

Solidarity comes
in all ages and
colors.

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SOLIDARITY COMES IN ALL AGES AND COLORS

As the Employment Permit System (EPS) Bill hangs in Korean National Assembly, the shadowy fate of about 300,000 migrant workers in South Korea become even more darker when members of the opposition party lawmakers expressed reluctance to the introduction and passing of the bill. According to the Ministry of Justice, if in case the EPS Bill is not passed, these undocumented migrant workers will have to leave Korea by the end of August as previously announced by the government. Small and medium sized manufacturing firms and industries on the other hand are feared to face catastrophe on labor shortage.

A number of interest groups differ in opinion about the proposed system. Some asserted that the passage of the bill would bring recognition to the contribution of migrant workers to the Korean economy. Some NGOs and support- group recognizes that change would somehow provide relief and will place the migrant workers in equal footing with its local counterpart.

But skeptics and critics decry that the bill will affect the overall wage levels and the recognition of the three basic rights as provided on the bill remains to be seen. The Committee of Environment and Labor of the parliament that is charge of the passage of the bill, declares the coexistence of the Industrial Trainee System (ITS) and the Employment Permit System (EPS). While there is no guarantee that the EPS would improve the condition of migrant workers in any dramatic way, the parliament's decision to keep two systems side by side brings only confusion and frustration to the people who have been waiting for a real change.

While the much abated Industrial Trainee System will continue to exist, it will run inconsistent with EPS. In the first place, the clamor to change the ITS paved the way to introduce a better system. There are calls by Migrants workers and other NGOs for a Work Permit System in place of the Trainee System, but it turned out that an Employment Permit System

is passed. The Work Permit System is more laborer-centered, by allowing them the right to change their workplace. The Employment Permit System on the other hand is rather employer-centered, as it will regulate the migrant workers' mobility.

In addition, the EPS has no counter-plan for both current and potential long-term sojourners. The EPS will leave the workers vulnerable for possible human rights violations. And perhaps, the regulation of workers' mobility will invalidate the enactment of the three labor rights.

"Water cannot mix with oil". This saying may not be true when it comes to solidarity. People of different color, nationality, age, and ethnicity may come together and work as one for a common good. Much is true on the case of the migrants movement in Korea. Migrants and Koreans coming from different background have defied and will continue to defy the dividing wall.

For the case of Aceh, there is much to be done. Aceh may come unfamiliar with many people, but it has been decades that this province in Sumatra Island was totally under intense military operation where human rights abuses, rape to women, torture, forced displacement and mass killings were the common approach of the Soeharto regime. Up to now, the exploitation and repression never ceased.

In this issue, we included feature article about Aceh, the updated information and opinion on the Employment Permit System. With these articles, we hope to help our readers to deepen their understanding of what the EPS is. And we also hope that we can bring ACEH closer to you for solidarity and hear the voice of the Acehnese and their call for justice.

We may have come a very long way. And we are challenged and called to act in unity as solidarity is possible in all ages and colors. #



UPDATE

On Employment Permit System

- Under the EPS, Migrant Workers in Korea are...
 - ⊃ laborers recognized in the Labor Standard Act
 - ⊃ guaranteed the three labor rights (i.e., the rights for union, collective bargaining, and collective action)
 - ⊃ applied of the legal minimum wage system
 - ⊃ beneficiary of the retirement grants and premium
 - ⊃ beneficiary of the social insurance
 - ⊃ under an obligation to pay the national tax and inhabitants' tax.
 - ⊃ under an obligation to renew their labor contracts every 3 year.
 - ⊃ NOT allowed to move to another workplace except in unavoidable circumstances, e.g., closing and suspension of business, and delay in payment.
 - ⊃ strictly prohibited of becoming illegal sojourners. The employers of illegal sojourners will be severely punished, whereas illegal employees themselves will become cut off from any chances of employment.

- The EPS that sets the three-year employment as the basic period only applies to people who have not stayed in Korea for more than 3 years at the point of the voluntary reporting period of March 2003. Those who have stayed for more than 3 years but less than 4 years will need to re-enter, with the employment confirmation document. If one has stayed for more than 4 years, he or she will need to leave first and get a new employment visa.

- The EPS has no counterplan for both current and potential long-term sojourners.
- The EPS will hinder the employment of skilled labor forces.

- While the Labor Permit System is more laborer-centered, by allowing them the right to change their workplace, the Employment Permit System is rather employer-centered, by regulating the laborer's mobility.

- The EPS leaves workers vulnerable for possible human rights violations.
- The regulation of workers' mobility will invalidate the enactment of the three labor rights.

- Procedure on the Enactment of EPS

Decision by the Committee of Overseas Manpower Policy on the types of industry, number of workers, and the countries for contract

- ⊃ Contracting between the Korean government and the governments of the sender-countries

- ⊃ Registering of the employment applicants (government)
- ⊃ Distribution of the labor force shortage confirmation among the employers (Ministry of Labor)
- ⊃ Selection of foreign workers (employers and the Ministry of Labor)
- ⊃ Labor contract between the employer and the foreign worker
- ⊃ Issuing of the visa approval certificate to the employers (Ministry of Justice)
- ⊃ Invitation of foreign workers (the employer)
- ⊃ The Ministry of Labor will be in charge of the management of employment; the Ministry of Justice will administer the sojourn of the employed.

★ Policies on Migrant Workers in Other Countries ★

● **Germany (Labor Permit System):** The employment of foreign nationals from non-EU countries is regulated with the sojourn permit and the labor permit. After receiving sojourn permit, one is qualified for labor permit. Labor permit includes the short-term employment and the labor rights free from concerns for the period of stay, types of work and place.

● **Taiwan (Employment Permit System):** The Taiwanese government adopted the Employment Permit System in 1992, following the amendment of the former "Employment Service Law" and "Foreign Workers Employment Permit Order." The government issues hire permit to the employers, employment permit to the workers. The "Employment Service Law" includes the minimum wage system for foreign workers. While guaranteeing the opportunity of employment among the Taiwanese workers who receive higher wages, the minimum wage system prevents the potential exploitation of foreign workers.

● **Hong Kong (Employment Permit System):** The HK government examines whether to accept employers' request to invite and employ the foreign labor force. The government issues employment permit to the employer, employment certificate to the worker. In principle, an extension and renewal of employment permits is prohibited. The EPS in Hong Kong allows neither workers' mobility in changing kinds of work and workplace, nor the hour-based employment.###

Hinggil sa Employment Permit System

➤ Ayon sa isanabatas na ng Employment Permit System...

- Kikilalanin ang karapatan ng mga migrante nang naayon sa Korean Labour Standard Act
- Kililalanin ang tatalong karapatan na: (magtayo ng unyon, makipagnegosasyon o CBA, at magwelga)
- aplikable ng legal minimum wage system
- mga benepisyo sa pagreretiro
- benepisyo sa social insurance
- obligado na magbayad ang mga migrante ng National Tax ng Korea at Tax sa pagtigil o paninirahan sa Korea katulad ng binabayaran ng mga Koreans.
- maaring ma-renew ang kontrata tuwing matatapos ang 3 taon.
- HINDI maaring lumipat ng kumpanyang pinapasukan maliban na lang sa hindi maiiwasang sirkunstansya (ex. Pagsasara ng kumpanya, pagkasuspindi ng negosyo at dahil sa pagdedelay ng mga sahod.
- IPINAGBABAWAL ang muling maging illegal. Ang mga migrante at ang mga Employers ay maaring parusahan ng matinding kaso. Ang mga mapapatunayang lumabag ay magmumulta at maaring makulong at hindi na maaring makapagtrabaho muli sa Korea. Ang mga employers naman ay maba-blacklist at maaring multahan ng malaki.

Ang EPS ay nagtatakda na ang maari lamang na makabilang sa 3 year employment ay ang mga nanatili sa Korea ng hindi hihigit sa tatlong taon mula sa itinakdang boluntaryong pagpapa-rehistro noong Marso 2003. Ang mga tumagal na sa mahigit 3 taon pero mababa sa 4 taon ay maaring makabalik kung labas ng Korea kung mai-aapply ng employer ang isang employment confirmation document mula sa gobyerno. Kung tumagal naman na mahigit 4 taon pataas, kinakailangan na umuwi sa kanilang bansa at mag-re-apply na lamang uli ng employment permit visa.

NOTE:

- Ang EPS na ito ay walang plano para sa mga migranteng kasalukuyang mga TNT at mga posibleng maging-TNT.
- Ang EPS ay maaring makahadlang sa pagtatrabaho ng mga mas skilled na mga workers.

➤ Habang sa kabilang banda na mas paborable sana sa mga migranteng manggagawa ang **WORK PERMIT SYSTEM** na kung saan ay maaring makalipat sa ibang factory o pagawaan, ang **EMPLOYMENT PERMIT SYSTEM** naman ay pumapabor sa mga Employers dahil kontrolado o nahahadlangan nila ang paglipat ng mga migrante

NOTE:

- Mas MALALAGAY sa MAS MATINDING PANGANIB at paglabag sa karapatang pantao ang mga migrante.
- Ang kawalan ng karapatan na lumipat ng Factory o

pagawaan ay winawalang bisa ang sinasabi sa EPS na tatlong karapatan (Unionize, Strike at CBA)

➤ Prosesong dinaanan ng pagsasabatas ng EPS

Mula sa naging desisyon ng Committee of Overseas Manpower Policy sa mga klase ng mga Industriya at bilang ng mga maring tanggapin at mga bansang aplikable ang kontrata.

- Pagbubuo ngkasunduan sa pagitan ng Korean government at gobyerno ng mga mga migrante
- Pagpaparehistro o pag-aapply ng migrante sa kanilang gobyerno
- Paglalabas o pagpapatunay ng labor force shortage confirmation ng employers sa Ministry of Labor ng Korea
- Pipiliin ng employers at ng Korean Ministry of labor sa listahan ng mga nag-apply ang mga maaring matanggap na makapasok sa Korea.
- Magkakaroon ng Kontrata ang mga migrante at ang kanyang magiging employer
- Ang visa certificate ay kailangang iaaplay muna ng mga employers sa Ministry of Justice for approval
- Kailangan gumawa ng invitation para sa mga migrante. ang mga employers.
- Ang Ministry of Labor ang magsisilbing tagapamahala ng management ng mga nag-aaplay o nakapasok na migrante sa Korea.

★ MGA PATAKARAN NG IBANG BANSA KAUGNAY NG MGA MIGRANTE ★

• **Germany (Labor Permit System):** Ang employment ng mga miganteng galing sa bansang hindi kasapi ng European Union ay obligadong kumuha at mag-aplay ng work permit. Kung mabibigyan lang o matapos makakuha ng permit ay saka lamang sila maaring makapasok o magtrabaho dito. Nakapaloob sa permit na maaring magtarabaho ng short-term lamang at ang karapatan na ay maaring magtarabaho kahit anong trabaho, at maaring lumipat kung gugustuhin ng migrante.

• **Taiwan (Employment Permit System):** Isinabatas ng Taiwanese government ang Employment Permit System noong 1992, mula sa nauna nang batas na nagkaroon ng amendment na tinawag na “Employment Service Law” and “Foreign Workers Employment Permit Order.” Nag-iisyu ang gobyerno ng Taiwan ng “permit-to-hire” sa mga employers, at “employment permit” naman sa mga migrante. Nakapaloob sa “Employment Service Law” ang minimum wage system para sa mga migrante. Habang pinapangalagaan ng mga Lokal na mga manggagawa at mapanatili ang kanilang matataas na sahod. Ang Minimum wage law sa Migrante naman ay nagbibigay ng proteksyon para huwag maabuso o magulangan sa sahod ng kanilang mga employers

• **Hong Kong (Employment Permit System):** Sinusuri muna ng HK government ang ang employers na nagsa-submit ng “request-to-invite and employ the foreign labor force. Ang gobyerno ang nag-iisyu at nag-aaprubang “employment permit” sa employer, at “employment certificate” sa migrante. Kung tutuusin ang extension at renewal of employment permits ay ipinagbabawal. Pinapayagan ng gobyerno ng Hong Kong na makalipat sa kahit anong trabaho ang mga migrante, maging day-based o hour-based employment. ###

LET'S FIGHT TOGETHER TO ACHIEVE OUR RIGHTS TO LIVE!

By Samar Thapa



migrant workers pushing for genuine legalization

Members of the National Assembly who are debating on the bill of EPS (Employment Permit System) are not interested in the rights of migrant workers as equal human beings - they are primarily motivated by their own agendas. Roh Moo-Hyun originally planned to pass the EPS and abolish the Industrial Trainee System - which is internationally

tried a table talk with migrant workers, nor considers our basic demands seriously. The EPS is no different from the ITS. Only different in name. Like the ITS, the EPS regulates the mobility of migrant workers; under the EPS, they have no freedom to change the types of work and workplace. They are only the irregular workers and have to renew their labor contracts every year. They can stay no more than 3 years at the maximum. The recognition of three basic labor rights by the EPS is only nominal, as it will contradict other clause favorable to the employers. This only reminds us of the trainee 1+2 system, under which migrant workers have no rights but the duty to obey their employers. Against the EPS that recognizes migrant workers as equal laborers, the employers only complain about the increase of labor cost, the unionization of workers and other changes. What they always forget is that we, the migrant workers, make up most of their productivity and fill up the serious labor shortage in the 3D-dirty, difficulty and dangerous- industry in Korea. Despite the fact that they are a big contributor of the Korean economy, migrant workers are suffering from the inhumane treatment and regulation by the employers.

notorious for being no more than a slavery system. However, with a strong pressure from the Korean Federation of Small Businesses (KFSB), the Roh administration decided to retain the ITS, while introducing the EPS as its complement. Thus, the two systems will coexist.

Unlike the dominant representation in the local media, the EPS can neither make an improvement over the ITS, nor guarantee migrant workers a legal status or the protection of their human rights. The government has been urging the National Assembly for a quick decision; without the adoption of a new policy in the current session, the government cannot make the massive crackdown on the illegal migrant workers. Now, the KFSB and opponent parties compromised to pass the bill for the EPS, so that the government can start their massive regulation on the workers with more than 3 years of sojourn. The only migrant workers eligible for the legal status are those who had stayed less than 3 years at the point of the voluntary reporting period of March 2003; these people will be allowed to stay 2 more years at the maximum. With the implementation of the EPS, all the disqualified workers, who occupy the majority of migrant workers in Korea, will have no option but to leave the country. A massive crackdown will allegedly follow in the coming late August.

We, the migrant workers, strongly disagree with the implementation of the EPS. The Korean government never

Dear Fellow Workers: Unity is the power of Labor. Now is the time to voice out our demands, fight against inhuman discriminations, and to achieve our basic rights. We must not just run away or hide ourselves from the regulations and ill treatments by the government and employers. Before asking supports from NGOs, labor unions, and students' groups, we, the migrant workers, must form solidarity that will allow us the power to fight for the achievement of working visa, freedom to change our own workplaces, rights to stay for at least 5 years, and the legalization of all the undocumented migrant workers.###

Samar Thapa is originally from Lumbini, Nepal. He was one of the first Nepali Team of the Korea Industrial Trainees in 1994. Thapa is an active member of ETU-MB (Equality Trade Union-Migrant Workers' Branch), the only labor union of migrant workers living in Korea. He is also the host of a talk show, "Voices of Migrant Workers" at Radio 21. On July 27 and 30 in Seoul, the ETU-MB will hold a mass rally against the adoption of the EPS.



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Àààèòà áíðíòüñý àìáñòà çà íàøè ìðààà!

Ñ à ìàð Õðàì à

À áíòòàòü èíðàéñéíáí Íàøèííàèυííáí Ñíáðàíèγ, èí òíðüà ìáñòæääèè çàèíííðíáèò ì áááááíèè «ñèñòáíü ðàçðáøáíèè ìà òðóá ìòñòðíéñòáí», ìá çàèíòáðáñíááíü á ìðàààð ðááí+èð-èíèèáðáíòíá èàè ðááíüð +áèíáá+áñèèð òóùáñòá. Èíè áàèèáðò ìðáæáá áñááí èð ñíáñòááííüà èíðáðáñü. Ìðáçèääíð Ìí Ìóð, ì èçíá+àèυíí ìèáíèðíáèè áááñòè á áàèñòáèá «ñèñòáíó ðàçðáøáíèè ìà òðóá ìòñòðíéñòáí» è ìðèàçàòüñý ìèííñòüð ìð èñííèυçíááíèγ òàè ìáçüáááíüð «ìðíèçáíáñòááííüð ìðàèòèèáíòíá» èç ñòðáí «òðáòüááí ìèðá» - èáí áí áñáí ìèðá òæá èçááñòíí, +òí γòèð «ìðàèòèèáíòíá» γèñíèóáðèðòòò èàè ìáñòíγüèð ðááíá. Ì áíáèí, ìá áááèáíèáí ñí òíðííü Èíðàéñéí è Õáááðáøèè Ìàèíáí Áèçíáñá, ááíèíèñòðáøèγ Ìí Ìóð, ìá ðáøèèá ñíððáíèòü ñèñòáíó ááíçà «ìðàèòèèáíòíá» è ìáííáðáíáííí áíííèíèòáèυíí áááñòè «ñèñòáíó ðàçðáøáíèè ìà òðóá ìòñòðíéñòáí». Çíá+èò, ì áá ñèñòáíü áóáóò ñíñòü ìáñòáí áàòü.

Áíððáèè áñáíó òíí ó, ì +áí áíáíðγò ÑÌÈ à Ñæííè Èíðáá, «ñèñòáíá ðàçðáøáíèè ìà òðóá ìòñòðíéñòáí» ì áñ ìííáíá áñáðüáçòèð+øèòü ìíè ìæáíèá èííòðáííüð ðááí+èð, áàòü èí èáááèυííè ñòáðòñ, èèè çàüèðèòü èð +áèíáá+áñèèá ìðááá. Ìðáèòèèáñòáí òðááíááèí ìð Ìàøèííàèυííáí Ñíáðàíèγ áñòòðíáí ðáøáíèγ □ - ááç ìðèíγòèγ ìíáíè ñèñòáíü áèáñòè ìá ìíáèè áü ìá+àòü ìíáíè èáííáíèè ìí áíðüáá ñ «íáèáááèυííè èíèèáðáíòíáè». Ìíñíèèυèò á ðáçòèυòáðá Èíðàéñéíáγ Õáááðáøèγ Ìàèíáí Áèçíáñá ñíáèáñèèáñü ìá ìáðáðí á è ìíáíè ñèñòáíá, òáíáðü áèáñòè ìíáòð ìáðòøèòüñý ìðíòèá òáð èííòðáííüð ðááí+èð, +òí ìáèáááèυíí ìð ìæèèè á Èíðáá áíèáá 3 èáð. Ìíááγ ñèñòáíá ìíçáí èèð ìñòáòüñý á ñòðáíá èèøü òáí èííòðáííüð ðááí+èí, èòí ìá ìðíáíè á Èíðáá ìíèíüð 3 èáð á ìííáíò «áíáðíáíèυííè ðááèñòðáøèè» á ìáððá 2003 á, è òí èèøü ìá 2 áíáá á èó+øáí ñèø+áá. Áñáí æá ìñòáèυííí ñ ááíáíí á áàèñòáèá ìíáíè ñèñòáíü ìðèááòñý ìíèèíòüð ñòðáíó. Ìíááγ èáííáíèγ ìí áüγáèáíèç è ááííððáøèè «íáèáááèíá» áðγááò á èííóá áááòñòá γòí áí áíáá.

Ìü, èííòðáííüà ðááí+èá, ðáøèòáèυíí áíçðáæááí ìðíòèá áááááíèγ á áàèñòáèá «ñèñòáíü ðàçðáøáíèè ìà òðóá ìòñòðíéñòáí». Èíðàéñéí á ìðáèòèèáñòáí ìè ðáçò ìá ñááèèñíü áüá çà òíí è ìáðááí áíðíá ñ ìáíè, è ìèèí ááá ìá ìòííèèèñíü ñáðüáçíí è ìáøèí ìííáíáíü òðááíááíèγ. Áàèíòááííá, +áí ìðèè+ááòñý γòá ìíááγ «ñèñòáíá» ìò ñòáðíè ñèñòáíü γèñíèóáðáøèè «ìðàèòèèáíòíá» - òàè γòí ìáçááíèáí. Èàè è ðáíüøá,

ìðè ìíáíè «ñèñòáíá» èííòðáííüà ðááí+èá áóáóò ìá áíðááá ìííáíγòü ìáñòí èèè áèá ðááíòü. Ìíè ìñòáíòòñý ááñíðááííüè èííòðáèòèèèáíè, áüííóæááííüè ìðíáèááòü èííòðáèòü èáæáíè áíá. Ìíè ìíèò+àð ìðááí ðááíòáòü á Èíðáá èèøü 3 áíáá. Ìí ááγ «ñèñòáíá» γèíáü áááò èí ìííáíáíü ìðááá è ááðáíòèè, ìí áñá γòè ìíèíáíèá □ --èñòí ìíèíáèυííá, òàè èàè áíèυøáγ +áñòü ìóíèòíá ìíáíáí çàèíííðíáèòá áñáíáíá èèøü ìáíèíáòáèγí. Èàè è «ìðáèòèèáíòíá», èííòðáííüà ðááí+èá ìðè «ñèñòáíá ðàçðáøáíèè ìà òðóá ìòñòðíéñòáí» áóáóò ìí-ìáðæáííó ááñíðááíü, ìáðá+áíü ìá ñèáííá ìíáèííááíèá ìáíèíáòáèγí. Ìáíèíáòáèè áèíèèðòòò èðáíè ìðíáðáññ á çàèí ìáðáèυñòáá æáèíááè ìá «ìíáííóáíèá ðáñòí áíá ìá ðááí+òð ñèèó», «ìíáñíñòü ñíçááíèγ ìðíòñíçíá è ìíòðáííüð ðááí+èð», è ò.á. Ìíè çááüáá þò ì òáð ìðèáíèγð, èí òíðüà ìðèííèð èí ìáø òðóá, ì òíí, +òí ìèèòí á Èíðáá, èðñá ìáñ, ìá ñíáèáøááòñý áíèυøá ìá áðγçíòð, òðóáíòð è ìíáñíòð ðááíòó. Áííñý çíá+èòáèυííè áèèáá á èíðàéñéíòð γèííèèèó, èííòðáííüà ðááí+èá ìðíáíèæáðò ñòðáááòü ìð ááñ+áèíáá+ííáí ìáðáüáíèγ è áèñèðèèèáòèííáí çàèí ìáðáèυñòáá.

Áíðíáèá òí áàðèυè-ðááí+èá □ á áàèíòáá ñèèá Õðóáá! Ìðá ìáí áí ááñü áíèíñ çááíáíðèòü ì ìáøèð òðááíááíèγð è ìá+àòü áíðüáó ìðíòèá áèñèðèèèáòèè, çà ìááñíá+áíèá +áèíáá+áñèèð ìðáá. Ìü ìá áíèáíü óááááòü èèè ìðγòáòüñý ìð ááñ+èíòá è ìðíèçáíèá ìáíè ìáðáèáè è èíèèáðáèèííüð +èííáíèíá. Ìðáæáá +áí ìðíñèòü ìðááíçáèυèíüà, ñòóááí+áñèèá è ðááí+èá ìðááíèçáòèè ì ìííüè, ìü áíèáíü ñíèíðèòüñý áèγ áñòèèáíèγ ìáøèð òáèáè □ - ìíèò+áíèγ ðááí+èð áèç, ìðááá ìá ìáðáíáíó ìáñòá ðááíòü, ìðááá æèòü á Èíðáá ìèíèíóí 5 èáð, è èáááèçáòèè «íáèáááèυííüð èíèèáðáíòíá»! ###

Ñáíáð Õðàì □ - áñðíááð èç áíðíáá Èòíáèèè, Ìáñá. Áñè ìáíèè èç ìáðááð ìáñáèññèð ìðàèòèèáíòíá, ìðèððááøèð á Èíðáð á 1994 á. Õðàì □ - áèòèáíèè +èáí ETU-MB □ - áàèíòááííáí ìðíòñíçá èííòðáííüð ðááí+èð á Èíðáá. Ìí òàèèááááò ìáðáá+ó «Áí èñ Èííòðáííüð Ðááí+èð» ìá Ðááè-21. 27 è 30 èðèγ 2003 á. ETU-MB ìðíáíèò ìáññíáüá ááííñòðáøèè á Ñáóèá ìðíòèá áááááíèγ «ñèñòáíü ðàçðáøáíèè ìà òðóáíòñòðíéñòáí». Ýèàèòðííáγ ìí+òá ETU-MB □ - migrant@jinbo.net Õáèáòíü: 02-2285-6068, 031-594-4767

Komnas HAM: TNI dan GAM Tidak Patuhi HAM dan Hukum Humaniter



Detikcom 4 juli 2003 Jakarta, Tim Ad Hoc Aceh Komnas HAM menyatakan ada indikasi para pihak yang terlibat konflik bersenjata di Aceh, yakni TNI dan GAM, tidak mengindahkan atau mematuhi HAM dan hukum humaniter. Ada indikasi kedua belah pihak melakukan pelanggaran HAM dan hukum humaniter. Penilaian ini disampaikan oleh Ketua Tim Ad Hoc Aceh Komnas HAM MM Billah dalam jumpa pers di Komnas HAM, Jl. Latu Harhari 4B, Menteng, Jakarta Pusat, Jumat (4/7/2003).

“Para pihak yang terlibat dalam konflik bersenjata di Komnas HAM ternyata tidak mengindahkan dan mematuhi hukum humaniter. Ini ditunjukkan oleh para saksi mata dan saksi korban tentang pelanggaran HAM dan hukum humaniter selama sebulan masa darurat militer,” katanya. Bentuk-bentuk pelanggaran yang terjadi dari perspektif HAM dan hukum humaniter, jelas Billah, antara lain pembakaran gedung sekolah, terjadinya extra judicial execution, arbitrase rest, torture, sexual harrasement, pemerasan, ditemukannya kuburan tidak wajar, dan adanya milisi.

Billah lalu mencontohkan terjadinya kasus extra judicial execution. Yakni seorang saksi keluarga korban menyatakan ada guru ngaji yang dituduh sebagai panglima GAM lalu diperiksa tanpa surat, diambil paksa, dan akhirnya ditemukan sudah tewas. Mayatnya ditemukan di dalam hutan. Kemudian dalam kasus arbitrase rest, ada tiga orang saksi yang dimintai secara terpisah yang menyatakan bahwa rumah mereka tanpa disertai surat surat penggeledahan. Kemudian saksi di beberapa

penduduk desa memberi keterangan mereka menemukan kuburan massal yang tidak wajar di Bireuen.

Juga ada laporan terjadinya kasus pemerkosaan. “Beberapa orang perempuan memberi keterangan tentang terjadinya pemerkosaan. Ini masih bersifat laporan penduduk, masih perlu dicek,” kata Billah. harus mematuhi ketentuan hukum humaniter dan HAM. Selain itu tim juga mendesak kepada para pihak untuk menghentikan permusuhan dan duduk di meja perundingan untuk menyelesaikan kasus Aceh secara damai. Seruan ini disampaikan Ketua Tim Ad Hoc Aceh Komnas HAM MM Billah kepada wartawan dalam jumpa pers di Komnas HAM. “Kepada para pihak yang terlibat dalam konflik bersenjata di Komnas HAM ternyata tidak mengindahkan dan mematuhi hukum humaniter. Hal ini jelas ditunjukkan oleh para saksi mata dan saksi korban tentang pelanggaran HAM dan hukum humaniter selama sebulan masa darurat militer.”

Kuburan Massal

Pelanggaran lain, menurut Billah, adalah terjadinya pelanggaran hukum berupa pembongkaran kuburan tak wajar di Aceh Tengah oleh TNI atau setidaknya tidaknya dilakukan sepengetahuan TNI. Pembongkaran dilakukan tanpa mengindahkan prosedur hukum dan tanpa disertai tenaga ahli forensik. Pelanggaran ini, ujar Billah, dapat berakibat rusaknya barang bukti dan menyulitkan identifikasi korban dan pelacakan pelaku penguburan massal. Untuk itu Tim Ad Hoc Komnas HAM juga mengingatkan semua pihak untuk tidak membongkar massal tanpa mengindahkan prosedur hukum yang berlaku dan tanpa keikutsertaan tenaga ahli yang berwenang.

Dalam kesempatan itu Billah juga mengimbau TNI dan GAM untuk kembali duduk satu dan melakukan perundingan. Dan ketika ditanya wartawan apakah imbauan ini realistis, Billah dengan tegas mengiyakannya. “Realistis. Asal kedua pihak berlapang dada. Dan Komnas HAM siap menjadi mediator bila diminta karena kita memiliki tim mediasi. Ada bukti empiris dan historis bahwa setelah penandatanganan COHA jumlah korban berkurang,” demikian Billah. (gtp)

CONTINUE TO PAGE 11

Aceh AND THE Decades OF Exploitation and Repression

Aceh is located in the Northwestern of Sumatra Island with the area of approximately 57,365.57 km square or 12.26 % of size of Sumatra Island. It consists of 119 islands, 73 major rivers and 2 lakes. Aceh is surrounded by Malacca Strait in the north, North Sumatra Province in the east, Indian Ocean in the south and the west. The capital of Aceh is Banda Aceh or previously known as Kutaradja.

The first Islamic Kingdom in Aceh was Perlak, established in 804. Under the reign of Sultan Iskandar

Muda (1607-36), Aceh was the most powerful state in the region. On that time, Aceh was dominance in trades and politics. Since the death of Sultan Iskandar Thani in 1641, unfortunately, Aceh influence gradually decline. This initiated British and Dutch to occupy the area. Aceh war against the Dutch from 1873 - 1942 was the longest and the most expensive (in money and human life victims) fought ever for the Dutch, costing them more than 10,000 lives.

After Indonesia declared its independent in 1945, Aceh became part of this country. Aceh had a big role in building the country. But only eight years after that, Aceh under Teungku Daud Beureueh fight against the "centralized" government. Aceh was immersed into North Sumatra Province. The result, huge protest by Acehnese people against central policy in Jakarta requested Aceh to become a special and autonomy province. This movement was known as DI/TII Aceh.

In 1976 Hasan Tiro declared in-



dependent for Aceh. This movement believed that Acehnese people will not be able to actualize their specific identity in the country where ideology and the government system are wrong. Once again, the government under Soeharto regime face this movement repressively by military approach.

Started in 1989 until 1998, Aceh province totally under military operation. The operation was known as Operasi Jaring Merah or Red Net Operation. Under the military operations there were so many human right abuses. Killings, disappearances, rapes, torture and forced displacement are the examples of the abuses.

A number of mass graves were found. These actions not only against human right but also become crimes against humanity. Some people also believes that these acts could be classified as the crime of genocide.

Today, Acehnese people cried for REFERENDUM with two options, still to be part of Indonesia or independent become a free country. The people believe that REFERENDUM is the one and only best solution to solve a long and bloody conflict in Aceh. Approximately two millions people gathered together in Banda Aceh on November 8, 1999 declared for a REFERENDUM, one of the evidence that REFERENDUM is supported by most of Acehnese people.

Aceh is by no means an unfamiliar name amongst NGOs, the media, and other international bodies yet it remains largely that - familiar by name only. In discussions of separatism in Indonesia, Aceh will often be cited in chorus with East Timor and West Papua, but the actual hu-

“Acehnese people will not be able to actualize their specific identity in the country where ideology and the government system are wrong.”

man rights situation and historical basis for conflict remains little known. Non-governmental organizations such as TAPOL and Human Rights Watch have been active in campaigning on Aceh but no regional networks have fully taken up this agenda.

The human rights situation in Aceh has been characterized by decades of exploitation and repression, stemming initially from the economic and political exploitation of Aceh within the Indonesian state, and extending into the crackdown on the Acehnese independence movement and supporters. The enforcement of the Military Operational Zone (DOM) in 1989 marked the start of the period of most brutal repression. A campaign of terror involving widespread extra-judicial killing, torture, rape, kidnapping, arson and harassment has carried over a ten-year period resulting in tens of thousands of victims.

The Acehnese people are highly traumatized by this history of military repression yet the determination to expose and correct this history is overwhelming. The fall of Soeharto provided the necessary space to open the previously closed doors to the human rights situation in Aceh. Investigations by KOMNAS HAM, Acehnese organizations and communities, and Indonesian and foreign NGOs provided stark evidence and testimonial coverage of the repression.



The Indonesian government itself was shocked by these exposures and immediately responded with apologies by General Wiranto for military excesses, a visit by President Habibie to Aceh, and the revocation of the DOM status. These actions had little credibility as indicated by recent remarks by General Wiranto rejecting the need for investigations into the decade of violations, the degree of anger with Habibie's visit, and the immediate return of the troops to Aceh following the DOM withdrawals on the grounds of security against riots, respectively. And in the massacres in East Aceh and North Aceh this year, the actions are little more than cynical.

The build up to the 1999 General Election saw an intensification of the security operation in Aceh as additional troops were sent to the region and this further inflamed the situation. Acehnese opposition to the election was strong and the call for a boycott quickly grew in momentum. Sporadic clashes occurred throughout the election period, predominantly sparked by military forces, but often involving unidentified figures, or "provocateurs". This return to the anti-insurgency campaign has created a state of fear of such a level that tens of thousands of people have fled their homes in fear. This new crisis of internal displacement represents another sad chapter in Aceh's brutal history.###

from page 9...Komnas HAM

Yudhoyono Sesalkan Pernyataan Komnas HAM Soal Aceh

detikcom 4 juli 2003 - Jakarta, Menko Polkam Susilo Bambang Yudhoyono menyesalkan pernyataan Komnas HAM yang menyatakan operasi terpadu di Aceh mengalami kegagalan. Dia menilai Komnas HAM tidak punya otoritas untuk menilai. "Saya sangat sesalkan ucapan itu, terlalu jauh ucapan itu, kalau Komnas HAM katakan operasi terpadu di Aceh gagal," kata Yudhoyono kepada wartawan disela-sela acara peringatan Kemerdekaan AS ke-227 di Hotel JW Marriot, Mega Kuningan, Jakarta, Jumat (4/7/2003).

Menurut Yudhoyono, Komnas Ham tidak punya otoritas untuk menilai operasi terpadu di Aceh. "la

hanya punya otoritas yang berkaitan dengan adanya pelanggaran HAM berat, genosida dan crime civil society," katanya.

Masih Tunggu Laporan

Sementara, mengenai masuknya pesawat F-18 Hornet AS ke wilayah udara Indonesia, Yudhoyono mengatakan, pihaknya masih menunggu laporan dari TNI AU. "Sekarang mereka sedang berkerja. Insya Allah besok akan dapat laporan yang lebih jelas," tandasnya. Yudhoyono enggan berkomentar lebih jauh sebelum jelas duduk perkaranya. "Saya tidak mau terlalu cepat memberi komentar," kata Yudhoyono. Namun begitu dia meyakinkan, jika sudah menerima laporan dari TNI AU pemerintah akan segera mengambil sikap.###

URGENT APPEAL

The Observatory

Attack against the office of the Legal Aid Institution (LBH) by security forces on 28 June 2003, in Banda Aceh, Province of Aceh, Indonesia.

The Observatory for the Protection of Human Rights Defenders, a joint programme of FIDH and OMCT, requests your URGENT intervention in the following situation in Indonesia.

New information:

The Observatory has been informed about the recent attack against the office of the Legal Aid Institution (LBH) by security forces on 28 June 2003, in Banda Aceh, Province of Aceh, Indonesia.

According to the information received, at 1.05 pm, seven members of the security forces wearing civilian dress turned up at the office of LBH. The men, who drove up in a Panther vehicle, are thought to be members of the Police Mobile Brigade (Brimob). They entered the LBH office where they met Mr. Afridal Darmi SH, the director of the LBH and asked him where Asiah, the coordinator of the investigation division of NGO Kontras Aceh, was. They left after Mr. Darmi informed them that Kontras, who had previously shared an office with LBH-Aceh, had recently moved to another office. It is believed that the police are looking for Asiah because of her role in gathering information on human rights violations collected by Kontras volunteers in the field.

At 2.00 pm, the same group of men came to the LBH office again and asked to speak to Mr. Darmi and to Mr. Syarifah Murlina, a lawyer from LBH's litigation staff, but they were not at the office. Having failed to locate the two lawyers, they then entered the LBH office and carried out a search. They kicked down the door of the litigation room and threw down books from the shelf. They tried in vain to force open the filing cabinet in the database room. They threatened to return later on.

These events give rise to serious fears for these human rights defenders' personal integrity. These fears are substantiated by the fact that other members of NGOs have become the victims of forced disappearance and extra-judicial killings in recent weeks, including Mr. Abdussalam Muhamad Deli, a member of Human Rights and Legal Aid Post (PB-HAM) - who was abducted by plainclothes persons on May 11th and has not been located since - and Mr. Raja Ismail, a member of Peace Brigade International (PBI), who was found dead on May 13th, having allegedly been assassinated for his

activities in defence of human rights (see urgent appeal IDN 001/0503/OBS 026.1).

The Observatory notes with concern the grave situation of human rights defenders in Aceh at present, with many of them having reportedly been forced into hiding given that they face potentially fatal risks if they attempt to carry out their activities in defence of human rights in the province. The Observatory wishes to express its support to the Indonesian Human Rights associations and condemns these acts that are aimed at preventing human rights defenders from carrying out their work.

Background information:

On May 26th, during the commemoration of the International Week of the Disappeared, about 30 people from the Pemuda Panca Marga (PPM, The Youth of the Veterans) wearing paramilitary uniforms, demonstrated in front of the office of Kontras. They attacked Kontras, and in particular its founder Mr. Munir, for their criticism of the Indonesian government's policy in handling the Aceh problem. They accused Kontras' members of being foreign agents and "selling" human rights. Then, the PPM left the Kontras office, but locked and sealed the entrance gate in the name of the state.

On May 27th, 150 PPM members, attacked the same office once again while Kontras was conducting a press conference in relation to the International Week of the Disappeared. They insulted three officers and personnel by forcing them to sing the national anthem and mocking them as pseudo-nationalists when they refused to sing it. Worse still, they physically assaulted them resulting in physical injuries and eventual hospitalisation. Furthermore, these people entered into the office premises and violently destroyed office equipment and paraphernalia.

During these attacks, the police were present, but did not intervene. Later the police said that the group of



Aceh women is far yet from being a success story...they suffer the most.

persons was too large to control. Three members of Kontras were wounded in the attack. Kontras is filing a case concerning this attack. The Observatory recalls that the previous office of Kontras was raided in March 2002 by members of the Indonesian military (for further information, see Observatory Appeal IDN 001/0302/OBS 020). The Observatory is concerned that these attacks signal the continued involvement of civilian militias and paramilitary groups in Indonesian politics and consider that the attacks against the offices of Kontras are part of a pattern of intimidation of human rights defenders and organisations in Indonesia.

Action requested:

Please write to the authorities urging them to:

i. take all necessary measures to guarantee the physical and psychological integrity of all human rights defenders in Aceh, notably Kontras Aceh's Asiah and LBH's Mr. Darmi and to Mr. Syarifah Murlina;

ii. guarantee an immediate investigation into the circumstances of these events in order to identify those responsible, bring them before a civil competent and impartial tribunal and apply the penal and/or administrative sanctions provided by law;

iii. put an end to all forms of harassment and threats against LBH, Kontras and their respective members, and more generally against all human rights defenders and their organisations in Indonesia;

iv. conform with the provisions of the Declaration on the Protection of Human Rights Defenders adopted on the 9th of December 1998, by the U.N. General Assembly ("Declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms"), in particular article 1, which states that "everyone has the right, individually or in association with others, to promote the protection and realization of human rights and fundamental freedoms at the national and international levels" and article 12(2) which states that "The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others,

against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present declaration"

v. guarantee the application of the Universal declaration on Human Rights and Covenants and international Conventions ratified by Indonesia.

Addresses:

Mrs. Megawati Sukarnoputri,
President, Republic of Indonesia,
Presidential Palace, Jakarta Istana Negara, Indonesia;
Fax: + 6221 345 2685

Mr. Marsillam Simandjuntak, SH,
Attorney General of Indonesia,
Attorney General's Office Jakarta, Indonesia;
Fax: +6221 720 8557

Mr. Ihza Mahendra Yusril,
Minister of Justice and Human Rights,
Uahi Utoyo Usman S.H., Menteri Kehkiman, Jl. H.R.
Rosuna Said Kav. 6- 7, Kuningan, Jakarta Selatan,
Indonesia, Fax: + 6221 525 3095

Gen. Surojo Bimantoro,
National Chief of Police, Jl. Trunojoyo, No. 3 Kebayoran
Baru, Jakarta Selatan, Indonesia, Fax: + 6221 720 7277

Ambassador Nugroho Wisnumurti,
Permanent Mission of the Republic of Indonesia to the
United Nations in Geneva, Rue de Saint-Jean 16, Case
Postale 2271, 1211 Geneva 2, Switzerland, fax: + 41 22
345 57 33, e-mail : mission.indonesia@ties.itu.int

Geneva - Paris, July 3rd, 2003

Kindly inform the Observatory of any action undertaken, quoting the code number of this appeal in your reply.

The Observatory, a joint FIDH and OMCT venture is dedicated to the protection of Human Rights Defenders and aims to offer them concrete support in their time of need.

To contact the Observatory, call the Emergency Line:
Fax : 33 (0) 1 55 80 83 92,
E-mail observatoire@iprolink.ch,
Tel. : FIDH 33 (0) 1 43 55 20 11
OMCT : + 41 22 809 49 39



*Villagers in Aceh
mourn the victim of
the killings*

Call for the immediate release of Aung San Suu Kyi



Friends of Asia (FOA) calls for the immediate release of Aung San Suu Kyi and members of the National League for Democracy, who have been detained since May 30.

FOA is deeply concerned about the capture and continued detention of Nobel Peace Prize Laureate Aung San Suu Kyi and members of the National League for Democracy (NLD) by the Union Solidarity and Development Association, the political arm of Burma's ruling military regime. In addition to taking Aung San Suu Kyi and her supporters into 'protective custody,' the regime undertook a nationwide crackdown, raiding NLD offices in at least three cities.

This attempt by Burma's military regime to silence these brave and eloquent voices for democracy is reprehensible. Aung San Suu Kyi, her party leaders, and supporters must be immediately released, and the regime must honor the results of the internationally recognized 1990 general election, which was won in a landslide by the NLD, led by Suu Kyi.

We urge all freedom loving people to join us in working to free Suu Kyi and the people of Burma by supporting the Free Burma Coalition. We encourage you to send petition letter to the United Nation, and to the Burmese embassies in your respective countries. We hope to widen our pressure the Military Junta as a direct response to the ongoing human rights violations under the hands of the brutal military regime.

We also call to boycott multinational companies that are directly supporting the military government and its pervasive violations of human rights

These sales provide U.S. dollars to fuel the inhuman Burmese military machinery of suppression through forced labor, child labor, rape, persecution of ethnic minorities, and the detention of over 1,850 political prisoners. Our united actions will send a message to these tyrants that their actions are not acceptable to the world community.

Respect for human rights is the foundation for freedom and justice in the world, and we cannot rest until basic, fundamental human rights are achieved in Burma. We will stand by the democratic reformers and freedom-seeking people of Burma until their just cause is won.###



Asia - Pacific Mission For Migrants (APMM)

ACTION ALERT

Workers of Nestle Philippines are under siege

Dear Friends,

Last June 23, more than 300 security guards of Nestle plant in Cabuyao, Laguna, Philippines together with 200 forces from the Philippine National Police (PNP) and hired goons, attacked the workers who have been on strike since January 14, 2001.

Under the banner of the United Filipino Employees (UFE), the Nestle union staged the strike to push the Nestle management to include retirement benefits in their Collective Bargaining Agreement (CBA). Since then, the National Labor Reconciliation Commission, the Supreme Court and the Court of Appeals have decided favorably for the workers and ordered the Nestle management to get back to the negotiating table with the union.

The Nestle Philippines management, however, refused to budge. Instead, they faced the workers with continuous harassment, intimidation and now with blatant violence.

Even the Department of Labor and Employment (DOLE) has remained silent on this issue.

Thus, we enjoin everyone to extend our support to the beleaguered workers of Nestle Philippines. We attached herewith the urgent appeal, fact sheet, and list of injured persons issued by the Kilusang Mayo Uno (May First Movement), with whom the umbrella Drug and Food Alliance, to which UFE is a member of, is affiliated.

The APMM is also planning to conduct an action towards the end of next week. We'll keep you posted of the development.

Meanwhile, what we suggest to do are the following:

- 1). Send protest letters, fax barrage and email barrage to Nestle offices in the Philippines, Hong Kong and in Switzerland. Send letters also to related government agencies.
- 2). Circulate the attached urgent appeal to our respective networks.
- 3). Enjoin everyone to take part in the "BOYCOTT NESTLE!" Campaign.
- 4). Send support statements to the striking Nestle workers.
- 5). Join in actions that will be held in support of the workers.
- 6) Support the strike fund for the beleaguered workers.

Below are the contact details of offices where we can mail/fax/email our protest letters:

Juan B. Santos
 CEO & President
 Nestle Center
 31 Plaza Drive, Rockwell Center,
 Makati City, Phils.
 Fax No. (632) 8906681
 Email: JuanB.Santos@ph.nestle.com

Peter Brabeck
 Chief Executive Officer
 Nestle Vevey
 Switzerland
 Email: Peter.Brabeck_Letmathe@nestle.com

Hon. Patricia Sto. Tomas
 Labor Secretary
 Department of Labor and Employment
 7th Floor, DOLE Building
 Muralla Street, Intramuros, Manila, PHILIPPINES
 Email: sto-tomapat@pacific.net.ph
 Fax: 0063-2-527 3494

Hon. Purificacion V. Quisumbing
 Chairperson
 Commission on Human Rights
 SAAC Bldg., UP Complex
 Commonwealth Ave., Diliman, Q.C.
 Fax: 0063-2-9290102

Solidarity messages can be sent to:

Mr. Diosdado Fortuna
 Union President
 UFE-DFA-KMU
 c/o KMU International Dept.
 Balai Obrero Foundation
 63 Narra St. Proj. 3, Q.C.
 fax: 0063-2-4211049
 e-mail: kmuid@i-manila.com.ph

Please inform us and the Nestle Union of whatever action you make take. The greed of this giant food company that starves its workers must end.###

Urgent Action: End the Lockout of Workers at PT Kahatex!

Dear Friends,

Please take action before the end of this week in the following case involving more than 500 workers producing for a number of European and U.S. brands, who have been locked out of their workplace for demanding that they be paid the minimum wage. A sample letter is included below.

CASE SUMMARY

The PT Kahatex Sweater factory in Bandung, Indonesia, is engaging in an illegal lock-out of 537 workers who refused to accept the sub-minimum wages that the factory was paying. Although management agreed on May 9 to begin paying the legal minimum wage, workers' pay was never increased. Workers began a spontaneous strike in protest, and the company responded by refusing to allow any of these workers back to their jobs. The company engaged in brutal tactics during the lock-out, bribing workers and hiring thugs to force workers to resign and accept illegally-low severance instead of their legally due reinstatement and back wages. Now management is telling workers that if they want to get their jobs back, stripped of seniority, they have to pay back the severance pay.

The workers believe that management might be ready to accept their demands: reinstatement, payment of outstanding severance pay, full reimbursement for unused leave, and most importantly payment of the minimum wage and other rights they are entitled to as per the May 9th agreement with management. Therefore, they are asking people to contact Kahatex president Liz Chen in the next few days to keep the pressure on. Please note that at this time we are NOT asking you to contact the companies that produce their garments at PT Kahatex. For more details on this case, please see the chronology of events below.

ACTION REQUEST

✍ Please contact PT Kahatex management to urge them to reinstate the locked out workers, without penalty and with back pay, and to increase wages to meet the legal minimum and implement other normative rights.

SAMPLE LETTER

Please adapt and send the following sample protest letter today

Liz Chen
Managing Director
Pt Kahatex Sweater Division (the facility where the dispute started)
Jl. Rancaekes Desa Solokan Jeruk No. 389 Majalaya
Bandung, Indonesia
Tel. (62)-22-5950531, 5950532 (62)-22-5950535, 5950536
Fax 62-22-5950537 E-mail: liz@kaha.com

Cc: Harja Haruman, Director
William Trisna, General Manager
Nelson Sihombing, Personnel Manager
PT Kahatex, Head Office and Plant #1 Cijerah,
Cigondewah Blok Suci No. 16 Cimahi Bandung,
Indonesia Tel.: 022-6031566 Fax: 022-6031030
E-mail: cj@kaha.com; kahatex@bdg.centrin.net.id;
jkt@kaha.com

Dear Ms. Chen,

I am contacting you to express my concerns regarding the lock out and forced resignation of workers at PT Kahatex.

I understand that 537 workers have been illegally locked out since demanding legally-mandated pay and benefits in May. I understand that these workers have been forced, using intimidation tactics, to resign and accept severance pay at a fraction of what they are legally entitled to. I am outraged to learn of these actions, especially since the regional parliament has called upon you to reinstate these workers.

I support the Kahatex workers demands for just treatment in the factory and fair wages that allow them to support themselves and their families. You must follow Indonesian labor law and abide by the agreements you have made with the workers. You must immediately ensure that:

- ✍ All 537 workers are reinstated to their former jobs with no retaliation or punishment of any kind for their participation in the strike;
- ✍ Employees must not be required to pay back any of the severance pay they have received and those who have not received the full amount of severance agreed to on July 17 must be given the outstanding amount immediately;
- ✍ All locked-out workers must be fully reimbursed for their unused annual leave during their entire time of employment at Kahatex;
- ✍ most importantly, PT Kahatex must immediately begin paying all workers the legal minimum wage (UMK) ? this wage increase be retroactive to May 9, the date when management agreed to begin paying the minimum wage; and
- ✍ All of the other basic legal rights agreed to on May 9 must also be implemented immediately, including legal overtime pay, maternity, menstrual, and annual leave, and health insurance.

For your information, if prompt action is not taken to settle this matter in a just way, I am prepared to contact the brands produced at your factory (Tom Tailor, S. Oliver, Mustang Jeans, H&M, Levi Strauss, Reebok, and Nike) to let them know my concerns regarding these very serious violations of workers rights.

Sincerely,

[insert name]



Peace Museum Campaign

The Hankyoreh Shinmunsa and the “Committee for the Construction of Peace Museum (Temporary)” are jointly preparing the opening of the first peace museum in Korea. With the fund raised through this year, the Hankyoreh and the Committee for Peace Museum are planning to construct the Peace Museum on a place that signifies the virtue of peace.

The Peace Museum will offer visitors opportunity to learn the significance of non-violence and peace in the Korean peninsula and in the international community. Also, there will be various education and exposure programs aimed to help visitors gain a first-hand understanding of peace. As the beginning process to the construction of the museum, the Hankyoreh and the Committee for the Construction of Peace Museum launched an online Peace Museum (<http://peace.hani.co.kr>) to assist wider and easier access to interested people.



Anybody interested in making donation to the construction of Peace Museum should contact the Hankyoreh Foundation for Reunification and Culture. (116-25 Gong-Duk-dong, Mapo-gu, Seoul 121-750, 02-710-0237(phone)/02-706-6009(Fax))



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IBON is a research-education-information development institution.

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 4427 Int. Old Sta. Mesa, Manila, Philippines

Tel: (63-2) 7132729; 7132737; 7130910
 Fax: (63-2) 7160108

Email: <atujan@info.com.ph> or <intlsec@ibon.org>

The Dynamic Korean Language Teachers at the FOA Sunday Class for Migrant Workers

**Starting from the July issue, we will include short Q & A with workers at FOA. You will get to know more about what our FOA workers are thinking!*

- ? What made you get involved in the Korean language class at FOA?
- ? What have you felt so far through your activity at FOA?
- ? What is your future plan for your classes at FOA?



Cho Gyung-A

A graduate student of Korean Arts at the Korean National University of Arts.

A “Two of my friends are working as a volunteer activists at FOA. I wanted to join them by working for the Sunday Korean Language Class.

A “Although I have participated only two times so far, I would like to become a good friend to our classmates. Even though I have met them only twice, I could feel migrant workers are no different from myself. I felt ashamed when a student at my class said, ‘even though migrant workers are contributing to the Korean economy, people in general disregard our existence and human rights.’

A “I think it would be nice to make an audio material for our students.”



Lee Young Ja

Currently working for Deagyo Noonopi at Hwajung.

A “I had an interest in migrant worker issues in Korea. Wondering what I could do, I was just waiting for a chance to get involved in a related work. In the meantime, while searching Internet, I got to know about the Friends of Asia. Only after a few days, I called them and got interviewed for the Korean teacher job. This is how I started my volunteer work at FOA.

A “I feel bad that, although doing hard and difficult jobs, migrant workers in Korea are not still acknowledged for what they deserve to be. Even though what I can do is not very much, I would like to do my best to improve our Korean language class.

A “First, I think our Korean language texts need to get better. After working at the Friends of Asia, I could learn more about NGO activities. I would like to assist FOA more through various activities. If there is any way to improve the Korean language texts in more systemized way, I would do my best to make it.”



Lee Seung Bok

A graduating student at college, who hasn't been to army yet. Quite lazy but self-critical about being so...and quite forgetful, too...thus, more optimistic than average people... "I know not everything I wish can come true...but, I daydream of becoming a bit taller, though!"

A "To make real experience for my application to KOICA (82.6%) + Curiosity for migrant workers and foreign countries (11.8%) + An altruistic side of me, that needs to be clarified yet (5.6%)."

A "Working at FOA, I see many people who are both different and similar. Foreign workers, activists at FOA; and myself, a 24-year-old senior at college; I wonder what I should be doing in the coming years..."

A "I am a bit worried whether I will be able to continue working as usual when I go back to school next semester...? I just hope to become a teacher who prepares each class with integrity. That's all...!"



Jeong Kook Hee

Teaches at reading and writing classes for elementary and middle school students. What I do is usually reading books with the students, and talking about various topics from the books with them. I also teach them how to read books and write essays.

A "I have been interested in Korean as a foreign language. I finished the "Korean Language Teachers Program" at a college. After this, I began working as a Korean language teacher at FOA."

A "First, I love being with foreign friends every Sunday. I've got to know more about how hard they manage their lives here. But also, I learn a lot from them, who are enjoying their lives out of difficult condition. I would like to become just another good friend to them."

A "I will be enjoying working for my Korean language classes, as I have been so far. I would like to help our classmates in approaching the Korean language easier. Also, I am planning to develop our classes better than now. Lastly, I want to learn more about the "civil movements," which I could partially experience through my activity at FOA."

INTERVIEW I

Nursery and Shelter for Women Migrant Workers

In this coming winter of 2003, Friends of Asia will open a nursery and shelter for women migrant workers living in Paju, Goyang. With these facilities, we hope to assist women workers whose difficulties haven't been fully recognized yet. Friends of Asia met Lee Miyoung, who is in charge of our nursery and shelter project.

FOA: Could you tell us about how your project got started?

Lee: Personally, when I visited a woman migrant worker's place, I was very moved to see how hard she managed to live with her baby. This occasion made me to realize the difficulties, which women workers live with. Especially as a mother myself, I thought, regardless of their nationality or skin color, living and growing up in a better environment is the basic rights of all children. This is how we started our nursery and shelter project, with much assistance and support from women residents here. Our

main job will include the counseling service for foreign women who married Korean men, a nursery care for children of both non-Korean and Korean working women, and other services for women workers in general. Our nursery and shelter will be staffed by volunteer workers.

FOA: What do you think the difficulties of women migrant workers?

Lee: First of all, women migrant workers have more trouble in finding people to look after their children than Korean women workers, many of who still depend on their families for that. Sometimes, some women migrant workers take their young children to their workplaces-mainly factories- with them. The result is that the children are more likely to be exposed to the dangers at factories. Also, foreign women workers may find problems in nourishing their infants, due to the different food culture between Korea and their home countries. Lastly, many women migrant workers face a deteriorated living environment.

FOA: What are your plans for the Nursery and Shelter Project?

Lee: We are now doing a survey on the women migrant workers and their children, who will use our shelter and nursery center. Also, our fund-raising activity is still going on.





INTERVIEW II

Children's Festival for Human Rights and Peace

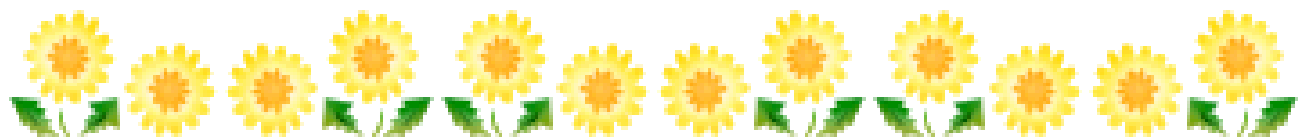
Friends of Asia will participate in the 2003 Goyang Education Exhibition that will be held in the late September in the city of Goyang, Korea. Below is the interview with Il-Kyong Chang, the coordinator of the FOA project "Children's Festival for Human Rights and Peace" for the exhibition.

FOA: Could you explain briefly about the FOA project of "Children's Festival for Human Rights and Peace"?

Chang: "Children's Festival for Human Rights and Peace" will have three main programs of "Experiencing Peace and Human Rights," "Understanding Asia," and "Cyber Peace Museum." In "Experiencing Peace and Human Rights," the children participants will have opportunity to experience what is the human rights violation by doing role plays based on actual cases, to watch fairy tales on screen, and to learn songs on peace. Also, there will be films on human rights for the parents. "Understanding Asia" aims to bring children to an experience-oriented and fun-based understanding of different Asian countries and their cultures. One will have opportunity to learn about traditional music and games and to try various ethnic foods and costumes. Lastly, "Cyber Museum" will include the promotion of the Paju Cyber Peace Museum, mural and sculpture making, and the peace concert.

FOA: What does FOA aim to achieve with "Children's Festival for Human Rights and Peace"?

Chang: In Korea, there have been many activities and events on peace and human rights, mainly for grown-ups. However, what is equally important is to help children become familiar with the values of human rights, peace and multiculturalism. With "Children's Festival for Human Rights and Peace," FOA will seek a socialization of these values among children. What FOA dreams of is a Korean society that is free from human rights violation, racism, and ethnocentrism.



Donation News



119 Assistance for the migrant workers who are in need of an urgent help

- * **Rose Musoke (Uganda)** 188,000 won
- * **Medicinal Aid to the Children in Iraq**.....111,900 won
- * **Carlos (The Philippines)**..... 200,100 won

In June 20, Friends of Asia delivered the above amounts to the Uijongbu Center for Migrant Workers, Hankyoreh Foundation for Reunification and Culture, and Association for Foreign Worker’s Human Rights in Pusan. Unfortunately, however, Carlos passed away at 6 A.M. on June 24. We pray for the repose of his soul.

- ***Sadik (Bangladesh)**..... 1,344,000won

On behalf of Sadik, Friends of Asia was able to bring much support from Nanumkot, Ilsan Organic Market, Hansallim at Goyang, Moon-Hee Nam, Ha-Sung Jang, Mee-Young Lee, Je-Souk Kim, Jobi, Barbes, Shahinul, Ikbal, Malja, Allom, Hanmaum Supermarket, Alli, Boshiri, Delaware, and Nuru. On June 29, Friends of Asia delivered the above amounts to Sadik, who are now hospitalized in Myungji Clinic. Sadik gave thanks to everyone. Thank you.

The Korean Supporters of the Democratic Movement of Burma

With the financial support from the Koreans for the Democratic Movement of Burma, Friends of Asia was able to produce the pamphlet, “Alive Candlelight-Burmese Democracy” and T-shirts. Thank you. (If you have any question on helping us or buying and selling our pamphlets and T-shirts, please contact us at 031-921-7880.)

- Total amounts of donation**..... 1,750,000won

For more information, go to www.freeburma.cyworld.com.
 For those who wish to make donation,
 please send to Chung-Suk Kim at Hanmi Bank, account # 114-67719-2617.



FOA Leadership Training Program Overview and Rationale

Friends of Asia will conduct Leadership Training Program for Migrant Workers to provide them skills for leadership development, facilitation, and management. The program aims to encourage migrant community members to come up with a common understanding on leadership role; to assist them in developing their own communities into scientific and systematic dynamics and provide guidance to the basic organization skills; to help assist migrants in organizing their ranks; to help them develop a deeper understanding of the Korean socio-political and economic situation, labor law, employment permit system, as well as the lives of women migrant workers in Korea. Lectures and discussions will be taken in Korean, English and Russian. The specific schedule of the program is as below.

Starting from August 2, our Leadership Training Program will come in series every Sunday at 4:30-7:30 p.m. In each session, experts from their respective fields will offer lectures and assist the facilitation of the training activity. All participants and facilitators of our Leadership Program will be required to attend the closing ceremony on September 13-14 for the distribution of the certificates of completion.

At the end of each session, all participants of the program will be asked to evaluate, in order to draw lessons and recommendations for the next program.

Migrant workers are encouraged to attend and finish the entire training. For more information, please contact the Friends of Asia at foa2002@foa2002.or.kr or 031-921-7880/1.

Date	Contents	Facilitators	Time
August 2, 3	"We Are Migrant Workers," Video Material	FOA	2 days
August 10	Opening Ceremony, Lecture 1- Introduction to the Korean Society (Politics, Economy, Culture, etc)	Young-Doo Kim	4:30-7:30 p.m.
August 17	Lecture 2 –Employment Permit System	Youn-Bae Kang	4:30-7:30 p.m.
August 24	Lecture 3- - Labor Law for Migrant Workers	Won- Jung, Suk	4:30-7:30 p.m.
August 31	Lecture 4-Understanding of Asian Cultures and Women Migrant Workers in Korea	Keum-Yun Lee	4:30-7:30 p.m.
September 7	Lecture 5-The Community Activity (Experiences from Ansan)	Chun-Eung Park	4:30-7:30 p.m.
Sept. 13-14	Lecture 6-The Community Organization, Closing Ceremony	Mark Padlan, Samar Thapa	After 6:00 p.m.(2 days)





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Translated by: May Wong, Asia Monitor Resource Centre, Hong Kong
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ANNOUNCEMENTS & ADVERTISEMENTS



Internship Program

People seeking to learn more about migrant worker issues, civil and democracy movements, globalization, and alternative education in Korea and other Asian countries can apply for the internship program at Friends of Asia. Our internship program intends to provide students and graduates the opportunity to experience Asian societies in transition through means of fieldwork, research and exposure program. We develop our internship program in cooperation with universities, NGOs, and religious groups both in Korea and overseas. The internship period can be two months to 1 year, with a possibility of extension for more than one year.

Please contact us at foa2002@foa2002.or.kr or 031-921-7880/1.



Volunteer Translators Wanted

FOA newsletter aims to become a genuinely multilingual publication. We would like to invite volunteer translators to help us in making our newsletter more accessible to people of diverse linguistic backgrounds. Bengali, Burmese, Chinese (Mandarin), Hindi, Indonesian, Nepali, Russian, Sinhalese, Spanish, Tagalog, Tamil, Thai, Urdu, and Vietnamese translators are especially in need.

Please contact Mark Padlan and Euryung Jun at foalib@empal.com or 031-921-7880/1.



Korean Language Class

The FOA Korean Language Class for Migrant workers Classes are held every Sundays from 2 to 4 PM at the Ilsan Catholic Church.

Migrant workers can enjoy learning the language and have cultural exchange among Koreans and migrants of different nationalities.

For more information contact: Friends of Asia at Tel No: 031-921-7880 or 019-9141-3612



The NANUMKOT is a second-hand shop of different products, clothes, utensils, appliances etc. Migrant

workers and Korean citizens alike can buy these products at the very cheap prices. The fund raised in selling these products are being used for the migrant workers program of the FOA.



Grassroots Fund for Women migrants Shelter and Nursery for their children. The FOA will soon set up the Women Shelter and Nursery for children. We seek your support and donation for this project. Please contact us at foa2002@foa2002.or.kr or 031-921-7880/1 or send donation at : Account No: 341-18-13094-6, Korea Exchange Bank, Account Holder- Ms. Serapina Cha Mi-Kyung.



Summer trip to Jechun, Chungchungbuk-do!

Activists and friends of FOA got together for one night and a day trip to Jechun, Chungchungbuk-do last August 2-3, 2003. Everyone got the taste of a refreshing and exciting time away from the work-loaded daily routine and experienced a tranquil and starry night in the countryside.



Book for Sale

A Single Spark

The Biography of Chun Tae-il

Title: A Single Spark: The Biography of Chun Tae-il (2003)
Author: Cho Young-rae (Translated by Chun Soon-Ok)
Publisher: Dolbegae Publishers Language: English
Price: 20 USD (Shipping fee included)

Description: "Many cite Chun Tae-il's setting himself on fire in an act of protest in 1970 to have been the start of Korea's current labor movement and a call to awareness about the darker sides of the development dictatorship.

A Single Spark: The Biography of Chun Tae-il will soon be considered an essential part of the outside world's understanding of Korean economic development

(from the hanbooks.com)
Please Contact the Friends of Asia