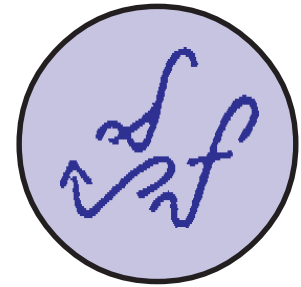


News Digest

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APMM

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

Migrants in crisis, rights under siege, movement on the rise: highlights of 2009

The year 2009 started and ended with an unprecedented economic crisis brought about by neo-liberal globalization. Migrant workers in the Asia Pacific and Middle East region were not spared from the severe impacts of the global economic downturn and with the crisis still raging, grave treatment to migrant workers are expected to persist.

Last year, many migrant workers suffered retrenchments, pay cuts and a diminishing of their rights. Undocumented migrants experienced an intensification of crackdown operations that led to the arrest, detention and deportation of thousands of them.

In Taiwan, many migrant workers lost their jobs in the manufacturing sector and, like the local workers, there were those who were forced to get lower pay through unpaid leave.

In Macau, the government cut the number of non-resident workers from a peak of more than 104,000 in September 2008 to only 75,500 in November 2009. For example, there was a drop of 31% in the number of foreign workers in the manufacturing sector.

Moreover, the Macau government introduced a Law on Employment of Non-resident Workers which will be implemented April 2010. The law imposed a six months re-entry ban for migrants who terminate their contracts and a levy on employers of foreign workers in all job categories.

In Hong Kong, the Executive Committee pushed through with its proposal for a Statutory Minimum Wage (SMW) that did not



The International Migrants Alliance continued to lead grassroots migrants and advocates to confront the globalization-inspired Global Forum on Migration and Development (GFMD).

include foreign domestic workers. Despite its very obvious discriminatory feature, the ExCo still chose to disregard international labour rights and human rights standards just so it can maintain and even worsen the modern day slavery of FDWs.

Undocumented migrants in South Korea, meanwhile, faced intensified crackdowns on their ranks last year. Many were deported including leaders of organizations of migrants such as the Migrants Trade Union. The South Korean government also announced its intention to reduce the number of undocumented migrant workers to 10% of the total number of foreign workers in the country by 2012.



Israel

Migrant workers in Hong Kong and advocates protested against the crackdown on undocumented migrants in Israel.



Taiwan

APMM conducted a forum for Indonesian migrant workers in Taiwan on the issue of the insurance scheme for IMWs that is being exploited by placement agencies.



Hong Kong

The Asian Migrants Coordinating Body (AMCB) in Hong Kong held sustained actions for inclusion of foreign domestic workers to the statutory minimum wage.

Other workers were not spared from layoffs, reduction or delayed payment of wages, and reduction of benefits. Example of this was the new contract introduced by the government for migrant workers under the Employment Permit System (EPS) that removed the provision for free board and lodging for the migrants.

In Australia and in New Zealand, temporary workers and refugees were also laid off first or their rights further curtailed including revoking the visas from some workers who kept their jobs.

In Israel, the government already came out with a deportation plan that would target the deportation of 100,000 migrant workers by 2013 at an average of 20,000 a year. Also in Macau, the government increased the penalty for overstayers from MOP20 to MOP200 a day and a new law on so-called illegal guesthouses was recently enacted that shall include undocumented migrant workers among its targets.

Other than the policies imposed by governments of receiving countries, governments of sending countries like the Philippines and Indonesia continued to find ways to profit from the export of their nationals.

Early last year, the Philippine government imposed a ban on direct hiring of Filipino domestic workers that meant all should pass through placement agencies. This put Filipino migrant workers in a vulnerable position to get even more overcharged by unscrupulous recruiters already profiting from illegal exactions under the guise of training. The ban, on the other hand, took away from the Philippine government the responsibility of responding to the welfare needs of Filipino migrants while maintaining and even increasing the fees that Filipino migrants have to pay to the government.

True enough, the Philippine Consulate General in Hong Kong made a decision to make it mandatory for all Filipino migrants to pay membership fee to the

Overseas Workers Welfare Administration (OWWA) if they would want to be issued their Overseas Employment Certificates (OEC). However, in the face of the planned massive opposition from various migrants' organizations, the PCG-HK was forced to back down on this policy.

The Philippine Consulate General in Macau, on their part, re-imposed the requirement for an affidavit of support to Filipinos in the territory who would want to have their family members, relatives and friends visit them. It also announced its readiness to unilaterally implement measures to require Filipinos who would want to seek employment in Macau to pass through recruitment agencies in the Philippines and have their contracts verified and authenticated by the consulate. These processes for sure would rake in huge profits for the Philippine government.

Indonesian migrant workers, meanwhile, continued to suffer from the lack of actions of the Indonesian government to their plight such as the severe overcharging of placement fees that Indonesian migrant workers in Hong Kong suffer from. Worse, in Taiwan, Indonesian representative office overcharges its own nationals for the payment of passport fees even if they are already subjected to up to 15 months of salary deductions by placement agencies and brokers.

These attacks, however, will still pale in comparison to what is in store for the migrants under the neo-liberal globalization framework on migration. Expressed through the process of the Global Forum on Migration and Development (GFMD), neo-liberal globalization's design of intensifying the commodification of migrants and making them the modern-day slaves continued to develop as the GFMD held its 3rd meeting in Athens, Greece.

The meeting took off from the discussions conducted in Belgium (2008) and the Philippines (2009) and promised to realize the GFMD plans that in no way address the real and concrete issues of migrant workers.

Admirably, these attacks on the jobs, wages and rights of migrant workers and adverse developments in the global migration trend were met with stiff opposition from the grassroots migrant themselves and many of their advocates including some local trade unions and people's movements.

In Hong Kong, there was no letup in the struggle of the Asian Migrants Coordinating Body (AMCB) against the exclusion from the SMW and against the arbitrary, non-transparent and unjust way of setting the wage of FDWs. This campaign got the support of, among others, the HK Confederation of Trade Unions (HKCTU), the Justice and Peace Commission of the Catholic Diocese, and some legislators.

Migrant workers in Macau, meanwhile, formed the Macau Migrants Rights Network (MMRN) to strengthen their ranks against the series of anti-migrant policies that the government instituted. The network is composed of migrant workers from Indonesia and the Philippines, NGOs for migrant workers who do work in Macau and members of the religious community. Two big mobilizations were carried out against the new migrants' law which resulted in some concessions for the migrant workers.

To counter the efforts to wedge a divide between the local workers and the migrant workers in these troubled times, forums about the crisis were held in Taiwan, Australia and New Zealand that were attended by organizations of migrant workers, trade unions and other worker's groups. In New Zealand and Australia the migrant workers got support from local trade unions in their struggles and even welcomed their membership to local unions.

The Action Network on Marriage Migrants Rights and Empowerment (AMMORE) continued its pioneering work of increasing cooperation among organizations of marriage migrants and NGOs helping them. Aside from mutually supporting advocacies against violence

against marriage migrants, the AMMORE also launched cooperative researches and even conducted an exchange visit in various countries to learn from the advocacy and organizing experiences of each other.

In the international arena, the Second International Assembly of Migrants and Refugees was successfully held to expose and oppose the GFMD. Migrant workers from different parts of the world discussed the worsening plight of migrants and came out with unities to further advance the rights of migrants such as the promotion of domestic work as work in the planned convention of the International Labour Organization on decent work for domestic workers.

Even if it is a relatively young formation, the International Migrants Alliance (IMA) continued to make waves in its advocacies in the national and

international levels. It continued to promote solidarity actions among its members worldwide and led internationally-coordinated protests that highlighted the common concerns of migrants.

The past year showed that the fight for the rights and wellbeing of migrant workers is far from over. The challenge to strengthen the grassroots-led movement of migrant workers in the Asia Pacific region and even in the world remains. Movement-building and solidarity with each other, with the working people, and other exploited people are still the keys toward achieving concrete victories in the migrants' struggles.

The new year poses new challenges for the migrant workers in the region. United, migrant workers will surely be able to face them. ☺

Undocumented Migrants

APMM, other regional NGOs and Tenaganita conducted a Fact-Finding Mission (FFM) in Sabah, Malaysia to know the condition of undocumented migrants there and launch advocacy actions on it.



Marriage Migrants

AMMORE led marriage migrants from Taiwan, South Korea and Japan in an exchange visit to learn from each other's experiences and for mutual advocacy support.



ASEAN and FTAs

APMM initiated the formation of the Migrants Caucus on ASEAN to lobby for a pro-migrants convention in the subregion and push for scrapping of bilateral labour agreements detrimental to the rights of migrants.



Wage protection, recognition of labor rights highlight IMD celebration in HK and Macau

The last International Migrants Day celebration was a day of protest against discrimination, commodification and modern-day slavery of migrant workers.

In Hong Kong, around a thousand members of the Asian Migrants Coordinating Body held a program at the Chater Road before going up to the Central Government Offices to assert their demands to the Hong Kong government on December 13 last year.

According to AMCB spokesperson Eni Lestari, the IMD was also a day when migrant workers in Hong Kong vowed to be more vigilant and militant in defending their rights and advancing the struggle for recognition of domestic work as work.

Almost six months after the HK Executive Committee (ExCo) submitted its proposal for a Statutory Minimum Wage (SMW), the government still refuses to right its wrongful and unjust exclusion of foreign domestic workers (FDWs) in such an important legislation, she said. The refusal of the ExCo to include FDWs in the SMW is but another testament of how the HK government has been treating migrants in general and FDWs in particular as cheap workers whose rights are relegated to the sidelines.

Aside from the SMW exclusion, FDWs continue to suffer anti-migrant policies that include among others the New Conditions of Stay or Two-Week Rule, the mandatory live-in employment arrangement, the continuing ban on Nepalese workers, and the harsh wage

cuts which until now have not yet been recovered.

At the same time, FDWs have to put up with sending governments' labor export policies that include excessive fees, collusion with placement agencies to overcharge migrants, criminal neglect of migrants in need and serious shortcomings in providing genuine services to migrants, the AMCB stated.

Meanwhile, around 450 migrant workers from Indonesia, the Philippines and Vietnam celebrated the first ever International Migrants Day celebration in Macau through cultural presentations and speeches on Dec. 20. The activity was organized by the Macau Migrants Rights Network (MMRN) and was also utilized to air out concerns against anti-migrant policies of both Macau and the governments of sending countries.

Migrante Macau sang the song of the International Migrants Alliance (IMA) entitled Migrants on the March. The Association of Indonesian Migrant Workers (ATKI – Macau) had three numbers including a skit on their particular problems in Macau. This included lack of consular services/



For the first time, Asian migrants in Macau jointly celebrated the IMD with a program highlighting resistance against anti-migrant policies of the Macau government.

assistance from their government and overcharging of placement fees by agencies.

Other organizations also rendered cultural presentations like the Social Service Commission of the Filipino

Migrant Ministry which presented an interpretative dance; the Sto. Nino - 2 Filipino traditional dances and the Abrenians, a native indigenous song and dance from their native province.

The migrant issues raised included the retention of anti-migrant provisions of the "New Labour Law" such as the 6 months re-entry ban and levy on employers of foreign workers. The lack of clear law on placement agencies that will curb different forms of abuses that had been experienced by many migrants like confiscation of passports and other documents; collection of excessive fees equivalent to 10 months salaries; and connivance with employers.

Migrante Macau also shared overseas Filipinos particular problem with its own government and how they together with other organizations plan to resolve this. This pertains to the Affidavit of Support required of them by the Philippine authorities if their loved ones, relatives and friends plan to visit them in Macau. Migrante said that this is another financial burden on overseas Filipinos and is unconstitutional.

The event highlighted the strengthening of solidarity between migrant workers of different nationalities in Macau together with a number of their advocates. As the speaker of Migrante Macau said, the Macau government is now aware that we are watching and that they need to be careful in coming up with new anti-migrant policies. ☺

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