby with other members of House Committee on Overseas Workers Affairs to support the charter
- Petition signing



- The P6B Fund outsourced to Land Bank of the Philippines and the Development Bank of the Philippines should be returned to OWWA and reinstate family assistance and livelihood programs.

Actions

- Picket-rally
 - Forums
 - Dialogue with the OWWA administrator
- Expose, investigate and prosecute all corrupt officials and criminally negligent officials and bar them from holding any public office in the future.

Actions

- Gather cases/statements of victims of Human Rights Violations.
- File case with the Ombudsman against erring OWWA officials.
- File case against Sec. Patricia Sto. Tomas with the Ombudsman and file petition to reject her appointment as the board chairperson of the Development Bank of the Philippines at the Senate Committee on Appointments. Coordinate with Migrante International,



get copy of the petition letter and conduct petition signing campaign.

- Support Campaign Resolution for the Immediate release of Cong. Crispin "Ka Bel" Beltran

Actions

- Form a Free Ka Bel Movement - HK
- Lobby with congressmen and women of concerned districts and senators to respect and recognize resolution of Inter-Parliamentary Union (IPU) calling for the immediate release of Ka Bel.
- Actively participate in the investigation/fact finding mission organized by HK Mission this July.
- Organize solidarity visits with Ka Bel at the Philippine Heart Center by all vacationing OFWs.
- Organize fund raising activities for Ka Bel's medication and legal expenses.
- Send letters of protest addressed to Malacanang, Department of Justice, Commission on Human Rights and the United Nations.
- Send personal letters to media expressing support for Ka Bel and condemn political persecution by Arroyo government.

- Support resolution on the launching of mass protests on the occasion of the State of the Nation Address (SONA) by Mrs. Gloria Macapagal-Arroyo

Actions

- Rally at the Philippine Consulate General and HKSAR Central Government Office (CGO)
- Program at Chater Garden/Mass education
- Hold discussion groups and mini-fora





Workshop 4

On the Issues concerning Immigration, Labor, and Social Services in Hong Kong

The workshop was attended by 82 women delegates. The workshop facilitator gave a short presentation covering some of the major concerns of Filipino women migrant workers on immigration, labor and social services in Hong Kong.

In the presentation, it was pointed out that currently, there are approximately 220,000 foreign domestic workers (FDWs) in Hong Kong, 98 percent of which are women and more than half (118,000) are from the Philippines. Under this context, all government policies deemed as anti-migrant are in effect anti-women.

One of the highlights of the presentation was the Immigration Department's "two-week rule" policy, which according to Ms. Elizabeth Tang of the Hong Kong Peoples Alliance on Globalization (HKPA) and guest speaker of the summit, removed the protective framework in Hong Kong laws available to foreign domestic workers (FDWs).

It was pointed out that under the "two-week-rule", FDWs as a matter of policy must leave Hong Kong within 14 days from the date of their employment contract's termination or earlier depending on the period of validity of visa, in which case, FDWs will face difficulties in seeking new employment and/or settle disputes between them and their employers. To avoid this situation and the possibility of going back home without money and in debt because of the exorbitant placement fees they have to pay before they left the Philippines, FDWs are often forced to endure exploitative and slave-like working condition to remain in Hong Kong.

Another major concern for FDWs is the series of attacks on their wages, employment protection and basic rights to social services. To make this point more concrete, the presentation highlighted the series of proposed cuts on the minimum allowable wage (MAW) of FDWs which was done on a yearly basis since 1998 as an example. For nearly eight years, the MAW was twice reduced by the HKSAR government, one in 1999 (HK\$190) and another in 2003 (HK\$400), taking away HK\$590 (US\$78) every month – enough for a family to buy 130kgs of rice in the Philippines.

This trend was only reversed when the migrants themselves, through the Asian Migrants Coordinating Body (AMCB), the biggest alliance of Asian migrant organizations in Hong Kong, started to campaign for wage increase and the abolition of the levy and mobilized thousands of women FDWs in the territory.

Alongside these wage cut proposals, the Hong Kong government in 1999 proposed that women FDWs be excluded from the maternity protection clause of the Hong Kong's Labour Ordinance. Some politicians also proposed to make the FDWs pay for using public utilities such as parks and other public places for recreation, libraries and even public toilets arguing that FDWs do not pay tax which, in the first place, is not because of special treatment but due to the fact that FDWs' minimum wage of HK\$3,400 is way below the HK\$9,000 taxable income under the Inland Revenue law.

In 2003, the mandatory live-in arrangement clause in the employment contract of all FDWs in Hong Kong, was strictly imposed. The workshop facilitator stressed that the mandatory live-in arrangement practically placed FDWs in the most vulnerable working and living condition for it removes the distinction between time for work and time for rest making FDWs work at least 16 hours a day and are available round-the-clock – the concrete expression of modern-day slavery.

It was also emphasized that Hong Kong's adherence to neoliberal policies of the World Trade Organization (WTO) will not only result to the systematic attacks on wage and employment protection but will also hit hard on the delivery of social services to the people of Hong Kong including migrant workers. An example of which was the imposition of the HK\$100 fee per visit in public hospitals, a service long rendered free of charge until 2003.

Finally, the facilitator presented a bleak scenario for the migrant workers in terms of access to social service in Hong Kong. He said that a striking note to consider from Ms. Tang's speech was that "plans to make migrant worker's pay for their medical care are already in the pipeline". The worst is yet to come and the migrant workers only defense is their organized and resolute action and determination in solidarity with other peoples to combat exploitation and oppression committed against women migrants, workers and other grassroots people.



After the presentation, the floor was opened for interaction and deliberations of some of the major points of the speakers' presentation. The workshop delegates actively participated and freely expressed their opinions, suggestions and comments on the presentation. The participants were so agitated that towards the end, the facilitators had to cut short the open forum and politely apologized to those who were not given the chance to speak because of time limitation and recommended that they present their comments during the plenary.

Before reviewing the workshop results, two special resolutions were unanimously approved by the body. The first resolution expressing full support to the campaign for the immediate and unconditional release of illegally detained trade unionist-parliamentarian Hon. Congressman Crispin Beltran, and the second resolution was to commit their organization's participation in the 23rd July programme and march to submit the result of the summit in the form of demands to the Hong Kong and Philippine governments.

To conclude, the workshop delegates came out with the following demands and proposed actions:

Demands to the Hong Kong Government

A. Immigration concerns

1. Abolish the two-week rule.
2. Repeal the mandatory live-in arrangement clause in the standard employment contract for FDWs.
3. Allow migrant workers to apply for Right of Abode.
4. Demand for better living condition, i.e proper accommodation, privacy, etc.
5. Blacklist erring employers.
6. Employers must shoulder the expenses FDWs leaving Hong Kong because of the mandatory per-contract home leave.
7. Allow FDWs whose contracts are terminated to work legally while their cases are on-going
8. Allow FDWs who are unreasonably terminated to process new contracts without leaving Hong Kong.

B. Labour concerns

1. Ensure the maternity protection of women FDWs.
2. Set the maximum working hours for FDWs.
3. Reinstate the previous policy entitling FDWs to long service payment after 5 years of continuous employment with the same employer even if the FDWs who terminate the contract or refuse to sign another contract.
4. Entitlement of a 13th month pay for FDWs.
5. Institute reasonable dismissal policy for employers of FDWs
6. Institute fines for FDWs' employers committing illegal and unreasonable dismissal

C. Social services concerns

Provide social services to distressed and unreasonably dismissed FDWs, i.e. to provide temporary shelters (by setting up government shelter or by providing government subsidy to existing shelters operated by non-governmental organizations) and free health care while in Hong Kong.

D. General demands

1. Ban the use of surveillance camera inside the employers' premises.
2. Increase the MAW, at least back to HK\$3,670 and abolish the tax-levy imposed on FDWs' employers
3. Launch comprehensive review on Immigration and Labor laws and policies and ensure the FDWs participation in the whole process through their organizations/unions
4. Call for the immediate introduction of the Race Discrimination Bill to the Legislative Council

Demands to the Philippine government

1. Blacklisting of unscrupulous employers who are (a) frequently replacing their FDW by prematurely terminating the employment contract; (b) convicted of physically or sexually assaulting their FDWs; (c) unreasonably terminating the employment contract; etc.
2. Use diplomatic means to ensure that the rights and welfare of Filipino migrant workers in Hong Kong are protected

Proposed Migrants' Action

1. Conduct massive rights and welfare education among Filipino migrants.
2. Prepare wage increase submissions and lobby the HKSAR government in time for the MAW review this year.
3. Encourage employers to support the abolition of the levy





Workshop 5

On Money-Lending, Police Procedures and Practices

The **Workshop on Money-Lending, Police Procedures and Police Practices** was attended by 65 participants representing varied migrant groups including church-based organizations, ethno-linguistic associations and other interest groups.

Ms. Cynthia CA Abdon-Tellez of the Mission for Filipino Migrant Workers (a migrant serving institution) provided a brief background of the current social practices and trends in money lending or money borrowing and the problems brought about by these that greatly affect the employment of migrants especially when things get out-of-hand.

When the question who among the participants has had experiences on making loans, immediately, the participants gave varied reasons of which the major ones were:

1. The salary that they receive is not sufficient anymore to meet the needs of their families due to the high cost of living in the Philippines;
2. Payment of fees to recruitment agencies;
3. Payment of tuition and other school fees every time the school year starts, and;
4. Emergency hospitalization of family members.

From the experiences shared by the participants, it was gleaned that migrant workers get trapped in a vicious cycle of debt either right before they come to Hong Kong or immediately upon arrival

Before finally leaving for Hong Kong, at the last minute, a would-be migrant is required to pay for the "balance" of the placement fees. The agency requires them to pay the rest of the "required" fee a day or two before their scheduled departure, when originally they agreed to have it by salary deduction.

As the prospective migrant is left with only a day or two, the agency will offer to introduce her to a money lender, who, in turn, will require her to give him post-dated cheques. The money-lender then will refer her to a particular bank branch that will eventually allow her to open a checking account with PhP1,000 or PhP2,000 only.

The prospective migrant is required to leave between four to six pieces of duly signed blank cheques to the money lender and is made to sign several pieces of documents. The migrant worker leaves the Philippines without even seeing a cent of the money she supposedly borrowed.



With the monthly salary for the first four or six months already allotted towards covering the amount in the post-dated cheques she issued, the question of how her family will survive comes up. Borrowing more money becomes the only option.

In some cases, when a migrant worker misses a loan payment, collectors hired by money-lending agencies will call up the worker and start to harass and browbeat her to produce the required amount. Worse, there have also been lots of cases wherein the collector call the employer of the migrant worker. This oftentimes leads to the termination of contract of the worker.

With the prospect of unemployment on top of debts owed to individuals or agencies, a migrant worker is forced to look for more money to borrow in order to meet the loan payment and the needs of the family.

One recourse migrant workers turn to borrow money is from migrant groups that call themselves credit unions or credit cooperatives. Although they have well-meaning intentions, it was pointed out that the 3-5% interest that they charge to borrowers is actually usurious in the face of the already low salary of migrants.

The question of whether the debt problem stems from the Filipinos being whimsical and capricious was broached. However, in the course of the discussion, the participants united on the position that though there are cases wherein the debt problem started or intensified due to being capricious, this is not the general rule. The debt cycle which traps migrant workers is due to systemic problems such as insufficiency of government services to its people, inefficiency of the court system, policies on recruitment and the like.

Further discussions even revealed that many migrants who encounter debt problems approach private support agencies to ask for assistance than approaching the government. A participant related her experience when she accompanied her friend to the Philippine Consulate to settle her money problems in relation to her recruitment agency. The PCG used their "Hands-on Conciliation" program that ended up with the migrant getting a small fraction of her money. Worse, this sum is labeled in the official settlement form as "Agency's Financial Assistance to the worker".

In relation to the matter on money lenders and their practices, the issue of police procedure and handling of such cases was also discussed. It was pointed out that many migrant workers are not aware of how the police can play a role in addressing their problems with recruitment agencies or with money lenders.





Left:
**Affirmation in
demands and
policy
recommendations**

The workshop also discussed the two draft resolutions that they also subsequently passed. These were the resolution to support the campaign of the Free Ka Bel Movement and the resolution to take part on the July 23 public program on the occasion of the State of the Nation Address of President Gloria-Macapagal Arroyo.

The workshop came up with the following list of demands:

1. The Hong Kong government and the Philippine government must compel recruitment agencies and financing agencies to return passports, contracts and other documents that these agencies "confiscated" as collateral to loans.
2. Institute a strict policy against the confiscation of documents as collateral for loans.
3. Return the Loan Assistance program of the OWWA with very minimal interest rate. Such a loan program must also be made available to would-be migrants.
4. Strict enforcement of the law against overcharging.

Plans of Action

1. Pull together those who have been overcharged by their agencies both in Hong Kong and the Philippines to file a sort of a "class suit" against their agency.
2. Conduct education work on policies on recruitment and on money-lending
3. Conduct education work on police procedures and processes especially when reporting cases related to recruitment agencies and financing agencies.
4. Review the existing policies of credit unions and credit cooperatives of migrant's organizations.



Resolutions

Resolusyon Hinggil sa Paglulunsad ng Pangmasa pagkilos sa Okasyon ng State of the Nation Address (SONA) ni Pang. Gloria Macapagal-Arroyo

Hinggit pang lumubha ang kalagayan ng mga Pilipino sa ilalim ng gobyerno ni Gloria Macapagal-Arroyo.

Milyong Pilipino ang nabubuhay sa kahirapan. Ang mga polisiya ng gobyernong Arroyo ay hindi nagbigay ng alwan sa mga mahihirap at sa halip ay nagpalala pa sa kanilang kalagayan. Sumisirit na presyo ng pangunahing bilihan, mahal at hindi accessible na serbisyong pampubliko tulad ng edukasyon at kalusugan, at kawalan ng hanapbuhay at kabuhayan ang reyalidad na kinakaharap ng marami araw-araw. Ang papalaking utang ng bansa, malalang korupsiyon sa pamahalaan, at ang pagbebenta ng lupa at yaman ng Pilipinas sa malalaking dayuhang korporasyon ay nagbubunga ng lalo pang krisis at nagbabadya ng madilim na kinabukasan sa amin, sa aming mga anak at sa aming pamilya.

Sa gitna ng ganitong sitwasyon, tinatapakan naman ang demokratikong karapatan ng mga mamamayan na magpahayag at tumuligsa. Sistematikong pinatatahimik ang mga kritikal at mas malala pa, pinapatay. Bala ang tugon ng pamahalaan sa kahilingan para sa lupa, kabuhayan at buhay.

Ang sitwayson sa Pilipinas ang nagtutulak sa milyong Pilipino upang maghanapbuhay sa labas ng bansa. Subalit hindi naiiba ang sitwasyon ng mga migrante sa ating pamilya at kababayan sa Pilipinas.

Bilang pangunahing pinagkakakitaan ng gobyerno, laksa ang pangingikil na ginagawa ng gobyerno sa pamamagitan ng iba't ibang mga bayarin. Biktima ang migrante ng pagsasamantala ng mga recruitment at financing agencies na na-abswelto sa kanilang mga kasalanan dahil sa kawalang-aksyon ng gobyerno o kaya ay mismong mga polisiya nito.

Itinatanghal kaming bayani pero iniwan sa panahon ng pangangailangan. Pagpapabaya, kulang o kaya ay walang tulong, at pananahimik ang karaniwang tugon ng pamahalaan sa mga migranteng may problema.

Ang State of the Nation Address (SONA) ang panahon ng pag-uulat ng Pangulo sa lagay ng bansa. Ito rin ang panahon ng paglalata ng mga polisiya ng gobyerno sa susunod na taon.

Ang SONA ang panahon upang magsalita at marinig ang mamamayan:

Kaming mga delegado ng Filipino Women Migrant Workers Summit 2006 ay nagkakaisang:

1. Ipahayag ang posisyon at kahilingan ng migranteng Pilipino sa gobyerno ng Pilipinas at ng Hong Kong sa July 23, 2006;
2. Ipakita ang tunay na lagay ng sambayanan sa okasyon ng State of the Nation Address (SONA);
3. Pakilusin ang kasapi ng aming organisasyon upang ipakita ang nagkakaisang hanay ng migrante; at
4. Himukin ang aming pamilya sa Pilipinas na lumahok sa pambansang mga pagkilos sa araw ng SONA.

Resolusyon para sa paglahok sa kampanya upang palayain si Cong. Crispin "Ka Bel" Beltran

Tumitindi ang paglabag sa karapatang pantao sa Pilipinas lalo na sa mga kilalang kritikal sa polisiya ng pamahalaan. Kongkretong halimbawa nito ang kaso ni Cong. Crispin "Ka Bel" Beltran na iligal na inaresto apat na buwan na ang nakakaraan at hanggang sa ngayon ay nasa police custody at humaharap sa mga gawa-gawang kaso.

Si Ka Bel ay respetadong lider manggagawa at tagapagtaguyod ng karapatan at kagalingan ng migrante sa lansangan man o sa Kongreso. Sa maraming pagkakataon na rin ay nakasalamuha ng mga OFWs ng Hong Kong si Ka Bel. Sa mga pagkakataong ito, nakita namin ang kanyang marubdob na kagustuhan na paglingkuran ang mga migrante kasama na ang iba pang maliliit, inaapi at pinagsasamantalang mamamayan.

Kaming mga delegado ng Filipino Women Migrant Workers Summit 2006 ay nagkakaisang:

1. Itaguyod ang panawagan sa kagyat na pagpapalaya kay Cong. Crispin "Ka Bel" Beltran;
2. Ipalaganap sa mga OFWs ang impormasyon hinggil kay Ka Bel at ang kanyang kundisyon; at
3. Himukin ang aming pamilya na lumahok sa mga pagkilos sa pagpapalaya kay Ka Bel
4. Suportahan ang panawagan ng Free Ka Bel Movement sa Pilipinas.



Policy Recommendations

Submission to the Hong Kong Government

H.E. Donald Tsang
Chief Executive
Hong Kong Special Administrative Region
People's Republic of China

Dear Hon. Chief Executive,

Greetings!

On July 2, 2006, 400 Filipino women leaders from 98 organizations of domestic workers gathered for the First Filipino Women Migrant Workers Summit at the Hong Kong University. The summit was organized by five (5) of the biggest and most active federations and union of Filipino domestic workers.

Filipinos comprise the biggest majority of foreign domestic workers in Hong Kong. As domestic workers, we have faced various issues and concerns stemming from policies of the Hong Kong government that impact on our employment condition, job security, wages, rights and status as foreign workers in Hong Kong.

As domestic workers in Hong Kong, Filipino women are exposed to situation very much vulnerable to abuses and exploitation of unscrupulous employers, recruitment agencies and financing agencies.

On top of these, various policies implemented by the Hong Kong government have made the situation of foreign domestic workers even worse. These include the New Conditions of Stay (NCS) or Two-Week Rule, the annual review of the Minimum Allowable Wage (MAW) that has resulted to two drastic wage cuts and two insufficient increases, the levy imposed to employers of domestic workers, strict enforcement of live-in employment arrangement, and the limited social services for foreign workers.

It is in this situation that we found it imperative to convene the Summit. The gathering aimed to discuss the abovementioned issues as well as the impacts of Philippine government policies to Filipino domestic workers in Hong Kong.

More importantly, the Summit aimed to come out with a list of demands and policy recommendations to your government and that of the Philippines' in order to address these concerns.

It is in this regard that we would like to submit to your office the attached document that outlines the issues and our recommendations that we wish the Hong Kong government to take actions on.

We very much hope that these matters will be given the required attention. Thank you very much.

Sincerely yours,

Summit Steering Committee

Caridad Bachiller
President
Abra Tinguian Ilocano Society (ATIS)

Dolores Balladares
Chairperson
United Filipinos in Hong Kong (UNIFIL-MIGRANTE-HK)

Josefina Carolina Pingkhan
Chairperson
Cordillera Alliance (CORALL-HK)

Lagrimas Cunanan
Chairperson
United Pangasinan HK (UPHK)

Alberto Laconsay
President
Filipino Migrant Workers Union (FMWU)

Submission to the Hong Kong Government on Issues and Policies Concerning Foreign Domestic Workers in Hong Kong

A. Immigration concerns

1. Abolish the New Conditions of Stay popularly known as the two-week rule.
2. Repeal the mandatory live-in arrangement.
3. Apply without discrimination the Right of Abode to all migrants who met the requirements stated therein.
4. Reprimand and eventually blacklist employers who are repeated offenders.
5. Employers must shoulder the expenses of FDWs leaving Hong Kong because of the mandatory per-contract home leave.
6. Allow FDWs whose contracts are terminated to work legally while their cases are on-going
7. Allow FDWs who are unreasonably terminated to process new contracts in Hong Kong.
8. Allow Filipino nurses to practice their profession in Hong Kong
9. Scrap the levy to employers of foreign domestic workers

B. Labour Concerns

1. Implement the internationally recognized working hours to migrant workers.
2. Amend the long service provision in the Labour Ordinance to remove unfair conditions such as non-payment if the migrant worker is the one who terminated the contract or did not renew the contract even if they have met the minimum requirement of 5 years in service.
3. Entitlement of a 13th month pay for FDWs.
4. Institute policies to discipline employers (e.g. fines, etc) who committed unlawful or unreasonable termination of employment contract.
5. Bring back the Minimum Allowable Wage to HK\$3,670
6. The Hong Kong government and the Philippine government must prohibit recruitment agencies and financing agencies in "confiscating" passports and employment contracts as collateral to loans.
7. Ensure the full compliance to contract provisions pertaining to better living conditions for migrant workers, i.e proper accommodation, privacy, provisions of essential utilities, etc.
8. Strict enforcement of the law against overcharging of recruitment agencies.

C. Concerns on the General Condition of Work and Situation in Hong Kong of Foreign Domestic Workers

1. Provide social services to distressed and dismissed FDWs, i.e. to provide temporary shelters (by setting up government shelter or by providing government subsidy to existing shelters operated by non-governmental organizations) and free health care (including women's health) while in Hong Kong.
2. Ban the use of surveillance camera inside the employers' premises.
3. Launch comprehensive review on Immigration and Labor laws and policies and ensure the FDWs participation in the whole process through their organizations/unions.
4. Call for the immediate introduction of the Race Discrimination Bill to the Legislative Council



Policy Recommendations

Submission to the Philippine Government

H.E. Gloria Macapagal-Arroyo
President
Republic of the Philippines

Dear Hon. President,

Greetings!

Overseas Filipino Workers (OFWs) have always been hailed as heroes by the Philippine government. However, we are very much burdened by various issues and concerns that impinge on our rights and wellbeing as Filipinos and as migrant workers.

Filipinos comprise the biggest majority of foreign domestic workers in Hong Kong. As domestic workers, we have faced various issues and concerns stemming from policies of the Hong Kong government that impact on our employment condition, job security, wages, rights and status as foreign workers in Hong Kong.

As domestic workers in Hong Kong, Filipino women are exposed to situation very much vulnerable to abuses and exploitation of unscrupulous employers, recruitment agencies and financing agencies.

Burdened with problems, Filipino women migrants in distress rightfully turn to the Philippine government for assistance. However, to our disappointment, service delivery and protection of the government, through the Philippine Consulate General and its various offices is either slow, insufficient, or totally absent. For the Philippine government, migration is a profitable business for private recruitment agencies and the Philippine government through various fees that they impose. This situation is even compounded by the worsening condition of the economy, political situation and public services in the Philippines that family of migrant workers directly experience.

It is in this situation that we found it imperative to convene the Filipino Women Migrant Workers Summit that gathered 400 women leaders from 98 migrant organizations. The Summit was held last July 2, 2006 at the Hong Kong University. It was the broadest gathering of Filipinos in Hong Kong that aimed to discuss the abovementioned issues as well as the impacts of Hong Kong government policies to Filipino domestic workers in Hong Kong.

More importantly, the Summit aimed to come out with a list of demands and policy recommendations to your government and that of Hong Kong's in order to address these concerns.

It is in this regard that we would like to submit to your office the attached document that outlines the issues and our recommendations that we wish the Philippine government to take actions on.

We very much hope that these matters will be given the required attention. Thank you very much.

Sincerely yours,

Summit Steering Committee

Caridad Bachiller
President
Abra Tinguian Ilocano Society (ATIS)

Dolores Balladares
Chairperson
United Filipinos in Hong Kong (UNIFIL-MIGRANTE-HK)

Josefina Carolina Pingkhan
Chairperson
Cordillera Alliance (CORALL-HK)

Lagrimas Cunanan
Chairperson
United Pangasinan HK (UPHK)

Alberto Laconsay
President
Filipino Migrant Workers Union (FMWU)

Submission to the Philippine Government on Issues and Policies Concerning Foreign Domestic Workers in Hong Kong

A. Concern on Government Services and Protection to Filipino Migrant Workers

1. Scrap OWWA Omnibus Policies
2. Work for a pro-migrant OWWA charter that will also include:
 - a. OFW representatives comprising the majority of the OWWA Board of Trustees
 - b. OWWA budget for personnel should come from the national budget through the General Appropriations Act (GAA) and allotment should be 80% for services and 20% for administrative expenses.
 - c. Reinstate OWWA programs such as legal services, death gratuity and medical assistance
 - d. Create special programs for women migrants on reproductive rights, psychosocial counseling, etc.
3. The P6B Fund outsourced to Land Bank of the Philippines and the Development Bank of the Philippines should be returned to OWWA and reinstate family assistance and livelihood programs.
4. Expose, investigate and prosecute all corrupt officials and criminally negligent officials and bar them from holding any public office in the future.
5. Return the Loan Assistance program of the OWWA with very minimal interest rate. Such a loan program must also be made available to would-be migrants.

B. Concerns on Policies of Recruitment Agencies and Illegal Recruitment

1. To remove Sections 29 and 30 in the RA 8042 and for the government to seriously address the monitoring and prosecution of recruitment agencies to discourage victimizing applicants and file cases against those found doing illegal acts.
2. The conciliation meeting and the very long period of resolving agency cases discourages migrant workers to pursue their case against the agencies. In connection with this, it is demanded of the government to create a special court that will attend to the cases being filed by migrant workers.
3. The Hong Kong government and the Philippine government must institutes policies or laws that will prohibit recruitment agencies and financing agencies in confiscating passports and contracts as collateral to loans.

C. Concerns on Philippine Government Fees to Filipino Migrant Workers

1. To stop relegating to Central Bank the printing of Passport if it will cause the raising of the amount of passport.
2. To abolish the Overseas Employment Certificate (OEC). It is only one way of getting more money from migrant workers.
3. The queue-less processing method must not be imposed to every one and instead make it as an option. Even at its early stage, one migrant worker was almost fired by her employer when somebody from the consulate called at 9:00 in the evening to just inform her that she can already pay at HSBC and get her papers.

4. Abolish the authentication fee as it is not being required by the HK government and it was done away with before.
5. Passport fee must be the same as in the Philippines.
6. The Consulate should only take holidays as that enjoyed in Hong Kong instead of also declaring Philippine holidays as holidays of the Philippine Consulate

D. National Issues and Concerns that Impact on Families of Filipino Migrant Workers

1. On public services

- a. Stop privatization of public hospitals and increase its budget so as to provide decent employment to health workers.
- b. Stop the commercialization of education and yearly tuition fee increase. Lower tuition rates and improve the quality of public education including improvement in facilities and increase in its budget.
- c. Scrap hospital policies of non-admittance without deposit.

2. On the situation of peasants and workers

- a. Institute genuine land reform and provide subsidies to Filipino farmers including financial, implements and other agricultural needs. Build irrigation to agricultural areas in need.
- b. Stop the liberalization of agriculture to protect our own farmers and agricultural products.
- c. Create decent employment for Filipino workers and implement a legislated P125 increase in the daily wage for workers in the private sector and P3,000 for government employees.
- d. Scrap the contractualization of labour policy.
- e. Give to coconut farmers the long-withheld Coco Levy Fund

3. On the issue of price increase

- a. Re-establish the Price Control Commission that shall protect the poor consumers.
- b. Scrap the Oil Deregulation Law and roll back the prices of oil and of transportation.

4. On Human Rights

- a. Stop the political persecution of leaders and members of progressive organizations and human rights defenders and free all political prisoners.
- b. Scrap the Anti-Terrorism Bill and other laws that violate the people's civil and political rights.
- c. Resume the peace negotiations with the National Democratic Front of the Philippines and the Moro Islamic Liberation Front.

5. On other National Issues

- a. Decisively address graft and corruption. Investigate and prosecute the big fish in the government involved in big time corruption and plunder of the economy.
- b. Improve the taxation and tax collection on businesses. Stop giving tax incentives to big foreign multinational corporations.
- c. Scrap the Charter Change, stop the railroading of impeachment proceedings in the House of Representatives.
- d. Protect the natural riches of the country and ensure that the people benefit from the country's natural resources. Scrap the Mining Act of 1995 that liberalizes the mining industry.
- e. Stop all economic policies that only serve the neo-liberal policies of the rich and highly industrialized countries and detrimental to the economy of our country and its people.

Participating Organizations

Abra Migrant Workers Welfare Association (AMWWA) Abra Tinguian Ilocano Society –ATIS
Alaminos Pangasinan-UPHK Alay Kapwa Catholic Group Alimudian Iloilo Association
Anak Ti Maeng- ATIS Annak Ti Villaviciosa Association of Benguet Overseas Workers-
CORALL Asia-Pacific Mission for Migrants (APMM) Association of Concerned Filipinos (ACFIL-
UNIFIL) Association of Filipino Women Migrant Workers (FILWOM-UNIFIL) Atok Comrades
of Hong Kong (ACOH-CORALL) Balili Alab Workers Organization (BAWO-CORALL)
Bangaan, Fidelisan, Tanulong, Aguid, Madongo, Pida (BFTAMP) Bangued Hong Kong
Organization-ATIS Bethune House Migrant Women's refuge Bicol Migrant Workers HK
Bileg Ti Ilocano Balikatan sa Kaunlaran Kowloon-NT Bucay Migrant Workers –ATIS
Bucloc Hong Kong Organization-ATIS Bulbulala Caring Invincible Group –ATIS
Cabatuan, Iloilo Capiz Achiever Confederation of Overseas Filipino Workers
Consolidated Filipino Community Brigade Cordillera Alliance CUYAPO Association
D Albayanos Hong Kong DAMAMASU Filipino Community Services and Information Network
Filipino Friends- UNIFIL Filipino Migrant Workers Union (FMWU) Filipino Migrant Workers
Union-Chater Road Filipino Migrants Association-UNIFIL-HK Filipino Nurses Association
Friends Environment Organizations Friends of Bethune House-UNIFIL Hingyon Organization-
Ifugao Ifugao Association Ikmin Valley Org (Boliney)-ATIS Integrated Midwife
Association of the Philippines Januiaynon Association Hong Kong-UNIFIL-HK Jesus is Lord
Justice and Peace (Evangelization Family)- UNIFIL-HK Kalinga Province Hong Kong Workers
Association -KAPHWA-CORALL KALIPI- MinFed Langiden Overseas Workers Association-
ATIS League of Filipino Midwives (LOFM) Licuan Hong Kong Association-ATIS
Likha Migrant Cultural Organization Mabama Organization-ATIS Maeng Tribe of Abra,
Luba-Tubo HK-ATIS Methodist Church Int'l -Shatin Fellowship Methodist Filipino Fellowship-
UNIFIL Migrante - Hong Kong Bank Migrante Sectoral Party Hong Kong (MSP-HK)
Migrante - Naguilian Chapter Migrante - Nueva Vizcaya Migrante - Shatin
Migrante - Telford Mission for Migrant Workers (MFMW) Mission Volunteers Movers- UNIFIL
Municipality of Lacub- -MunLac – ATIS National Organization of Professional Teachers
(NOPT-HK) Natividad Association Hong Kong-UPHK Overseas Sons and Daughters of
Lagangilang-ATIS Philippine Independent Church Choir (PIC-Choir) Pinatud A Saleng Ti
Umili- CORALL Pinay Justice Poliwes San Vicente Baguio City Organization-PSVBCO-
CORALL Sadanga Organization Sagada Municipality Association- CORALL Samal Bataan
Migrants Association Sallapadan Manicbel Association- ATIS San Isidro Migrants –ATIS
San Roque Overseas International SIMBAYANAN- KAMMPI-HK Southern Sabangan
Organization St Teresa's Filipino Catholic Community St. Anne Church Filipino Community
St. John's Filipino Fellowship Sts. Peter and Paul Catholic Center St. Joseph the Worker
Community Sta Maria De Pila Association-UPHK Tayug Pangasinan Association-UPHK
Timpuyog Ti Tayum – ATIS TOKWIFI -STAR-CORALL Ugnayang Magkakaibigan United
Migrant Teachers Cordillera -UMTC-CORALL United Pangasinan Hong Kong UPHK United
Pidigan Association-ATIS Ward Methodist Filipino Mission-UNIFIL Women of Pilipino
Independent Church -WOPIC-Antique-UNIFIL

The Summit is a pioneering project envisioned by Filipino women migrant organizations to gather first-hand experiences and hopes of grassroots Filipino women domestic workers in Hong Kong. Our aim is to enhance continuing collaboration among ourselves to advance our rights and welfare and advocate policy changes for our betterment as women, as migrants, as workers, and as Filipinos.

