

BATINGAW; BELL; HERALD; The New Voice of Filipino Migrants in Australia



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## Migrante Melbourne vehemently opposes Cha-Cha

**G**loria Macapagal-Arroyo will be delivering her 9th State of the Nation Address (SONA) this coming July 27. After Marcos, Mrs. Arroyo has stayed in power and served as the country's President the longest. The Congress ratification of House Resolution 1109 last June 2 threatens to extend this rule. This resolution allows Congress to convene as a Constituent Assembly (Con-Ass) to change the 1987 constitution in the form of Charter Change (Cha-Cha), even without the approval of the Senate.

Cha-cha will allow Arroyo's government to effectively change the form of government from Presidential to Parliamentary. This brazen unconstitutional move will allow Mrs. Arroyo to run for a congressional seat in her district of Pampanga and later on rise back to power as the Prime Minister of the Philippines.

In the interim, Cha-Cha is being promoted as the "modernisation" of the Constitution as a way to encourage Economic Liberalisation. It is being hailed as an answer to the economic woes of the Philippines by implementing neo-liberal policies that will only benefit not only big compradors and landlords in the Philippines but also imperialist economies like the United States.

Mrs. Arroyo's track record in office has so far imbedded an unscrupulous image. In the nine years that she has served, her administration has been implicated in corruption, election fraud, economic mismanagement and use of draconian measures to pacify the growing dissent of the Filipino masses. Gross human rights violations, in the form of extrajudicial killings, illegal arrest and detention and trumped-up charges against human rights advocates, activists and innocent masses, have been rampant under her watch. International institutions such as the UN and the Permanent People's Tribunal have found Arroyo's government guilty and held it responsible for these abuses. It is expected that cases will be filed against her after her term in 2010. Needless to say, this is one of the motivations for Cha-Cha and the extension of Mrs. Arroyo's term.

The Philippines has been in a state of economic crisis long before the global financial crisis hit. The Arroyo administration managed to get themselves into corruption cases and scandals amidst rising unemployment and poverty. The Philippines has a high rate of unemployment at 11 percent with more than 10 million underemployed and jobless. The changes in the Constitution will allow foreign countries and multinational companies to have direct control over the management of workers in the Philippines. Under Cha-Cha, not only unemployment could worsen but also the abuse and exploitation of workers. Cha-Cha will allow foreign investor to acquire 100 percent of our natural resources, land and businesses. These will include ownership and control of mass media, transportation, power industries, water management and

***All that is necessary for the triumph of evil is that good men do nothing***

**- Edmund Burke**

other basic goods and services. Along with the deepening global financial crisis, this move will devastate the already ailing Filipino-owned industries because they will not be able to compete with big multinational companies. This will open the Philippine economy to foreign exploitation that will trample on the national patrimony and economic independence of the Filipino people.

In the nine years that she has served, instead of actively developing local industries and land reform to create jobs in the Philippines, the Arroyo government chose to intensify the implementation of the Labor Export Policy (LEP), which accelerated the migration of Overseas Filipino Workers (OFW). OFWs send more than \$15 billion in remittances annually, which props up the ailing Philippine economy. These modern-day heroes continue to work overseas despite the hardships, abuses and miserable working conditions just to give their families better lives. Everyday OFWs are subjected to different kinds of abuse including rape, torture, illegal recruitment and exploitation. They get very little help and support from Philippine consulates and embassies around the world. Under Cha-Cha, these conditions will continue and the government will not be held accountable for the lack of concern and support for migrant workers.

Migrante Melbourne vehemently opposes Cha-Cha. We call on all Filipinos overseas to unite in opposition to Cha-Cha. As migrant Filipinos living in Australia, we are deemed immune to would be ill-effects of this traitorous move by the Arroyo government. However, this is not the case. We have family and friends in the Philippines who will be directly affected. We must take the time to learn about Cha-Cha and the motivations behind it. Only then we will understand the many possible detrimental consequences, not only to our lives but our loved ones back home.

We must always be vigilant not only with the developments on Cha-Cha but also with the emergence of new concepts like No-EL (or Failure of Elections in 2010) that are meant to keep Arroyo's stranglehold of power. Two other presidents after Cory Aquino have tried to implement Cha-Cha under different guises but both were unsuccessful because Filipinos fought against them. This is no different. Let us not let this one succeed!

## Migrante extends support to Filipino temporary workers exploited in South Australia

Last month, Federal Police and the Department of Immigration have raided South Australian painting contractor for exploiting nine temporary Overseas Filipino Workers (OFWs) sponsored under 457 visa program.

A team from Migrante Melbourne flew to Adelaide, South Australia to meet the OFWs and extend its support to the abused workers who were badly mistreated by the company. Even before the raid, Migrante has been providing direct legal, political and advisory assistance to the abused workers and is instrumental in bringing together the necessary support from unions and community groups in Adelaide.

Migrante Australia chair, George Kotsakis, states that all of the OFWs were being underpaid and were forced to work long hours and weekends without pay.

“This is a very clear case of a modern-day slavery”, adds Mr Kotsakis. “This is an outright exploitation of temporary workers’ position who are willing to sacrifice everything for the betterment of the lives of their families back home”.

All were receiving almost half of their contracted wage because of non-payment of award entitlement and excessive deductions for their accommodation costs on the house which was owned by the employer himself.

Two of the nine OFWs were hired as IT Support personnel; but when the IT section of the Mattena Corporation did not



Adelaide community meeting in support of abused 457 workers

materialise, they were forced to do painting and concreting jobs.

The Department of Immigration has issued a sanction on the Mattena Corporation to cancel its sponsorship and bar the company from making any further sponsorship for breaching its sponsorship conditions.

The Department has provided temporary accommodation to the nine abused OFWs immediately after the raid.

The CFMEU is now assisting the workers to find a suitable employer sponsor to extend their lawful stay in Australia. Migrante assisted the OFWs in working out their claim for unpaid wages which was filed with the Workplace Ombudsman in South Australia. Migrante also coordinated its contacts in South Australia who assisted in organising community support groups. This Filipino community, help the OFWs with their basic day-to-day needs and allowances.

“We must continue to educate the public on this issue so that overseas foreign workers’ rights are protected and that exploitation of these vulnerable group of people is stopped”, says Mr Kotsakis.

### Get Involved!



Name: \_\_\_\_\_

Address: \_\_\_\_\_

Tel: \_\_\_\_\_

Email: \_\_\_\_\_

**I would like to:**

- become a member of Migrante Melbourne
- be updated with information from Migrante Melbourne
- donate to Migrante Melbourne

Migrante Melbourne is a voluntary community organisation of Filipino and Filipino-Australian migrants and workers promoting and upholding their welfare, human rights and workers’ rights. It also deepens members’ awareness of the root reasons of the Filipino hegira to over 180 countries and settlement issues in their adopted homelands.

Visit us on the web at [www.migrante.org.au](http://www.migrante.org.au)

SEND TO PO BOX 606, LAVERTON VIC 3028 or

**CALL US on 1300 3666 74**

**Migrante Melbourne:** Butch Kotsakis - 0413 041514, Reyvi Mariñas - 0421 119776, Stephanie Rabusa - 0422 171969  
**Migrante Perth:** Gino Lopez - 0413 464953; Melbaltazar - 0414 247154, Anibeth Desierto - 0402 941935  
**Migrante Sydney:** Edwin Subijano - 0409 461600, Bong Andres - 0410 632707  
**Migrante Sydney Neighborhood:** Mahlen Ang - 0421 937391

## The migrant's dream of a better life *Reyvi Marinas*

It was late Saturday night of 13 June when two members of Migrante Melbourne and I arrived at the Adelaide Airport. The main purpose of our visit to Adelaide is to meet the nine temporary overseas Filipino workers (OFWs) sponsored under the 457 visa program. We were not only there to meet them, but also to extend our support and to hear their stories regarding the alleged abuses that they suffered under their employer.

We were picked-up by two of the OFWs, Alan and JR, and one of their friends, Doc. Alan told us that they were already taken by the Department of Immigration and were billeted by the Department in one of the inner city motels for their temporary accommodation.

We arrived at the place and we met the OFWs. They have even prepared Chicken Adobo and fried fish for us. It is a reminiscence of a typical Filipino hospitality. Soon, each one of them told their stories - underpayment, working long hours and weekends without pay, and their hopes for their families back in the Philippines.

The OFWs are mainly tradespersons - five are qualified painters, one of them is a carpenter and the other one is a plasterer. The other two are IT specialists and they were contracted to work on company's supposedly IT section. But the IT section did not materialise and these two IT workers were forced to do hard labour jobs.

Alan Bernal, one of the two IT workers, said to us that they were forced to do painting, concreting, cleaning and transport jobs. "I need to endure all the hard works, sweat and blood just to bring my family or give my family a better life back in the Philippines" said Bernal.

The next day, a public forum and a salu-salo (get-together) was held at Adelaide Multicultural Centre near the City area. It was attended by many Filipino migrants living in Adelaide as well as leaders of the Filipino community in South Australia. The forum went well and most of the attendees agreed to help the OFWs with their basic needs and allowances until they find a suitable employer sponsor.

Mr Michael Young, the Assistant Director of the Business Monitoring and Investigations Unit of the Department of Immigration and Citizenship (DIAC), together with Darren Roberts, Assistant Secretary of the Construction Forestry Mining Energy Union (CFMEU), South Australia branch, also attended the forum.

Both of them emphasised the invaluable support that may come from the Filipino community and assured that they will do their best to help the OFWs to find a new sponsor and possibly apply under a permanent residency visa category.



From left to right: Alan, George, Homer and JR

We departed on the same night. But before we left, JR, the other IT worker, revealed to me that he hasn't seen his baby daughter since birth when left the Philippines to work in Australia. He felt "it is not fair and feel sad about it". He added: "Now that this happened, all I want is to work again".

To date, all nine OFW's have now found an employer to sponsor them to extend their visa and lawful stay in Australia.



*Dine, Dance, Sing, Meet friends,  
share and enjoy @ Migrante's*

### Winter TIPANAN '09

*Help maintain Migrante Centre  
- A centre for distressed OFW's and their families*



Saturday  
**August 22, 2009**  
6pm onwards

Community Centre, Cnr Railway Avenue  
& Crown St. Laverton  
Melway map 53 D10

Come on time. Dinner will be served at 7:30pm

Cost including DINNER  
Price: Adult - \$25.00  
children under 16 - \$15.00

BYO: Drinks or buy at the venue.

**Contacts:**  
Reyvi: 0421 119 776  
Steph: 0422 171 969  
Migrante: 1300 366 674

## GRAVE IMPLICATIONS ON THE FILIPINO PEOPLE

# PASA Questions Australian Government Military Agreement with the Philippine Government

In 2005, Philippines Australia Solidarity Association (PASA), an organisation of Australians and Filipino volunteers, lobbied various Parliamentary Ministers and Senators to address the escalating human rights violations in the Philippines. PASA, together with other organisations such as Filipino migrant organisations and supporters around Australia continued to raise the issue of human rights to the Australian government. This was reinforced by various peaceful protests and vigils.

The then Minister for Foreign Affairs, Alexander Downer, wrote to PASA in 2006 advising PASA that the human rights situation in the Philippines was being monitored and that they have raised the issue to the Philippine government.

Since 2001 when President Arroyo assumed the presidency, there are 991 extrajudicial and summary killings recorded by Karapatan, an alliance of Philippine Human Rights organizations and advocates. The year with the lowest number of political killings was 2008; the decline in numbers is being attributed in no small way to the international pressure from various groups unrelentingly campaigning and from various governments responding to lobbying by human rights groups in their respective countries

While the Philippine Military and security forces were implicated in many abuses, we also heard of various abuses committed by US soldiers in joint military exercises made possible by the Visiting Forces Agreement (VFA) between the Philippine and US governments. In fact, there had been several sightings of US military personnel engaged in actual combat besides Philippine military, which is contrary to the conditions in the VFA and in violation of the Philippine Constitution.

The Australian government and the Philippine government entered into an agreement in May 2007 similar to the VFA called the SOFA or the Status of Visiting Forces Agreement. PASA, in its letter of June 2009 sent to all Australian Parliamentary Ministers and all the senators, raised

concern on the implication of this agreement to Philippine sovereignty and the Filipino people. PASA believe that SOFA violates the sovereignty of the Philippines and undermines the peace and safety of the Filipino people.

PASA is requesting the Australian government to review this agreement and give utmost consideration to the deleterious effect it will have on the Filipinos. PASA also demanded that Australian military aid to the Philippines be terminated. With the Philippine military's appalling human rights record, any aid or assistance will be seen as overt support and approval of its activities. PASA called for the Australian government to raise the issue of human rights to the Philippine Executive and also to ensure that any aid to the Philippines will not



be used directly or indirectly in perpetrating violence against conscientious critics of abusive and rights-violating Philippine government policies and strategies.

The responses from senators and ministers give members of PASA, allies and supporters hope that this current federal government will also address these issues positively. We expect that more Australian politicians who are concerned of Australia's foreign policy and Australia's relations with its Asian neighbors will look favorably into the resolution of this all-important human rights issues.

May Kotsakis - Co-chairperson  
Philippines Australia Solidarity Association

## Gabriela Launches Women Weave Against Con-Ass And Cha-Cha

Colorful swatches of cloths creatively embellished with political calls were sewn together by various women's groups this morning in Quezon City as the militant women's group GABRIELA launches the "Women Weave Against Con-Ass and Cha-Cha".

"Weaving together these cloths signify the unity of women from all walks of life and political groups against the anomalous Constitutional Assembly and all maneuvers of the Arroyo government to extend Gloria Macapagal-Arroyo's term including the imposition of martial law," said Emmi de Jesus, GABRIELA Secretary General.

Gabriela Women's Party List Representative Liza Maza, Senators Loren Legarda and Pia Cayetano sent their messages of solidarity with Gabriela as well as women from Ugnayan nng Kababaihan sa Pulitika, ISIS, Teresa Makabayan, Women's Crisis Center, KASIBULAN (women artists group) and Institute of Women's Studies also signified their stand not only against GMA's ConAss but for the multi-sectoral call for profound social changes.

"More than any other time, we women, must strengthen our unity, heighten our vigilance and intensify our militant fight even as the Arroyo regime grows more and more desperate in its continuing sinister schemes to prolong Arroyo's reign, including an impending imposition of martial law," said De Jesus.



"The Arroyo regime should be forewarned against undermining the Filipino people's aspiration for freedom and democracy. History has repeatedly shown how our people - women and men - gallantly resisted any regime's attempt to perpetuate tyranny and illegal rule.

According to De Jesus, GABRIELA chapters are initiating the same form of women's protest all over the Philippines.

The full women's protest quilt was unveiled last July 17 as part of build up activities for the heightening anti-ConAss protest that culminated on July 27 State of the Nation Address.

"We will see to it that the women's voice will reverberate together with the rest of Filipino people in the fight to end ConAss, Chacha and the Arroyo regime itself. We will see to it that Gloria's reign will end, sooner or later, De Jesus vowed.

Reference:  
Emmi de Jesus, Secretary General

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### About Batingaw

Batingaw is a bi-monthly newsletter expressing views, news and analysis from Migrante Melbourne. An important aspect of developing this newsletter is an intimate knowledge of and close involvement in all aspects of the Philippine and Australian struggles for justice, democracy and fair-go.

### Contributing to Batingaw:

Articles, photographs, cartoons, clippings, comments or a few lines are all very welcome. All material should be sent electronically to: [melbourne@migrante.org.au](mailto:melbourne@migrante.org.au). Readers are encouraged to contribute whatever they can by sending donations to the above address.

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## Address the Root Cause of Armed Resistance, Instead of Tagging Justice and Peace Advocates As Communist and NPA

In a document entitled “JCICC ‘AGILA’ 3rd QTR 2007 OB VALIDATION RESULT,” of the 10th Infantry Division of the Armed Forces of the Philippines (AFP), several Catholic and Protestant organizations, groups and individuals are listed.

Bishops Anacleto Serafica, Constante Claro, and Ben Barlosa, all members of UCCP and officers of Kapatirang Simbahan Para sa Bayan (KASIMBAYAN) were included in the list alongside Archdiocesan Council of Lay Apostolate and Integrated Movement (ACLAIM), Missionaries of Assumption (MA), National Council of Churches in the Philippines (NCCP), Promotion of Church Peoples’ Response (PCPR), Philippine Independent Church (PIC) and Mindanao Interfaith People Conference (MIPC).

Though it is outrageous that such document exposes the lives of the organizations and individuals to grave threats, harassments and deaths, it is not surprising that GMA’s desperate move to finish-off its enemies by 2010 can scheme fascist ways to silence perceived enemies. Being labeled as “targeted”, “organized” and “dominated” by CPP or NPA is the best means by which the state can stigmatize and tag organizations and individuals as enemies of the state. It is alarming that many lives had been snuffed out from the people via extra-judicial killings, and enforced disappearances. They were killed in line of their duties. The pastors and laypeople who kept up the teachings of loving our neighbor, were faithfully working for justice and peace when they were ruthlessly killed. Listing the church organizations and church people as “organized”, “targeted” and “dominated” by CPP or NPA as a logic of eliminating them only unsettles the long and lasting question as to why there is an ongoing resistance in our land. It all the more impedes the desire of people towards long and just peace.

The AFP and GMA must honestly look into the violations of our socio-economic and political rights, the unresolved issue of electoral fraud and cheating in 2004. The extrajudicial killings leaving widows and widowers, orphaned families crying out for justice remain to be an unresolved issue. We have the endless abduction and enforced disappearances of activists which deny their families the joyful affirmation of the resurrection because their kith and kin are still missing. There is the imprisonment of peace negotiators, justice and peace advocates and activists on trumped up charges which sends a chilling message, “Thou shall not work for peace and justice or you will be incarcerated.” There are the many hungry and thirsty children because of poverty. We have the suffering migrant workers dubbed as “heroes” in the more than 190 countries homesick, experiencing humiliation and discrimination if not languishing in jails.

There are the endless schemes and plans for Charter Change to open up our sovereignty and patrimony to foreign big capitalists and extend GMA power beyond 2010. There is landlessness of peasants, the denial of decent and livable wage, joblessness and unemployment for workers. Have we come to the point under GMA that the people’s misery and poverty is an opportunity to amass wealth? The litany of woes seems infinite.

Instead of listing and tagging the organizations and individuals whose pastoral, priestly and humanitarian work include the ministry of justice and peace mission, the AFP and GMA must start listing the root cause of the armed conflict in the land. The above litanies of woes are conditions that made the people not only miserable but victims of the governmental system marred with deceit, corruption and lies. The most urgent thing is the resumption of Peace Talks between Government of the Republic of the Philippines and the National Democratic Front (NDF). Likewise, the Comprehensive Agreement on Human Rights and International Humanitarian Laws (CAHRIHL) must be implemented and fully respected.

KAPATIRANG SIMABHAN PARA SA BAYAN (KASIMBAYAN)  
Bishop Elmer Bolocon, Chairperson  
Norma P. Dollaga, General Secretary  
Rubylin Litao, National Secretariat

### ABOUT CHANGING THE CONSTITUTION: Is this the solution to the crisis in the Philippines?

Join us in a discussion on

- (1) **Planned charter change in the Philippines by the Arroyo Administration and its implications to the Filipino people**
- (2) **2010 Presidential elections and the International Observers Mission (IOM)**

7 August 2009, 6:30pm  
Evatt Rom, Trades Hall  
Cnr Lygon and Victoria St., Carlton



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# Events Calendar - Mark your Diary

## 27 July 2009 - "Oppose and Stop Cha-cha (Charter Change)"

Let the Philippine government feel your opposition to change in the Philippine Constitution - send no money on this day, 27th July 2009, the day of President Arroyo's SONA (State of the nation address).

## 07 August 2009 - "Changing the Constitution - is this the solution to the crisis in the Philippines?"

Participate in a public discussion on planned charter changed by the Philippine's Arroyo government.  
6.30 pm, Evatt Room, TradesHall, Corner Victoria Street & Lygon Street, Carlton

## 22 August 2009 - Migrante Melbourne's Winter "Tipanan"

6.00 p.m., Laverton Civic Hall, Cor Railway Ave & Crown St, Laverton  
A celebration and a venue for the whole family to dance, eat, perform, watch and enjoy together.  
A fundraising activity for Migrante Shelter Philippines.  
A good way to have a night out with the whole family in winter.

## 02 - 06 November 2009 - IAMR (International Assembly of Migrants & Refugees) Athens, Greece

An international conference discussing issues affecting migrants and refugees such as:

- The impact of the global crisis on migrants and refugees and possible responses
- The situation and struggle of undocumented migrants
- The challenges faced by migrants from racism and xenophobia
- Discriminatory legislation in receiving countries
- The situation of women migrant workers
- The War on Terror and Migrants and Refugees

## 16 November 2009 - International Day of action against workers repression

This is also the 5th year anniversary of the Hacienda Luisita Massacre, Tarlac Philippines during which seven striking farm workers and supporters were killed in violent dispersal by police, military and hired goons.

## 6 December 2009 - International Human Rights Day Commemoration

A public activity to celebrate the declaration of International Human Rights Day and get together before Christmas and summer holidays.  
The Church Hall, 10 Hyde Street, Footscray

## 10 December - International Human Rights Day

## 18 December - International Migrants Day



To:

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