

New Migrant FOCUS



Issue # 12

Aug 2000

A monthly newsletter of the Mission for Filipino Migrant Workers - Hongkong (MFMW)



PDI Jul 25

State Of The Nation: Unrest!



PDI Jul 25

The State of the Nation Address by Philippine President Joseph "Erap" Estrada has shown how low the country has sunk into the pits of economic poverty, political repression, and violence.

As Estrada delivered his SONA, tens of thousands of workers, peasants, students, professionals, employees, women and church people stormed the streets and dramatized the real state of the Filipino people. The peaceful assembly and demonstration of their legitimate right was met by unjust brutality from the Philippine National Police under the orders of Metro Manila police chief Edgar Aglipay. According to the Bagong Alyansang Makabayan (New Patriotic Alliance), 25 of their members were arrested while 40 others were injured including nuns, priests and seminarians

Not surprising, for Estrada himself, while touting the farcical achievements of his administration, continues to act tough in the face of the mounting political and economic crisis in the country. A too tough act for a country whose unemployment continue to soar together with a ballooning foreign debt. A too tough act for a president whose ratings among the people shrink faster than the economic recovery he promised. A too tough act for a chief executive whose proclamation of defeat of the Moro Islamic Liberation Front has been scoffed at by the people themselves and belied by the MILF's subsequent attack against government forces.

Estrada's exposition of development was disproved by the massive turnout of demonstrators nationwide. The only claims of "progress" that President Estrada has were the policies and programs which has benefited his friends, family, cronies and foreign monopolists. These include the monthly Oil Price Hikes by the Big Three multinational oil company (Petron, Caltex, Shell) which continue to siphon billions of profits despite the "begging" of Estrada himself. Also highlighting Estrada's three-year reign is the imposition of dubious taxes like the Road User's Tax, the yearly increase in tuition fee with a corresponding decrease in the budget for education and other social services,

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EDITORIAL



Nature is Not to Blame

The Payatas refuse dump is not as well-known as Smokey Mountain. Smokey Mountain in Tondo, Manila, gained international recognition as a symbol of poverty and neglect, a contrast to the Marcos dictatorship's pretensions to greatness and beauty. But Smokey Mountain is all gone now. Mr. Ramos leveled it and turned it into a housing and commercial site, which its residents could hardly afford. Thus displacing thousands of Smokey Mountain's residents.

Payatas refuse dump would have remained a relatively unknown place, a hidden depository of Manila's, Quezon City's and San Juan's dirt, were it not for the tragedy that befell it. After a week's heavy rains brought about by storms *KaiTak* and *Kishogi*, a large chunk of the uncompacted mountain of garbage collapsed on 10 July 2000 on the shacks ringing the foot of the garbage dump. More than two hundred bodies have so far been found from the *garvalanche*. Hundreds more are missing.

Payatas garbage dump has its beginnings in 1972. The Quezon City government leased 22 hectare in Payatas to be used as refuse dump. The place chosen seemed suitable then. It is a natural depression between rolling hills. More importantly, it was far from human habitation or any form of developments. Hence, nobody would complain of the foul smell. Slowly over time, the depression began to fill and had risen to more than 15 meters high. Just before the tragedy, 400 truckloads of unsorted refuse were unloaded daily. Incidentally, one of the contractors for this dumping operation is the Mayor's son, Chuck Mathay.

The dump attracted the jobless and the displaced. Relocateses from Tatalon (QC) and Smokey Mountain squatter communities were also brought to Payatas. Sorting recyclable materials from the mountain of garbage was the easiest work to find. One need not have academic degrees to do the job. One needs only to endure the indescribable smell of putrefaction. Scavenging however was never an easy job. Methane gas escaping from the decomposing rubbish, bottle shars and corroded metals, flies and worms, all these contribute to the dangers a place and a work like that, pose to one's health. But it was a matter of survival. They also have their lives to live and dreams to fulfill. Pres. Joseph Estrada did order the closure of Payatas. But he offered no alternative livelihood for the 60,000 residents of the area. Closure of Payatas without alternatives is naiveté.

The dead, injured and homeless in Payatas were not victims of natural calamity. They were victims of government neglect and public apathy. That there are people living in shanties perched on garbage, while others live in opulent and plush houses in exclusive subdivisions, is a testimony to the chasm that separates the rich from the poor. That a huge economic divide exists is a testimony to the vast inequality in the distribution of wealth. That such an inequality exists is a testimony to the deficiency of the prevailing economic system. As long as the Philippines remain in backward agricultural and pre-industrial economy, there can never be real progress. Liberalization is not an answer either. It only suck the marrow. There is therefore the imperative for radical and structural changes. These must be our strategic goals. Meanwhile we support the people of Payatas in their class suit against the government for criminal neglect. We call on Filipino migrant workers around the world to join us in this endeavor.

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the Payatas tragedy were hundreds died and still hundreds remain missing, and the opening of the floodgates for the return of leeches-like cronies.

His pet "victory" over the MILF has caused the displacement of hundreds of thousands of Moros, Christians and Lumads, the disruption of the much-needed delivery of basic social services, and the deaths of thousands of civilians, Moros and even members of the Armed Forces of the Philippines.

The unrest which has stemmed from the chronic crisis of the Philippine economic and political system compounded by the blunders of a dysfunctional government has reached new heights. This was proven by the increasing frequency and magnitude of mass demonstrations against the government and its policies. Workers strikes in strategic industries like the Philippine Airlines (PAL), Meralco, and the Light Rail Transit (LRT) are sprouting like mushrooms. Peasants occupy government offices to demand land reform. Other sectors continue to advance issues of sectoral and national concerns. The call to Oust Estrada reverberates throughout the country and even among migrant Filipinos in Saudi Arabia, United States, Hong Kong, Canada and

Europe. Even the middle-class sector has already dropped its call for reforms and is already calling for the removal of Estrada from the office.

The resurging mass movement has resurrected the evils of Martial Law. The dispersal of the peaceful SONA demonstration exhibits the intolerance of the government over legitimate expression of demands of the people. The continuing militarization of the countryside through the Operation Plan "Makabayan", the bombing of Mindanao, the attacks against groups like the MILF and the New People's Army (NPA), the push for emergency powers, the proposal for a national ID system, and the grave disregard for people's rights showcase a government rapidly losing its confidence of the people. It shows an administration desperate to hold on to power amidst the people's discontent.

Aptly titled "A New Beginning", the SONA signaled a new period for the Filipino people's struggle. It signaled a new strength and resolve of the people to intensify the fight to once and for all end the reign of Joseph Estrada and work for the attainment of the centuries-old struggle for freedom, democracy, a long-lasting peace, and a just society.

WISAP 2000:

End the Global Sex-Trafficking of Women and Children!

GABRIELA, a national alliance of women's organizations in the Philippines hosted the 8th Women International Solidarity Affair in the Philippines (WISAP 2000) last July 19-21, 2000. WISAP is a gathering of women from different countries organized by GABRIELA with the aim of building and strengthening bridges of solidarity and sisterhood among women working for change. It also aims to facilitate linkages and promote solidarity actions on global issues that affect women. With the theme: **Beyond Prevention, Protection and Prosecution Struggling Against the Global Sex-Trafficking of Filipino Women and Children**, is also the highlight of the Purple Rose Campaign Against Sex Trafficking of the Filipino Women and Children. WISAP 2000 was participated by 67 militant women in the countries of Bangladesh, Canada, Germany, Hong Kong, Japan, The Netherlands, New Zealand, Norway, Philippines, South Korea and United States.

Since its birth, GABRIELA has remained committed and engaged in advancing the rights and welfare of Filipino women. Sex trafficking or profiting from systematic and organized transport of women and children for sex had become widespread, even reaching global proportion, as an offshoot of poverty resulting from globalization in the Philippines and other third world countries. Agricultural workers have been displaced owing to massive land-use and crop conversions. In addition, workers had been reduced to virtual slaves as a consequence of rampant promotion of cheap and flexible labor through contractualization, particularly in the manufacturing sector, where majority of the workers are women. The underemployment, unemployment and in some cases total absence of income opportunities resulting from this development aggression had severely limited women's choices, making migration a more attractive option as a means of coping with poverty. However, documented cases of migrant women who had become victims of prostitution and or violence point to the conclusion that migration renders women vulnerable to exploitation in its various forms.

The conference opened by keynote speech of Sister Mary John Manansan, OSB, Chairperson of GABRIELA. Leaders of various organization all over the world presented their papers on the current trends, policy advocacy and research of sex trafficking and participated by reactor panelist. The Mission, as one of the delegates from Hong Kong, shared experiences on the said topic and gave inputs on the importance of research and documentation of cases during the workshop. With the average intake number of 120 cases handled monthly, the Mission shared how data gathering, encoding and analysing of the result helped in organizing, campaign and advocacy work of the organization. It was also shared that the media frequently asked the Mission on the data of migrant workers in Hong Kong which also helps in the dissemination of information or issues of migrant workers in Hong Kong. On the last day of the conference proper on 21 July, results of workshop were presented followed by the approval of the WISAP conference resolutions. The plan of action was discussed thoroughly and finalized by the delegates of WISAP 2000. A two-day exposure was part of the program for participants to see concretely the conditions of peasants, workers and the urban poor in the Philippines. After the exposure the participants of the conference joined in the mobilization to the 2nd State of the Nation Address (SONA) of President Estrada.



KNOW YOUR RIGHTS

Know your rights... will be a regular column of our Migrant Focus. It will deal with common and not-so-common problems foreign domestic helpers encounter while working in Hong Kong. Examples and cases that will be mentioned or discussed here are those that we, at the Mission, have handled and are stored in our databank. You can also write to us and we will publish and answer your questions in this section.

Part 2

EMPLOYMENT COMPENSATION CLAIMS

Being able to get all your claims simply based on your employment contract, as commonly understood, is not all there is when an injury, permanent or temporary, is sustained by a worker or an employee. Clause number 16 of the Employment Contract for Hiring Foreign Domestic Helpers mentions about a helper's entitlement under the different relevant Ordinances in Hong Kong. ECC in particular, is mentioned. It covers the effect of the injury to the whole person, and effect on his/her ability for future earnings. Such claims should be pursued if the 'harm' is caused by the work or work environment. This could be done through the Legal Aid Department. There are cases when application for employment compensation is turned down by the Labour Department. Precisely it is best to apply for Legal Aid right away as soon as you are into such a situation. You need a lawyer to ascertain the degree of damage and steps to take to pursue any claim. It is a lawyer's responsibility to see to it that you are claiming for what is due you or that you are given the rights and benefits duly yours according to the law. And, more importantly, it is only through the Legal Aid that a foreign domestic helper can afford to pay a lawyer.

ECC does not require determining who is at fault when a worker sustains an injury. The employer is responsible to pay such compensation precisely employers are required to take up an insurance policy for any of his/her employee including domestic helpers. There are cases when a domestic helper does not want to pursue such claims, though, because she understands the financial difficulty her employer is in. There is no need to be worried. There is such a thing as Employees' Compensation Fund created precisely for this purpose. In cases wherein an employer is financially incapable at the time of the claim, she/he could declare bankruptcy and apply for Employees' Compensation Fund.

In another matter, however, when an injury is **due to someone else's fault**, there is a claim called Common Law Damages. It tries to compensate the victim for the loss or damages caused by the wrongful act of the employer or of a defendant who may not necessarily be the employer. It also tries to take account of all aspects of the person's life that have been affected by the wrong. Common example of this is a case of physical assault which may result to broken bones, contusions in the skull, damage in the eye or any other part of the body especially those which a person uses more for his/her job. A right-handed domestic help's fractured right arm due to the employer's violent pushing is a good illustration. And most recent news on the outcome of a **rape case** calls for such a claim. (see related pointers below)

In any case, injuries that you think are results of the job you do or are made to do by your employer could be claimed under the Employees' Compensation. Those that are not caused by your employer but one that needs medical attention as well is also the responsibility of your employer. #

We thought of putting as a timely additional pointers in this column, an excerpt on

"What to do when confronted with sexual violence or rape"

(This article will come out in the next issue of the Migrant Focus.)

Rape is a crime of violence – it has little to do with sexual attraction. It is power.

- Always try to keep a physical distance between yourself and your employer if he starts to say things which are overly friendly or personal or flirtatious, look him in the eye and say "I don't like you talking to me that way." and walk away.
- As soon as you think a bad situation is happening, keep record of the date, time, circumstances, words spoken, actions of both of you. Memory gets faulty with time. Details may not be as accurate.
- In actual situations, before a man gets control of the situation, move slowly and calmly toward a heavy (as possible) but handy object, an ashtray for example, get hold of it to have something to defend yourself with. Say, "get your hands off me" and "let me go!" Hit him in the face with the object or scratch his eyes, any part of his skin, hit him across the bridge of the nose (it hurts). Yell for help even if no one else is there! Grab the man's genitals hard and pull if you have the chance to.
- You have the right to defend yourself.
- If he tells you he will kill you if you say anything, either keep quiet and get away or tell him he will have to answer for a murder case if he does so...and go to the Police immediately.
- More so in an event of a serious attack: go to the Police immediately and file a complaint. Tell the police you were sexually attacked.
- In the case of actual rape, immediately go to the police as you are. **DO NOT TIDY UP.** A rape exam should be done at the hospital. Normally the Police in Hong Kong would take you to the hospital if you tell them what happened to you. Your job may be in jeopardy but a police report will protect your rights.
- Get in touch with groups like the Mission for assistance even before something goes as far as rape.

IFI: GANITO TAYO NOON, PAPAANO TAYO NGAYON?

Filipino resistance against US imperialism did not end with Aguinaldo's capture (23 March 1901) nor after taking his oath of allegiance to America (19 April 1901). The Filipino people continued to resist the new colonizers.

The Sedition Law

The Philippine Commission passed the *Sedition Law* on November 4, 1901, as a consequence of the 28 September 1901 Balangiga Massacre. It imposed *death penalty or long prison term* on anyone who advocated independence or separation from the United States even by peaceful means (Constantino, p. 251). This was the first of a series of anti-Filipino laws imposed by the US to stifle Filipino resistance.

The Iglesia Filipina Independiente

The coming of the Americans did not improve the situation of the Roman Catholic Church in the Philippines. The litany of demands for the renewal of the Church went unheeded. Thus at a gathering of the *Union Obrero Democratica* (UOD) at the *Centro de Bellas Artes* at San Sebastian corner Elizondo Streets, Isabelo de los Reyes, the UOD's first president, proclaimed a church independent from Rome, on 3 August 1902: the *Iglesia Filipina Independiente*. The name of the new church did not go unnoticed for the advocates of independence. It was not just to be understood as independence from Rome as the immediate meaning of the name seemed to suggest. It also hinted at independence from the new colonizer—the United States — a circumvention of the *Sedition Act* of 1901.

Ley De Bandolerismo

The People continued to resist. On November 12, 1902, four months after Pres. Roosevelt's premature proclamation of the end of the Philippine "insurrection" and three months after the birth of the IFI, Governor Taft found it necessary to push through the passage of the *Brigandage Act* or *Ley de Bandolerismo*. All guerrilla resistance was now classified as *banditry*; *guerrilla actions mere "disturbances" or "disorders" and freedom fighters as ladrones or "bandits"* (Constantino, p. 252).

The IFI, to continue to inspire the Filipino people, "canonized" Rizal and the martyred priests, Frs. Gomez, Burgos, Zamora. They, Rizal and GOMBURZA, thru their deaths, certainly encouraged the people in the previous chapter of the Philippines' history of struggle. Non-IFIs, in their ignorance of this contribution to the anti-imperialist struggle of the people, or in their religious prejudice against the IFI, ridicule it for the canonization. IFI members failing to see the importance of the canonization, feel embarrassed and defensive about it.

The Reconcentration Act

Army Gen. Chafee, said in his preface to Gen. Bells 1902 report, *The long-continued resistance in the province of Batangas and in certain parts bordering provinces of Tayabas, Laguna and Cavite, had made it apparent to me and to others that the insurrectionary force keeping up the struggle there, could exist and maintain itself only through the connivance and knowledge of practically all the inhabitants:* (Blount, p.385) The American army then shifted to a strategy used previously by the Spaniards in Cuba to suppress Cuban revolutionaries. This was the reconcentration of communities, a strategy strongly condemned by the Americans. The Philippine Commission passed the *Reconcentration Act* on 1 June 1903. The Act gave the Governor General the power to authorize any provincial governor to re-concentrate in the towns all residents of outlying barrios if "*ladrones*" or "*outlaws*" operated in those areas (Constantino, p. 252). The *United States Coast and Geodetic Survey Atlas of the Philippines* of 1899 placed the population of Batangas at 312,192. In 1903 according to the American Census, it has dwindled to 257,715 (Blount, p. 384).

On the other hand, the Philippine Commission, appreciating the economic and political impacts of the early resolution of the question of friar

OUR FAITH, OUR STRUGGLE

by Fr. Dwight dela Torre
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lands," ... passed the *Friar Lands Act* which prescribed the sale and lease of the friar estates [totalling 166,000 has.], preference to be given to some sixty thousand tenants who worked in the land...The purchase of the friar haciendas was a shrewd political move to gain the goodwill of the Filipinos and thus help reconcile them to American sovereignty..." But it was all cosmetics because in reality, "American interests clearly lay in not disturbing — and indeed in strengthening — the system of landownership that developed under Spain... Politically, the landed elite constituted the most stable allies of American colonialism" (Constantino, p.303-306).

The IFI's response was far more radical but Biblical. Looking at the early Christians experience for inspiration, the IFI, in 1904 promulgated a revolutionary Constitution and Canons. Part II, Chapter 2, Art. 1 of the said Constitution and Canons reads, *...Twenty centuries ago, the divine Rabbi proclaimed that the Kingdom of God would come with the triumph of the poor, that is, with the abolition of private property and the common ownership of goods...The IFI cannot deviate from this holy doctrine of Jesus Christ and his apostles; therefore it announces its supreme aspiration in matters of temporal economy to be the common ownership of goods...* (Scott, p. 64-65)

The Anti Flag Law

Resistance continued. In the continuing struggle, the Filipinos rallied behind the Philippine Flag. Thus the promulgation of the *Anti-Flag Law*. For twelve long years, from 1907-1919, the American authorities in the Philippines prohibited the display of the national flag and the singing of the national anthem.

Yet the Filipino people were never really totally deprived of the sight of their national colours nor totally deprived of hearing the national anthem. IFI clergy wore the national flag as their vestments/chausables and a *Reyna Banderada* was added to the list of princesses at the *Sta. Cruzan*. Thus at every celebration of the Eucharist they saw proudly displayed at the sanctuary, or at every *Sta Cruzan*, paraded around the community, that symbol of independence from Spain first proudly unfurled at Kawit. And at the Great Elevation when the Bread and Wine are raised together in oblation to God, the National Anthem is played.

Papaano tayo ngayon?

It was at the rising tide of US imperialist aggression and persistent peoples resistance when the *Iglesia Filipina Independiente* was born. The IFIs contribution to the early struggle and the continuing struggle for genuine freedom and independence was and is never appreciated. It behooves the members of the IFI to continue the struggle for genuine freedom and democracy. Our heritage could not but be our response.

#Dwight Q. dela Torre. Mission for Filipino Migrant Workers-HK.27 June 1998. Revised: 15 October 1999. Revised further for the Migrant Focus, August 2000. +++Sources: Blount, James H. *American Occupation of the Philippines 1898-1912*. +Constantino, Renato. *The Philippines: A Past Revisited*. +Schott, Joseph L. *The Ordeal of Samar*. +Scott, William Henry. *Chips*.+++

This Month's Top Stories

2 TROPICAL TYPHOONS IN 2 WEEKS

The Philippines suffered two tropical storms in July. "Edeng and Ditang's" wrath caused widespread flooding and heavy rains displacing a total of 403,780 people. Damage to agriculture and infrastructure in most of Luzon has reached P187M.

PESO FALLS

The embattled peso approached a 22-month low when it closed at 44.03 against the US dollar. And despite its further skid to P45, the Bangko Sentral ng Pilipinas is not planning to do any action to stem the currency's fall. As an effect to the peso's fall, the cost of servicing the country's foreign debt will increase by P11.2 Billion. For every P1 drop in the foreign exchange rate, it would cost the government an additional P2.8B in foreign loan payments.

The peso fell sharply against the dollar hitting a 30-month intra-day low of P45.150 after traders took the wrong cue from President Estrada himself. In a radio interview earlier that day, Estrada said that "Siguro naman, hindi na lalagpas ng 45 iyon...pinakamataas na siguro iyon pero pipilitin natin na mapababa iyon." Traders said that the President's remark gave the impression that the government was comfortable with the weakening peso.

ISLAMIC JIHAD

The Moro Islamic Liberation Front chair Hashim Salamat has called on his people to rise in Jihad following the alleged fall of the rebel group's headquarters and other strongholds. "Indeed this is the time when Jihad is prescribed and is a must for everyone of you." Salamat said. The jihad call apparently closes the door on peace negotiations with the Estrada administration.

90B Budget Gap Due to Mindanao Crisis

The Economic Coordinating Council has estimated that the government's budget this year could balloon as much as 90B if the Mindanao crisis would persist until the fourth quarter. The ECC was said to be "coming into terms" with the reality that the government could not contain the deficit this year at P62.5B as it had repeatedly promised the public and its foreign creditors.

PAYATAS GARBAGE DUMP COLLAPSES

More mangled corpses were scooped up from the mountain of filth in Payatas Quezon City, after it collapsed. Death toll rose to almost 300, and with hundreds more missing. The rescuers reportedly said that they have recovered 20 more "mutilated bodies". There were also ones that were pulled out alive but later on died due to complications. Rescue efforts continue, despite heavy rains that further weakened the soil foundation and have caused a further five-meter wide crack at the middle of the portion of the garbage dump.

Quezon City Mayor Ismael Mathay's son (Chuck) is being blamed for the Payatas tragedy. Operators of the dumpsite revealed that an average of P50,000 daily (P1.5M/monthly) is raked by merely allowing contractors to dump their garbage in the 11-hectare land, which is home to thousands of squatter families. A former Payatas employee admitted that there is so much money in the dump, reason why officials refuse to close it down.

HK SOLICITOR GETS SEVEN YEARS FOR RAPING DOMESTIC HELPER

Hong Kong Solicitor Dixon Tang Kwok-wah was accused of raping his domestic helper once and indecently assaulting her five times last year at his house in Aberdeen. Despite Tang's plea that he's not guilty of the said crime, and claimed that he is a victim of seduction and an elaborate blackmail plot hatched by members of his staff in order to get P3M from him, he was found guilty of rape and one count of indecent assault. Mr. Tang was put behind bars on Saturday, 15 July. Sentencing was held on Thursday, 20 July 2000 at the Court of First Instance. The veteran

solicitor was sentenced to six years for raping his domestic helper, and 12 months for one count of indecent assault. In addition to that, the solicitor who has practiced law since 1983, will be stripped off his license if his conviction is upheld on appeal. His law firm will soon shut down, and his home in Aberdeen would be sold in order to enable his family to survive.

POLICE SERGEANT ASSAULTS DOMESTIC HELPER

A police sergeant was fined HK\$10,000 for indecently assaulting his domestic helper. Ivan Li King-sing was arrested on 27 September 1999 and was charged of rape and indecent assault. After several hearings at the Court of First Instance, the police officer was acquitted of the rape charge but was found guilty of one count of indecent assault on 28 June 1999.

BURNING AND SCALDING

Employer burned Achacoso Warly Cabaneros' hands in 25 February 2000 hands with an iron as punishment for scorching a piece of clothing. Liu Man-kuen was jailed for 18 months for the callous and barbaric act.

Imelda Cacatian's 74-year old female employer burned her right forearm with the iron that Ms. Cacatian was using on 19 July 2000. Employer accused Ms. Cacatian of ignoring her calls as she ironed clothes. Ms. Cacatian's arm swelled up and part of the skin was peeling off. The employer was questioned by the police and was later released on bail.

After the employer accused her 21-year old domestic helper of not washing the kitchen utensils with hot water, the employer decided to do it herself and after that, she poured the boiling hot water into the sink where the helper was washing some fish. "She poured the water without any warning," the helper said. She filed an assault case against her employer with the police. No charges have been laid but the employer was taken for questioning and released on bail.

QUOTES OF THE MONTH

Erap denying cronyism raps:

"I want you to know that to me, these cronies if they are indeed cronies- are working for the benefit of the government. *Ginagamit ko sila at di sila ang gumagamit sa gobyerno.*"

Erap on his "unseen enemies":

"I never realized I'd have so many enemies, there are unseen ones who are out to discredit and ruin me."

"I never got lost, since I became President, I've made the right policies."

"The first two years of the President is the hardest, specially if you inherited a bankrupt government."

ISLAMIC JIHAD

Islamic term, Arabic for "battle", struggle, holy war for the religion.

JIHAD from the Arabic word "jahada" means "he made an effort." It is usually translated as "holy war" but this is misleading.

The 1997 Oxford Dictionary of Religions says that jihad is divided into two categories: The greater and the lesser.

"The greater is the warfare in oneself against any evil or temptation," according to the dictionary.

"The lesser jihad is the defense of Islam, or of a Muslim country or community, against aggression. It may be a jihad of the pen or of the tongue. If it involves conflict, it is strictly regulated, and can only be defensive."



UNIFIL-HK Launched Signature Campaign Against OWWA Resolution 99-016

A signature campaign drive was launched by the United Filipinos in Hong Kong (UNIFIL-HK) last July 2 to oppose the impending implementation of the OWWA Resolution 99-016 which seeks to collect US\$25 membership contribution annually starting January 2001. They will submit the signatures to the House of Representatives and the Philippine Senate hoping that any of the Chambers will pass a motion to block its (OWWA Resolution) implementation.



"We are hoping to gather at least 20,000 signatures by early December and we will submit this to the Senate and Congress," said Ms. Connie Bragas-Regalado, Chairperson of UNIFIL-HK. *"We have the support of our 25 member organizations and two other major federations, the Abra Tinguian Ilocano Society (ATIS) composed of 23 organizations and the Cordillera Alliance (CORALL) with 19 member organizations"* she said.

"We are seeking for a Congressional or Senate inquiry on the anomalous OWWA budget. We are only receiving 11% in direct services of the total OWWA budget under their present budget allocation system. How could we expect to receive quality services with this kind of budget? The money is there but is being used for other purposes. Increasing the collection frequency does not necessarily translate to improvement of services under the current dispensation."

The OWWA Resolution 99-016 was recently exposed by UNIFIL which led to the deferment of its implementation, from July 1st 2000 to January 1st 2001. This issue has caught the Philippine Consulate in Hong Kong flatfooted. They claimed not to have received any copy of the resolution and have only become aware of it through UNIFIL's expose. This also prompted OWWA to send its officials to Hong Kong to directly respond to the inquiries forwarded by UNIFIL and other organizations and federations.

"We will not stop unless this resolution is totally revoked" Ms. Regalado said. *"Consultations and transparency is indeed very important. But this will not resolve the issue behind the resolution. We will continue to fight against it and we will use all possible means to do so"* she ended.

Currently, UNIFIL is doing seminars, public forums and massive distribution of information in different parts of Hong Kong regarding the new resolution. This public awareness drive is part of the whole campaign to rally the OFWs in Hong Kong against the OWWA Resolution 99-016.

They are inviting concerned individuals and organizations to join the campaign against the OWWA Resolution 99-016. You can reach UNIFIL through Tel. nos. 28104379 or 25228264.

IMPORTANT ANNOUNCEMENT

UNIFIL-HK's "Millennium Extravaganza" Raffle Draw Postponement

To all holders of the "Millennium Extravaganza" raffle ticket – please be informed that the August 6, 2000 draw date has been moved to September 10, 2000 while the time and venue remain unchanged.

Raffle tickets are still available until September 3, 2000. All unsold raffle tickets must be returned on or before the same date. Otherwise, unreturned tickets will be considered sold.

Thank you for your support and we apologize for any inconvenience caused.

Respectfully,
Fund Raising Committee
UNIFIL
23 July 2000



A Woman's Courage

A Filipina domestic helper (27) showed courage in coming forward to give evidence against her employer and was to be commended, said Justice Michael Burrell. The Court of First Instance sentenced Dixon Tang Kwok-wah (45), a Hong Kong solicitor and barrister, to seven years in prison for rape, breach of employer-employee trust, and indecent assault by the Court of First Instance.

Between November 3 and 11, 1999, Tang assaulted his domestic helper on six separate occasions. The Jury dismissed four of those claims but found him guilty of *indecent assault* when he forced the helper to massage him and perform oral sex. Tang was also found guilty of *rape*. The helper stated Tang had grabbed her, banged her head on a chair and bruised her as she tried to struggle against him. He held her down on his bed and raped her. Tang's offence is aggravated by the fact that the victim is a domestic helper who has barely worked for his family for three months and whose trust has been breached by his action.

Tang admitted to having sex with the helper in his bedroom but claimed it was consensual. He further claimed the helper had planned to blackmail him but admitted he had not received any request for money. He admitted shifting money into the helper's jean's pocket on two occasions. Tang claimed the helper had seduced him. The helper, who also stated that Tang had threatened her with harm if she told anyone about the assaults and rape, emphatically denied all these allegations.

The helper had called 999 when she heard her employer leave the house. She had kept a note of each incident of assault and collected evidence of the rape, which she turned over to the police together with the money Tang had put in her pocket. The recording of her 999 call clearly showed she was upset.

The mother of one child, the helper testified that it was difficult for her to make that decisive move when previous assaults were done as she was afraid of losing her job, and she owed the employer HK\$10,000.00 payable for four consecutive months at HK\$ 3,000 per month.

The successful outcome of this case must not obscure the fact that there are many instances of abuse toward domestic helpers. However, this case does illustrate the vulnerability of helpers who depend on their jobs to earn money for their family at home.

Retelling the events of the assaults and the rape was very hard on the helper in the above-mentioned case. She handled herself with dignity and shed some tears under the questioning from the police, for her official statements, and from the barristers in court. She had to relive the disgust, the fear, anger and guilt at the helplessness she felt in the face of the power her employer had over her life and livelihood.

MFMW hopes that this case, which had been widely published, will help to encourage other women to come forward when they suffer abuse. The fear of losing a job, as much as possible should not outweigh your personal safety. It is important to note that grave threat to one's safety is a ground for constructive termination.

We feel women should look at their situation and take courage to file complaints against their employers before they suffer harm. We hope others would take courage from her example and come forward if they are caught in the nightmares of abuse of any kind — financial, physical, emotional — from their employer. It is not easy, but that should not discourage you. If you are in a situation of indecision, please visit or call the Mission at 2522-8264. The Mission is dedicated to help anyone who needs help, counseling or advice.



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New Migrant Focus is a monthly publication of the Mission for Filipino Migrant Workers (MFMW)

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Anumang suporta, materyal o pinansyal, ay lubos naming pasasalamat. Ang inyong suporta ay makakatulong upang lalong maparami ang sirkulasyon at abot ng Migrant Focus.

Maraming Salamat at Mabuhay ang Migranteng Pilipino!