

REINTEGRATION

THIS SECTION OF THE MANUAL FOCUSES ON:

Reintegration stage is often described as the 'last' stage of the migration cycle for a migrant worker. It includes the process of

(i) returning to the country and communities of origin after spending a period of time in the host country or

(ii) reintegrating in the host country itself. It involves many issues related to re-adjustment, assimilation into the country, family and culture.

Experiences that the migrant workers go through at the pre-departure and post arrival stages, impact their re-adjustment process. Similarly, issues and experiences of migrant workers during the process of reintegration impact their decision to re-enter the migration cycle due to lack of other options. This re-entry into the migration could often be in the unrecognised sector, while being aware of the conditions in the host country and the vulnerabilities during the whole process.

Migrant workers return to the home country due to many reasons and in many ways. They come back either as individuals or when they are sent in groups, en masse.

New experiences in the host country bring various changes in the behaviour, relationships, norms and values, acquired skills, new expectations and identities. Many migrants become more confident and develop survival skills. The new set of relationships impact on their sexuality and the health status. The migrants experience a whole new lifestyle, social networks and thus new identities.

Changes also occur at the family and society level as well with regard to employment opportunities and the economic conditions, which

the migrant workers have to re-adjust to. Thus, the migrant workers face various conflicts which they have to resolve during the process of re-adjustment.

Being HIV+ raises many issues for migrant workers in the host and sending countries, impacting at personal, social and economic levels.

Migration and reintegration may also include issues related to families and children in the host country.

Current policies and programs for reintegration do not take into account migrant workers as human beings but continue to focus on their status as a 'commodity', which forms the basis of many economic and social reintegration schemes. Trainings offered in the host country to facilitate employment in the sending country, often do not match the skills required for the new employment environment in the sending countries.

Programs and policies need to be designed so as to provide information, social and job related skills which match the employment opportunities back home, mobilisation and empowerment of migrant workers for management of their savings and remittance issues, and ensure involvement and mobilisation of the migrant workers' families as well.

Reintegration issues should be addressed in both the sending and receiving countries at all stages of migration with a special focus on gender related issues.



BACKGROUND

Reintegration stage is often described as the 'last' stage of the migration cycle for a migrant worker - either reintegration back in the home country or reintegration in the host country itself.

For migrant workers coming back home, the process includes returning to the country and communities of origin after spending a period of time in the host country. It involves many issues related to re-adjustment, assimilation into the country, community, family and culture. While the process of reintegration really begins at the time of physical arrival into one's country of origin, its impact cannot be fully measured until sufficient time has lapsed to allow for the returnee to once again become a part of the familial & societal spaces he/she left behind.

The return of many Asian migrants is unavoidable also because Asian migrant workers are mostly unskilled or semi skilled labourers who work in 3D jobs with no job security, legal protection or residential rights. The temporary nature of their migration arises from the fact that they cannot renew their contracts for extended periods of time or for more than a certain time period. Further, if

they are undocumented, they need to first return to their home countries before they can take up employment again in the receiving country. Many are also undocumented migrant workers.

Most sending countries as well as families do not pay much attention to this stage of migration since most migrants are looked upon as 'commodities that bring home money' both for the family as well as the country. The human aspects and changes that the process of migration brings within the individual are often overlooked or seen as their own individual problems that they have to deal with.

It also remains an elusive subject, as no official data is available with regard to the returnees. Countries, which regulate and record exits, do not have a mechanism to record returns from abroad. The only such mechanism exists on disembarkation cards, often hastily filled out by returning passengers. However, matching embarkation and disembarkation cards has proved to be difficult, and as a result no patterns of return can be established through official figures.



Migration in Asia is marked by conditions and policies to avoid integration of migrants in the host countries, unlike some other countries in Europe. Migration is strictly seen as a temporary phenomenon where return to the home country is mandatory. Workers are not encouraged to bring their families along with them, or marry local citizens or another migrant worker, or become pregnant. This creates risky conditions and environment for the workers to forge relationships for warmth, companionship and sexual needs. It has been seen that relationships can happen between migrant workers in the host countries or with locals in the host country. This raises a number of issues including legality of relationships and recognition in the host countries; legal identity of children, among others. The situation is further worsened in the case of undocumented workers. These issues make reintegration of migrant workers in the host countries very difficult.

Migration process a continuous cycle

Experiences that the migrant workers go through at the pre departure and post arrival stages, impact their re-adjustment process. Similarly, issues and experiences of migrant workers during the process of reintegration impact their decision to re-enter



Burmese Migrants being deported from Thailand (Nov1999)

the migration cycle due to lack of other options. This re-entry could often be in the unrecognised sector, while being aware of the conditions in the host country and the vulnerabilities during the whole process. Alternatively, migrant workers may decide to reintegrate into the host country itself for various reasons including family ties etc.

Many studies have shown that there are a number of cases of returnees with actual or intended repeat migration or serial migration. This may mean that there are a number of migrant workers who technically do not go through the process of reintegration. Serial migration results in deferring for later time actual re-integration. Many who are unable to gain permanent legal status in the receiving country may use serial migration as a fallback. But the actual and potential possibility of serial migration may be adversely affected by two factors which have come to be felt in varying degrees by sending countries: limited market and increased number of migrant workers wishing to work abroad with whom the returnees need to compete for overseas employment.



Hence, the reintegration process should recognise and address various aspects of adjustment for migrant workers personal, familial, social/cultural, financial/economic, and political which are crucial for restoring their rights as a citizen of the country.

REINTEGRATION IN THE COUNTRY OF ORIGIN

Who constitutes the returnee migrant workers?

Migrant workers returning to the home country could return due to many reasons and in many ways. They come back either as individuals or when they are sent in groups, en masse.

Migrant workers return due to following reasons:

1. Voluntary return after the successful completion of the contract or the project. It includes a possibility of the migrant workers having achieved the objectives they had set for themselves prior to their departure.
2. Return before the end of the contract or prematurely due to following reasons:
 - ◆ Forced deportation because of health reasons.
 - ◆ Intolerable working conditions, violence and abuse.

According to studies conducted, voluntary return after the end of the contract has been cited as one of the major reasons for the return of Asian migrants to their home countries. Two thirds of Pakistanis, 56% of Indians, 55% of Bangladeshis and 41% of Thai indicated the end of contract as the motivation for return

Source: Khan 1991; Nair 1991; Mahmood 1991; Pongsapich 19991.



In some of the studies with domestic workers, this was especially high for women domestic workers who were affected by heavy work load, bad health and abusive conditions.

- ◆ Return due to changes in aspirations or motivations. This may happen due to disillusionment with 'an ideal migrant workers perception' of earning lots of money and living in good conditions; or disillusionment with the culture and work conditions of the host country.
- ◆ Return due to family problems or issues back home, related to illness, children or any natural calamity that had struck the family.
- ◆ Return in groups/or en masse due to
 - Political crisis: War and conflicts in the host country (example, Gulf War crisis in the early 90s resulting in many migrants returning to India and Sri Lanka);
 - Economic crisis: Financial Collapse resulting in rise in unemployment in the host countries (example, 1997 South East Asian economic crisis)
 - Mass deportation of undocumented workers (example, Malaysia, Korea, Japan in 1998)
 - Change in policies of the receiving countries (example, during

economic crisis, Malaysia enforced a policy of deporting migrant workers in service sector) or sending countries (example, Philippines increased and standardized the salaries for Filipino domestic workers, as a result of which Malaysia changed its policies and began recruiting Indonesian domestic workers).

- Localisation programmes to replace migrants with local workers (example, during economic crisis local workers retrenched, or “Emiratization” & “Baharanisation”).

Issues within the Reintegration

process: factors that affect

vulnerability of migrant workers

Reintegration is often seen as the period when the migrant workers return home and start their next phase in life with their community and family. This in practical terms is the most important part of reintegration. This phase has different stages.

The first stage is the arrival and initial stage in reintegration. This is the crucial stage where the returnees decide whether to settle down in the country of origin or re-enter the migration process. From the experiences of migrant workers, it is known there are many who return, not only with new experiences but also with cash or none at all.

For migrants who return with cash and goodies, it is a period of being reunited with families easily; there



is acceptance, joy and pride. However, the honeymoon period lasts as long as the cash remains. The moment the cash runs out, signs of rejection from the family/community begin. The expectations placed on migrant workers are high by the dependents and the community. But if the money had been used well and income continues to flow in, then the migrant worker becomes a success.

The scenario completely changes if the migrant worker returns with nothing. This is the case of migrants who had been deported for various reasons like being tested positive for a disease, or deported after being detained, or due to abuse, loss of job, pregnancy or accident. In such situations the migrant worker comes home with no money and experiences rejection, alienation, shame and guilt. He or she is seen as a failed migrant. The reintegration thus is a painful process, takes longer and requires much support.

The second phase on return is the period of another form of readjustment when he has either found employment or started an income generating project. In this phase, the migrant also faces new issues and problems. He has to adjust to his work which may be completely different from what he worked as in the host country. Many migrant workers who had worked either in the manufacturing or in the construction sector within an urban setting in a developed country, experience new methods at work and new work ethics and lifestyle. But when they return to rural work environment, they face new challenges in adaptation and production. The migrant worker's new skills are neither recognized nor valued. This cycle in the migrant's life needs support and mobilization so that he/she can contribute in a more productive way.

Many migrant workers who begin some form of income-generation program, often do not have business skills like marketing or a support network. Many migrants become vulnerable in investing their money, only to realize later that they have been cheated or ill advised. Thus training and organizing returnees in a collective way to invest their money for income generation with other members of the community will be more stable, secure and beneficial. This strategy also results in quicker and easier reintegration into community.

But, for many returnees, the potential for a more stable reintegration tends to be a distant dream as they see low job opportunities or chances for a steady income. Returnees find their skills

unrecognized and for many, the return to a more conservative lifestyle creates conflicts within them and with their community. Thus re-migration becomes the choice or the best option.

A returnee becomes fully integrated when he becomes a catalyst for change. And when migrant returnees get involved in the community and assist others to ensure that they make good decisions either to stay or to migrate, it is clear that the returnee values his community and his family.

Factors affecting the vulnerability of migrant workers

- .. *Migrant worker: a changed human being due to the experiences in the host country and during the process of migration*
- .. *Family of migrant workers: changed environment, expectations from migrant workers*
- .. *Economic and employment opportunities: changes in economic scenario, job market and skills requirements*
- .. *Issues related to women migrant workers and rights of their children*
- .. *Conflicts faced by migrant workers, based on the above*

Migrant Worker: a changed 'human being'



Due to the conditions described in the 'Post Arrival' chapter that included loneliness, lack of communication with the family, anxiety, multiple conflicts related to human, social needs and culture, adjustment to job, working and living conditions, the migrant worker goes through many experiences while working abroad. These new experiences bring various changes in the behaviour, relationships, norms and values, acquired skills, new expectations and identities. Many migrants become more confident and develop survival skills. The new set of relationships impact on their sexuality and the health status. The migrants experience a whole new lifestyle, social networks and thus, new identities.

There are mental health implications due to psychological trauma experienced by those who have been arrested or subjected to abuse and/or torture during detention.



Example of a case handled by Tenaganita:

Manik Mia, a Bangladeshi national was referred to Tenaganita in May 2001 by the Bangladeshi High Commission for assistance. He was a documented worker.

Manik Mia was beaten up and robbed off his money and documents by four Malaysians. He suffered serious injuries on his head, which required several stitches and was hospitalised. At the time of intervention and repatriation he could only remember his name and being beaten up. He needed continued treatment and care as his wounds were still bleeding. Tenaganita housed him and counselled him almost daily as he was traumatized and suffered

from severe headaches.

The Bangladesh High Commission issued him emergency travel permit and donated a ticket for his return. Tenaganita was able to get the clearance for his exit from the Immigration Department on humane grounds and Manik Mia was repatriated.

An amount of RM 3,500 (USD 972 approx) was raised by his wellwishers. Upon his return to Bangladesh, with the money raised and some money from the family, Manik Mia continued his treatment.

Tenaganita staff visited him in Bangladesh in January 2002. Today, he is still not able to understand or comprehend and suffers from memory lapses. He is not able to work normally. He works sometimes in the fields of his neighbours and earns a bit of money, which is not even sufficient to feed him.

His family welcomed him home at the beginning but they don't care for him now and he is seen as a burden on the family. He is seen as a useless person as he did not bring back money after working in Malaysia.

His wife left home as he did not send back any money for her and she is remarried now.

Health Status:

Migrant workers who get deported because of poor health or have been tested positive for HIV or for other infectious diseases, return home with nothing. Sometimes they do not even know about

their status or why they were deported except that they were found to be 'unfit for work'.

Unhygienic and often inhuman working conditions coupled with small amount of food with low nutrition and lack of access to health care or treatment, often leave migrant workers in a much deteriorated state of health, than what they were at the pre departure stage.

Economic Status:

Insufficient earning and savings to pay the cost of migration and fulfil family and community's expectations is one of the most serious problems that returnees face. Most of them hardly have any savings or a planned strategy for any form of income earning.

For many migrant returnees, coming home is a new beginning and many did not prepare for their return. The home country too has no or lack effective plans to reintegrate migrant workers.

Family of the migrant workers

changed environment,

expectations:

Changes in the family, spouses

Disintegration of families is one of the most serious problems faced by migrants.

Most migrant workers find many changes in the family upon their return. The children

A 1996 study of the Philippines Social Welfare Department revealed that 40% of migrants' families faced problems pertaining to infidelity, early/unwanted pregnancies, drug abuse, and delinquency/drop out of children from the school etc.

are grown up and have changed their looks, thinking etc.

Most common of the problems is the issue of the spouses. Many migrants come back and are confronted with a situation where the partner may have different expectations. This creates a sense of alienation between the migrant and the spouse.

According to KALAYAAN Inc and CARAM Philippines study with sea farers and their wives in the Philippines, it was found that many wives were happy with the return of their husbands, but needed to confront their emotional insecurities as well as reconcile with their ambivalent feelings towards their husbands. The lack of confidence as a result of protracted togetherness or loneliness, also makes the wives emotionally insecure in the relationships.

"I am happy when he comes home from abroad but, sometimes, I feel ambivalent. I feel shy when we talk and when we lie down together."

Source : Interview by ACHIEVE/Inc and CARAM Philippines, Mayet, Filipina spouse of seafarer (Sanga, 2000)

I like to have sex everyday but my wife wants to have some breaks. I am only here for holidays after two years so I want it every day now that I have the opportunity. The first three days when I was back we were having guests, so no sex for me. But after that I readily did go for it. When we are fasting during Ramadan, we are only allowed to have sex after sunset. So we have to do it at night. But I can only do it once, as we have dinner late and have to get up very early for breakfast. I suffer these days and sacrifice myself. Now it is more regular.

Source : Interview by SHISHUK

Like migrant workers, the spouses also are exposed to a new set of problems after the departure of their spouses. They also experience human and social needs of having relationships and sometimes also sex in order to cope with the loneliness, anxieties about the spouse etc.

Often, women spouses are forced to take on employment in order to meet with the economic demands of the families in the absence of their husbands. The migrant workers need time to come to terms with this new status of their wives.

Many women migrants upon their return, find their husbands have settled with another woman.

Health of the spouse is yet another issue that the migrant workers have to deal with. At times, husbands due to their extra marital relationships may have developed STDs, or

My husband got married for the second time. For that reason, I came back home on my own wish. For whom would I spend my money? If I will say this I will be hurt. My heart was broken. I went abroad for my husband, but he did not understand that. He started a new family. I did not protest at first. I quarrelled with my husband and he did not say anything. I did not feel well. He tolerated me and nowadays, there are no problems. I am happy now. But I cannot forget everything.

Source : Interview by ACHIEVE

even HIV/AIDS. Female spouses face physical abuse, sexual exploitation when their husbands are away which affect their physical and mental health.

Many migrants acquire STD or HIV in the host country, which is often untreated due to lack of access to either health information or care and support services. Thus they pass it on to their wives who also become infected with STDs. Most men do not even tell their wives about their visits to the sex workers or the sexual relationships they develop.

At times health of spouse is yet another



My husband is young. Can he have the same patience like me? He could not wait. He went to some place to enjoy himself and got affected. When I returned I told him to go to a doctor and take advice. He said that he did. I saw it myself. I saw something like cut marks in his penis. I asked him where he got it, whether he went to any special place? He denied this.

Source : Interview by ACHIEVE

Some wives are aware of this and confront the same, whereas some accept it as inevitable part of the husband's life.

Excerpts from an interview:

Q. Did you tell your wife about this?

A. Yes, I told her after a long time has passed. Before she used to get angry but now she doesn't. She just told me to take precaution.

Q. What kind of precaution she means?

A. That I should use condom and be selective enough in choosing a partner. Not to be voracious.

Q. So you have a mutual understanding when it comes to that?

A. Yes, of course.

Source : Interview by SHISHUK

Changes in expectations and lifestyle

Increased income of the migrant worker sometimes also changes the economic status of the family suddenly. The migrant families become the new middle class in their own country. After a few years of overseas work, migrants' families tend to turn to unbridled consumerism and conspicuous lifestyles. These lifestyles, sometimes, reinforce the migrant's dependence upon overseas work resulting in cyclical migration.

*There is a life after broken dream: By Jonathan De Vera
Testimony presented at the Regional Summit on Pre Departure, Post Arrival and Reintegration, Genting Highland 2000.*

My name is Jonathan. I am a Filipino and a volunteer of the Positive Action Foundation and Achieve, Inc., Philippines. Today, I would like to share the story of my life, both as a migrant worker and as a person with HIV. I hope that by sharing experiences, we could achieve something that could contribute to the purpose of summit which is to develop a regional strategy to increase protection and reduce HIV vulnerability of migrant workers.

I come from a broken family. As a young child, I was traumatized by the physical abuse inflicted by my father who was a police officer. Worse, my half brothers and half sisters abused me, leaving me confused about my sexual identity and uncertain about my well being physically and sexually. It is no surprise then that hatred, jealousy and indifference prevailed in the household during my growing up years. Against this horrible backdrop, I have dreamt of rebuilding my broken family and having a family of my own. To

pursue this, I knew I needed to have a good income and working abroad was the only way to achieve it. Despite a good job in a five-star hotel in Manila, I decided to go abroad.

From 1984 to 1986, I worked as a Food and Beverage Supervisor in a government hospital in Riyadh, K.S.A. From Riyadh, I moved to Jeddah for two years and, then to Abu Dhabi for another two years. From 1990 to 1998, I worked in a cruise ship or luxury liner as Bar Tender / Assistant Bar Manager. This job took me to several parts of the world including South America, Europe, Asia, Scandinavian countries, Russia, the Middle East and Israel. All through my years of working abroad, so many incidents took place that this has left painful marks on my life.

My work in Saudi Arabia was not enough to sustain the needs of my family back home. Thus, I sought extra income by working as a cleaner in the apartments of British doctors and nurses working in Saudi hospitals during my day off. In short, I did not have any rest day. With my extra income, I was able to send more money to my family. I was sending my two nieces to college and entered into business partnership with my brothers. Ironically, the more money I sent, the more money they asked.

To meet these increasing demands, I worked day and night assisting a friend in making Filipino delicacies to be sold to Filipinos in Saudi Arabia. There were even times I thought of making more money through illegal means. But the scenario of rapist and murderers being beheaded for their crimes in Saudi Arabia scared me from doing illegal things. Meanwhile, letters from relatives and friends came pouring in. My co-workers thought I was luckier than they were, having received more letters. Little did they know that those letters were from my family asking for more money.

My work in the bar in the cruise ship gave me access to passengers. I befriended some of them and eventually got involved physically and emotionally. Life on the ship was not easy. We have to adjust to different ways, languages and cultures of various nationalities, both of passengers and crewmates. Physical conditions at sea are harsh, and getting sick is not allowed in the ship. To ward off sea sickness, I would eat more and rest more. That was my coping mechanism.

After finishing a 10½-month contract. I went on vacation to our hometown. To my great shock, I found out that my half brothers cheated me in our business partnership. I was so angry to see how my hard-earned money in Saudi Arabia and as a seaman was wasted away. I went back to my ship extremely hurt and disappointed. I tried to forget what happened but I could not. In my despair, I got drawn to wine, gambling, women and even men. I was so lonely, desperately trying to understand why despite the sacrifices I made going through all the difficulties, suffering, discrimination in working abroad just to make life better for my siblings things still went wrong.

The next three years I decided to see as little of my family as possible. Instead, I would bring home women from a foreign country I met on board a ship. With the three women I had gotten involved with, no marriages ever took place. The rest of the days saw me sinking in my vices. I would spend the whole day and night on drinking, gambling and having sex somehow trying to find an ally to cope with loneliness and desperation I was going through.

In 1998, my contract ended. Our boat was on dry dock and we went on an annual vacation. After spending a few weeks in Manila, I reported to my Fleet Manager for my scheduled embarkation, to work back in my old ship. Sadly, I was told that there was a change in policy and that I was not qualified anymore due to my age. It was painful to accept that after 8 solid years, my shipping line would not allow me to work with them just because the newly-hired port captain abroad had a change in policy. Without money of my own, I tried looking for a job. I experienced having bananas and water for my meals and walking from home to the offices to apply for work.

Throughout my jobless days, I did not get any support from my family and those persons I have helped through all those years when I was working abroad. I was looked down on and ostracized for being jobless. Even my former crewmates, whom I used to bring for drinks, avoided me. It seemed like when you lose your job, when you have no money, you lose your prestige, family and friends. Thankfully, I found strength when I joined the Christian Fellowship Movement.

In December 1999, I was accepted for a land-based job in Damman, K.S.A. I took the pre-departure orientation seminar (PDOS) and was given a certificate of attendance. But STD and HIV/AIDS were not among the subjects

discussed. My employment agency had to rush my medical examination so that I could leave within a week. The result? I was diagnosed as HIV positive asymptotic. When I was told of the result, I was shocked. I felt weak and until today, I do not know how I managed to get home. This was when I finally realized that life was beautiful and should never be taken for granted. That is a gift from God.

Until today, my family does not know that I am HIV Positive. I've been ostracized and discriminated for being jobless. How much more if I have to disclose my HIV status? It is so difficult that I have no one to share my feelings with. I don't have parents anymore. I have no family of my own and my friends are nowhere to be found. There were days and nights that I would wake up in the middle of the night crying, trying to find reason WHY? WHY ME? I felt it was better to die then, having too many unanswered questions. Then I was able to gain some strength from the Christian Fellowship that life has to move on in spite of my HIV status.

I had post-test counseling but I didn't have counseling when I took the antibody test. I was referred by the clinic that made my medical exam to a government hospital for further treatment but I found out later that the doctor in-charge informed my recruitment agency of the result of my antibody test without my consent. No confidentiality was observed. I was naïve and ignorant about the content of Republic Act 8504. But now that I am fully aware of this law and my rights I am now ready to confront them about what they did. I went through a rigid medical check-up and I was an outpatient of this government hospital since January 2000.

Going to government agencies such as the Social Security System (SSS) and The Overseas Workers Welfare Administration (OWWA) to claim my benefits, as overseas worker was no pleasant experience. I thought that since these agencies hail OFWs like me

as modern-day heroes, I would be treated well. But when I filed my disability claim with OWWA, the staff hurriedly processed my papers so that I would be out of their sight. When I finally met the last person to approve my claim, I offered my hand to express my gratitude; to my dismay, he did not want to shake hands with me. I felt humiliated. At that time I didn't know that we had the Republic Act No. 8504 known as the Philippines AIDS Prevention Control Act for 1988.

What I'm doing now is to keep myself away from the things I used to do before. In short, clean living. I am taking some alternative herbal medicines because it's much cheaper. I do a lot of exercises which is not strenuous, eat the right food. But there are times when the food prepared is not really good for my health and I just cannot complain. I am now doing networking, giving care and support to my fellow OFWs living with HIV/AIDS. I look forward to the elimination of ignorance on HIV/AIDS issues through education and information dissemination especially to all sectors dealing with migrant workers.

My advice to migrant workers is: be truthful about your income status at the very start. This would not create false expectations back home and you would not be pressured to live up to a false image.

I am hopeful that my family would one day understand and accept my situation. Slowly but surely I am trying to educate my family and friends about HIV/AIDS issue. Just like anyone else, migrant workers living with HIV/AIDS would love to be treated as ordinary human beings, who deserve respect, friendship, care and compassion?

Economic and employment opportunities: changes in the economic scenario, job market and the skills requirement

Economic reintegration is also a crucial issue for migrant workers. According to studies, proportion of workers who are unemployed upon return is very significant, sometimes higher than before migration.

For example, in Pakistan, only half of the returnees were able to find employment immediately after return and almost 30% were unemployed even after two years (Gilani, 1986). The same results were found in Kerala, India (Nair, 1991). Unemployment among returnees was double the figure before migration in Sri Lanka (Gunatilleke, 1991) and 41% in Bangladesh (Mahmood, 1991).

Although the migrant may not be employed probably because he/she is not seeking a job proactively, but the crucial factor is unavailability of jobs.

According to studies, many migrants indicate they would like to establish a business, but only a few do so. Mostly, they do not have sufficient finances for self employment, or they lack the management expertise. The typical investment by the Asian migrants is in transport vehicles, buying land or shops.



Also, the area of return does not present attractive opportunities for investment (Abella, 1986). However, avenues for self-employment in the local economy are very relevant to shorten the length of unemployment for returning migrants. Also, many a time the skills acquired through new experiences abroad, or through trainings in the reintegration programs in host countries, do not match the employment opportunities or demands in the home country.

These lack of employment opportunities force migrant workers to re-enter the



migration cycle while being aware of the deplorable and inhuman conditions that one has to go through.

Issues related to women migrant workers and the rights of their children

For women, reintegration stage is often difficult. Disintegration of family, little savings and heavy debts create conditions that force women to enter the migration process especially in informal and unsafe sectors such as entertainment, domestic work or sex work, further enhance their vulnerability to HIV/AIDS and physical and sexual abuse.

Activities of Solidaritas Perempuan (SP) indicated that the violence amongst women migrant workers had increased. This was evident from the cases being handled by them, especially in Saudi Arabia. One of the major implications of growing violence against women including rape, are the children born to these women. Some of these women are single and unmarried. During August-September 1998, SP's shelter helped in the births of eight children of survivors of rape. Of these eight women, five were unmarried. All eight women had got pregnant as a result of rape in Saudi Arabia.

This issue has given rise to the question of legal identity of children as well as access to health care services for the rape survivors. With regard to the legal identity of children, the problems encountered include the fact that this can be obtained only through the father. So, in a situation of rape and pregnancy of

an unmarried woman it is difficult to get legal documents for the child.

There is also the matter of lack of access to state health care services to these women who have been raped and traumatized. It is often difficult to get them admitted for deliveries in the state-run hospitals because of lack of proof of paternity or the child to be born. SP also found that medical insurance does not cover medical problems arising from rape.

Conflicts Faced by Migrant Returnees

A migrant worker who returns home goes through various forms of conflicts. It is indeed important that these conflicts are recognized, understood and valued since these conflicts impact on interventions. The strength to overcome these conflicts will be reflected in the pace of reintegration by the returnee and the capacity he has to use the opportunities for reintegration. Some of the key areas of conflict are:

Experiences versus Opportunities back home

Many migrant workers have different experiences during their work life in the host country. Migrants acquire new skills like those in the construction sector as brick layers, painters, roof construction or tile laying. These skills can be harnessed and valued by the home country. However, there is a lack of planning and strategy in this area by planners and policy makers. Similarly, some skills are developed by workers in the manufacturing sector or certain service sectors. But when the migrant worker returns,

he sees that not only his skills are not valued but opportunities are almost non-existent. He finds himself alone and unable to give value to his new skills and experience. Consequently, it creates a conflict within oneself.

Health care & support

Many migrant workers who have been tested positive for HIV, face rejection, blame and stigmatization from family and even state agencies. The absence of post test counseling causes a form of trauma, which is not understood by the family or community. Quite often, the HIV+ returnee is condemned. On return, there is lack of care and support or access to treatment. The migrant returnee is from a poor family and a poor country. Thus he/she cannot afford treatment. The returnee faces a lot of conflict in terms of health, opportunities for work and acceptance by the community. He/she is not able to take care of his/her health and the environment in the home country further disables and disempowers them.



Sexuality and relationships versus spouse and family stability

A returnee who has been away has created his/her own social and sexual networks. The migrant worker has had different relationships, social and sexual. As CARAM Asia's research revealed, many migrants have also experimented with different forms of sexual practices. They also found them exciting and enjoyable. With this experience, when they return home, they want to continue the same sexual practices with their spouses. The spouse may find these forms, like oral or anal sex repulsive and reject them. This becomes a cause of conflict. Some may have left their partners behind in the host country and thus face loneliness. The migrant worker finds his spouse, family and community rather conservative. This also is a cause of conflict.

On the other hand, wives or husbands who were expected to be celibate, loyal and uphold fidelity, have also had relationships to cope with loneliness. Many women also see new relationship as a form of security for themselves or someone they can turn to when troubles or problems arise. However, a sense of guilt tends to grip some giving rise to conflicts. The returnee or the spouse who has a health

problem like STI tends to get rejected and lose support. This also gives rise to conflicts.

Cultural changes and lifestyle

The host country is industrialized or developed. In such a society, consumerism reigns high. The migrant worker thus changes his way of life, adapts new tastes, develops new eating habits, dressing styles, socializes differently, and thus creates his/her own new culture. On returning to his village, he views his family and community as backward and conservative. Women migrants are expected to be cloistered within the four walls of their home. Conflicts evolve within the returnees and with their families. The returnee may be expected to get back to agricultural, subsistence life, which he may now find difficult and unproductive. Time is needed to accept the changes but dealing with the conflicts during the initial stage is crucial for positive reintegration.

Specific conflicts of women returnees

Research and interventions with women migrants reveal that there has been an increase in violence and abuse of women migrant workers. This includes detention or immediate deportation of women who become pregnant. Women migrants who return pregnant face numerous forms of conflicts, including acceptance within the family, honor of the family, obtaining identity for the child, and support of the child. All these have intense impact on women. These conflicts quite often are not addressed. The stigmatization and impacts on mother and child live on for a very

Issues related to policies for the returnee migrant workers and their families

- ◆ Policies for economic, social and familial reintegration
- ◆ Policies related to remittances and savings
- ◆ Policies facilitating entrepreneurship
- ◆ Policies regarding employment oriented skills training
- ◆ Policies regarding contingency plans
- ◆ Policies for settling claims, compensation etc. in either sending or receiving countries

As discussed earlier, reintegration is a process that will happen irrespective of the fact whether the sending countries or the migrant workers themselves are ready for it or not. Migrant workers are mainly viewed as 'commodity' and thus focus mainly on the remittances and savings. Thus, most Asian countries do not have policies or programmes oriented to the reintegration of migrants.

In some countries, it is seen that policies have been formulated in regard to highly skilled immigrants living permanently abroad, while little was done for the reintegration of low skilled workers. Also, it has been noted in some of the recent micro studies that the existing reintegration programmes are generally

geared at returnees who have come back after successful completion of their contracts and, that too, as far as economic reintegration was concerned.

Studies in the early 1980s had determined that only 44 per cent of the returnees to the Philippines had sought wage employment, and half of them found it, usually, within five months. However, 17 per cent sought self employment, while 39 per cent did not seek local employment because wages were too low or because they were still looking for another job overseas (61 per cent) (Go, 1986).

More than half of those who had returned from the Middle East were without a job when a study by the United Nations University was conducted in the late 1980s. For the 42 per cent who had found employment, the mean waiting time had been 30 months. The main difficulty was the availability of jobs or the low wages of available jobs. Of those who were employed, construction workers formed the largest group, while service workers were the smallest group to find employment. Return also implied change of occupation. Only three per cent returned to agriculture while practically 50 per cent of technical, administrative and clerical workers had to change occupation, against only 23 per cent working in construction sector. (Arcinas, 1991).

Policies related to remittances and savings

Most migrant workers in the 3D jobs do not have adequate knowledge or the skills to manage

their resources. They are often not provided with information on saving schemes in either the host country or the sending country, with the exception of countries like Taiwan and Sri Lanka which have saving schemes for migrants. Also, most receiving countries do not have the policies regarding sending the money/savings

Policies of return migration in the Philippines

The first preoccupation of the sending countries concerning economic reintegration was to provide for the capture and use of remittances. In the beginning, the Philippines experimented with the policy of a mandatory fixed percentage of the salary to be sent home. However, that policy was not considered successful and it was discontinued, except for the seafarers, who still remit 80 per cent of their salary. Then incentives were considered more effective to capture the flow of remittances, and the Overseas Investment Act (RA 7111) was signed into law in 1991. The law intended to maximize the inflow of remittances by offering the possibility to use remittances through non-official channels for debt conversion, and the ones through official institutions for loan and investment funds. Other incentives were provided in the bill, which was never enacted since the implementing rules were never prepared.

back home to the families of the migrants. So, most migrants have to depend on informal ways of sending money back home and often have no idea about how the family spends it.

Migrants often do not know how to send the money to their families. Some families, on the other hand, are not aware of how to access or use the remittances. This situation is further aggravated in the case of women as spouses. Often the decisions regarding utilising the money are made by the inlaws and the wife has no say in it.

Many migrants have no control over how the remittances are used back home, especially women migrant workers in the informal sector. They have no formal mechanisms of sending money back home.

Often the husbands, without the knowledge or the consent of their wives, spend the money on women abroad.

Policies facilitating entrepreneurship

There have been some initiatives, wherein the sending countries have facilitated entrepreneurship by providing opportunities for investment or by making loans easy and accessible to the returnees.

It has been observed that, though most of the government initiatives have been for facilitating entrepreneurship, the projects benefit only a small number of people, namely those with sufficient savings and education to enter into a business venture. (Farooq, 1987).

In **India**, The Kerala State Industrial Development Corporation (KSIDC) has promoted the idea of industrial investment among migrants and the Kerala Financial Corporation (KFC) has intensified activities toward investment by migrants in small industries (Nair, 1989).

Thailand had considered some measures to be inserted in the Sixth Plan, such as establishing a registry of workers who have worked abroad, developing computerized employment information, and establishing advisory services for migrants to help set up their own business enterprises (Tingsabadh, 1989).

In **Pakistan**, the overseas Pakistanis Foundation limits its services to returning migrants by supplying information on existing investment opportunities.

In the **Philippines**, the Overseas Workers Welfare Administration (OWWA) has loan schemes to support business ventures of returning migrants.

In **Sri Lanka**, the Bureau of Foreign Employment has cooperated with the Merchant Bank in providing training courses for entrepreneurship.

Economic reintegration was also pursued by OWWA Overseas Workers Welfare Administration in Philippines, taking various forms, until it became the Expanded Livelihood Development Program (ELDP), mainly with the objective of providing credit to returning migrants. A 1996 evaluation of the programme (1989-1994) concluded that 5,466 projects were funded, benefiting 6,609 individuals and generating jobs for more than 12,000 workers. Projects were mostly in service (42 per cent), trade (38 per cent) agribusiness (12 per cent) and

manufacturing (8 per cent) sectors. The evaluation also concluded that repayment of loans (although the ceiling for non-performing loans was fixed at 30 per cent) was unsatisfactory. In addition, the programme was not benefiting the most needy migrants, as land was asked as loan collateral, processing time was long (nine months or longer) and the loan ceiling of P 50,000 had become inadequate. Thus, the final conclusion was that the credit programme for reintegration was 'a financially losing proposition' and it should be left to a bank or quasi-bank institution (OWWA 1998).

Analysis and conclusion of some of the initiatives on entrepreneurship policies of the sending countries raised following issues (ILO 1991):

- Migrants are not necessarily more entrepreneurial than other people.
- The decision to establish some form of business is to be made early in the process, while the migrant is still abroad. This implies that information on options and opportunities should be rendered as soon as possible and that relatives of migrants play an important role in the venture.
- Training courses must be targeted and prudence is to be observed since hard earned earnings are invested. Even more effective than training are advisory services, particularly by trainers with business experience.
- Access to financing is of great importance and those who help package loan requests should

not be part of those who are to approve the loans, to avoid conflict of interest.

- Sustainability of services by NGOs should not count too much on fees from clients but should rely on external subsidies.
- The most relevant factor for the success of entrepreneurship by migrants is the overall situation of the economy.

Policies in the host country regarding employment oriented skills training

Some sending governments, like the Philippines and Thailand, have launched skills training courses for migrants in the host countries. The Philippines Embassy in many receiving countries including Malaysia conducts alternative vocational skills trainings to facilitate creation of skills to match employment demands and needs, back home.

However, in Sri Lanka, Migrant Services Centre of National Workers Congress, an organisation of the migrant returnees has

In view of the increasing feminisation of labour migration in Asia, reintegration programs should result from gender responsive policies. Migrant women (61 per cent of the newly hired from the Philippines) are mostly confined to a stereotypical female occupation for which there is no employment upon return.

recently set up a “Migrant Women's Desk” which facilitates employment of domestic worker returnees by providing them placements with the expatriate communities in Sri Lanka, thus matching the demand and the skills.

Policies regarding contingency plans

In addition to the steady, invisible flow of migrants returning at the end of contract, or before the end of contract because of various reasons, migrants sometimes get entangled in macro phenomena and need to be repatriated as a group. A typical policy initiative taken in this regard has been the establishment of contingency plans. In the past ten years there were several occasions in which such plans had to be prepared or enacted.

A contingency plan was also discussed in view of the return of Hong Kong to China in July, 1997. Approximately, 130,000 Filipino migrants were present in Hong Kong, 93 per cent of them as domestic workers. In spite of assurances from the authorities, it was feared that Filipino domestic workers were soon to be substituted by domestic workers from mainland China. Research was conducted, which concluded that no immediate change was expected. At the same time it was not conceivable that the situation would remain unchanged forever (Asis et al. 1997). Possibilities for re-absorption into the Philippine economy were examined by assessing the skill potential of the migrant population in Hong Kong (Samonte, 1997). Answers to a multiple response question indicated that among the jobs they held before migrating included: domestic

The Gulf war had a severe impact on migrant workers. Perhaps, 1.5 million were evacuated; 500,000 of them to the Asian countries. The Philippines, whose major contingent in the Middle East was in Saudi Arabia, was not among the most affected countries. Nevertheless, a contingency plan had to be implemented to repatriate 29,728 Filipino migrants from Kuwait and Iraq. The plan was effective in the repatriation component, also because 15,398 were repatriated by the International Organization for Migration (IOM). Expenses for repatriation of others and for emergency family assistance loans, benefiting 7,326 families, were shouldered by OWWA. However, major lacunae emerged during the crisis, particularly the lack of a reliable estimate on the number of Filipino migrants in the affected region, the lack of coordination among agencies, inadequate personnel at the foreign posts and strained relations between Filipino officials and migrants (Santo Tomas and Tigno, 1992). Moreover, the contingency plan was not severely tested, as the crisis ended quickly and migrants were able to be re-deployed abroad.

The need for a contingency plan was mentioned in 1997, when Sabah instituted a regularization programme of irregular migrants in its territory and it was feared that many Filipinos were to be repatriated. It was estimated that perhaps 400,000 Filipinos were in Sabah, as a result of strife in Mindanao dating back to the early 1970s and of undocumented migration. Between March 1 and August 31, 1997, as many as 413,832 irregular migrants were regularized, of whom 119,128 were Filipinos. However, authorities estimated that about 80,000 irregular migrants failed to register (Kurus 1998). Nevertheless, the fear of massive repatriation was exaggerated, as only perhaps a few thousand Filipinos returned.

helper (71 per cent), salesperson (27 per cent), secretary/clerk (13 per cent), factory worker (9 per cent), teacher (6 per cent). The exercise, in addition to confirming that the percentage of graduate women employed as domestic workers is no longer very high, also confirmed the disparity between migration goals and actual possibilities and preparation. It also confirmed the relevance of information and training programmes for self-employment.

Lack of Policies and Agreements to facilitate settlement of claims and compensation of migrant workers who return home because of accidents at work, or face other forms of abuses and exploitation by the employers.

Agreement between the sending and receiving countries often do not address the settlement of claims and compensations after the migrant has returned home.

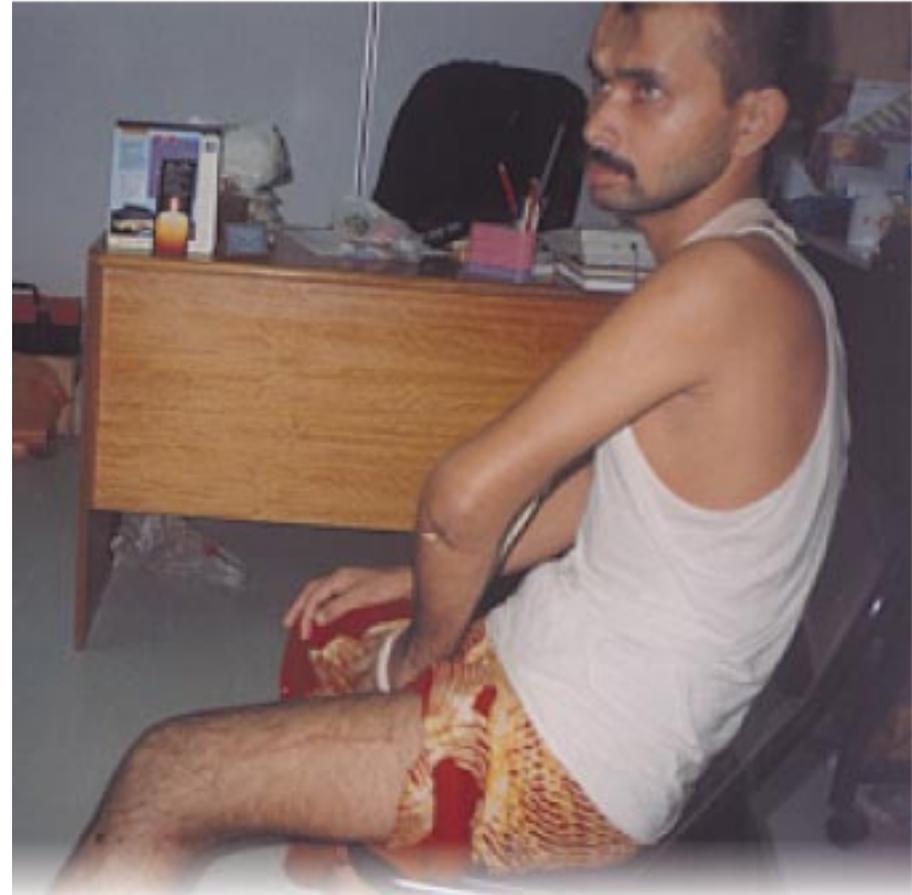
Even from the small amount they are able to get, a large portion is often spent on medical care, travel back etc.

Case Study by Tenaganita of a documented migrant worker and the issue of accident at the workplace

Mohammad Ali, aged 27, together with his cousin brother, worked at a construction site in Kuala Lumpur, Malaysia. Ali, together with his cousin and two Indonesian female workers were taking up materials in a crane lift. The chain carrying the crane lift broke, somewhere between the 4th and the 5th level of the building and the workers plunged to their death. Ali, the only survivor was rushed to the hospital. He was badly hurt. His forehead was smashed. His left leg and hand, both were badly broken. The doctors operated and placed steel plates and screws in the left leg and the hand. His forehead was “reconstructed”. Mohd. Ali lost his memory and could not speak. The doctors described his survival a miracle.

Mohd. Ali's employer and friends brought him to Tenaganita office for assistance. Ali was documented as a worker. Tenaganita filed for his medical insurance claim. With much trouble, Ali's permit was renewed by the Immigration Department on a monthly basis.

Ali was counseled daily by the staff of Tenaganita for doing his daily exercises including speech therapy. The employer housed him with other workers and paid for his food. When the contractor's project was completed, Tenaganita arranged housing and food with the support of



Catholic Church for Ali. At the end of almost one year, Ali was able to walk, move his hands and talk. Ali lost a large part of his money. The doctors stated that he would not be able to work normally. Ali received only RM 4,500 (USD 1250) as his insurance claim. After deductions for his medical bills at the hospital, he received only RM 500 (USD 139). The Church donated Ali's air ticket and well wishers gave him approx RM 1000 (USD 278). This is how Ali was repatriated.

Today, Ali is a broken man. Unable to work, understand or remember, he writes with the help of his village friends to Tenaganita, always enquiring about his insurance money and his job in Malaysia.

Analysis of the policies and the pattern of migration have revealed the following:

Finding employment is the biggest problem that returnees face. Unemployment rate is normally higher among migrants after return than before departure. Employment abroad is responsible for this situation to some extent, since migrants find it hard to adapt to the lower salaries of domestic employment and to re-adjust the consumption habits undertaken because of remittances. Mostly, return implies a change of occupation.

Skills acquired abroad are not necessarily helpful upon return. Firstly, many migrants use only the skills they already have; secondly, for some migrants, like domestic workers with a degree or diploma, there might be a de-skilling occurring during migration, as they remain cut off from developments in their respective profession; finally, conditions for the use of skills are seldom available, since return is to a country of lower economic development. At the same time, initiatives carried out mostly by NGOs during migration, offering some training to domestic workers, can be really helpful for reintegration.

A significant number of migrants plan to utilize savings for self-employment upon return. However, this dream is fulfilled only for a small group. The major obstacles are insufficient savings or expertise, and adverse local conditions sectors. The typical enterprise undertaken by migrants is in services and transportation sectors. The intent to provide assistance to entrepreneurs among migrants has been pursued, but with little results. Lack of adequate information and management skills are certainly important factors. But, the single most relevant factor is the overall situation of the economy. Entrepreneurs are successful only in those regions that present the right conditions for development.

The migrants have been maligned for irrational use of

remittances and savings, mostly in improvement of housing and purchase of land, for education of children or for consumption. However, many studies are now supporting the migrants choices as perhaps the most rational in the given circumstances (Taylor et al. 1996). Real increase of remittance inflow and its use for sustainable livelihood depend mostly on the economic situation of the country. The increase of remittances to the Philippines coinciding with a period of economic growth is the latest example of that fact.

Social impact of return migration has not been considered very problematic. Obviously, this depends on the overall time the migrant spends abroad. However, the relatively frequent return, which is mandatory in labor migration in Asia, ensures that migrants in general do not become estranged from their own families and place of origin. Also, typical second generation problems are avoided, since family reunification is not allowed. On the other hand, problems in the education of children left behind are experienced, notwithstanding the support of the extended family, particularly if the mother is the absent parent (Battistella and Conaco 1998).

REINTEGRATION IN THE HOST COUNTRY

Issues related to migrants and their families in host countries

Reintegration issues are not necessarily restricted to the home country alone. Many migrant workers while working in the host country develop relationships or marry nationals from the host country.

As described in the earlier chapters, migrants spend long time, sometimes more than 5-7 years in the host country, away from their families. This long separation coupled with the need to adjust to new surroundings, job and culture can create conditions for fulfilment of human needs such as warmth, companionship and sex. These conditions lead to inevitable forging of relationships.

Relationships could be forged between migrant workers either from the same or different countries; or the migrant workers with locals of the host country.

Residential status and marriage

Gender selectivity of the policies of receiving countries can be seen in terms of the type of regulations dealing with permanent residence and family reunification. Labour oriented countries in Asia generally do not permit permanent residence.

Marriage between migrant men and local women is generally prohibited. Most host countries do not allow male migrants to stay on with their local wives. Spouse visas are often refused. In most countries, men are not allowed to continue with their work and are thus forced to go back. It is often difficult for men to return on 'spouse status', and even if they return on the spouse status, it may be difficult for them to find work upon return. The work permits are usually not renewed.

In many countries such as Malaysia, if the couple is not legally married, there is the threat of arrest for 'Khalwat' or close proximity or for 'cohabiting' and thus forceful deportation. That is why, many men for the fear of being arrested, deported, and losing their jobs, become and remain undocumented.

However, some countries do give residential rights to women who marry local men. But the women have to quit their jobs, go back to their country of origin and apply for visas on the 'spouse status'. In many instances, the spouse visa is renewed only on a yearly basis and so long as the woman is married to the local man or so long as the man chooses to be married to the woman.

This can often put the women in a vulnerable position especially if she has children in the host country. She has to leave behind her family and has to resign from the job and be at the mercy of her local husband for stay and renewal of the visa.

Many countries such as South Korea do not provide new visa status to undocumented workers

married to the locals. Even for those migrants who have lawfully changed their status, employment is not permitted.

Issues related to mixed marriages, relationships in the host country

Migrant workers, through these marriages and relationships, have limited rights and access to information or services.

One of the major legal issues is that of the children borne out of these relationships and marriages. Firstly, the marriage itself is not legalized in either the receiving or the sending country. The marriage is considered as 'customary' and thus is not solemnized. Children born out of these relationships are also not recognized or given 'citizen' status in either of the countries. Some sending countries like Bangladesh require paternity proof for a woman to bring back the child born in the host country.

In 1999, Tenaganita handled the case of a Bangladeshi woman who had a customary marriage in Malaysia with another Bangladeshi migrant worker and later delivered a child. Tenaganita had to intervene with the Bangladesh Embassy in Malaysia, the Malaysian Ministry of Foreign Affairs and the Malaysian National Registration Department to facilitate repatriation of the woman with her child.



Bangladeshi family. Father / mother working in Malaysia. Child born in Malaysia.

Custody of children is also a big question that the countries and the migrant workers face.

Apart from the citizenship rights, custody of the children could also be an issue. Custody of the child with the father in the host country is often also a problem, since many men register with the hospitals under a false name. Due to these policies related to deportation and residential rights, the 'mixed' families are constantly under the threat of family disintegration.

In the Philippines, thousands of what have been called 'Japinos' or children born to Filipino-Japanese liaisons or marriages required the attention of some NGOs who have specifically programmed their activities to assist Filipino women after coming back home.

DAWN (Development Action for Women Network) has geared itself to alleviating the lives of Filipino women and their children, particularly those who have worked as entertainers in Japan. Cases handled by them include: JFC's recognition and support, women abandoned by Japanese husbands, annulment of marriage, seeking recognition and

support from Japanese fathers and grandparents, invalid marriages, Japanese abandoned by Filipino wives, wife battering, divorce settlements and JFC's citizenship and inheritance.

Excerpts from the Testimony of a Japanese Filipino Child by Mariko Ramos : presented during the information campaign about the situation of the JFC, May 26-June 5, Japan

“Good afternoon ladies and gentlemen. I would like to thank the organizers of this forum for giving a teen-age child like me a chance to speak up and be heard.....

I am Mariko Ramos. I am 16 years old and will be in the fourth year high school this coming school year. I am half-Japanese and half-Filipino, but since I was nurtured and grew up in the homeland of my Filipino mother, I am more of a Filipino, and even look very Filipino. But in me runs a Japanese blood, which cries out for expression. It stirs me to search out for the other side of me my other roots.

I have never seen my Japanese father in person, and the only image of him in me was his torn picture which my mother had kept, and some short letters which he sent once in a while together with some Yen which he said were gifts for me when I was small.

I feel an immense compassion for my mother because of the betrayal of my father. My mother was pregnant with me when he returned to Japan after his job in the Phillipines finished sometimes in 1977. He gave money to my mother for abortion, but it was very painful for her because for a Filipino, abortion, aside from being dangerous, is tantamount to murder, and it is a mortal sin. My mother did not do it. She bore all the shame and indignities of her family, and she struggled very hard to raise me alone.

I share her pains, and I am forever grateful to her, but in spite of what my father did to my mother, I still respect him. I cherish all his letters and the little gestures of concern that he showed in the past. They are for me a recognition of my existence. I know I have a father, and though he is very far as my mother used to tell me I love him very much. I grew up without resentment towards him. As I grew older, the longing for my father became more intense. I thirst for his love and care. Even if I grew up securely assured of my mother's love and care, I feel something is missing. I want to see and embrace my father even just once. I thank God because there is BATIS Centre for Women, the lawyers for Japanese-Filipino Children, and many other support groups. They have given hope to many children like me to connect with our other half. This is very important for us because without this we can never be whole.

Most of us JFCs are smart and intelligent and grow up with lots of love from our mothers and immediate relatives and we have learned to be responsible children. We do not need pity. We appeal for your understanding and action to change the situation.

(Source: June 1994, BATIS Newsletter)

HUMAN RIGHTS, HEALTH AND REINTEGRATION. WHAT DOES IT MEAN TO BE AN HIV+ FOR A RETURNING MIGRANT?

As has already been described in the pre departure and post arrival chapters, there are many conditions that enhance a migrant workers' vulnerability to ill health including HIV/AIDS. Due to the requirements of the host country for healthy and medically fit migrant force, most migrants arrive healthy in the host country. However, unhygienic and long working conditions, low wages, issues related to new social environment, loneliness, living conditions, lack of access to health care information and services, along with lack of adequate and proper nutrition and food,

Countries with intensive development have short deadlines for completion of construction development projects. Migrant workers work very long hours without rest. This leads to an increase in accidents. In Malaysia, many migrants lost their lives while building the twin towers - the tallest building in the world and the pride of Malaysia. However, how many of the families received compensation is a question mark. The Foreign Workers Compensation Act is flawed and very few workers know the rights guaranteed under the Act.

Source: Tenaganita

contribute to the deteriorating health status of migrant workers. Often, they face occupational hazards, which include being impaired for lifetime. They are seen as unfit to work and thus are sent back with little or no compensation.

Many workers who face accidents at work often do not get appropriate treatment in a proper hospital. If they do, all expenses are deducted from the compensation. Quite often they return with nothing. Many workers who go home after a serious accident find it difficult to continue their treatment at home as well. The procedures involved in dealing with the occupational health and safety of migrant workers do not provide for sufficient time and space to complete a full investigation and provide for just compensation for the worker.

Interactions and follow up by Tenaganita and partners of CARAM Asia have revealed that mental illnesses are also high amongst migrant returnees, especially those who have returned before the end of the contract due to health reasons, accidents, exploitation or any other negative incident. That is why, issues related to mental health and well being of the migrant returnees need to be addressed.

HIV/AIDS and Reintegration

Migrants have to go through a series of medical tests including mandatory testing for HIV/AIDS in order to get the medically fit certificate. Discriminatory policies of the host countries such as Malaysia, test migrant workers for HIV, and other infections such as STD, tuberculosis etc. and require

the authorities to notify the presence of any infection and deport them. Often, information is not provided on why they are being deported, except by stating that they are unfit to work.

The migrant worker who is detected as HIV positive and is deported faces a lot of humiliation and stigma. He or she is further discriminated in the home country when found out about the status. Thus, coming home for a HIV+ migrant worker means further erosion of human rights.



DIPTI'S ELEGY- A Case Study

Nobody appreciated my homecoming. My stepfather and stepbrothers started to ill-treat my mother because of me. Finding no other means, my mother got a job for me in a rich villager's house. The head of the family was an elderly person and all his children were well educated. I used to call him 'grandpa'. I thought that finally my predicament was over. However, one morning, while I was still asleep, the same person tried to violate me. After that incident, I went back to my mother. I also told her that I would not return to that house no matter what happened. My mother did not press me either. However, to find a permanent solution to my problem, my marriage was arranged with a cousin of mine suffering from mental disequilibrium. Nevertheless, I disagreed to marry such a lunatic. Few days later, I met a fellow villager who worked as a broker for the manpower agencies. I expressed my desire to go abroad and was taken to Dhaka to prepare necessary papers. Unfortunately, I was rejected because I was under age. I had no other option but to return to my village and silently endure the torture of my stepfather and his sons. My mother, however, continued her endeavors to send me abroad. Finally, after a prolonged waiting I had the chance of going abroad.

IMPACT of being HIV+

Economic

- Loss of income
- Difficulty in finding employment
- Depletion of savings
- High cost of medication

Social

- Alienation/isolation
- Stigmatisation
- Discrimination

Psychological and Emotional

- Depression
- Guilt
- Fear of Death
- Shame
- Mental Anguish

Source: The impact of HIV/AIDS, Policy and Programme Implications: Case Study of Filipino migrant workers living with HIV/AIDS, Marria Lourdes Marin, ACHIEVE Inc/CARAM Philippines.

I worked as a housekeeper abroad. My mistress was very ill tempered. My master, who was old enough to be my father, did not hesitate to make indecent gestures towards me. As I did not yield to his seduction, he made my life miserable. He would always complain about my alleged negligence to the other members of the family and had me punished. Sometimes I felt like complaining to my mistress about her husband's indecent advances. I thought that as she was a woman like me, she would be able to understand my agony. However, I refrained from talking to her because there was always a possibility that she would not believe me and might hold me responsible for everything. Besides, I could not speak in Arabic or Iranian. I had to communicate with them through signs and gestures. I realized that I might be misinterpreted and sent home. I did not want to go home and encounter my previous hazards all over again.

One day, the whole family along with me had a terrible car accident. The girl I used to look after died in that accident. My mistress lost her eyesight. I was also seriously wounded and needed immediate blood transfusion. I received blood from a Philippine girl who used to work with me. Few months later, the girl became very sick. After a blood check, the doctors detected a very contagious disease in her and she was immediately sent back. I also underwent a medical examination. The medical test confirmed that I had been suffering from similar disease. I was never told what my malady was. However, I knew that I would be sent home very soon. My employer was willing to keep me. But his condition was that I must say yes to his indecent proposal. As I did not agree, I was sent back to Bangladesh after my one and a half year of staying abroad.

Few days after my return I went to the government hospital and showed my medical reports to a local doctor.

Although I was then in a good shape, but I just wanted to know what my ailment really was. The doctor went through those papers and gave me a few vitamin tablets. Instead of telling me what my problem was he just advised me to take those pills. He also told me that because of those pills I would very soon have high fever and might suffer from mouth ulcer. I was also instructed to meet him again only if I had such problems. However, even after taking those pills I never really had such problem. The doctor also advised me to go to Dhaka with my papers. Few days later, I learnt that the police were looking for me. I was very much shocked and surprised. I just wondered why should the cops go on a manhunt for an innocent person like me. I was later told that the doctor of the government hospital had informed the police.

One night my mother heard a knock and opened the door only to find the cops waiting outside for me. That night I was taken into police custody. Even my wailing mother was not allowed to accompany me. I was taken to the police station and thrown into a dirty and dark cell. The floor was almost flooded by filthy water and urine from the nearby toilet. The stench was also unbearable. The cops in a group kept staring at me. Some of them were cursing me loudly. They seemed to be very annoyed with me because of the trouble I had given them.

Next morning, thousands of people gathered outside the police station. Some of them forcibly entered the police station just to have a good look. Others peeped through the windows. They were cursing

me and calling me names. Some suggested that I should be immediately shot. Others opined that I should be taken to the Chittagong hill tracts and burnt alive. Another group pointed out that it would be tough to dispose of my ashes, which they believed would be equally harmful. The angry mob seemed too interested only in looking for adequate means of my total extermination.

The following morning, I was taken to the district police headquarters in an open cart. I remember my mother was crying aloud and running after the cart and begging the police in vain to allow her to accompany me. While I was taken to the district headquarters, hundreds of people gathered on both sides of the road. They were passing abusive remarks at me and seemed to derive a perverse pleasure from my predicament. When I reached the district headquarter I met another mob with similar attitude. Even the doctors of the district hospital misbehaved with me. One of them called me a devil. That afternoon I was sent to Dhaka under police custody. This time my mother and brother were allowed to accompany me.

I was admitted into a hospital in Dhaka. My mother and sister were staying with me. Other patients always avoided me. I realized that they were either afraid of me or regarded me as the most despicable living being. They even covered their nose with pieces of cloth

while passing me. I received similar treatment from the nurses. They did not only neglect me but also joined the patients in passing indecent comments about me. By this time, I knew that I had been suffering from AIDS. I, then, realized why I was receiving such an ill treatment from everybody. One day I called a nurse and vehemently protested the misbehavior. I asked the nurse to put herself in my place and try to feel my pain. From that day onward, the situation marked a slight improvement.

I met Mr. Nazrul Islam in the hospital. He was not at all like the people I met before. He seemed to have some genuine sympathy for me. He convinced me that even AIDS victims could lead normal lives. He even appreciated the way I protested the misbehavior of the staff and patients. He offered me a job. However, I was so confused that I did not dare to accept his offer. Few days later, I went back to my village. Before my departure, Mr. Nazrul had a lengthy discussion with my step brothers about AIDS. He let them know that AIDS is not a contagious disease. To convince them he even touched me and said, "An AIDS victim should never be regarded as an outcast. You see I am touching her. Look nothing has happened to me." My relatives were then convinced that I was not really an active agent of contamination. After my return to the village, I started to wear burkha. I was afraid that the villagers would recognize me and resume their abuses. Surprisingly, no major incident took place. The villagers knew that I had returned. Most probably, they thought that if I really had such a contagious disease the government agencies would never allow me to go scot-free. Even the police and the local hospital stopped harassing me.

Since the moment of my arrest, the scorns and insults that I had encountered forced me to contemplate suicide. In the hospital, I was desperately looking for an opportunity to commit suicide and once for all end my agony. Even after my return to the village my

sufferings continued. I was almost excommunicated by the villagers. All of a sudden I discovered that in this world I am a helpless loner. My neighbors always avoided my company. As if to add insult to injury, they continued to make tales about my alleged misconduct abroad. I even heard them say that I had not been suffering from AIDS, but from venereal diseases like gonorrhea and syphilis. I also learnt that my relatives later disinfected the chair I was sitting on before my arrest. These incidents made my life unbearable. Although I frequently thought about suicide, but I also knew that I had to continue my hellish existence at least for my poor mother and sister. By that time, I was broke. The money that I had earned from my overseas job had already been spent to buy my release from the unscrupulous police.

Despite the stifling hostility, I realized that it was imperative for me to do something for my mother and sister. I, thus, went to Dhaka and met Mr.Nazrul. He once again had me admitted in a hospital. However, instead of ameliorating my predicament, my stay in the hospital only multiplied my depression. One day, I even tried to kill myself by jumping from the sixth floor. Luckily, a ward boy intervened in time to save me. Although I knew that AIDS had robbed me of all the pleasures of life, I tried to be stoical. I always tried to console my distressed soul by reminding me that my mother and sister needed me and I have to live for them. This realization helped me to gradually get rid of my suicidal tendencies.

I would always remain grateful to those who had encouraged me to break the vow of silence and brought me back to light from abysmal darkness. Mr.Nazrul's wholehearted cooperation enabled me to get a job within six months and start a new life.

Source : SHISUK

Being HIV positive, has many fold and serious consequences on the returnee migrant worker.

Action for Health Initiatives (ACHIEVE), Inc/CARAM Philippines, an NGO, while working with Overseas Filipino Workers (OFWs), noticed a rise in the National HIV/AIDS registry of OFWs infected with HIV/AIDS. On July 31, 2000, 24% of the persons listed were OFWs. The high statistics is a result of mandatory testing of departing migrant workers, and is, therefore, biased in favor of those who are not tested. However, this data can be used to proactively design and implement interventions in the area of policy and programs addressing HIV vulnerability or infection of migrant workers.

In September of the same year, ACHIEVE Inc/CARAM Philippines conducted a focus group discussion with the returned HIV+ OFWs.

Among the issues raised in the discussion were:

- 1) Economic dislocation, caused by inability to find foreign employment; lack of local employment opportunities; and, depletion of savings;
- 2) Social impact, due to stigmatization and alienation;
- 3) Psychological and emotional impact, as evidenced by depression, guilt, fear of death, shame and mental anguish;
- 4) Discrimination, as a result of negative attitude of frontline personnel; violation of right to privacy; lack of access to treatment, care and support; and mandatory testing;

- 5) Lack of proactive policies or programs, that respond to their needs and concerns; and, inconsistent application of policies related to claims and benefits of returning HIV+ OFWs.

In the light of such concerns and upon the recommendation of OFWs, ACHIEVE Inc/CARAM Philippines brought together representatives from government agencies, HIV+ migrant workers and NGOs. This public dialogue aimed to create a forum where migrant workers could raise their issues and concerns, while government institutions, especially the Social Security System (SSS), Overseas Worker's Welfare Administration (OWWA); Philippines Overseas Employment Administration (POEA); and the Philippines National AIDS Council (PNAC) could present and clarify their guidelines and policies.

The exchange of ideas also envisaged to improve the processes and procedures in these institutions as well as to coordinate efforts and



build strong partnerships between and among all key players and stakeholders in the migration and HIV/AIDS sector. Attended by seven government agencies, 12 NGOs and five HIV+ OFWs, the dialogue raised the following issues:

1. **Inconsistency in the application of policies or standards with regard to claims** made by HIV+ OFWs, particularly in the Social Security System (SSS) and Overseas Workers Welfare Administration (OWWA). OFWs who had filed their claims noted the discriminatory treatment they had been accorded as well as the variation in the amounts of their claims.
2. **Inadequate knowledge of OFWs of policies and procedures of government** institutions with regard to claims in relation to their HIV+ status. They also lacked the capacity to bargain or demand for what is rightfully theirs. In previous experiences they had difficulty in negotiating for speedy processing of their claims, despite the reality that having to come back for another day would take a toll on their health and already meager financial resources.
3. **Experience of humiliation and unnecessary disclosure of HIV+ status.** Some HIV+ OFWs experienced trauma and embarrassment when their HIV status was blurted out by front-line personnel, within hearing distance of other claimants and office personnel.
4. **Prohibition of foreign employment** because of mandatory HIV-Antibody testing required by

receiving countries, despite its prohibition in the Philippines.

5. **Unresponsive and inadequate government policies.** Claims for benefits, for example, were subjected to a six-month proscription period. This was not responsive to the situation of persons living with HIV/AIDS and who would most likely go through a period of denial for months or even years. In addition, stringent paper requirements such as write-up of case studies by the Department of Social Welfare and Development (DSWD) or certification from the Bureau of Internal Revenue (to prove that they had no income) could also lead to further disclosure of their HIV+ status. SSS policies pertaining to claims relating to HIV related status needed re-examining as these did not look at the totality of the disease, but

considered specific manifestations of the infection, e.g. bronchitis, pneumonia, TB, etc.,. Thus, the manifestation gets addressed but the “root” of the condition remains.

6. **False sense of security due to official HIV/AIDS data** showing low prevalence and rate among Filipinos. There are OFWs who are living with HIV that are still undetected and cannot be provided with proper services because they do not go to government agencies and declare their status.

Immediately after the dialogue, changes were instituted in the offices of OWWA and SSS, particularly with regards to concerns related to claims and benefits of returning HIV+ migrant workers. The insensitivity and negative attitudes of frontline personnel were diminished and a system of referral and direct dealing with the OFWs was set in place.

STRATEGIES AND INTERVENTIONS:

The process of providing information on reintegration issues must start at the pre departure stage itself so that migrants and their families can prepare themselves in advance for the return. Most sending countries do not have any policies of providing this information either through the community based initiatives or through the pre-flight training programmes. Families of the migrant workers should also be involved in these programmes.

Sending countries have to address the issues of remittances and savings of the migrants by initiating investment opportunities and facilitating employment either entrepreneurship or alternative paid employment/service.

Reintegration issues of re-adjustment to family, culture and society; of remittances and savings; of employment opportunities upon return, should be addressed through the programs in host countries as well. Issues of collective savings, remittances and social security schemes need to be clearly understood by migrants and also how these can be utilized for maximum benefit.

Policy recommendations and programs should acknowledge the reasons for which the



migrant worker returns home, as well as the way he/she returns home. These reasons (completion of contract, abuse, deportation due to health etc.) and the ways (individual or mass deportation) have been described in detail in the earlier section of this chapter.

Thus, the same programs should be provided for all returnees, while others must be tailored to specific situations.

Empowerment of migrant workers and their families is the key to protection of rights and welfare of the migrant workers. Strategies of using migrant returnees as peer educators for information dissemination and counseling for potential migrants; and mobilisation of the spouses of migrant workers, involvement of the families from the very start of the migration process i.e. at the decision making stage are crucial for successful implementation of any migration and HIV related activity.

Reintegration programs and policies should take into account the following areas:

1. **Provision of information**
2. **Economic reintegration, savings mobilisation**
3. **Mobilisation of migrant workers and their families**
4. **Policy and legal advocacy**
5. **Social reintegration**
6. **Interventions for families and children of migrant women**
7. **Health care interventions**
8. **Contingency Plans**

1. Provision of information

Periodical provision of information on the skills of returnees and on opportunities in local areas should be provided to all migrant workers and their families. It has been established that early planning on migration objectives can make some difference. Therefore, information on economic trends and possibilities should be a part of pre departure programs offered to migrants. Pre departure programs could include community based initiatives involving families and communities as well as the pre flight information and training programs.

Participatory action research was conducted by CARAM India National Forum for Migrant workers, at Kalpakkam for six months. The researchers used research tools like informal interaction, observation, focused group

discussions and interviews of the returnees, potential migrants and spouses of the returnees. The participatory action research helped to find out the needs of the migrants in terms of problems faced by them before departure and after their return. The important need of the returnees was an association for themselves. The Migrant Forum responded to the need by forming the Returnees Association. The first returnees association meeting was held on 11th November, 2001 in the panchayat (local self government) community hall of Sadras. Subsequently also such meetings were conducted in Sadras and in other places. Returnees who are also members of the village panchayat came forward for making the program a success. Discussions in the returnees association meetings led to various suggestions among which pre-departure was found very essential to keep potential migrants away from migration problems and to make the whole migration safe.

Migrant Service Centre of the National Workers Congress in Sri Lanka conducts various awareness raising activities on migrant workers rights and abuses at the community level, which also helps facilitate reintegration issues including filing of complaints for compensation, cases of duping, etc. This is done through:

Hotline Service: an online phone call service is used to provide timely advice and information and collect complaints from migrant workers. This also helps the organisation to contact overseas employers, embassies etc.

Radio Programme: Through a weekly radio broadcast of messages, the centre communicates information related to migration. Such Radio programmes also address the issues of potential migrants as well as returnees and families of the migrants.

ACHIEVE, Inc., in Philippines, undertakes a pragmatic approach in addressing the issue of mobility and HIV/AIDS. Its intervention programs are based on and guided by the results of its continuing participatory action research. One such program is Information Education and Communication (IEC) which aims to increase public awareness and knowledge on migration and HIV/AIDS issues. Project activities include poster development and distribution, celebration of World AIDS Day, policy advocacy through dialogue etc. All activities are undertaken with the active participation of HIV+ migrant workers.

2. Economic reintegration, savings mobilisation

Programs for economic reintegration also have a general validity, whether migrants return at the end of the migration project, before its conclusion or because of force majeure. Unfortunately, attention to entrepreneurship programs has focused too much on spectacular results, possible only in a few cases, when more importance should be given to reaching a wider population, even

with modest results. Experience in other regions has also indicated that programs designed by local entities, rather than national agencies, have a better chance to succeed and that cooperative ventures can provide more sustainability than individual projects (ICMC, 1998).

Philippines:

Reintegration initiatives in the Philippines are in their fifth year. The key partner, Unlad Kabayan, was established in 1995 to help build and create opportunities and incentives so that migrant workers can become the back bone of an empowering and liberating reintegration program.

While the Philippines government institutionalizes its labor export strategy more aggressively, it has failed to properly address the structural problems (e.g. poverty, unemployment, stagnation of production) that push migrants to work abroad. The economic base of the Philippines is weak: a broad base for services (largely catering to the migration industry) and a very weak base for production (manufacturing, food production, industries). Unlad believes that MSAL is beneficial not only at the individual level, but also in transforming the Philippines economy.

Unlad's core service is enterprise development. Key components of enterprise development are:

- a) *Financial empowerment*
 - *Savings mobilization (receiving/ sending countries);*
 - *Credit facilitation;*
 - *Investment mobilization (transforming migrant*

savings into productive use so that there is a higher value addition to the economy and society);

b) *Technical capability building*

- *Technical skills training and development;*
 - *Logistical support;*
 - *Networking (endorsing them to certain government agencies so that they can access services);*
 - *Access to technological support/training*
- c) *Building societal responsibility, developing socially responsible entrepreneurs and enterprises; strengthening social and ethical values (even highly profitable businesses like gambling dens, karaoke parlors are not supported)*
- *Education, value-formation;*
 - *Creation of social groups or groups of families; developing value of group/social enterprises;*
 - *Helping to develop good practices; helping to build theoretical base/lessons.*

A specific issue with regard to economic reintegration is the provision of credit on favourable terms. Less than positive results reached by some of the government loan programs suggest that credit should be left to competent credit institutions, rather than administrative agencies. Government action is needed in the macro economic direction of the economy, ensuring that the cost of money is not prohibitive for small investors.

In the Philippines, Unlad Kabayan remained, since 1996, a pioneer in enterprise development involving migrant and community savings. New breakthroughs in reintegration enterprise-building have been achieved in the Philippines since 1998 especially the creation of enterprises which are majority-funded or fully-owned by migrant RSGs in Hong Kong. Major RSG-funded/owned enterprises which began in the past two years include: the stationery/ school supplies shop in Cagayan Valley (May 1998) and the free range chicken and yam processing projects in Bohol (1999). As of this date, more than 10 enterprises utilizing migrant savings are being supervised/ assisted by Unlad in Kay province of the country. The enterprises are engaged in trading, food production, farming and livestock raising. Migrant families are also being organized into cooperatives.

In 1999, Unlad entered into a formal agreement with LBC Bank, a niche bank in the Philippines focusing on migrant workers. Consequently, the bank established formal links with AMC. The agreement was premised on the bank respecting and promoting the general MSAI framework of the reintegration program, and for AMC and Unlad to use LBC Bank as a channel for mobilizing migrant savings for alternative investments. Bank now acts as the financial intermediary for the MSAI partnership between Unlad, AMC, RSGs in Hong Kong/ Japan and reintegration projects in the Philippines. This is to guarantee professional and legal handling of migrants savings and investment funds entrusted by migrants to Unlad. Part of the agreement is for LBC Bank to incorporate

“social value added” services/benefits for migrant savers, e.g. free medical/ accident insurance package, preferential savings interest rates for migrants, a loan window at a preferential rates for migrant investment in the Philippines, emergency loan, and other incentives.

Organizing Migrant Savings for Alternative Investment (MSAI) continued in 1999. In the receiving countries (Hong Kong, Japan and Korea), at least 25 reintegration and savings groups (RSG), migrant unions and associations involving Thais, Indonesians and Filipinos have been formed. The largest organized group is in Hong Kong, with 17 RSGs. Japan also recently launched the first migrant-exclusive union, while Korea was able to organize two RSGs. The increased number of RSGs led to bigger savings mobilization. The estimated combined savings of RSGs in Hong Kong and Japan was around US\$ 100,000 as of end 1999. Savings mobilization was not only confined in the receiving countries; community savings programs are also ongoing in the sending countries, particularly in the Philippines and Thailand (involving returned migrants and families).

At the macro level, reintegration can help strengthen, if not transform, the economic base of the sending country.

Shishuk, in Bangladesh is in the process of developing a comprehensive reintegration programme, which intends to:

- Develop a database of returnees, recognising that different kinds of returnees exist, for example, those who return for health reasons including HIV and those affected by violence, or occupational hazards
- Establish channels for remittance transfer at suitable rates of interest/incentives on remittances
- Introduce better schemes of savings and investment opportunities for migrant workers and their families
- Develop community based programmes including adaptation adjustment with family and society and involving returnees with economic activities
- Start special resource allocation and activities for using the skills and capacities of migrant workers
- Enable an environment for PLWHA and their families with access to counselling, care and treatment support

3. Mobilisation of migrant workers and their families

Mobilising migrant workers savings

The Filipino Migrant Workers' Union (FMWU), which was founded in October 1998, is the youngest migrant union in Hong Kong. Its key principle is promotion of migrants' reintegration. It is a registered trade union, and thus ensures promotion of rights of migrants as workers and as women. Each member is required to become a member of an RSG (Reintegration and Savings Group). An RSG collects, manages and protects the savings of the group. Saving policies are

decided by the members, including the minimum amount to be saved per month. The Union treasurer and officers monitor and audit the RSGs to ensure transparent and proper operations.

Kakammpi, an NGO providing welfare/protection for families of migrant workers, offers livelihood and other service programs. Its priority are the depressed/ poor urban communities where migrants' families live. Most of the migrant families involved in their programs are women, children of migrants, families abandoned by migrant workers and migrant returnees (especially from the Middle East due to 'Arabization' policy). Some of the services are:

- Welfare/ protection of families left behind;
- Integrated family development initiative;
- Entrepreneurial training, skill training (on cooperatives, livelihood projects);
- Organizing credit assistance programs;
- Rice trading (individual families or groups);
- Referrals to other groups and access to services/facilities of the government

Working with families back at home

Bagong Bayani sa Hong Kong (BBHK) was formed in 1998 after a series of orientation seminars about the reintegration program. Members of BBHK are from the same town of the Philippines. The group agreed to set a monthly

savings for each member at US\$ 25, which is approximately 5% of their monthly salary. To pay for organisational operations, they also contribute US\$ 1.30 as monthly dues. The group, after collecting an amount of US\$ 5,400 by end of 1998, started a reintegration project in their hometown in the Philippines with the help of Unlad Kabayan, to help oversee their project while the migrants were still in Hong Kong. Several activities were started with the help of Unlad in the home towns such as supply shops, which were managed by the migrants' family members. Upon agreement with the group, one member finished her contract in Hong Kong and returned back to the Philippines in 1999, to run the project and ensure that the families are involved in the process. In July, 1999, BBHK school and office supplies shop was registered as a cooperative, where the board of directors comprises representatives of the members who are still in Hong Kong. The business has also expanded into other areas viz. organising the municipality's small vendors and farmers and encouraging them to become a part of the cooperative. The cooperative also plans to extend accessible and easy credit and self-help services to its members in future.

Migrant Service Centre of National Workers Congress in Sri Lanka, addresses social mobilization through Migrant Workers Associations (MWA).

These Associations are registered with the Migrant Services Centre of the National Workers Congress (NWC). Membership is open to migrants, returnees and prospective migrants without any

membership fee. MWAs are voluntary and democratic institutions, which operate with branch units in high migration villages. They function on the basis of a set of rules and a constitution adopted voluntarily at the first formal meeting. MWA model constitution specifies the rights, obligations, powers, and privileges of members. NWC has offered trade union membership to returnee migrant workers and potential migrant workers.

MSC maintains overseas links with NGOs in Lebanon, Hong Kong, Cyprus, Taiwan and Singapore and also has direct links with Sri Lankan Missions abroad. MSC publishes the Sri Lanka Migrant - a quarterly newsletter in the three principal languages and Vimukthi - a monthly fax/ e.letter.

4. Policy and Legal Advocacy

Intervention in the Philippines, in favor of returning migrants was traditionally delegated to the Overseas Workers Welfare Administration (OWWA), a private fund established originally with contributions from employers, but largely sustained now with contributions from migrants before going abroad. However, the Migrant Workers and Overseas Filipinos Act of 1995 (RA8042), providing for an overall approach to migration, includes also a provision concerning return migration. Articles 17 and 18 provide for the establishment and the functions of the Re-placement and Monitoring



Tenaganita's young lawyers' legal clinic

Center. The Center aims at reintegration, employment promotion and utilization of migrants skills for development. Specifically, the Center is to develop livelihood programmes, coordinate with private and government agencies for the utilization of their potentials, establish a data base system on skilled migrant workers, provide a periodic study and assessment of job opportunities for returnees and develop and implement other appropriate programs.

The text of the law reflects the basic compromises inherent in the evolution of RA8042. The House of Representative was preoccupied with wooing overseas Filipinos back to the country, while the Senate was leaning more toward providing protection to migrants (Battistella, 1998). Although the law was adopted in 1995 and became effective in 1996, the Center was not established until early 1999.

A strong advocacy campaign is being undertaken by Migrant Service Centre (an association of migrant workers potential and returnees) of National Workers Congress in Sri Lanka, through intervention with concerned authorities

to ensure political rights of migrants, particularly migrant women workers. UN Convention 1990 ratified by Sri Lanka in 1996, which ensures social and political rights to migrants, has largely been ignored by civil society and authorities in Sri Lanka. Increased awareness of this International Instrument was created through advocacy campaign on Migrant Workers Voting Rights.

5. Social Reintegration

All migrant workers need social reintegration for a healthy and successful adjustment back at home while being able to deal with the personal and family changes as described earlier. For the migrants who return home because of abuse, victimization or conflict at the job site, social readjustment process becomes more critical. Currently, this effort has been carried out mostly by NGOs and migrant organizations as they are in a better position to provide quality services. However, some form of organization of this cooperation and of welfare services to be offered by NGOs, perhaps even with accreditation with the appropriate government agency, can ensure some stability beyond the voluntary efforts of civil society (ICMC, 1998).

Social reintegration was envisioned as the twin component of economic reintegration in the Integrated Return Program for OCWs designed by OWWA. The program was intended to function particularly as community organizing, favoring the creation of an environment in which migrants reintegrate as active participants. However, the program never really took off and is being reassessed within the overall approach of the Replacement and Monitoring Center.

On the other hand, welfare activities are being carried out both by OWWA and POEA (the latter handles approximately 6,000 cases every year). Not necessarily such cases concern returning migrants, but they indicate that there is an established need for services to migrants or their families in the Philippines.

6. Interventions with migrant women returnees and their children

Development Action for Women Network (DAWN) has been working in the Philippines with Filipino migrant women and their children, particularly those who have worked as entertainers in Japan. The organization is devoted to assisting Filipino entertainers in Japan and their Japanese-Filipino Children (JFCs) in the promotion and protection of their human rights and welfare. DAWN has created programs and services for

its clientele through the support of DAWN Japan, and has earned the trust and generated strong public support from concerned groups.

Amongst the cases handled by DAWN are: JFC's recognition and support, women abandoned by Japanese husbands, annulment of marriages, invalid marriages, divorce settlements, wife battering, JFC's citizenship and inheritance issues etc.

DAWN Philippines provides these women and children with health care, educational assistance, counselling, para-legal assistance, lessons on Japanese culture and language, workshops and other group meetings to further support their various social, mental, emotional needs, and contract-related problems among others.

Since it does not encourage Filipinos to go back to Japan and face the risk of abuse and maltreatment, DAWN provides training on basic sewing, tie-dyeing, handloom weaving, basic computer skills etc. to women as alternative employment/livelihood skills.

7. Health care interventions

Shishuk, an NGO working in Bangladesh with migrant workers provides support to HIV+ migrant workers through counseling, and support through collaboration with other organisations working with HIV+ people. This sharing helps the positive people to

understand how to live with HIV/AIDS and to develop an enabling environment for positive people.

Action for Health Initiatives (ACHIEVE), Inc./CARAM Philippines, while recognizing the need to address care and support issues of HIV+ migrant returnees, has been able to facilitate mobilizing a PLWHA group. This group has been able to forge relationships with NGOs and government agencies specifically Social Security System (SSS), Overseas Worker's Welfare Administration (OWWA), Philippines Overseas Employment Administration (POEA); and the Philippines National AIDS Council (PNAC). Several advocacy initiatives have been taken up to sensitise the government on the needs and the policies of the HIV+ returnees.

A recent policy dialogue, facilitated by ACHIEVE and the HIV+ OFWs, with the above mentioned stakeholders made following recommendations:

1. Review of policies of government agencies such as SSS, OWWA, POEA and PhilHealth (health insurance) in matters concerning rights and needs of OFWs infected with HIV/AIDS. The policies need to be consistent and responsive to their needs and to those of their families.

The SSS promised to look into their policy manual and consider the possibility of evaluating their policy on disability claims made in relation to HIV status. They also considered looking at employment issues to evaluate local "employability" of HIV+ OFWs.

NGOs pushed OWWA to study the possibility of increasing the amount of benefits given to returning HIV+ OFWs. Currently, a

maximum and one-time amount of P10,000 as “catastrophic benefit” is given to OFWs with HIV. This amount is certainly not enough and OWWA should factor this recommendation during the regular review or study that they make on the subject of claims.

OWWA was called upon to also consider the issue of denial in the case of HIV+ OFWs making claims. There is a proposal to lengthen the proscription period or even to waive it in the case of returning HIV+ OFWs, as well as reduce the number of requirements.

2. Popularization or dissemination of these policies and subsequent changes. PNAC has volunteered to help in this regard.

3. Designation of point-persons per agency to assist or attend to cases pertaining to HIV-related status of OFWs. This referral system is envisaged to facilitate easier processing of claims. It was agreed that persons who come for dialogue are the designated point-persons of their organizations.

4. Continuous assessment of the needs of PLWHA at all stages of the infection such as counseling, care and support, continuous health monitoring not only for opportunistic infections (OI) but also for regular check-ups such as CD-4 count and viral load, among others.

5. Conduct of sensitivity training for frontline personnel to equip them with knowledge, skills and attitude in dealing with HIV+ OFWs (OWWA, SSS, etc).

6. Providing POEA with a list of countries that do not require mandatory anti-body testing.

7. Implementation of PDOS (especially the section on HIV/AIDS awareness) by legitimate OFW organizations that have knowledge and experience with regard to the situation of OFWs. Utilize peer education techniques.

8. Development of a comprehensive program for OFWs. This will look into the realities of migration, e.g. what makes them vulnerable, what to do when loneliness sets in, how to connect with the loved ones left behind and the like. This also includes follow-ups to loved ones left behind, who serve as vital links to OFWs.



8. Contingency Plans

Unforeseen and dramatic circumstances will continue to create situations of massive displacement. Such events present problems of management, which might strain the resources of any government, particularly a government in a developing country. Nevertheless, countries with a significant migration program must prepare contingency plans to face those situations. Based on shortcomings in previous experiences, such plans require an adequate information database, and effective coordination among government agencies (Santo Tomas and Tigno 1992).

The government of Sri Lanka announced a pension scheme for returning migrant workers in the annual budget for 2001. Migrant Service Centre, a service organisation, established in 1994 by the National Workers Congress, Sri Lanka, is canvassing for early realization of the scheme as a social security measure for migrant workers who live in retirement after several spells of overseas employment.

Key Elements and Strategies

While reviewing some of the above mentioned interventions, strategies and elements which emerge as 'key' and 'crucial' to developing reintegration programs are:

- Reintegration should be addressed within the context of human rights of migrant workers and their families at all stages of migration
- Reintegration process must start at the very beginning of the migration cycle and be addressed at the pre departure as well as the post arrival stages. The migrant worker and his/her family should be involved in the process from the very beginning.
- Reintegration should thus be addressed in both, sending and receiving countries.
- Sending countries need to address reintegration as a forward looking process. Since the sending country benefits from the remittances earned by migrant workers, a part of these remittances should be used for providing reintegration and towards the welfare of the returning migrant workers.
- Reintegration initiatives and the process should be gender sensitive considering the rise in number of women migrant workers in the region.
- Reintegration processes and strategies should be empowering and based on the understanding that the migrant worker is a human being and not a commodity.

- Empowerment of migrant workers will happen through collectivisation and formation of groups for prevention of human rights violation, as well as for providing smooth reintegration process.
- Savings mobilisation should be initiated in the host country through groups. Group saving schemes should be managed by the migrants and provide support for managing and organising their finances, plan for readjustments and troubleshoot any problems.
- Programs need to be undertaken for migrant workers by NGOs, RSGs (Reintegration and Savings Groups) that focus on building migrants' capabilities and understanding of the issues, as well as sensitise them on gender related issues
- Networking, referrals and partnership building is crucial for developing a holistic reintegration program.
- Migrant families and communities should also be organised in the home country; they need to be trained to manage the finances sent by the migrant worker and address any other issues.
- Migrants need to be informed of the alternative investments; employment opportunities; and availability of loans for entrepreneurship and self initiatives, in the home country.

- Social transformation and changes, issues related to families etc. need to be addressed through migrant workers groups and NGOs in the host country.
- Policies related to mandatory testing and forced deportation should be reviewed with a human rights perspective.

Government institutions, NGOs, migrant workers groups, spouses groups, banks, academic and research institutions, private sector and other stakeholders need to be involved in the whole process of reintegration. Sending governments and inter-governmental bodies need to adopt reintegration policies and support mechanisms. NGOs can deepen and sustain the programs along with the community based groups, migrant workers groups and the governments.

National and regional mechanisms need to be created to address and elaborate on the roles, tasks and strategies for reintegration programs. Such mechanisms should include a regional perspective.

FRAMEWORK FOR STRATEGIES AND ACTION TO DEVELOP COMPREHENSIVE REINTEGRATION PROGRAMS

(The framework is indicative and not exhaustive to be used as a guiding tool)

Broad Areas : Empowerment and Mobilization; Networking and Partnership Building		
Areas	Strategies/Activities/Contents	Partners
Policy Advocacy and Development	Remittances Social Reintegration Health care Care and support for HIV+ Children of migrant women returnees Family reintegration issues in the host country residential status, spouse visa, rights of the child etc.	Different government agencies, UN, NGOs, migrant workers associations, NHRCs and other human rights groups, gender groups, media, PLWHA groups and migrant returnees' groups
Interventions in the sending country: Pre Departure	Occupational Safety Knowledge on HIV/AIDS and other health issues Reintegration family, employment on return issues in the pre departure programmes	Government departments, UN, NGOs, migrant worker associations, families and communities of the migrant workers, PLWHA networks, financial institutions
Reintegration	Mobilisation of migrant returnees and spouses Mobilisation of migrants for loans, savings, employment opportunities and skills Mechanisms for complaints, recovery of insurance, compensation etc. Counseling and support for HIV+	
Interventions in the host country	Collective savings Remittances Social security and compensation Skills training for employment opportunities, orientation on reintegration aspects in the home country Reintegration in the host country related issues of spouse visa; residential status; rights of the children etc.	Government agencies, NGOs, migrant workers associations, trade unions, employers associations, NHRCs and other groups.