

Treading on dangerous waters

Driven by poverty, many Filipinos brave inhuman conditions to work aboard distant-water vessels

Perhaps few fishworkers anywhere in the world have experienced the tribulations that Filipino men undergo aboard distant-water vessels (DWVs). Inhuman, often unsafe conditions of work and illegal methods of recruitment are still common, despite campaigns against this form of exploitation.

The Philippines Anti-illegal Recruitment Campaign Programme can be traced back to 1990. During the Bangkok Conference on 'Global Fisheries Trends and the Future of Fishworkers', ICSF responded to a request of the Taiwanese delegation for an exposure to a Philippine fishing village. This was expanded to include a three-day seminar and workshop with the theme 'The Conditions of Fishworkers on Distant-Water Vessels'.

While ICSF regarded this activity as significant, it nonetheless exercised caution in dealing with the issues related to fishworkers on distant-water vessels as it could not yet claim familiarity with this segment of fishworkers. At the conference, the testimonies of fishworkers who had worked on board Taiwanese fishing vessels gave a graphic description of the gravity of the problem. A follow-up conference was held in Mauritius in 1993 to explore the possibilities of putting up a Task Force that would monitor and study fishworkers on DWVs.

Challenged by the testimonies of seven Filipino fishworkers who had jumped ship in Mauritius, the Philippine delegates, along with Gilberto Orioli, an Italian priest based in Taiwan, convinced the Catholic Bishops Conference of the Philippines to call for a press conference to highlight this plight. The success of the press conference moved the Philippines President to send a mission to Taiwan to

look into the reported abuses of Filipino fishworkers.

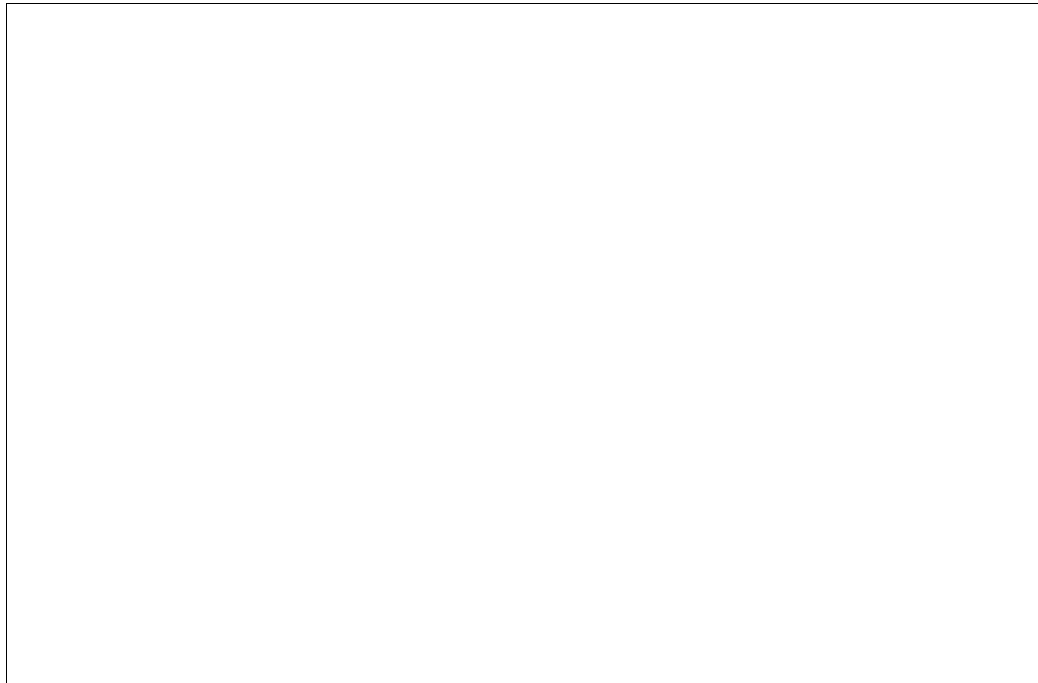
The accounts of the fishworkers and the results of international discussions and investigations held afterwards pointed to this common fact: most of those who end up in unfavourable conditions are victims of illegal recruitment.

Thus, on 17 July 1994, the National Anti-illegal Recruitment Consciousness Year Programme was launched in Manila at the Philippine International Convention Centre. The launch was as festive as it was solemn. It was put together by the programme's core group composed of the Apostleship of the Sea, Manila, the Asian Social Institute's Family Centre, the Free Legal Assistance Group, the Friends of Filipino Migrant Workers, the Philippine Research Foundation for Migration and the Secretariat for Social Action. It can be said that Proclamation No. 422 declaring 1994-1995 as National Anti-illegal Recruitment Year was the result of the core group's efforts to fight illegal recruitment.

The launch of the programme was designed to call the public's attention to the problem of illegal recruitment. His Eminence Jaime Cardinal Sin was the main celebrant of a concelebrated Mass. Justice Secretary Franklin Drilon and Secretary of the Department of Labour and Employment, Nieves Confessor, represented the government. Maritime schools, NGOs and some religious groups expressed support to the programme by sending sizeable delegations.

Commemorative stamps

On the launch day, the Bureau of Posts began issuing commemorative stamps bearing the logo and the slogan of the programme. One of the highlights of the



celebration was the presentation of a commemorative frame to the core group by the Postmaster General. The media took notice of the relevance of the programme and gave the launch extensive coverage.

After such a dramatic start, how is the campaign now? Dissemination to remote parts of the country through seminars, dialogues and media packages has been the joint responsibility of the Catholic parishes and the NGO5. This is being done through the concerted efforts of regional co-ordinators of social action centres in the country, supported by parish-level volunteers.

These initial efforts have encouraged victims of illegal recruitment to come forth to tell their stories. Local government officials, police and military personnel or their relatives have been linked with such illegal recruitment practices.

These findings have been the subject of news items in national media programmes. As a result of the campaign, at the regional level, several cases of illegal recruitment have been filed with the National Bureau of Investigation in different parts of the country. In order to expedite the solution of cases, a tie-up with the Department of Justice has been institutionalized.

For the government's part, the Department of Labour, along with the Philippine Overseas Employment Agency, launched its own campaign and subsequently, a crackdown on illegal recruiters. A bill is now before Congress seeking to declare illegal recruitment as a crime against the State. Another bill, which has been approved by Congress on third reading, provides for a 24-year prescriptive period for the crime of illegal recruitment, which is recognized as economic sabotage.

Undoubtedly, the programme has made some gains in terms of raising the consciousness of the people. Perhaps it has even encouraged the government to become serious in implementing the anti-illegal recruitment law. However, the real issue that underpins illegal recruitment has still to be addressed.

There is a Filipino saying which runs "Angtaong nagigipit, sa patalim man ay kakapit" (A person in extreme need is forced to tread on dangerous grounds). Such is the situation in our country today.

Social imbalance

The social imbalance in our structural system has reached a proportion where the great majority who are poor do not see a way out of the web of poverty except to get out and stay out of the country. This they would do, even at the risk of selling some *carabaos* and a piece of land, if only

Fishing with Ramos

In his State of the Nation address during the opening of the ninth session of Congress, President Fidel Ramos declared the Fisheries Code one of the priority bills that should be passed by the Legislative Body. Supporting the need for an effective community-based coastal resources management, he signed Executive Order No. 240 on 1 May 1995 which created the Fisheries and Aquatic Resources Management Council (FARMC) in the barangays, cities and municipalities.

FARMC aims to institutionalize the role of local fishers and other resource users in the community-based planning and implementation of policies and programmes for the management, conservation, development and protection of fisheries and aquatic resources of the municipal waters, as defined by the local development plan. The aim is an integration with the local plan.

FARMC will also recommend guidelines to local government units and special government agencies on how to develop and implement projects. To ensure limits on the use of resources, it will also lay out norms for the issue of permits and licences to exploit fishery and aquatic resources,

The Executive Order also instructs official bodies to extend technical assistance to FARMCS. The Philippine Coastguard and other enforcement agencies have been asked to take the lead in enforcing fishery and environmental laws, in collaboration with FARMCS. To help enforce the law, FARMC members will also be trained and deputed as fish wardens and environment and natural resource officers.

President Ramos has also ordered the District Attorney to submit to the House of Representatives for approval a harmonized bill on the proposed Fishery Code that will amend the old order. The Land Bank and other

government financial institutions have been asked to speed up the flow of finances to the aquaculture and deep-sea fishing sectors. A new Act will open up an additional 100,000 ha of non-mangrove areas for cultivation. The president has also directed agencies to put into effect a fisheries management programme as proposed by the workshop on integrated ocean planning and management strategies held in November 1994.

- Specifically, he urged the workshop participants to:
- chart the countrys EEZ and negotiate for the resolution and delineation of boundaries in areas of disputes with neighbours;
- demarcate the country's fishing zones for ease of management; and
- conduct a rapid resource assessment of all traditional and new fishing grounds in Philippine waters to permit the establishment of fisheries management plans based on maximum sustainable yields.

The President has also urged fishery industry leaders and fishery-related agencies to prepare and submit to him a final draft of the Unified Fisheries Productivity Programme that will consolidate into one national programme the Medium-term Fisheries Management and Development Plan prepared in 1993, the Fishery Sector Programme of the District Attorney and the Science and Technology Agenda for National Development (STAND) Philippine 2000 of the Department of Science and Technology. Ramos also counselled a review of the Fishery Sector Programme now being implemented with funding from the Asian Development Bank and the Overseas Economic Co-operation Fund.

to pay the fee of a recruiter. Not even stem warnings about illegal recruitment and the possible inhuman treatment in foreign lands seem to dissuade them from leaving the country.

Then there is, of course, what we call fate or *'suwerte'*, a value, which is conveniently functional in such a situation of hopelessness. "Ang suwerte ni Juan ay hidi suwerte ni Pedro" (The fate of Juan is

not the fate of Pedro), say Filipinos. Our whole value system is reflective of the labour export phenomenon.

It is mirrored in the family's aspirations, in the foreign and economic policies of government, in the curriculum of our educational system, in the advertisements by mass media and in the themes of the entertainment world such as television and cinema.

My personal experience with overseas workers and their predicament began in Mauritius in 1992. I was attending an international conference on 'The Conditions of Fishworkers on Distant-Water Vessels', sponsored by ICSF as a sequel to the Manila Conference of 1991.

At the Mauritius conference, we were confronted in 'flesh and blood' with the problems of fishworkers aboard Taiwanese vessels. We listened to the shocking testimonies of seven Filipino fishworkers who had jumped ship in Port Louis. They had come to ask us to intervene as they wanted to go home but did not have tickets.

What were their stories about? They were about their quest for a better life for their families. And, here, 'better' means only the ability to meet their basic needs of three meals a day, decent clothing, a house to call their own and education for their children.

But the price they had to pay for this search was costly in terms of human dignity. They were beaten by officials of the vessel, kicked when they did not understand instructions and 'stoned' with huge tuna fish every time they began to feel sleepy. They could get only four hours of sleep. Food was insufficient.

Drinking water was rationed and very limited. On top of these, they were short-changed in their salaries, if they were lucky enough to receive their pay envelopes at all.

What was common in their stories? All of them were illegally recruited. This situation had made them very vulnerable to all sorts of unjust and oppressive treatment. Apparently, in such a predicament, not even our government could give them protection, much less fight for their human rights.

At this point, the role of the Church, NGOs and international organizations became very crucial. The Apostolate of the Sea (AOS) in Mauritius and in Taiwan succeeded in pressuring the Taiwanese vessel officers to give the workers their return passage tickets.

Soon after the Manila Conference, ICSF had rallied international organizations to send letters of protest to the Taiwanese government. 700 of them were sent.

Afraid of recruiters

In Manila, the Family Centre of the Asian Social Institute and the AOS tried to help the seven fishworkers get their salaries. Unfortunately, this was difficult as the recruiting agency was 'floating' and the fishworkers were very afraid to sue the Filipino recruiters. After some weeks and



months, we were informed that they had all gone back to work on other distant-water vessels.

Deep inside me, I felt very bad. But I could understand why they had to go back. I could still recall vividly our heart-to-heart talk at the AOs Centre in Mauritius where they temporarily sought shelter. To be able to pay the recruitment fee, all of them had to either borrow money ranging from Peso 14,000 to Peso 24,000 or sell some *carabaos* or mortgage their houses and land.

This dehumanization of the seven fishworkers really hit me hard. I told myself that we keep telling them to say 'No' to illegal recruitment, but what alternative can we offer them? Yes, what? We continue to denounce illegal recruiters, but what do we announce? Lest I be misunderstood, I do not mean to underestimate our anti-illegal recruitment consciousness programme. What I hope to emphasize here is this: alongside this campaign should be a long-range plan that would consist in re-directing our labour policy from export orientation to local entrepreneurship. It is about time that the government, the church, the NGO's and people's organizations came up with a common agenda to resolve this complex issue of overseas contract workers.

This calls for a paradigm shift:

- from a materialistic view of potential contract workers as commodities to be 'given' to the highest bidder, to a more holistic view of them as persons endowed with tremendous potential to change themselves and their environment, if given the opportunities;
- from a palliative, 'cosmetic' approach in resolving our unemployment problem through labour export to a more integral and long-term approach in alleviating poverty and the sustainability of the environment;
- from a position of allowing our country to perpetuate the dominant paradigm of development which promotes

unlimited GNP growth through industrialization and urbanization for which manpower is needed to a firm resolve to promote a development model that is technologically efficient, humane and sustainable;

- from a position of weakness in perpetuating a colonial mentality, which has been a great obstacle in freeing us from the bondage of the past, to a position of strength in asserting our nationhood through a policy of local entrepreneurship and the promotion of a 'Filipino first' mentality;
- from a passive approach in the practice of 'copying' imported products to pass off as 'imported', to an active approach of enhancing creativity by coming out with products that are authentic and reflective of our culture;
- from perpetuating the value of 'employee' of the world to one of self-esteem and pride in being a Filipino.
- By way of ending, it might help to ponder over the following questions: What is the good news for the poor? What are our options? As government officials, what is our duty? As social scientists, what is our mission?

This article is written by Nenita M. Cura, Director, Family Centre, Asian Social Institute, Manila