



Bethune House: *Celebrating 24 Years of Sheltering Migrant Women*

Friends, supporters, board members, donors, volunteers and residents gathered together on the 15th of October to celebrate the 24th Anniversary of the Bethune House. The event began with dinner and refreshments until an evening of speeches, songs, and video presentations began. Kowloon Union Church, which also donates a space for the Bethune House, also provided a space for this evening's celebration.

Emceeding the evening were Esther Buhay Bangcawayan and Spencer Cantrell. Guests were able to hear first from Edwina Antonio, the director of the Bethune House. She shared her appreciation for all of the people who were able to come and for all of their dedicated efforts to keep the Bethune House going.

Those attending were then able to hear from supporters, including Ms. Connie Kroeker, the owner of CURVES workout center in Discovery Bay. She shared her enthusiasm for helping out and talked about the food drive held at CURVES to have 2010 pounds of food donated. Ms. Daisy Mandap, an attorney and editor of The Sun, talked about her long time support of the Bethune House because, according to her, it is such a worthwhile project. Board Member Doris Lee expressed the importance of continuing the support for the Bethune House.

Two wonderful video presentations were also prepared. Katrina, Radhika, Indhu and Nandita, Year 11 students from the South Island School, created the first video. They prepared the video because they wanted to increase public awareness on the Bethune House and the plight of women migrants in Hong Kong. Rey Asis of the Asian Pacific Mission for Migrants prepared the second video presentation.

Clients from the Bethune House also performed songs. The Filipino and Indonesian clients sang separately and then together, an expression of the unity and sharing that occurs in the Bethune House. It was an expression of how

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The staff, clients and friends of the Bethune House



Fr. Mark Rogers of Discovery Bay and Edwina



Betty and Dennis McCaan

The Filipino clients performing a number for the guests of the event



Edwina (first from left), Ms. Emily Lau (third from left), Ms. Anne Marden (fourth from left), Cynthia Tellez (rightmost)




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residents have overcome cultural differences in order to fight the injustices that so many domestic helpers face.

Perhaps the most moving part of the evening was the testimony by the residents. Four clients, all with different cases, spoke about how they came to the Bethune House, the support offered to them once they arrived, and what that meant to them. The clients expressed how much it meant to them to not only have their basic needs of food and shelter met, but also how they were encouraged and empowered to fight for their rights and get the money due to them.

They explained how grateful they were to Kowloon Union Church for providing a place for them to stay, a sentiment also shared by those gathered for the celebration. The clients had experienced a range of problems: abandonment by an employer, physical abuse, rape, and underpayment. One former resident, Janet Pancho-Gupta, spoke about her stay at the Bethune House. She said that without its convenient location next to Queen's Hospital, she would have died.

Following the official program, attendees to the celebration had time again to meet and greet one another, and several people remarked how moved they were by the program. This sparked a continued, inspired and invested interest in helping the Bethune House.

Attendance for the Bethune House Anniversary was about 160 people, a great turnout at an event so graciously hosted by the Kowloon Union Church. The Board, staff and volunteers of the Bethune House want to once again extend its thanks to everyone who continues to support this mission and make it a "home away from home" for all of the migrant workers who need it. 



Radhika of South Island School

BHMWR Board Member Doris Lee



Sinia, a BH client



OUR FAITH,
OUR
STRUGGLE



Alberto Ramento: *Bishop and Martyr of the Poor, Peasants and Workers*

The Most Revd Alberto Baldovino Ramento was 69 years old when he was brutally murdered on October 3, 2006. He was the former Supreme Bishop or Obispo Maximo (OM) of the Iglesia Filipina Independiente (IFI), more popularly known as the Aglipayan Church. He chose to be Bishop of the Diocese of Tarlac (in Central Luzon, Philippines) after his stewardship as head bishop of the IFI. On several occasions, in his casual encounter with friends, he shared his plans to retire at 70. But during a lunch break at the church's Executive Committee Meeting a month before his murder, he mentioned that he could be the next victim of the extrajudicial killing (EJK) committed with impunity in the country. Whether that was premonition or foreknowledge having been forewarned, the answer to that question died with him.

The police declared its conclusions after a two-hour investigation. They declared it was "robbery with homicide." They theorized the robbers must have woken the bishop while robbery was in progress

and thus attacked the bishop. After the investigation the curious crowd was let into the crime scene. Four suspects were arrested that very day.

A fact finding mission's report, however, said that the late bishop must have been attacked by his assailants while he was lying in bed: the blood splatters on the walls beside the bed seem to indicate this.

Four years thence, his family, his friends, the church's faithful, the Filipino people and, yes, the whole international ecumenical community have yet to see the dawn of justice.

Why should an old bishop be killed with such brutality? Why indeed should the old bishop be killed in the first place? He was gentle and amiable and at times funny pastor.

One time, a bishop from the Church of Sweden visited him. He brought the Swedish Bishop to the picket lines of the striking Nescafe workers. Upon alighting from his rickety, rusty red jeep, he introduced the visiting bishop to the group then sat with the group on the sidewalk curb and shared his cigarettes with the workers. This so impressed the foreign bishop that he wrote a whole page article in their own church paper. The visiting bishop was called from retirement and became the official representative of the Church of Sweden and the Archbishop of Uppsala at Bp. Ramento's wake and funeral service.

Bp Ramento was well known among the simple folks of Cavite. On several occasions children and farmers would shout their greetings as the bishop passed them by in his rickety rusty red jeep.

But Bp Ramento was also one of the prophets of the modern times. He felt strongly against injustice – as did the prophets of the Bible. He strived to live-out the IFI's heritage and social pronouncements.

He was one of the staunchest critics of the Arroyo administration, especially the massive corruption in government, its tightening grip on power, intensifying violations of human rights and the rampant extrajudicial killings committed with impunity.

He was a strong supporter of the labour movement especially in his previous Diocese of Cavite where an export processing zone is located. He was an ardent supporter of the farmers and farm workers of the Hacienda Luisita who clamored for genuine agrarian reform. He brought food to the picket lines when they struck and opened his church to the striking farmers and farm workers.

Whoever perpetrated this dastardly act miscalculated. People will not cower in fear. People will continue to denounce injustice. People will continue to demand justice --- for Bishop Alberto Ramento and the other victims of extrajudicial killings in the Philippines and the victims of forced disappearances.

APWLD Holds Training on Documentation of Women's Human Rights

A Regional Training on Documentation of Women's Human rights was organized by the Asia Pacific Forum on Women, Law and Development from September 25-28, 2010. The training was hosted by the National Fisheries Solidarity Movement (NAFSO) in Negombo, Sri Lanka.

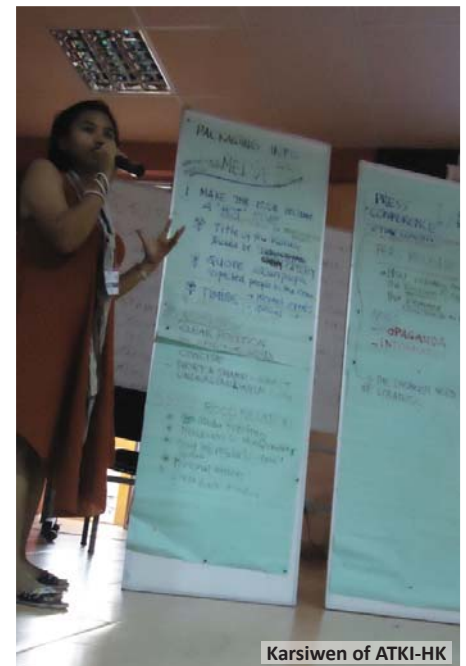
The project aims to equip rural, indigenous and migrant women who are often target of harassment and violence with skills in documentation so they can advance the human rights of RIM women in the Asia Pacific Region. This will increase the capacity and knowledge of women in identifying and documenting human rights violations for social change and justice.

The participants came from the rural, indigenous and migrant women groups working for the protection and promotion of women's human rights and gender equality from Kyrgyzstan, West Papua, Indonesia, India, Sri Lanka, Fiji, Nepal, Hong Kong and Malaysia. Karsiwen of ATKI-HK, Dolores Dayao of the Mission Volunteers and Edwina Antonio of Bethune House represented the country team in Hong Kong.

The nine country teams shared their experiences in documenting their issues and concerns. Cases of human rights in Sri Lanka, Fiji and India were used as case studies in identifying and documenting cases of human rights and how fundamentalism, globalization and militarization is being used by the power that be to violate women's human rights. Discussion on different forms of documentation from interviews, focus group discussions, media, data base and video production were conducted. Discussions on how UN instruments could be used in lobbying and advocacy were one of the highlights of the training.



Edwina Antonio of the Bethune House



Karsiwen of ATKI-HK



Roshika Deo from Fiji (middle) shares her thoughts

One of the main outputs of the training is to come up with a country report on human rights violations focusing on specific issues of each country. The documented cases will be used and submitted by APWLD to relevant human rights mechanisms and other policy making international institutions, like the UN Council of Human Rights, to advocate for change.

NAFSO, our host, has arranged an exposure to one of their fishing villages. The participants were able to interview some of the fisher folks about their conditions and the way they live.

The solidarity night was held in a restaurant near the beach. The participants enjoyed dancing to the tune of Sri Lankan music and popular songs from the 1970's.

Macau-based OFWs is winning battle against controversial AOS

The struggle of overseas Filipino workers (OFWs) against the Affidavit of Support (AOS) in Macau is almost won. One more step is needed: pressing Consul General (Con Gen) Villapando an official assurance that the AOS has been scrapped.


Philippine Consul General to Macau Renato Villapando announced in a forum on October 31 that Officer-In-Charge (OIC) Ronaldo P. Ledesma of the Philippine Bureau of Immigration (BI) has sent a letter to them stating that family members and relatives of OFWs in the territory need not show any AOS to BI officials. Instead they would only need to show the latter a photocopy of the blue card and passport of their loved one if ever they are challenged by said officials.

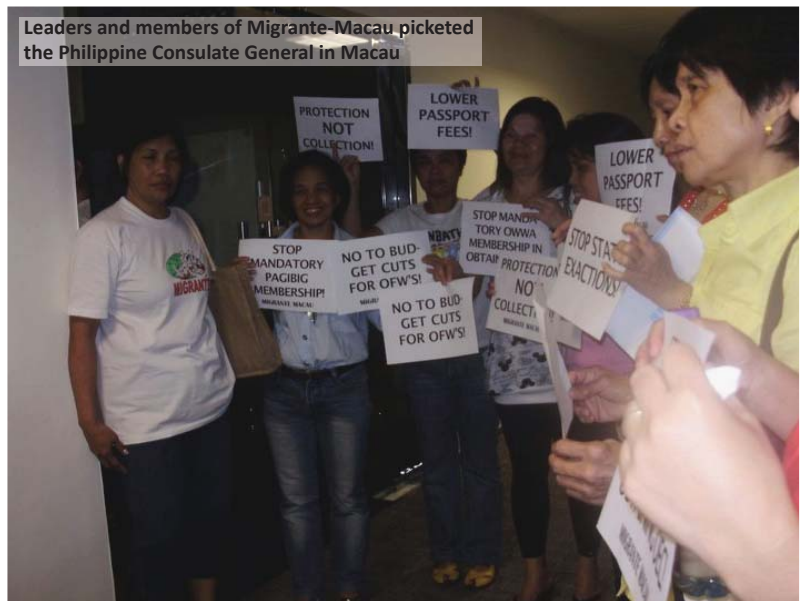
The Con Gen, however, was not able to show a copy of said letter to the 50 migrant workers who attended the forum but promised to provide one to Filipino organizations the first week of November.

At the same time, this arrangement was also not reported in a Macau English newspaper which covered the forum and wrote that “based on new communications” with the officer-in-charge of immigration, AOS is not required except in cases when the national’s purpose of travel or financial capacity is in doubt.

Migrante Macau, an OFW organization in the territory, was demanding the Con Gen to clarify this issue once and for all. They said that the letter of OIC Ledesma should be made public and official announcements pertaining to what the Con Gen said should be posted in conspicuous areas of both the Consulate office and Philippine airports. It is only through these ways will the Filipino community be assured that the AOS has been scrapped, Migrante Macau added.

Earlier, on October 24, Migrante Macau turned an aborted dialogue into a picket when the Con Gen made a last minute postponement of the activity to another date.

He essentially snubbed the Filipino community in favor of prioritizing to meet Philippine delegates to a trade fair which was held from October 21 to 27. 



Filipino Non-Resident Worker Got Six-Months Ban in Macau Overturned

Like an oasis in a big desert, a Filipino named Edeline Cuison became the first publicly known non-resident worker to have her six months ban overturned in Macau. But since the end of September 790 non-resident workers of different nationalities and job categories have already been banned in the territory since the implementation of the Law for the employment of non-resident workers on April 26, 2010.

Edeline would have not been able to have her ban lifted if she did not assert her right on this. At the same time, it became possible because of persistent efforts by the Macau Migrants Rights Network (MMRN) in condemning the said anti-migrant policy and exposing its implementation without any due process for non-resident workers.


The main intent of the ban is to prevent non-resident workers from transferring from one job to another as it is supposedly detrimental to the rights of both employers and local workers. But the freedom to look for another job is an inherent worker's and human right.

This is enshrined among others in Article 23 of the Universal Declaration of Human Rights which states that "Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment."

In Edeline's case, Macau's Labour Affairs Bureau (LAB) already changed its attitude by assisting her in insisting to her employer that it was she who was terminated by the latter and not the other way around. Unlike the Immigration Department (ID) which persisted in only listening to the views of the employer who had the right to request the ID to cut the working permit of non-resident workers.

Finally Edeline's employer agreed to inform the ID that there was mutual agreement in terminating the contract to which the latter lifted the ban. At the same time the six months ban is being used by a number of employers especially of foreign domestic workers of preventing them for asserting their rights among others to have statutory holidays, housing allowance for live-outs, or salaries that are being withheld by employers of up to 10 months as payment for agency fees.

Non-resident workers and their advocates should be emboldened by a recent statement of an ILO official named Tim De Meyer who said that they can get a declaration from ILO saying the six months ban is unfair if the migrants are subject to forced labour or discrimination.

Yet the most important thing is for the migrants and their advocates to continue opposing the 6 months ban until they get enough support not only from their own ranks but from the locals as well. 

The Vow of Migrants Providing Welfare Continues

One of the Mission's protégés in providing counseling services, the Cordillera Volunteers for Welfare (CORDIVOW) undertook another vital step in September 26 at the Institution's office at St. John's Cathedral. In seeking to empower migrant workers, Mission for Migrant Workers helped Cordillera Alliance-Hong Kong (CORALL-HK) to set up a welfare committee to provide welfare services to Cordilleran migrant workers.

CORDIVOW was formally launched in 2007 with 14 members from the different member organizations of the Alliance. The third set of volunteers who are mostly new, coupled with a few old members, sat together to thresh out what needs to be done for welfare services using the strengths, weaknesses, opportunities and threats formula in a module specifically designed for CORDIVOW. Prior to this, the volunteers were given welfare orientation which broadened their understanding and awareness of welfare.

The workshop provided fresh insights for the new members. The old members shared their experiences such as during the first year when they braved the changing weather elements while having a "counseling table" at Ice House Street for Cordillerans who treat the area as a converging place. Counseling was later on expanded to include non-Cordillerans who learned of the services by word-of-mouth and through a local newspaper.

Other issues that emerged during the discussion included insufficient training on technical matters such as laws, policies and procedures as well as the occurrence of threats to conduct counseling.

The workshop was successfully concluded with the participants pledging to make the CORDIVOW more effective.



Mae:

Empowering herself, Empowering others

Edna Mae Collado, who everyone knows as Mae, has been a resident of the Bethune House now for one year and five months. Her extended stay in the shelter is a rarity but not unheard of. As a victim of physical violence at the hands of her employer, the prolonged stay was necessary in order to get the justice due her.

Mae is 32 years old with two children, ages 13 and 4. She came to Hong Kong because her work in the Philippines as a teacher was not enough to make ends meet, even though her husband also had a secure job as a factory worker. Between the rent, utilities, and food, Mae saw going abroad to work as the best opportunity. Most importantly, this would pay for her children to stay in school.

Mae came to Hong Kong for the first time on May 7, 2009. She had only been working there for five days when her employer asked her to go to the pet shop to have the dog washed. Being new to Hong Kong, she got lost along the way and was understandably delayed in returning home. Her employer became very angry that it had taken her so long. Mae apologized and tried to explain she was new to Hong Kong and unfamiliar in her new settings. Mae's employer picked up an iron Mae had been using to press the clothing and hit Mae with it. She was hit twice on the face, then on her arm and buttocks.

Mae was burned and in pain. At her first opportunity, she left the house and went




Mae is also willing to share her story, opening up to volunteers or people new to Hong Kong to share with them firsthand the plight of migrant workers.

to the hospital. The nurse called the police to report the incident. She was then referred to the Mission for Migrant

Workers and Bethune House, where she stayed until her claims were settled. Mae was primarily interested in having her day in court; she wanted justice for what her employer had done to her. The courts agreed, and Mae's employer was fined and penalized for what she did to Mae.

Mae said she has learned from this experience, and staying in the Bethune House for such a long time, she has been able to pass this along to women new to the shelter. She went along with them to the labor or immigration department to help them with their claims. Mae has learned how to fight for her rights, and she has learned there are other women going through similar problems. Mae was also willing to share her story, opening up to volunteers or people new to Hong Kong to share with them firsthand the plight of migrant workers here.

What would Mae say to domestic helpers new to Hong Kong? She advises them to most importantly know their rights and also, never hesitate to ask for help or call the police. Not being afraid to ask for help is important in demanding one's rights.

Mae went home this month, and she was very excited to see her family after spend a year and a half away from them. She is happy that the money from the settlement will allow her to build a home for her family. Mae's positive attitude, optimism, courage, strength, and will to fight prove that she is an empowered woman who struggled and won her rights. 

Board Member Boase Gives Talk

On Domestic Workers, Illegal Agency Fees and Loans

The case officers from the Mission for Migrant Workers as well as other volunteers were fortunate enough to have Mr. Melville Boase with them on September 22. At this weekly discussion of common problems among cases and how to best handle them, Mr. Boase advised how to best handle illegal, excessive agency fees.

Mr. Boase is an attorney originally from Great Britain, but he has been a solicitor in Hong Kong since 1980. Mr. Boase is busy, since he works in his own firm and serves as a duty lawyer, but he also willingly gives his time to assist the mission in some of the more complicated or legally technical cases. Two of Mr. Boase's primary areas of focus are Immigration and Labor.

Mr. Boase reiterated how agency fees exceeding 10% of the first month's salary are illegal, which for most domestic helpers equates to HK\$358. Unfortunately, many people pay HK\$10,000 or more, especially when you add in all of the miscellaneous fees, including medical examination, multiple interviews, and various other costs.


What can be very problematic is prospective employees are often forced into loans with extremely high interest rates. Mr. Boase shared that forcing anyone into such a loan is illegal, and charging compounded interest is also illegal. The forced loans for agency fees violate the Money Lending Ordinance (MLO) of Hong Kong.

Mr. Boase advised there is no legal backing for enforcing such excessive fees, but that does not mean the loan companies will

back off. If a helper decides to not pay the fees, there is no enforcement mechanism for these agencies. However, the loan company can continue to harass the client, which in some instances causes the employer to terminate the contract. If a client decides not to pay a forced loan, it is advisable to first explain the situation to an understanding employer and to also document every call or letter. Keeping a diary of what is going on is always one of the best methods of protecting yourself.

Mr. Boase also pointed out Section 8 of the Domestic Helper contract, which states, "In the event that the Helper has paid the above costs or fees, the Employer shall fully reimburse the Helper." This inspired the volunteers of the mission to re-examine the way they handle excessive agency fees.

Typically, agency fees are paid in the home country and money is remitted home to cover these costs through forced loans. When someone wants to file against their agency, then, they would go through the consulate since it is an issue not necessarily under Hong Kong authority according to some. However, with Mr. Boase's help, the idea is now to also try to file excessive agency fees when making labor claims against the employer, due to this clause in the contract.

The staff is very thankful to Mr. Boase for volunteering his time to meet with the mission and share his wealth of knowledge and experience regarding agency fees. Hopefully, with persistence, knowledge, and the will to fight, these illegal, excessive fees can be prohibited by law, both in theory and practice. 



MIGRANT FOCUS

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