

More anti-migrant laws must be opposed and junked

With the return of our *Newsletter*, we are confronted with so many issues and threats to our rights, welfare, lives and livelihood in the homeland and in host countries abroad. This is a challenge that our sector must face firmly and resolutely.

In the Philippines, the Gloria Macapagal-Arroyo government is pushing anti-migrant and anti-people legislation such as the increased Value Added Tax, the National Identification System, Anti-Terrorism Bill among so many draft measures.

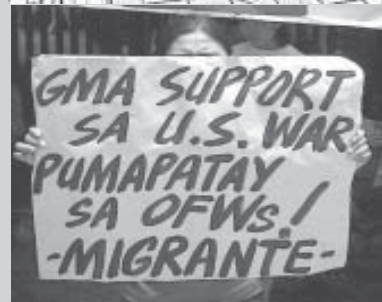
The Philippine Department of Justice also released a directive to closely monitor overseas Filipino workers (OFW) who believe in the Islamic faith, branding them as 'contaminated with terrorist ideas.'

There are other draft laws in the Philippine legislature that will worsen the government's criminal neglect towards overseas Filipinos, most especially those who need immediate assistance from our embassies and consulates in various parts of the world. These include the proposed omnibus amendments to the Labor Code and the liberalization of the deployment of Filipino workers. These draft laws will not give any relief or assistance to stranded OFWs in Saudi Arabia and Jordan, the more than 5,000 jailed Filipinos worldwide and the thousands of those who fell victim to overcharging, illegal recruitment and other migrants' rights violations.

Overseas, harsh crackdowns on undocumented migrants continue in Malaysia, Japan, South Korea, United Arab Emirates and the United States. In the context of implementing laws under the US war of terrorism, more undocumented Filipinos are getting to be labeled 'absconders' and 'potential terrorists.'

This is why even after we have succeeded in junking Philippine government proposals impose income taxes and an airport tax on us migrants, we must aggressively struggle against the anti-migrant and anti-people policies in the Philippines and overseas.

From various work sites, offices and houses to the streets in the Philippines and in many nations with Filipino migrants, the need to surmount all issues and problems and to mount protest actions against the worsening criminal neglect of the current Philippine government to migrants is felt more even more. We need to consistently expose and effectively isolate anti-migrant and anti-people Macapagal-Arroyo administration. ♦



This issue's contents

2 Editorial

3 News

8 More News

10 Position

Papers

**16 You only know
how to count**

MIGRANTE

Sectoral Party

Executive Board

Connie Bragas-Regalado
Chairperson

Roy G. Anunciacion
Secretary General

Leopoldo G. Legaspi
Deputy Secretary General

Marieta S. Balaoro
Treasurer

Flora Baniaga Belinan
Auditor



National Secretariat

Allan Bonifacio
Vincent Michael Borneo
Jersey Josue
Raquel Rivera

MIGRANTE Newsletter is published quarterly by the MIGRANTE Sectoral Party Executive Board. MIGRANTE Sectoral Party may be reached at the following contact information:

Mailing Address: # 49 Mayaman corner Matahimik Sts., UP Village, Quezon City, PHILIPPINES Email: migparty@tri-isys.com

MIGRANTE Newsletter may be cited or reprinted as long as the MIGRANTE Sectoral Party is duly acknowledged as the source and is furnished copies of the final work where the quotation or citation appears.

Acknowledgment: Associated Press, Reuters, Daily Tribune, Manila Times, MSP-Hong Kong, MSP-Taiwan, MIGRANTE International, Arkibong Bayan and www.bulatlat.com

Editorial

Prepare for the overseas Filipino registration campaign!

It is almost a year after the last Philippine elections. We continue to implement our work tasks as a progressive party of migrants and families in the Philippines and abroad. Our party chapters have flourished and aggressively expanded and continue to join mass campaigns and struggles after the elections.

We embark on and continue campaigns regarding different issues confronting our sector and the Filipino people in different parts of the globe.

In the homeland, our Executive Board and National Secretariat pursue active lobby work in Congress and the Senate on different issues concerning our sector and the nation.

The collective efforts and actions of Migrant chapters and organizations in the Philippines and across the world have resulted into the scrapping of government proposals to impose income tax and airport fees on overseas Filipino workers. Congress continues to conduct hearings on our Resolutions against the OWWA Medicare transfer, the conditions of stranded Filipino workers in Saudi Arabia and Jordan, the murder of two Filipinas in the Netherlands, the ongoing crackdowns on migrants in Malaysia, Japan, Korea and the United States, *et cetera*.

Truly, we our party is not seen only during the elections. We continue to conduct welfare services and assistance, alternative education, trainings and active lobbying in both chambers of Congress and in the Parliament of the streets where ever we are in the world. We launch mass campaigns and struggles for our rights, welfare and demands as migrants and families. We continue to arouse, organize and mobilize our ranks to strengthen and expand our progressive party.

But we have to prepare and launch another campaign to further maximize our right to vote via overseas absentee voting. The Commission on Elections (COMELEC) has released *Resolution No. 7447 -- the General Instructions for the Resumption of Registration of Qualified Overseas Absentee Voters* last March 18, 2005. This is the "continuing registration" for overseas Filipinos worldwide.

For the next election s in Mayo 14, 2007, all potential overseas absentee voters that we can reach must get registered from October 1, 2005 until August 31, 2006.

This early, let us start preparing for a far-reaching campaign for registering our compatriots in all parts of the globe.

We need and can possibly surpass our achievements in the last registration period in 2003-2004. We need to further expand the numbers of Filipinos who are aware of their right to vote and to be involved in various migrant and national issues -- when there are elections or none at all. ♦

12% VAT is anti-OFW and anti-people

The MIGRANTE Sectoral Party joined the widening campaign against new taxes being pursued by the Macapagal-Arroyo administration, most especially the railroaded House Bill 3555 -- the 12 percent Value Added Tax.

“President Gloria Macapagal-Arroyo’s operators in Congress swiftly passed House Bill 3555 that will add 2 percent to the present 10%

Value Added Tax (VAT) to the long list of commodities and services that will definitely add to the already heavy burden on the poor public in the midst of a prolonged economic crisis,” Connie Bragas-Regalado, MIGRANTE Sectoral Party chairperson said.

Migrante furthered in a statement that “we do

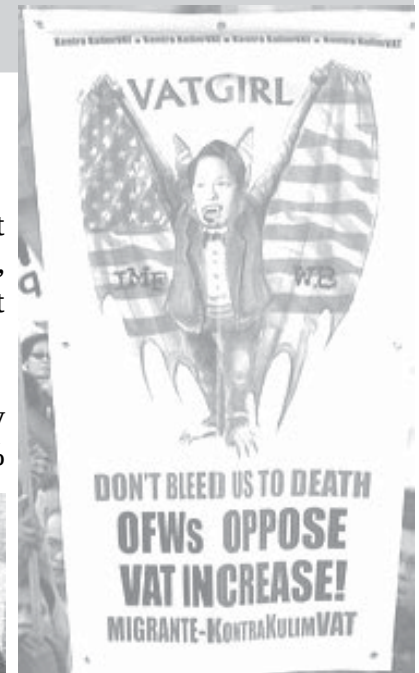
not believe administration congressmen’s statements that “the increased VAT will not affect basic commodities.” A 12 % VAT on manufacturing and packaging of sugar, coffee, bread, cooking oil, sardines, noodles, clothes, shoes, medicines, communications, construction materials, and other products will give rise to higher prices. A big chunk of whatever salaries or wages we OFWs get abroad cannot catch up with the increasing cost of living in the Philippines. This new tax is an additional burden to OFWs and their families.”

The average cost of living for a family of six in the National Capital Region is P602.31 or P498.04 on a national scale (as of February 2005). The minimum daily wage however, is P250 for non-agricultural workers and P213 for agricultural workers. The gaping difference between the minimum wage and cost of living starts from P352 up to P389.

“The 12 % VAT that will most likely pass the Senate in April and be implemented nationwide will certainly hit OFWs and their families who are already reeling from the harsh wage cuts under foreign governments and the general neglect of the Macapagal-Arroyo administration,” Bragas-Regalado said. ♦



THE huge rally against the passage of the 12 percent VAT at the Philippine Senate on February 16, 2005.



A 12% VAT on sugar, coffee, bread, cooking oil, sardines, noodles, clothes, shoes, medicines, communications, et cetera will raise prices for all these. A bigger chunk of whatever little earnings we OFWs have will go to VAT. This means that our remittances cannot catch up with the increasing cost of living in the Philippines. The VAT is an additional burden to us OFWs and our families.

Withdraw support to the US War on Iraq to save Tarongoy!

MIGRANTE continued to call on President Gloria Macapagal-Arroyo to save a Filipino worker being held hostage by withdrawing all support to the US-led invasion of Iraq.

The MIGRANTE Sectoral Party reiterated that “the Philippine government must fully withdraw all its support to the US war of aggression on Iraq to save Filipino hostage Robert Theodore Tarongoy.”



Robert Tarongoy



Robert's parents: Isabelita and Tomas Tarongoy.

Tarongoy was abducted on November 2004 along with an American citizen, by suspected Iraqi rebels from the Saudi Arabian Trading and Construction Corporation in Baghdad.

Among the abductors' demands were the (1) withdrawal of 6,500 Filipino workers in Iraq at (2) an end to the military cooperation between the Philippines and the United States.

“It is not clear what the Macapagal-Arroyo government is doing to save Tarongoy, including the 6,500 Filipino civilians working in US-owned companies and military bases who have become legitimate targets of Iraqi rebels. If the Philippine government will not withdraw its support to the US war on Iraq, the lives of Tarongoy and all OFWs in the region will be further endangered,” MIGRANTE said in a statement.

Malacanang has not listened to the appeal of the Tarongoy family on March 11, 2005 that specifically sought a political statement from Pres. Macapagal-Arroyo in withdrawing support to the US occupation of Iraq. ♦

Embassy neglected 4 OFWs beheaded in Saudi Arabia

THE Migrante Sectoral Party firmly denounced the Department of Foreign Affairs for “its admission that they were surprised at the news of the unjust beheadings of four migrant workers in Saudi Arabia for the alleged murder of a fellow Filipino worker.”

Foreign Affairs spokesperson Gilberto Asuque said that “the Philippine Embassy in Riyadh was only informed that Sergio Aldana, Miguel Fernandez, Wilfredo Bautista and Antonio Alviza were beheaded in early March 2005 after their execution.”

“This only shows that the DFA and Embassy officials in Riyadh did not exert any effort to save the four Filipino workers despite the families' efforts to pay blood money and secure an affidavit of forgiveness from the family of the slain Filipino,” said Connie Bragas-Regalado, MIGRANTE Sectoral Party chairperson.

Under Saudi Arabia laws, the death penalty will not be carried out if the victim's family will give an affidavit of forgiveness to the accused. Even Malacañang (Presidential Palace) authorities have admitted that slain Filipino's family forgave the four Filipinos who were beheaded in Saudi Arabia.

“The Philippine government did not act on this case. The Macapagal-Arroyo regime allowed the four overseas Filipino workers to be beheaded,” Bragas-Regalado said. ♦

Join MIGRANTE!
Be a VOLUNTEER at
the National Office!
Email us at:
migparty@tri-isys.com

MIGRANTE Sectoral Party formally launched in Taiwan

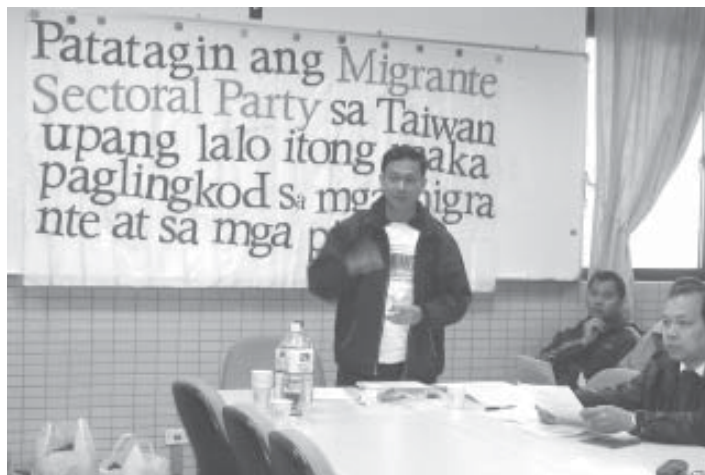
HELPING each other and better service to fellow Filipino migrants in Taiwan was the driving force at the launching of the Migrante Sectoral Party-Taiwan Chapter in its successful general assembly in Taipei last March 13, 2005.

“The objective we set is clear: *Strengthen the Migrante Sectoral Party in Taiwan to advance the rights and welfare of our compatriots,*” said Emma Lacsam, newly-elected MSP-Taiwan Chapter Chairperson.

Also elected were Lalaine Nava (Vice Chairperson), Gi Estrada (Secretary General), Jean Mogdingin (Deputy Secretary General), Yolly Quijano (Treasurer), and Danny Monares (Auditor). The assembly also formed their committees for education, activities, finance and organizing.



SOME officials and members of the MIGRANTE Sectoral Party Taiwan Chapter after their first General Assembly in Taipei.



GI Estrada, MIGRANTE Sectoral Party-Taiwan Secretary General stresses a point in their General Assembly in Taipei.

Thirty six members attended the first-ever general assembly of Migrante Sectoral Party-Taiwan. Representatives from different local Taiwanese non-government organizations (NGOs) such as the Labor Rights Association (LRA), Taiwan International Workers Association (TIWA), Taiwan Migrants Forum, and the Chinese Federation of Labor joined the affair.

For local Filipino migrant organizations, the Filipinos Married to Taiwanese Association, Genuine Ilocano Taiwan Association, Samahang Makata International, Kapulungan ng Samahang Pilipino, and the Hsinchuang Filipino Community were represented.

In a statement, Migrante-Taiwan ascertained that “the attendance of different organizations in the Migrante assembly is part of the initial steps in the formation of the migrants’ movement in Taiwan that has firm links with the local workers’ groups.”

“My dream,” added Lacsam, “is for the Migrante Sectoral Party to flourish all over Taiwan. I always tell my fellow members that it is not enough to fill up our membership forms. As members, we have to be cognizant of our responsibilities. We need commitment. It is our job to keep our group solid and active.”

The assembly also set the direction that Migrante-Taiwan would take for the next two years.

Among its first major activities, Migrante-Taiwan is preparing its members and all Filipino compatriots for the May 1 celebrations in solidarity with the local workers.

Migrante pledged to pursue its efforts in pushing the Manila Economic and Cultural Office (MECO) to call on the Taiwan government to scrap all penalties on undocumented migrants, contract substitution and the payment of additional placement and documentation fees for re-hires.



MSP-Hong Kong launches welfare assistance program

HONG KONG -- Ensuring the protection and immediate action for Filipino migrant workers worldwide and to act for the immediate and appropriate government services.

These are the primary goals of the Rights and Welfare Assistance Program (RWAP) of the Migrante Sectoral Party for all its chapters.

Here in Hong Kong, the MSP-HK-RWAP was formally launched at the Leaders *Kapihan* organized by the United Filipinos in Hong Kong (UNIFIL) on March 20, 2005 in Peak Tram, Central.

"It is high time that a committee is formed to attend to the needs and demands of our compatriots that are not immediately given attention by the Consulate," said Vicky Casia-Cabantac, MSP-HK chairperson.

Comprising the MSP-HK-RWAP committee are Sol Pillas, UNIFIL vice chairperson, Goody Cadaoas, MSP coordinator, Chloebelle Dogeno, TxtPower HK spokesperson, and Cynthia Palamor, Mission for Filipino Migrant Workers (MFMW) volunteer.

The committee aims to give attention and action to complaints against the Omnibus Policies of the Overseas Workers Welfare Association (OWWA) and the neglect of government's responsibility to provide services to migrants in distress.

"We need to collectively show the Philippine government why we are calling for the scrapping of the OWWA Omnibus Policies that trample on the rights and welfare

of OFWs and their families," Cabantac said.

Liberty Ambali of the Filipino Mission Ward Methodist Group and Mely Fernandez of the Mission Volunteers, shared their harrowing experiences when the OWWA denied assistance to their impoverished families.

Among the highlights of the

meeting was the Consulate's neglect towards the 11 seafarers victimized by two illegal recruiters in Manila. The first time that they sought assistance, they were told by Consulate officials that their case would not prosper since they did not have any contract to show. They were advised to return to the Philippines instead of wasting time in Hong Kong.

With the help of the MFMW, the seafarers were able to extend their visas at the Hong Kong Immigration Department in order to file cases at the Labour Department. The MFMW also sought help by seeking shelter, food and other needs from its network.

The distressed seafarers picketed the Philippine Consulate along with the MFMW, Bethune House Migrant Women Refuge, UNIFIL, Migrante-HK members and other organizations to criticize the neglect of Philippine government officials towards distressed migrants.



EIGHT of the eleven seafarers who were victimized by an illegal recruiter in a picket at the Philippine Consulate in Hong Kong.

The collective force of migrant workers got another victory when the Consulate agreed to give them allowances for food, lodging and fares of the seafarers while they were pursuing their case.

The seafarers were overjoyed when they won their case at the Hong Kong Labour Tribunal. Now they are going home to the Philippines while awaiting their claims via the Wages Protection Program on Insolvency Fund of the Hong Kong Labour Department.

Their case will not end in Hong Kong since they will immediately file complaints against the two illegal recruiters who deployed them. According to the seafarers, they are to be assisted by Migrante International in Manila.

Meanwhile, MSP-HK-RWAP has started gathering cases all across the territory. This is part of our program that shall serve as the voice of the victims in relevant government agencies. Copies of the cases will also be furnished to Philippine Congressmen for immediate investigation. ♦

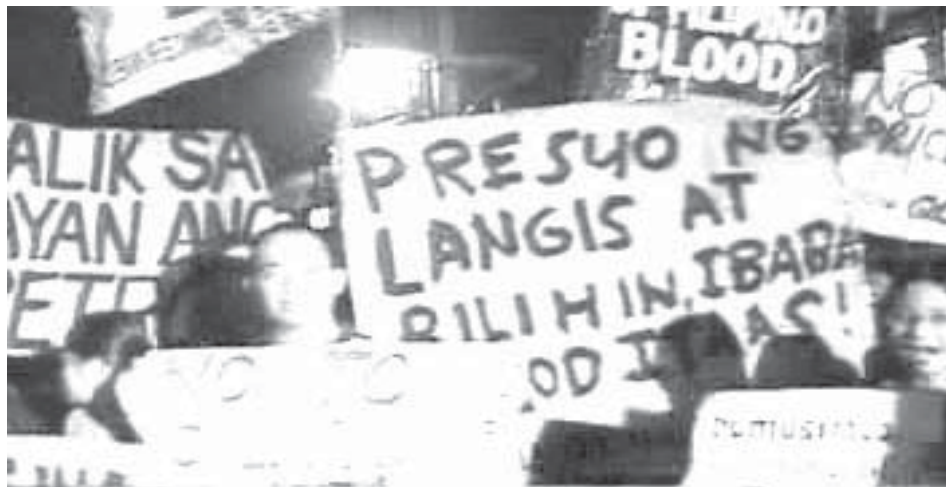
News

The oil industry deregulation law must be scrapped

The MIGRANTE Sectoral Party renewed its call for the Macapagal-Arroyo government to “quit the use of dilly-dallying legalese and immediately scrap the law that gave rise to the rampant hikes in oil prices that have given more economic hardships to overseas Filipinos, their families and most of the Filipino population.”

“The Philippine government’s statements that ‘it was possible that a review of the oil deregulation law (RA 8479)’ is not the solution to skyrocketing oil prices. The continued rise in prices of oil and oil products clearly shows that these laws must immediately be scrapped,” MIGRANTE Sectoral Party chairperson Connie Bragas-Regalado said.

The first oil deregulation law (RA 8180) was implemented to promote “a more competitive market and prices by allowing the entry of “small” oil players to the market monopolized by the so-called Big Three, namely, Pilipinas Shell Petroleum, Caltex Philippines Inc. and Petron Inc.”



“But due to widespread people’s protests in 1997, a new “Downstream Oil Deregulation Act of 1998” (RA 8479) was enacted to pave the way for the full deregulation of the oil industry. This law removed the government subsidy to oil prices, called the Oil Price Stabilization Fund, that provided a cushion to oil price increases and permitted oil companies to raise prices at their whim,” Bragas-Regalado said.

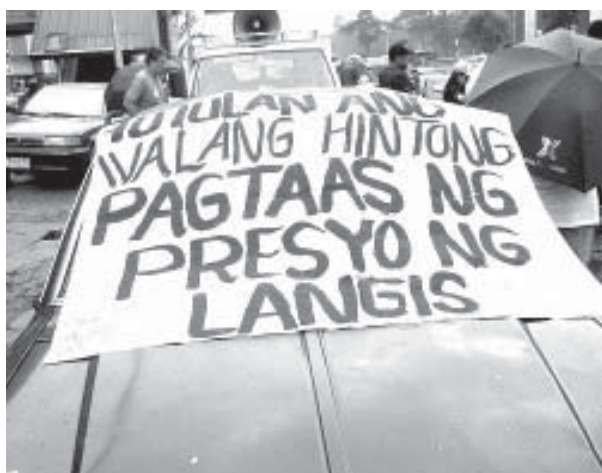
Migrante also put forward its demands for government to concretely address the rampant oil price hikes:

3. Immediate abolition of specific taxes on petroleum products (including diesel and liquefied petroleum gas or LPG);

4. Widest possible public consultations as a requirement before implementing any oil price adjustments; and

5. The full disclosure of oil companies’ pricing schemes and inventories of stocks

“Overseas Filipinos and their families doubly bear the brunt of oil price hikes at home. With shrinking wage levels in most countries abroad, we cannot bear the evils of oil deregulation. Government must atone for this with the scrapping of RA 8479 and heed our immediate demands for the benefit of the majority of the Filipino people. #



1. Centralization of procurement of imported crude oil and refined petroleum products;

2. The Establishment of a buffer fund to be developed from the operations of centralized procurement to protect local retail prices from sudden increases in world prices;

**Rollback oil prices!
Scrap the Oil Deregulation Law!**

Foreign Affairs Committee to look into rights violations against undocumented Filipinos in Malaysia

The House Committee on Foreign Affairs has initially taken up the ongoing Malaysian crackdown on undocumented migrants as an emerging concern of the House of Representatives.

House Foreign Affairs Committee Chairman Antonio Cuenco took credence to the MIGRANTE presentation of the previous Malaysian crackdown in 2002 that told of inhumane deportation procedures and the torture of undocumented Filipinos to be deported during the said Committee's public hearing last March 15, 2005.

"The powerpoint presentation showed that any crackdown was, is, and never will be a humane procedure as what the Department of Foreign Affairs would want the public to believe. The ongoing crackdown this time may prove to be a lot worse with the news blackout in Malaysia regarding the hunt for undocumented migrants, Migrante Sectoral Party Chairperson Connie Bragas-Regalado said.

Foreign Affairs Undersecretary Jose Brillantes tried to dispute the MIGRANTE leader's statements to no avail.

"How can Usec. Brillantes dispute our data? Estimates of the Philippine government and various non-government organizations in the region place the overseas Filipino populace in Malaysia at 712,104 workers. As of December 2004, only 213,000 are considered by the Malaysian government to be legally employed, while the rest are undocumented workers (499,104)" Bragas-Regalado said.

All the jails were filled to the brim even before the crackdown that started on March 1. The Malaysian government is seeking out vacant houses and buildings to place undocumented workers it has seized from factories,

plantations, restaurants, clubs and construction sites.

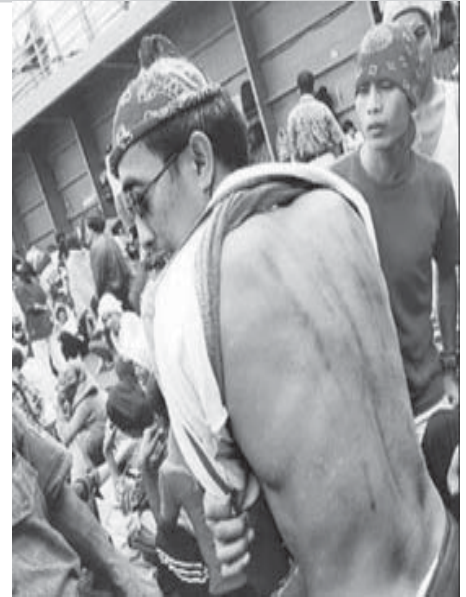
"The 560,000-strong People's Volunteer Corps (also called Relas) who were deputized to implement the crackdown will be rewarded 80 ringgits (P1,144) per undocumented migrant arrested. The Relas have not been trained in humane arrest procedures, respect for human rights and international humanitarian law. Hence, the crackdown is highly open to abuse of authority and due process will not be observed," Bragas-Regalado said.

Undocumented Filipinos will be subjected to arrest, a minimum 14-day detention, caning and deportation. Those who entered as documented workers but have overstayed will not be caned. But there are no procedures on how to distinguish between undocumented workers and overstayers and those who ran away from abusive employers.

There were also media reports that those who opt for legalization of their status must pay up to 3,000 ringgits (P42,900) to the Malaysian government.

However, Rep. Cuenco demanded that Migrante provides the names of the Filipinos who were tortured or caned saying that "these are very serious allegations. You are accusing the Malaysian government of subjecting our people to torture and caning. You better provide the committee with names so that we can look deeper into this."

"We are willing to work with the Committee on Foreign Affairs to attain that end. That is why we have been urging the House to conduct an on-site fact finding mission on the detention centers in Malaysia to ascertain the conditions of our undocumented compatriots who have been caught in the crackdown," Bragas-Regalado concluded. ♦



News

Gov't now branding Muslim OFWs as terrorists!

“Baseless, highly irrational, racist and definitely anti-OFW!”

Thus declared an angry MIGRANTE Sectoral Party Chairperson Connie Bragas-Regalado on the Department of Justice order to monitor returning overseas Filipino workers (OFWs) reportedly ‘contaminated by the terrorist mentality.’

Justice Secretary Raul Gonzalez issued a directive on March 30 to the National Bureau of Investigation (NBI) and Bureau of Immigration (BI) officials to monitor the entry of OFWs coming from the Middle East especially from Saudi Arabia, and even students from Islamic schools in Pakistan.

“We condemn this government witch-hunt on Muslim OFWs and scholars! Sec. Gonzalez’ claims of ‘intelligence reports revealing that some of the Muslim converts became Muslim extremists and terrorists when they returned to the Philippines’ is totally illogical and baseless. This government is again sending the wrong message to the public: that our Muslim brothers and sisters are a violent people. Now they include our Muslim Filipino compatriots who were forced to work and/or study in the Middle East due to the lack of opportunities here in the country and the government’s war against Muslim communities that have destroyed the Madrasahs and even mosques time and again since the 1970s. This is definitely anti-Muslim and anti-OFW,” Bragas-Regalado charged.

Migrante also said that “the DOJ order stinks of the United States government’s concept of Homeland Security, racial profiling and terrorist branding and witchhunting.”

“The said order has practically branded all OFWs who believe in Islam as ‘potential terrorists.’ It is a witchhunt on the very people who government always claims as the country’s ‘new economic heroes.’ This is actually a copycat tactic of the Department of Justice. They are mimicking the illogical and baseless tirades of the United States government towards Muslims and other nationalities. The DOJ order must be immediately scrapped by Malacanang,” Bragas-Regalado ended. ♦

Singapore laws are definitely anti-migrant

The MIGRANTE Sectoral Party criticized the Department of Labor and Employment of officials for deceiving the public for saying that “Singapore is good destination for overseas Filipino workers due to its new measures enacted in the city-state.”

“Labor undersecretary Manuel Imson is misleading the public in calling the new Foreign Manpower Division (FMD) of the Singaporean government as a ‘welfare protective agency for legally employed foreigners.’ But a careful examination of the Immigration Amendment Act of 2004 passed by the Singapore legislature in November 16, 2004 reveals that this new office was created to crackdown on undocumented migrant workers that include Filipina domestics who enter Singapore on tourist visas,” MIGRANTE Chairperson Connie Bragas-Regalado said.

The Department of Labor and Employment furthered that “the FMD, under the Ministry of Manpower (MoM), is tasked to protect foreign workers, improve professionalism among employment agencies and strengthen employment enforcement by conducting spot checks on employers of foreigners.”

“But Philippine labor officials ignore the fact that under this Immigration Law, the Singapore Immigration & Checkpoints Authority (ICA) and MoM have provided an online verification service wherein any Singaporean can verify the status of their tenants directly with ICA and MoM. This provision will render undocumented Filipino workers, especially those who entered Singapore on tourist visas, prone to arrest at airports, roads, seaports and be penalized with fines and jail terms. Migrant workers who enter on tourist

visas are illegal under the said law,” Bragas-Regalado said.

Among others, a levy will be exacted from migrant workers with a S\$2,500 basic monthly salary.

Also a former domestic worker in Singapore, Bragas-Regalado added that “the Singapore government’s FMD, MoM and ICA will not improve the services and protection of OFWs as the DOLE would want to project. It will only intensify the existing anti-migrant policies and exact revenues from undocumented workers in the police-state.”

Migrante also pressed Philippine labor officials to “stop praising the Singapore government for creating new anti-migrant policies. The adverse impacts of the Immigration Law amendment should be studied so that appropriate contingency measures can be taken to protect the undocumented Filipinos in the police-state.” ♦

MIGRANTE Position Papers

New Immigration Law will penalize victims of human trafficking in Japan

The Migrante Sectoral Party has called on the Philippine government to clear the air and appropriately respond to a new immigration control law that would ride roughshod on victims of human trafficking in Japan.

Law No. 73 enacted by the Japanese Diet on June 2, 2004 for the Partial Amendment of the Immigration Control and Refugee Recognition Act in its 159th session is in reaction to a supposed “deterioration of public security” and to address rampant human trafficking.

When issues and laws of “public security” – a euphemism for anti-terror legislation – crop up, victims of human trafficking, undocumented migrant workers and foreign residents become targets of inhumane procedures that include warrantless arrests, jail terms, steep fines and deportation.

Technically, most of all the 304,678 Filipinos in Japan may be subjected to the harsh penalties and procedures of the new Japanese law.

Effective last December 2, 2004, the said Immigration Control aims to immediately decrease the number of the estimated 250,000 ‘illegal foreign residents’ that include at least 31,000 Filipino overstayers, 82,000 Filipino entertainers, and thousands of Filipino wives whose residency status can be revoked by the Japanese government.

Overstaying entertainers, trainees and undocumented Filipino workers (also called ‘bilogs’) who comprise the bulk of Filipinos in Japan will be criminalized by this new law. Human traffickers will go scot free and will continue to amass

The new immigration law and the crackdown on undocumented Filipinos in Japan will not address the issue of human trafficking. It will only raise revenues for the Japanese authorities by further penalizing Filipino victims of human trafficking.



The Philippine government has so far only expressed concern for the possible loss of the annual average of US\$1 billion in remittances from Filipinos in Japan. It is only seeking a 2-5 year moratorium in the implementation of the new immigration law and looking for other countries to deploy Filipina entertainers. Both the Philippine and Japanese governments are in fact perpetrators in the trafficking of Filipinas.

Seeking a moratorium on the new immigration law is only staving off an impending tsunami of further abuse and criminalization of our compatriots in Japan. Government should exact all measures to protect the

democratic rights and welfare of Filipinos in Japan who are targets of the new immigration law.

profits out of the blood and sweat of migrant workers.

Under the new immigration law, victims will meted bigger fines (for Y2 million to Y3 million) and jail terms. They shall also be deported as illegal aliens and will not be allowed to enter Japan for a longer period than before. Moreover, victims of human trafficking, have very little access to legal remedies, psychological and financial support from the Japanese government.

Finally, the Philippine government must pursue the creation of stable job alternatives and livelihood opportunities for our people, especially our women, so that they are not forced into the web of human trafficking in Japan and elsewhere in the world. ♦

MIGRANTE Position Papers

On the Plight of Stranded Filipina Workers in Jordan

The MIGRANTE Sectoral Party has taken the plight of at least fifty (50) Filipina overseas workers who ran away from abusive Jordanian employers who are stranded at the Philippine Embassy in Amman, Jordan to the halls of Congress.

These Filipina OFWs, including two pregnant women and a rape victim, have been requesting for the immediate settlement of their respective cases and repatriation assistance from the said embassy.

Reports of abused OFWs who were repatriated from Jordan by the Department of Foreign Affairs after the MIGRANTE's intervention point to officials of the Philippine embassy, namely Philippine Ambassador to Jordan Ruperto Dizon, Consul Aric Arevalo, Embassy Administrative Officer Atty. Edmundo Venturanza and Welfare Officer Evelyn Laranang as the culprits of the practice of returning distressed OFWs to their respective recruitment agencies in Jordan if they cannot pay for their deployment and repatriation expenses; with at least two of the said OFWs (Christine Bautista and Dalmacia Fornillos) to be returned on March 20 and 24, 2005 respectively to their abusive recruitment agencies.

The DFA for its part, stated in a press release dated March 1, 2005, that Ambassador Dizon is said to have met with Jordan's Border and Residency Directorate-General Mohammed Khalef Al-Jariri on the concerns of OFWs last February 2005. The dialogue supposedly focused on the processing of residency and work permits, the reporting and facilitation of speedy resolution of OFW cases in Jordan. But nothing was mentioned on the plight of at least 50 runaways at the Philippine Embassy in Jordan.

The plight of women OFWs in Jordan is made worse by Philippine embassy officials and the DFA. Despite the



presence of a P100 million Assistance to Nationals (ATN) fund that covers repatriation of distressed OFWs, the DFA continues to refuse the distressed Filipino workers' appeals for repatriation.

Worse, the DFA even continues to pass on the responsibility of repatriation to the distressed families of the abused OFWs by asking them to shoulder thousands of dollars in payment for the said expenses including penalties for overstaying. These wicked actions of officials at the embassy and the DFA violate Section 27 of the Migrant Workers and Overseas Filipinos Act of 1995 (Republic Act No. 8042) that mandates the Priority Concerns of Philippine Foreign Service Posts under the country team approach, as enunciated under Executive Order No. 74, series of 1993, stating that "the protection of the Filipino migrant workers and the promotion of their welfare, in particular, and the protection of the dignity and fundamental rights and freedoms of the Filipino citizen abroad, in general, shall be the highest priority concerns of the Secretary of Foreign Affairs and the Philippine Foreign Service Posts.

Also, Section 58 of the Implementing Rules and Regulations of R.A. 8042 mandates that in all cases where the workers are in need and without means,

the OWWA personnel at job site, in coordination with the DFA, shall cause the repatriation of the distressed workers.

Congress and the public were not consistently advised by the Philippine government, through Philippine Overseas Employment Administration (POEA) Memorandum Circular Nos. 29 and 33, that the deployment of domestic workers to Jordan following reports of unabated maltreatment and exploitation of our nationals was banned in 1990.

But MIGRANTE and various media outfits discovered POEA records showing that 3,600 Filipinos worked in Jordan from 1990 to 1995 and 2,928 from 1996 to 2000; indicating that the POEA still deployed domestic workers to the said country despite the ban.

To date, according to DFA stock data on OFWs, majority (about 7,000) of the 12,343 Filipinos in Jordan are either irregular or undocumented domestic workers. These include the 50 runaway domestic workers in the embassy in Jordan. The continued deployment of the POEA despite the ban that was recently lifted by the Department of Labor and Employment (DOLE) contributed to the continued rise of abused OFW cases in Jordan.

>>> please turn to page 15

MIGRANTE Position Papers

The unsolved murders of Veneranda “Bebe” Pana and Divina Benebenze “Beth” Urbi *A clear case of criminal neglect towards overseas Filipinos by the Department of Foreign Affairs of the Macapagal-Arroyo Administration*

by the MIGRANTE Sectoral Party, MIGRANTE-Europe and MIGRANTE International

14 March 2005

Two Filipinas Murdered in The Netherlands

What was almost hidden from the Filipino public by the Macapagal-Arroyo government are events that have ended the lives of two of our female compatriots in Europe.

Veneranda “Bebe” Paña, a 32 year-old teacher and native of Cebu was declared missing in The Netherlands on January 19, 2001 by the Dutch government.

The Dutch police dismissed the disappearance of Bebe in 2002 as an unsolved case.

But interest in the case and extensive coverage by the Dutch media increased. After being prodded into reviving the case by a Dutch TV producer, Peter de Vries, a popular crime reporter in The Hague who was approached by members of the Filipino community, the police re-opened Bebe’s case.

Bebe’s second Dutch husband, Dr. Edwin Tenwinkel of Neunen, The Netherlands is the prime suspect in her murder.

Last January 19, 2005, the Dutch police found a body under the living room of the house of Elmer Tenwinkel, Edwin’s twin brother. A subsequent DNA test established that the body was indeed Bebe’s.

While Edwin and Elmer were both initially put under police custody, Elmer has since been released. The Pana family with the help of Filipino organizations in Holland, was able to reverse a Dutch court decision that would have granted the Tenwinkel family custody of Bebe’s

remains on March 1. As such, Bebe’s body has since been repatriated to Cebu last March 5.

After Bebe’s disappearance in 2001, Tenwinkel claimed variously that she had gone home to Cebu and that she was undergoing medication in The Netherlands and was going home to her family soon.

Tenwinkel consistently spun different lies when he came to the Philippines. He told Bebe’s family that she was in The Netherlands. While in his homeland, Tenwinkel would tell people that Bebe went home to the Philippines.

Bebe was almost cremated and buried in The Netherlands last February 17 after the Dutch Justice Ministry released her remains to Edwin’s family. The burial was stopped at the last minute after a Dutch court issued an injunction that same day. It must be noted that the Philippine Embassy only made representations for the Paña family on February 15.

The issue of Bebe’s murder became a national issue in The Netherlands. Various organizations such as Stichting Silangan, Stichting Pinay sa Holland-GABRIELA, MIGRANTE-Europe, and various communities of Filipinos and other citizens in Holland, Norway, Canada, Norway, the Netherlands, Belgium, Finland, Germany, the United States, Saudi Arabia, Japan, Hong Kong, Macau, Thailand and MIGRANTE International in the Philippines have pressured the Dutch authorities to release the remains of Bebe.

The campaign for justice for Bebe continues.

These supporters have even had to raise funds to help in the lobbying efforts for the case of Bebe. This is inspite of the fact that the Department of Foreign Affairs (DFA) has been allocated funds by Congress for the purposes of legal assistance and repatriation of overseas Filipinos in distress.

But the Philippine Embassy in The Hague most likely did not inform the DFA of Bebe’s mysterious disappearance and her husband’s most likely culpability for her disappearance. The Dutch national media has given a lot of attention to Bebe since she had gone missing that makes it very unlikely that Bebe’s disappearance had not come to the attention to the Philippine Embassy in The Hague.

Clearly, the Philippine Embassy in The Hague ignored the case of Bebe for four years. It acted only after being confronted by the lobbying made by Filipino organizations and the cases (of both Bebe and Beth), have hugged prime time coverage by the Dutch media.

Another Filipino who was working as a nanny of Edwin Tenwinkel was also found dead in his home in March 4, 2002.

Divina Benebenze “Beth” Urbi, 41 year-old widow and an overseas Filipino worker from Rosario, Cavite was found dead in her room after only a few months of work. An autopsy report ruled out foul play and her body was subsequently cremated. The family had been demanding an autopsy report but has not received it to this day.

Beth was hired by Edwin Tenwinkel to care for his young son in late 2001 since Bebe was then “missing.”

>>> please continue to next page

MIGRANTE Position Papers

Now that Edwin Tenwinkel is the primary suspect in the murder of Bebe and despite clues provided by the Dutch media that Edwin is also likely involved in Beth's mysterious death, what is the Philippine Embassy in The Hague doing to pursue the case of Beth?

These two cases are affronts to the dignity and well-being not only of the departed Bebe and Beth. It has not only grossly offended the bereaved families of our two compatriots. It gravely insults us as a nation and as a people.

Negligence of the DFA

In these types of cases, the Department of Foreign Affairs with its avowed "highest standards of professionalism and commitment," should work for social justice, human rights and thus, its missions abroad are the partners of Filipinos overseas in the pursuit of the national interest and in the promotion and protection of their rights and well-being.

In fact under the leadership of Secretary Alberto Romulo, the DFA claims to have a highly responsive system, which ensures effective delivery of services to overseas Filipinos.

It is further stated in its mission that the DFA is to advance the interests of the Philippines and the Filipino people in the world community.

Bearing this in mind, the mandate of the Philippine Embassy to The Hague in the Netherlands in advancing the interests of Filipinos in its area of responsibility is to vigorously pursue cases such as those of Veneranda "Bebe" Paña and Divina Benbenze "Beth" Urbi.

The DFA has bragged in its press statement dated March 8, 2005 that a total of P825,000 was spent by the Department for the services of a lawyer and other requirements for the repatriation of Bebe's remains.

But the conduct of the DFA and the post in The Hague in the ongoing cases of

Paña and Urbi in the Dutch Courts shows that Sec. Romulo and his personnel, particularly Ambassador Romeo Arguelles in The Netherlands are neglecting their duties.



The late Veneranda "Bebe" Paña

At the very least, they have violated Sections 2, 23 and 27 of the Migrant Workers and Overseas Filipinos Act of 1995 (Republic Act No. 8042). By neglecting the cases of Bebe and Beth by the DFA and the post in The Hague violated the following Sections of the said Act:

In neglecting the said cases, failing to make timely and appropriate representations with the appropriate Dutch authorities to pursue justice for the two Filipinas, Sec. Romulo and Ambassador Arguelles violated **Section 2 (a)** of the said Act that states that "the State shall, at all times, uphold the dignity of its citizens whether in the country or overseas, in general" and **Section 23 (a)** that mandates the "Department of Foreign Affairs through its home office or foreign posts, shall take priority action or make representation with the foreign authority concerned to protect the rights of migrant workers and other overseas Filipinos and extend immediate assistance."

Romulo and Arguelles also violated **Section 27** of the same law that stipulates the Priority Concerns of Philippine Foreign Service Posts wherein the DFA and the Philippine embassies and consulates shall work for the "the protection of the dignity and fundamental rights and freedoms of the Filipino citizen abroad" as "the highest priority concerns of the Secretary of Foreign Affairs and the Philippine Foreign Service Posts."

It also very absurd for the Macapagal-Arroyo administration to heap awards to Filipino immigrants who have "made it" abroad, while its Foreign Affairs portfolio states that the case of Bebe, who was a Dutch citizen at the time of her death, should be left to the mercy of the Dutch justice system.

Our Recommendations

1. The two victims' families and migrant organizations demand that justice be pursued by a responsible and responsive Philippine government.

The Philippine government must call for the immediate arrest, prosecution and appropriate conviction of Edwin and Elmer Tenwinkel that no whitewash is done by the Dutch Justice Ministry.

2. All forms of government support must be extended to the bereaved families of Veneranda Paña and Divina Benbenze Urbi in the pursuit of justice for their deaths.

3. An immediate investigation on how the Department of Foreign Affairs, under the leadership of Sec. Alberto Romulo, spends its annual budget, including the Assistance to Nationals Fund and the Emergency Repatriation Fund.

The increasing appropriations Congress allots annually to the DFA that amounted to P4.096 billion in 2003; P4.9 billion in 2004 and P5.02 billion this year.

The performance of the DFA and its post in The Netherlands reveals the criminal neglect of the Macapagal-Arroyo administration towards overseas Filipinos. It deserves a full-blown investigation by Congress. ♦

MIGRANTE Position Papers

From Executive Order 182 (s. 2003) to Executive Order 392 (s. 2004): **Completing Total Disservice to OFWs and their Families**

OWWA and it's Mandate

The Overseas Workers Welfare Administration (OWWA) is a Philippine government agency attached to the Department of Labor and Employment (DOLE). The agency is mandated, *first*, to provide welfare assistance to registered overseas workers and their dependents; and *second*, to ensure the viability of the Welfare Fund.

This twin mandate presents a continuing challenge for OWWA to strike the right balance in managing and safekeeping the Fund while at the same time, extending programs and services to its rightful beneficiaries – our overseas Filipino workers and their families. With the passage of the Migrant Workers and the Overseas Filipinos Act of 1995 (RA 8042), OWWA is expected to strengthen and expand its mantle of services for the Filipino overseas contract workers and their families.

Sad to say, the OWWA has been besieged with a series of scams threatening the Fund and the welfare assistance programs it is mandated to provide to at least 3.6 million registered overseas workers and their dependents.

The coming transfer of a sizable chunk of the trust funds held at the OWWA will happen soon with the highly immoral and questionable Executive Orders 182 (s. 2003) and 392 (s. 2004)

Anomalous Transfer of the OWWA Medicare Fund

On February 14, 2003, the President of the Republic signed Executive Order No. 182 that mandated the transfer of the Medicare Fund and the medicare functions of the OWWA to the Philippine Health Insurance Corporation (PhilHealth). This is devoid of consultations among the migrant organizations and without the knowledge of the OWWA Board of



PhilHealth president Francisco Duque told President Macapagal-Arroyo that ***"It is respectfully requested that the Proposed Executive Order (EO 182) be approved by Her Excellency before the year ends. The proposed transfer will have a significant bearing on 2004 elections and on the President's desire to provide health insurance to 8M indigents by end of 2003."***

Executive Order 392 only amended the controversial EO 182 and fast-tracked the transfer of P530,382,446 of the OFW Medicare Fund from the OWWA to the PhilHealth.

Duque recently revealed that PhilHealth lost at least P520 million to padded or fake insurance claims. So was the anomalous transfer of more than P530 million from the OWWA aimed at keeping the glowing figures and claims of efficiency that he always boasts of in media interviews and Congressional inquiries?

Trustees as two of its members, POEA Administrator Rosalinda Baldoz and Cora Carsola, the only OFW representative in the OWWA Board, had firmly disagreed to the transfer.

Ms. Carsola was only informed of the existence of EO 182 on June 2003.

The idea of transferring the OWWA Medicare fund, which is a **Trust Fund**, to PhilHealth came from the President and CEO of the PhilHealth itself, Dr. Francisco Duque based on his Memorandum for the President dated November 20, 2002.

Dr. Duque made mention in his Memo for the President that ***"It is respectfully requested that the Proposed Executive Order (EO) be approved by Her Excellency before the year ends. The Proposed transfer will have a significant bearing on 2004 elections and on the President's desire to provide health insurance to 8M indigents by end of 2003."***

These words reveal the real intent of the transfer of the overseas Filipino workers' Medicare fund from OWWA to PhilHealth in the context of E.O. 182. The MIGRANTE Sectoral Party, United Filipino in Hong Kong (UNIFIL), Migrante International and other migrant organizations in the country and abroad have consistently exposed and opposed this evil scheme. They view the anomalous transfer was a Malacañang political move to amass more campaign funds for Arroyo's election bid in May 2004.

In a forum held on July 6, 2003 at the Philippine Consulate in Hong Kong, PhilHealth's Dr. Duque admitted that effecting the transfer without consulting the stakeholders of the trust fund is an "oversight."

He was asked also to explain what he meant by *"The proposed transfer will*

have a significant bearing on 2004 elections...” in his November 20, 2002 Memo for the President. He replied that he “just wanted to build up the name of the President” to the 8 million indigents – which they think are possible voters.

The trio of the President’s lackeys, Labor and Employment Secretary Patricia Sto. Tomas, former OWWA Administrator Virgilio Angelo, and PhilHealth CEO Francisco Duque have exerted all possible ways to cause this grave anomaly.

Despite formal petitions and protests from OFWs and their families and pending investigations at the House of Representatives, OWWA Board Resolution No. 005 (s. 2004) dated February 2, 2004 proves that the transfer of OWWA Medicare funds to PhilHealth was being railroaded by Macapagal-Arroyo stooges in the labor portfolio.

For being at the head of the devious transfer of OFW health care funds, President Macapagal-Arroyo is advancing selfish political ambitions at the expense of OFWs’ health services. The pursuit of this grave anomaly shows that President Arroyo is not concerned with the rights and welfare of OFWs. It is obvious that the President’s concern lies in the OFW funds that are not government money in the first place.

In the House of Representatives various legislators filed many Resolutions including your Resolutions requesting to recall E.O. 182 (HR No. 03), investigate the use of OWWA funds (HR Nos. 04, 28 and 33) and annul OWWA Board Resolution No. 005 (HR No. 552).

These Resolutions are supported by OFWs and their families. These efforts are being blocked by Malacanang operators in Congress.

Despite firm opposition of OFWs and their families and the Resolutions filed by the House of Representatives to recall Executive Order 182, President Macapagal-Arroyo and her allies in Congress defied the legislature’s efforts to protect the OFW Medicare fund and went ahead to issue Executive Order 392 dated December 28, 2004, entitled

“Transfer of the Medicare Functions of the Overseas Workers Welfare Administration to the Philippine Health Insurance Corporation and Amending for the Purpose Executive Order 195 dated August 13, 1994.”

Executive Order 392 only amended E.O. 182 and fast-tracked the impending hideous transfer of at least P530,382,446 of the OFW Medicare Fund from the OWWA to the PhilHealth on March 1, 2005! PhilHealth Board Resolution No. 760 (s. 2005) is itself the Implementing Rules and Regulations of E.O. 182 as amended by E.O. 392.

Nature of the OWWA Medicare Fund

The Medicare Fund is a trust fund as are all funds at the OWWA. The Medicare fund is taken from the contributions of P900 from each OFW. The fund is intended for the medical needs of OFWs and their identified dependents/beneficiaries only.

We have expressed our fears that the OWWA Medicare fund will be misplaced and be diluted by the capricious and selfish acts of top-ranking corrupt officials in the labor department headed by the President of the Republic herself.

The anomalous transfer of the OWWA Medicare fund to PhilHealth and other big scams at the OWWA against OFWs deserve to be investigated and the culprits prosecuted.

The efforts by the Macapagal-Arroyo’s minions to smokescreen rampant graft and corruption in the labor department with bogus and anti-migrant programs cannot exonerate Pres. Gloria Macapagal-Arroyo, Patricia Sto. Tomas, Virgilio Angelo, current OWWA Administrator Marianito Roque and Francisco Duque from culpability.

Executive Orders 182 (s. 2003) and 392 (s. 2004) aim to take away what little OFWs have in OWWA Medicare. The said Orders are highly arbitrary, devoid of due process, and aim to immorally transfer a huge chunk of OFW health care funds to the detriment of OFWs and their families.

The various trust funds at the OWWA have been subject to various scams at the behest of the President herself. Executive Orders 182 and 392 are just some of the highly questionable moves to take out more funds from the OWWA, there are more scams to be uncovered.

We reiterate that the OFW Medicare Fund and all funds at the OWWA are not state funds. It is only administered by the OWWA and is not meant for the furtherance of selfish ambitions, most especially that of President Macapagal-Arroyo. ♦

On the Plight of Stranded Filipina Workers in Jordan (from page 11)

The plight of the abused OFWs in the Philippine embassy in Jordan will get worse with the continued negligence of Philippine officials in the Philippine embassy, DFA and POEA.

Hence, MIGRANTE urges the Special Committee on Overseas Workers Affairs and the Committee on Foreign Affairs to jointly conduct an investigation, in aid of legislation, into the status of abused Filipina overseas workers stranded at the Philippine Embassy in Amman, Jordan.

Focus should also be given to the highly questionable practice of returning Filipina domestic workers to abusive employers and recruitment agencies being done by DFA and embassy officials and the possible administrative and criminal liability of the POEA for the continued sending of domestic workers to Jordan despite the government’s deployment ban on domestic and unskilled workers to Jordan from 1990 to 2005.

Finally, the said House Committees should also cause the Department of Foreign Affairs to submit a full report on how the P100 million Assistance to Nationals (ATN) fund has been disbursed through the years to determine if it has been actually used for the purpose of assisting our distressed compatriots abroad. ♦

You only know how to count



You only know how to count the following:

the US\$8.5 billion remittances every year

the aid funds from the American and Japanese governments

the millions of pesos that are slowly being stolen from the funds at the OWWA

and from those who were forced to find work outside of the Philippines.

You are not worried

about the thousands of Filipinos jailed overseas

about your open support to the US' wars against other nations even if these will endanger our lives

about the thousands of distressed Filipinos neglected by host nation governments and your administration

you continue to go with the laughter of Bush

and continue with your paeans of "new hero" labels to us.

Do not ever think, that there is no payback

in and out of the beloved Motherland

for the exploited people will not forever remain silent.