

# batingaw

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## The Spectre of Undeclared Martial Rule



The latest report of KARAPATAN (a local-based human rights group) on the current human rights situation in the Philippines highlights the grim reality of extra-judicial killings and widespread human rights abuses in the country.

With the title, *Undeclared Martial Rule Continues*, the Macapagal-Arroyo regime shows that the spectre of another dictatorship is in the making after thirty-five years of the declaration of martial law by the late Ferdinand E. Marcos on 21 September 1972.

'Undeclared' as it may seem, the human rights situation today are far more gruesome and rampant than it was during the time of Marcos. This martial law-in-disguise, in a form of State of Emergency or the newly-passed Anti-Terrorism Act of 2007, has evolved into a monster capable of unleashing the most heinous human rights violations.

Marcos, during the 14 years of martial law and dictatorship (1972-1986), ordered the unlawful arrest of around 120,000 people; the extra-judicial execution of 1,500 activists; and the enforced disappearance of 769 individuals.

In comparison, the Macapagal-Arroyo regime and her security forces, during the six years of her term (from January 2001 to July 2007), masterminded the filing of trumped-up charges against progressive party-list representatives; instigated the extra-judicial killings of 886 human rights activists and their supporters; and committed the enforced disappearances of 179 people (KARAPATAN Report, 2007).

Human rights violations are being committed with impunity now than ever before. The international

community is not silenced on this issue. Foreign governments and international human rights groups alike are called upon to rally against the continuing human rights abuses in the Philippines.

In Australia, Macapagal-Arroyo's visit was met with intense protest and clear demands to stop the political killings in the Philippines. The international solidarity and support provided by human rights activists in Australia show that the struggle for peace, justice, and democracy in the Philippines is part of a larger global struggle against anti-imperialist war and neo-liberal globalisation.

The latest APEC summit in Sydney last month was a clear demonstration of this broader neo-liberal economic and military security agenda of the Bush administration and its allies within the Asia-Pacific region. One could only see that APEC is all about economic agenda and greater militarisation of the region. This is being done at the expense of the environment, human rights and welfare of the people.

The undeclared martial rule in the Philippines is only but one of the manifestations of this imperialists offensives against the people. In Australia, the Howard government's industrial relations (IR) laws and the implementation of a series of counter-terrorism measures and control have undermined the democratic rights and civil liberties of the Australian people.

Global struggles require global support. The pressing issue of human rights abuses in the Philippines is not only the struggle of the Filipino people, but also the struggle of all internationalists around the world who believe in the protection and value of human life, freedom and dignity.

## DECISION OF THE DUTCH COURT OF APPEALS IS THE TRIUMPH OF JUSTICE

I am elated by the decision of the Court of Appeals rejecting the demand of the Public Prosecutor's Office for my detention in connection with the investigation of the false and politically motivated charge of ordering or inciting the killing of the two notorious military and police agents Romulo Kintanar and Arturo Tabara in 2003 and 2004, respectively.

The Court of Appeals decision upholds the earlier decision of the District Court of The Hague releasing me from incommunicado detention on the ground that there is no sufficient evidence against me. It goes even further by declaring essentially that there is no prima facie evidence against me. It categorically states that there is no direct evidence to link me to the aforesaid killings and that I am not a criminal perpetrator in any sense.

The Court of Appeals has clarified that for anyone to play a prominent role on behalf of any revolutionary political party or movement in general or in abstracto is no proof of criminal wrongdoing. Direct concrete evidence is necessary to prove any criminal act. The decision has profound implications and has far reaching consequences not only on the question of preventive detention but also on the validity of the charge.

The Court further notes that the charge against me must be seen in their political context and that the statements given by the various witnesses cannot be simply accepted as reliable. It also expresses its doubt as to my ability to fully exercise my right to cross-examine the prosecution witnesses in view of the terrible human rights situation and the dangers to my lawyers.

The prosecution witnesses had been mainly, if not entirely, supplied by the Manila government to Dutch investigators who went to the Philippines to fish for testimonies without any prior finding of wrongdoing by me in The Netherlands and despite the absence of a treaty of extradition between the Philippines and The Netherlands.

The biggest anomaly is that the Dutch prosecutors construe as acts of murder the killings of Kintanar and Tabara whereas in 2006 the prosecutors of the Manila government

By Prof. Jose Maria Sison  
Founding Chairman, Communist Party of the  
Philippines Chief Political Consultant, NDFP  
Negotiating Panel Chairperson, International  
League of Peoples' Struggle

categorized these as specific acts of rebellion in the rebellion charge filed against me and fifty other persons. This charge, together with its specifications and supposed evidence, was nullified by the Philippine Supreme Court last July.

On their own account, the Communist Party of the Philippines and the New People's Army have described the Kintanar and Tabara incidents as acts of revolution. They have admitted that the people's court duly issued the warrants of arrest against Kintanar and Tabara and that these armed and dangerous criminal suspects were given battle upon their resistance to arrest by the NPA arresting teams.

The decision of the Court of Appeals is the triumph of justice. In this regard, I thank the judges, G. Oosterhof as Chairperson and G. P. A. Aler and F. Heemskerk as members. Likewise, I thank my counsel Michiel Pestman of Bohler Franken Koppe and Wijngaarden law office and all the parties, institutions, organizations, personages and broad masses of the people who have stood in solidarity with me in order to defend my rights and support my cause against injustice.

I hope that soon the Dutch prosecutors drop the false and politically motivated charge against me. The District Court of The Hague and the Court of Appeals have pointed to the lack of direct and sufficient evidence against me in ruling against my return to solitary confinement.

They have exposed the baselessness of the charge against me in fact and in law. I also hope that the prosecutors return to the panelists, consultants and staffers of the Negotiating Panel of the National Democratic Front of the Philippines the computers, cameras, publications, papers, digital files and other things seized in the police raids of 28 August.

It is best that we reacquire the means for exercising our democratic rights in The Netherlands and that we can continue to work for the national and social liberation of the Filipino people, defend human rights against the gross and systematic violations thereof in the Philippines and promote a just peace through the resumption of the formal talks in the peace negotiations between the Government of the Republic of the Philippines and the National Democratic Front of the Philippines. ###

# ILPS Australia formed

The Australian chapter of the International League of Peoples Struggle (ILPS) was formed at a foundation conference held in Melbourne last June 9 - 10 this year. The conference was attended by more than 40 organizational delegates from various states.

Two states coordinating committee were formed, one in Victoria and the other in New South Wales.

ILPS Australia aims to promote, support and develop the anti-imperialist and democratic struggles of the Australian people and the people of the world, and particularly the Asia-Pacific Region, who are engaged in sharpening struggles on key issues:

- ⇒ Against anti-worker, anti-union laws
- ⇒ Defending civil rights and democratic liberties
- ⇒ Defending the natural environment against multinational destruction and pollution and protection of the Globe.
- ⇒ Building the peace movement, closing down US military bases
- ⇒ Against US political domination and interference
- ⇒ Promoting an independent foreign policy, withdrawing from US wars in Iraq and Afghanistan
- ⇒ Against the dismantling of Australia's industrial base through corporate globalisation policies
- ⇒ Stopping development of the nuclear power and nuclear waste industries
- ⇒ For equality and liberation of women
- ⇒ Against the oppression, dispossession, and impoverishment of indigenous peoples
- ⇒ For vastly improved public services; health, education, welfare, transport, child care & housing, etc.
- ⇒ Against the privatisation of public utilities and services
- ⇒ Against racism and xenophobia
- ⇒ oppose marginalization of refugees, fleeing persecution and disadvantage asylum seekers



*Len Cooper with Nick McLellan during question and answer time at the "People's Alternative to APEC" conference*

ILPS Australia also adopted the 18 concerns of the ILPS International Charter as ratified at the Second International Assembly in Eindhoven, The Netherlands in November 2004.

ILPS Australia organized the People's Alternative to APEC conference in Melbourne on the 1<sup>st</sup> of September as its first activity since its formation. Speakers at the conference included David Spratt, Brian Boyd, Rob Stary, Anne O'Rourke, Nick McClellan, Jessica Morrison and John Langmore speaking on various topics including climate change, democratic rights, workers' rights, Australia's economic and foreign policy, US military presence in Asia-Pacific and Oceania, the new Industrial Relations Laws and its impact on the workers and the unions, Australia's role in the Pacific Islands, free trade agreements and globalization. The conference was chaired by ILPS Australia chairperson Len Cooper.



**MORE NEWS AND INFORMATION FROM MIGRANTE**

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

# Migrante Melbourne marks 5<sup>th</sup> year

On August 11 2007, Migrante Melbourne celebrated its 5<sup>th</sup> founding anniversary in a family fun day activity.

**A**lmost 100 members, supporters from various organizations, friends and family members of Migrante Melbourne joined on its 5<sup>th</sup> year anniversary held at Laverton Community Centre on August 11.

The anniversary was dubbed Migrante Melbourne 'Tipanan'. The Tipanan is a bi-annual fundraising activity of the organization for the maintenance of Migrante Shelter in the Philippines for the distressed Overseas Filipino Workers (OFW's) and their families. The occasion also aimed to have an avenue for the whole family and friends to enjoy together.

Members of the Migrante cultural group, Reyvi, Ray, John, Tey, Charo, Steph & Kayy rendered various Filipino and English songs. There were games for children, singing competition and a trivia for all the participants with questions including a line in the Philippine national anthem. All the participants enjoyed especially those who won sacks of rice, aboriginal art, wines and three big hampers full of groceries and goodies.

On the opening remarks, Migrante Chairperson George Kotsakis expressed his appreciation to all who celebrated the occasion and attended and supported the event. He mentioned the situation of human rights violations in the Philippines where most victims were from progressive movements.

George Kotsakis read the solidarity message from Migrante International who acknowledged the officers and members of Migrante Melbourne on their anniversary. They were also congratulated for their successful protest during President Macapagal-Arroyo's visit last May against the political killings and the signing of the RP-Australia Status of Forces Agreement.



*Migrante Cultural Group with their song performance at the Tipanan, not shown in the picture is Kayy playing the guitar*

The message stated the economic contribution of the overseas Filipinos into the ailing economy of the Philippines. It highlighted the plight of overseas Filipino workers and the services that the Migrante Shelter in the Philippines has rendered to the OFW's and their families for the past years and the first half of 2007. The message also outlined the challenges that Migrante International and its member organizations around the world face in the months ahead especially with the deepening economic crisis in the Philippines and its increasing export of Filipino workers.

Migrante International recognized the group's growing commitment in arousing, organizing and mobilizing their compatriots and families in Melbourne within the framework of national democratic struggle.

"In closing, let us maximize together the great capacity overseas Filipinos and their families play in attaining justice for our compatriots and in forging a Philippines that has national industrialization and genuine land reform - as part of our effort to attain a dream of a homeland wherein families are no longer torn apart because of the need to survive", George Kotsakis read.

The celebration was full of fun night activities such as performances, contest of question and answer and karaoke, raffle draw, singing and dancing.

## 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**

By Dinggin Dalisay

## More Filipinos are opting for overseas work ignoring warning of abuses met by Filipinos working abroad

As Filipinos find it harder and harder to seek employment at home and support their families more Filipinos are opting for overseas work ignoring the various abuses and poor working conditions met by Filipinos working abroad.

According to Kilusang Mayo Uno (KMU) the biggest labour centre in the Philippines, unemployment rates for 2001 to 2006 were a record high of 11.3% while underemployment rates in the same period averaged 18.7%. There are more than 11 million Filipinos who are out of work or looking for work.

The prices of basic commodities continue to rise leaving the wages far behind. The survey of IBON an independent researcher, indicates that 83% of Filipino households or about 68 million Filipinos are barely living on less than P96.00 (A\$2.50) a day.

An update from Migrante International states that there were 546,212 Filipinos deployed overseas in the first half of 2007. Among these workers 422,262 are land based while 123,950 are deployed for sea-based employment.

From 2001 to 2007, the first six years under the Arroyo government, 5.61 million Filipinos were exported overseas. This is hardly, a trade development that the Philippine government should be proud of. The average daily number of Filipinos forced to work overseas rose from 2,376 in 2001 to 2,911 in 2006. There are approximately 10 million Filipinos overseas spread out in more than 180 countries. These figures underline the worsening economic crisis under the current administration.

Consequently, the remittance of overseas Filipinos had been filling the coffer of the Philippine government's budget. Last year, the remittances reached US\$13 billion and in the first 6 months of 2007 remittances from overseas Filipinos reached US\$7 billion.

Indeed the overseas Filipinos are the modern day heroes of the Philippines. They make the Philippine economy afloat since the 1980's up to the present. These heroes however suffer many difficulties in their host countries. Almost daily, issues negatively affecting overseas Filipinos and their families flood the mainstream media in the Philippines.

Just a few months ago, we hear tales of OFW's kidnapped to build the US embassy in Iraq. We hear Filipino nurses being criminalized in United States, known as the Sentoza 27 because they dared complain about their unfair labor treatment. There are 35 OFW's languishing on death row and thousands in jail in various countries from Asia to Europe and United States.

Australia who imported more than 2,300 OFW's just in 2006 has its own abuses of Filipino workers to tell. Last year a mainstream media reported Filipino welders "treated like dogs" by a Brisbane company. The report says that 3 Filipino welders were sacked and face deportation for joining the union and challenging their poor working conditions. Five other Filipino welders were threatened of termination. Abuses include a reduced salary of \$27,000 per year contrary to \$40,000 per year committed to them. Eight of the Filipinos were housed by their employer in a four bedroom house and charged rent of \$175.00 per week each or a total of \$1400.00 per week rent. The market rental value of the house was \$350.00 per week.

Also last year, we heard of the news on first class restaurant in Canberra frequented by Australian politicians abusing Filipino chefs. Aside from they were under paid, one of the workers who had an accident at work was not given proper medical treatment and was not paid while off work incapacitated.

Still in Australia last August two mainstream newspapers reported on two overseas Filipino workers who died while being forced to work on the jobs without proper safety procedures and safety equipment. One of the workers was a qualified veterinarian in the Philippines who applied for similar work here in Australia. He was doing menial jobs in the outback at the Northern territory and was being transported like animals from place to place at the back of a utility without protection. He was thrown out of the vehicle and died. The other worker, a skilled masonry worker was working in a factory in Western Australia. He was lifting a big block of stone with bare hands. The stone crushed him to death.

There are many abuses of Filipino workers here in Australia. Only a few of the workers find courage to raise the issue to their employer or get help from other sources such as the union for fear of being terminated and deported. Only a handful of these abuses reach the media and become known to the public.

Australia's intake of Filipino workers under 457 visa is expected to increase to hundreds of thousands in the coming year. Even if news of many abuses reach the media and the public which is not likely to happen, Filipinos will still come to work in Australia and other host countries just to be able to support themselves and their families. There is a saying in the Philippines "Kapag nagigipit kahit sa patalim kakapit". This translates to, when one is in dire situation, he or she will hang on even to a sharp blade. This is very true with Filipinos in the current Philippine economic and political situation.

# The Burmese People Shall Triumph

**MIGRANTE - PHILIPPINES/AUSTRALIA** joins the international community in condemning Burma's brutal military regime in its continuing crackdown on the Burmese people. In the last few days, General Than Shwe and his generals have committed brutal actions against its own people and this is not the first time that the "State Peace and Development Council" (SPDC) has done such a thing. In 1988, it also cracked down on non-violent protesters butchering thousands of them in the streets of Rangoon. This time around 13 people were killed and 1,000 arrested - but these numbers will increase as it continues the crackdown.

This recent spate of protests in Burma was brought about by the 500% increase in fuel prices overnight, affecting the price of essential commodities and public transport. The skyrocketing fuel prices are said to be part of the military junta's economic and financial reform program, coinciding with the high-level mission to Burma by the International Monetary Fund and the World Bank. The Burmese military rulers led by Gen. Than Shwe want to privatise the national fuel distribution system and to sell the retail outlets to a private company. This and other economic policies that benefit only the generals are a huge and intolerable burden to the Burmese people.

"In a situation where people are not allowed to criticise its own government about its economic mismanagement, in a situation where dissent is met with repression, the brave people of Burma - this time led by the usually non-political monks - stood up and protested. That is an action worth very much of our solidarity and support", asserted **Migrante-Philippines/Australia**.

These recent acts of brutality add to the Burmese military regime's endless list of abuses that include torture, murder,

rape, detention without trial, massive forced relocations and forced labour. With a track record like that, General Shwe's military government is easily one of the worst human rights violators in the world today.

"What is interesting is that everything that is happening in Burma is very familiar to us Filipinos. We are also living in a country where state repression has been institutionalised and therefore we live with the reality of getting tortured, imprisoned, abducted, assassinated, disappeared, summarily executed - like the more than 800 political activists who lost their lives in political killings," **Migrante** added.

**Migrante** finds it quite ironic that President Gloria Macapagal Arroyo wasted no time mentioning her concern about Burma in her recent speech at the UN. She must be quite relieved that temporarily, attention to her regime's growing unpopularity and brutality has been shifted to her Burmese counterpart". In her speech, Mrs Arroyo stressed that the Philippines "is the most democratic (sic) country in our region" and that "we have no tolerance for human rights violations at home and abroad".

Let us join the growing tide of international solidarity with the brave Burmese people's fight for freedom and democracy. Let us not fail our Burmese sisters and brothers by remaining untouched by their situation. "The military junta in Burma has to be stopped now; Aung San Suu Kyi and all other political prisoners kept by the military junta should be released immediately; and a new government that genuinely represents the Burmese people, especially the impoverished and working people, should be convened soon.

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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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# The Old Man & The Dutch

by Ninotchka Rosca

*It's like what Obi Wan Kenobi said to Darth Vader, at the moment of their final confrontation: "the more you strike me down, the stronger I become." In this case, the more he is persecuted, the stronger he is.*

I refer, of course, to Jose Ma. Sison, chair of the International League of Peoples Struggles and chief political consultant of the National Democratic Front's negotiating panel in peace talks with the Philippine government. He has other accomplishments, among them leading the re-establishment of the Communist Party of the Philippines in 1960s. Before exile in 1987, he had spent nearly a decade imprisoned under the Marcos Dictatorship, in isolation and heavily tortured. When he was elected ILPS chair two years ago, Joma made the side comment that perhaps this would be a last office for him.



*Filipinos in Sydney, Australia shows support for Professor Jose Maria Sison*

The third generation of Filipino activists calls him with affection, in Tagalog, the old man. He will, likely, never forgive me for using the phrase myself. Occasionally, through the years - and lord knows how long I've known the man - I'd wondered whether he had had a year, a month, a week even, when he wasn't under some kind of persecution or threat, whether he had had moments when he could breathe freely, not look over his shoulder as it were, or cease to think of how to respond to a new barrage of verbal and/or possible physical assault on his person. Or even if he had ever wished for such a moment, such an instant.

In the past week, there's been such a barrage, as enemies, many not even knowing him, gloat over his incarceration. On August 28, 2007, the Dutch police tricked him into going to the police station, ostensibly to discuss an assassination plot against him, and then promptly handcuffed and placed him under arrest, whisked him forthwith to the Scheveningen Penitential Facility. The people of Holland should appreciate the irony; this prison was used by the Nazis to hold and torture Dutch resistance fighters. It kind of boggles the mind how the country of Anne Frank could follow the model of their hated occupiers and keep Joma in isolation, not allowing him his medicine and clothes, nor access to reading materials, radio or television, and incommunicado to family and friends. This, for the Dutch, is "adherence to international standards" of imprisonment.

We tend to think of the Dutch as mild-mannered liberals but the histories of the Dutch East Indies Company and of

Dutch colonialism refute that image. The Dutch waged war for 17 years against the natives of Padri, Indonesia; five years against the Javanese; 30 years against the people of Aceh. In Bali, Dutch invasion caused nearly 300 of the royal family and retainers to commit suicide, since Hinduism would not allow them to kill. Then there are the Boers, later Afrikaners, who held South Africa for centuries and perfected the apartheid policy, so they may continue to own diamond mines and other treasures of the country. The Dutch also maintained slave trade hubs in both East Africa and South and Southeast Asia. The Asian slave trade under the Dutch East Indies Company has been overshadowed by the African slave trade, but in 1659-1661 alone, the Company bought and sold between 8,000-10,000 "slaves" from India.

Much of the vaunted Dutch liberalism, it would seem, extends only to money-making decadence. Sure, drugs, liquor and prostitution are open and legal in Holland but try political dissent and activism. Rotterdam has been known these last two decades as a hub of the traffic of women into the sex farms and brothels of Europe. "Illegal" or "undocumented" aliens comprise nearly 70% of women prostituted in Amsterdam. And Holland leads European countries in investments in the Philippines.

Dutch interest in the archipelago is not of recent vintage. The La Naval de Manila religious festival arose from five bloody confrontations in 1646 between Spanish-Philippine forces and Dutch invaders/pirates, who wanted the islands as part of the territory of the Dutch East Indies. Before each of the sea battles, Catholic churches in Manila had

## The Old Man & The Dutch(continued...)

the rosary and masses said to a small statue of an Asian Virgin Mary created by a Chinese sculptor, housed in the old Dominican Church near the Pasig River. After the Dutch were defeated, the victory was ascribed to this Virgin's intercession. For three centuries thereafter, annual processions were held in her honor, which begun the rite of the block rosary, during which a statue of the Virgin was moved from house to house, to the accompaniment of rosary recitals. When they say their prayers, Filipinos should remember that the block rosary was a thank-you to Virgin Mary for keeping the Dutch away from the Philippines.

The old man and the Dutch have had a checkered relationship in the 20 years of his exile in the rather lackluster city of Utrecht. He has fought the Dutch government in one court after another, forcing the Dutch into a conundrum. On the one hand, the Dutch government accepts the validity of his contention of persecution and possible murder in the Philippines; on the other, the Dutch government refuses to grant him refugee status. Recently, the EU court of First Instance in Luxemburg ordered his assets unfrozen, because it found that the Dutch government had violated procedure when Joma was arbitrarily listed as a "terrorist." In such a manner has the old man been exposing the gap between Holland's

reputation and action, between the image of "democratic" liberality and the reality for peoples of color and activists in The Netherlands.

Joma's arrest will have long-term impact, not on the revolutionary movement in the Philippines, but on the ability and inclination of Filipinos overseas to self-organize, to work collectively for better job and living conditions, for legalization of their presence and for protection against sexual violence and sexual exploitation. If the Philippine government can buy, with mining and oil exploration licenses, the cooperation of a host country like Holland in its policy of political repression against political dissent, how then can overseas Filipinos struggle against economic abuse, racism, sexual abuse and gender exploitation? The horrendous impact of this arrest is better understood in the context of the fact that 85% of the Filipino community in Europe is female. — ###

*Ninotchka Rosca • Philippine-born; New York City resident \*Member, GABRIELA Network \*International Spokesperson, GABRIELA Purple Rose Campaign Against the Sex Trafficking of Filipinas & Filipino Children \*Organizing Committee, WAIL USA\* Author of State of War; Twice Blessed; Endgame: The Fall of Marcos; co-author, JMS: At Home In The World; forthcoming book: UNDOCUMENTED — A Housekeeper in New York*



# STOP THE KILLINGS IN THE PHILIPPINES

From 2001 when Gloria Macapagal-Arroyo assumed the Philippine presidency, Karapatan (Alliance for the Advancement of People's Rights) has documented more than 858 political killings and 198 disappeared.

## Join Us in Demanding

Justice for the victims and the end of killings, abduction and harassment of human rights and community activists in the Philippines

# Sison: Actions vs NDFP Panelists Could Destroy Peace Talks

BY ALEXANDER MARTIN REMOLLINO  
Bulatlat

Even as he is still elated over his latest victory in the Dutch courts, National Democratic Front of the Philippines (NDFP) chief political consultant and International League of Peoples' Struggle (ILPS) chairman Jose Maria Sison is calling on all supporters of the peace negotiations between the Government of the Republic of the Philippines (GRP) and the NDFP to protest what he described as the "unjust actions" by the U.S., Philippine and Dutch governments.

"The unjust actions already taken against me and the panelists, other consultants and staffers of the NDFP negotiating panel are meant by the U.S., Philippine and Dutch governments to put the NDFP Negotiating Panel under duress for the purpose of pressuring it or scuttling the entire peace negotiations," Sison said in an e-mail interview with Bulatlat over the weekend. "The advocates of a just peace must take a stand and denounce the unjust actions and the malicious calculations behind these."

Sison was referring to his arrest in Utrecht, the Netherlands on Aug. 28 for allegedly ordering the murders of former Communist Party of the Philippines-New People's Army (CPP-NPA) leaders Romulo Kintanar and Arturo Tabara in the Philippines in 2003 and 2004, respectively, and the raids on the NDFP International Office and the houses of several NDFP consultants and staff.

Sison had reported to the Utrecht police station on Aug. 28 after receiving an invitation supposedly regarding new information on a complaint he filed way back in 2001. He was asked to go to a room where he was supposedly going to be asked a few questions.

But he was whisked away without the knowledge of the lawyer who was accompanying him at that time, and was subsequently hauled off to the Dutch National Penitentiary in Scheveningen, Den Haag where he was left to languish in solitary confinement for 17 days.

On the same day that Sison was arrested, the NDFP International Office was raided and its computers were taken. Dutch police also raided the homes of several NDFP consultants.

Sison was released last month from detention after the Rechtbank of Den Haag ruled, citing lack of evidence against him in the case on the Kintanar-Tabara deaths, that there was no cause to keep him further in pre-trial detention.

The Dutch Prosecutor's Office promptly filed a petition before the Dutch Court of Appeals to have Sison placed back in pre-trial detention. On Oct. 3, the Dutch Court of Appeals threw out the appeal.

"The wording of the Decision is very interesting, even better than the Rechtbank's," said Michiel Pestman, Sison's lawyer, in an e-mail message received by Bulatlat.

In its decision, a copy of which was also received by Bulatlat, the Dutch Court of Appeals stated that there is no direct evidence linking Sison to Kintanar and Tabara's killings. It also questioned the reliability of the witnesses' statements against Sison, stating that their declarations "contain a high degree of indefiniteness in time."

The Dutch Court of Appeals likewise described the witnesses' statements against Sison as "perhaps" having a "political context." It stated that these declarations "cannot just simply be taken as reliable" considering the present "political constellation" in the Philippines.

"On top of that the Court expresses its doubt about Sison's ability to fully exercise his right to cross-examine the Prosecution witnesses, which is an implicit reference to the human rights situation in the Philippines and the dangers faced there by Sison's defense lawyers," Pestman said.

Sison has repeatedly denied allegations that he had a hand in the killings of Kintanar and Tabara. The CPP-NPA leadership in the Philippines owned up to both killings, citing what it described as Kintanar and Tabara's "crimes against the revolution." He has in a statement described the Dutch Court of Appeals decision on his case as "a triumph of justice."

He is optimistic that the charges against him in connection with the Kintanar-Tabara deaths will eventually be dismissed.

"The charge cannot prosper because I have nothing to do with the deaths of the military and police agents Kintanar and Tabara as well as with the independent judicial process of the People's Court in the Philippines," Sison told Bulatlat. "Therefore there can never be any direct and sufficient evidence against me. Moreover the Kintanar and Tabara incidents are acts of rebellion according to the Philippine prosecution and acts of revolution according to the revolutionary forces."

The killings of Kintanar and Tabara are included in the rebellion case filed by the Department of Justice (DoJ) last year against Sison and more than 50 other personalities - including Anakpawis (Toiling Masses) Rep. Crispin Beltran - in connection with an alleged "Left-Right conspiracy" to topple the Arroyo regime. This case was dismissed by the Supreme Court.

The CPP-NPA leadership in the Philippines, in a number of statements, described the killings of Kintanar and Tabara as "acts of revolution."

## Music for who?

By Stephanie Rabusa

Every culture in the world makes music in some form or another. Every culture makes use of different instruments to accompany their voices, making them heard louder and clearer, each with their own messages. Messages that give meaning to their lives. Messages that should be heard.

What if music sends messages that do not agree with the current state of affairs of a supposedly modern nation? In a world that is teeming with a new take on words such as 'national security' and 'patriotism', musical expression is not anymore a free. When artists are perceived to be political and standing for a cause, they could pay the price. Artists that are alleged to be threats to peace and security.

An example is the all girl band the Dixie Chicks. The Dixie Chicks were banned temporarily from Cumulus Radio's country music stations after the lead singer made critical remarks of president Bush in a concert in London.

Back in 2004, it was reported that the Yusuf Islam, aka Cat Stevens was banned from entering the United States because he was included in the 'watchlist of people who are suspected of links with terrorist activities'. Months later he was given the "Man for Peace" prize in Rome at the opening of a meeting of Nobel Peace Prize laureates because of his charity work and his convictions.

Another form of artistic political suppression is by the mere existence of major record labels. According to a group called the Downhill Battle, there are only five major record labels around the world being run by big capitalist corporations who monopolize and plague the music business. They decide who should have the most

playbacks on the radios and who should appear on MTV. In the world of pop, nothing should be political.

These major labels decide what songs artists should sing. Songs are approved on the basis of what will sell and not what is important to the artist. Pop songs are distributed around the world and dominate the music scene. Independent labels, mostly where progressive artists are signed with, are not able to compete with the big monopolies. This way the artists fade and their music end. Independent music becomes marginalized.

However, music activists are fighting back. Using the same technologies as their big corporation major label counterparts, music activists find their niche in the growing market. Music activists who do not make it in the mainstream find other internet avenues like *myspace* and *youtube* to show their materials. These venues give music activists and people who believe in their cause to meet and post comments in cyberspace forums. These sites give them more exposure and more chance to be heard.

Artists like Bagwis and Fuseboxx use *myspace* to forge friendships and networks and to share music that is otherwise not accepted in the mainstream. Artists like Rosas ng Digma use a more conventional medium in the form of compact discs. Artists like them are only heard through word of mouth and through a common cause. It is a shame that their voices are not heard more often.

Progressive artists lead the way not only to the recognition and promotion of cultural and artistic freedom but also the examination and critique of society's intellect and sensibilities. Suppressing the right to express one's feelings and opinions through music, not only by direct force but also by interpreting mass pop culture by monopolies, is stripping one of his/her freedom. Then the search for social transformation will be incomplete.

## Sison: Actions vs NDFP Panelists Could Destroy Peace Talks continued...

His next legal move, Sison said, would be to build up his legal defense by cross-examining the witnesses against him through his counsel.

Sison is known as the founding chairman of the CPP. In 1968 he led a group that broke away from the leadership of the Lava brothers in the old Partido Komunista ng Pilipinas (PKP) and re-established the CPP.

Under Sison's leadership, the CPP rapidly gained strength and together with the NPA, its armed component, it developed into one of the strongest organized forces opposed to the U.S.-Marcos regime during the martial law years.

He was the CPP's highest-ranking leader from its reestablishment until he was arrested by the Marcos dictatorship in 1977.

Released in 1986 by virtue of then President Corazon Aquino's general amnesty proclamation for political prisoners, Sison got involved in a number of legal political activities and even delivered a series of lectures at his alma mater, the University of the Philippines (UP).

In 1987, he found himself having to apply for political asylum after the Aquino government cancelled his passport while he was in Europe on a speaking tour. He has since lived in the Netherlands as an asylum seeker.

# Events Calendar - Mark your Diary

10 October - World day against the death penalty

11 - 14 October 2007, Thursday to Sunday - Latin America and Asia Pacific International Solidarity Forum.... "Struggle Against Neo-liberalism and Capitalist Plunder"

There are more than 30 international delegates.  
One of the speakers is Joselito Ustarez - Executive Vice Chairperson of KMU  
Various venues in Melbourne  
For information contact Migrante Melbourne or AAWL at 9663 7277

17 October 2007, Wednesday - Public Forum on "The Presence of US Imperialism In Southeast Asia and the Pacific"

Belgrave Library, 7.30 pm, Organised by Hills Peace Committee  
For more information, contact Burt at 9754 4602 or Marjorie at 9754 4087

24 - 25 November - Philippine Fiesta Festival Corner Thomas and Armstrong Streets, Laverton

25 November - International Day Against Violence on Women

9 December 2007, Sunday - International Human Rights Day Commemoration & Christmas Party

The Church Hall, Hyde Street, Footscray (beside the Maribyrnong Council Building)  
Organised by Philippines Australia Solidarity Association (PASA); Migrante Melbourne & Gabriela Australia  
For more information contact May at 0411 406700; Reyvi at 0421 119776 or Malou at 0433 216548

10 December - International Human Rights Day

18 December - International Migrants Day

26 January 2008, Saturday - Migrante Melbourne's Tipanan

6.00 p.m., Laverton Civic Centre, 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.  
For further information and tickets contact Danny at 93693158, Reyvi at 0421119776 or Migrante Melbourne at 1300366674.



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