

Cable

PREC: IMMEDIATE
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 SUBJ: AMBASSADOR BRAZEAL'S JANUARY 27-31 VISIT TO THE FSM
 TEXT:

~~CONFIDENTIAL~~ SECTION 01 OF 03 KOLONIA 0077

STATE FOR EAP/PIA
 SUVA - PLEASE PASS DAS BRAZEAL

E.O. 12958: DECL: 2/6/07
 TAGS: PREL, PGOV, MARR, FM
 SUBJECT: AMBASSADOR BRAZEAL'S JANUARY 27-31 VISIT TO THE FSM

REF: KOROR 48 (NOTAL)

CLASSIFIED BY CHERYL MARTIN, CHARGE. REASON 1.5D.

SUMMARY

 1. (SBU) IN VARIOUS MEETINGS DURING A FIVE-DAY VISIT TO THE FSM, EAP DAS AURELIA BRAZEAL DISCUSSED COMPACT RENEGOTIATIONS AND TIMING, PRESIDENT OLTER'S MEDICAL CONDITION AND POSSIBLE SUCCESSORS, THE EMPAT ADVISORY TEAM, AND PRIVATE SECTOR DEVELOPMENT IN THE FSM, AMONG OTHER TOPICS. THE DEPARTMENT OF EXTERNAL AFFAIRS VIEW IS THAT THE FSM --UNLIKE THE RMI --IS COMFORTABLE WITH THE 1999 DATE SPECIFIED IN THE COMPACT, AND DOES NOT INTEND, AT LEAST AT THIS POINT, TO PRESS FOR EARLY RENEGOTIATIONS. END SUMMARY.

2. (U) EAP DEPUTY ASSISTANT SECRETARY AURELIA R. BRAZEAL VISITED THE FSM FROM JANUARY 27-31 AS PART OF A LARGER PACIFIC TRIP INCLUDING STOPS AT CINCPAC/HONOLULU, PALAU FOR THE PRESIDENTIAL INAUGURATION THERE AND, AFTER THE FSM, PRECEDED VISITS TO THE RMI AND FIJI. IN ADDITION TO SEVERAL FORMAL CALLS, SHE WAS HONORED AT RECEPTIONS HOSTED BY BOTH

DECLASSIFIED E.O. 13526
 Department of State Guidelines, November 6, 2015

By KBH NARA, Date 2/11/2025
 2024-0313-m

THE EMBASSY AND THE FSM GOVERNMENT; MADE REMARKS AT BOTH THE PALIKIR CAMPUS OF THE COLLEGE OF MICRONESIA, WHICH SHE ALSO TOURED, AND AT THE WEEKLY LUNCHEON MEETING OF THE POHNPEI ROTARY CLUB; AND HAD THE OPPORTUNITY TO RE-MEET MANY OF HER COLLEAGUES AND FRIENDS FROM HER 1990-93 TOUR AS AMBASSADOR TO THE FSM. FOLLOWING IS A SUMMARY OF THE MAIN POINTS DISCUSSED DURING HER FORMAL CALLS ON STATE AND NATIONAL OFFICIALS.

GOVERNOR PANGELINAN: PRIVATE SECTOR DEVELOPMENT

3. (SBU) DURING A COURTESY CALL AT HIS OFFICE, POHNPEI GOVERNOR DEL PANGELINAN SAID HE BELIEVED PEOPLE IN THE FSM WERE FINALLY BEGINNING TO BELIEVE THAT THE (FUNDING PORTIONS OF THE) COMPACT OF FREE ASSOCIATION MAY END, AND THAT THERE IS AN URGENT NEED TO DE-EMPHASIZE THE GOVERNMENT'S ROLE, PARTICULARLY IN THE ECONOMY, AND CONCENTRATE ON WHAT HE TERMED "SELF-DEVELOPMENT." THE LEGISLATURES AT BOTH THE FEDERAL AND STATE LEVEL MUST CHANGE THEIR EMPHASIS ON GOVERNMENT-CONNECTED ISSUES AND FOCUS ON LEGISLATION TO PROMOTE PRIVATE SECTOR INVESTMENT, HE SAID. IN THE CASE OF POHNPEI, HE CITED WORK TOWARDS A FOREIGN INVESTMENT PROMOTION PLAN, AN MAJOR AGRICULTURAL PROJECT FINANCED BY THE CHINESE GOVERNMENT, AND ONGOING DISCUSSIONS WITH OUTSIDE INVESTORS ON BOTH FISHERIES AND HOTEL PROJECTS AS ATTEMPTS TO ENCOURAGE DEVELOPMENT OF THE PRIVATE SECTOR. AS AN EXAMPLE OF USEFUL ASSISTANCE, HE COMMENDED THE (U.S.-BASED NGO) NATURE CONSERVANCY FOR MOBILIZING COMMUNITY SUPPORT FOR ITS ENVIRONMENTAL PROGRAMS TO PROTECT BOTH THE INTERIOR FORESTS FROM HIGH LEVEL-SAKAU CULTIVATION AND THE MANGROVE FORESTS THAT RING THE ISLAND FROM OVERHARVESTING AND POLLUTION.

DAS EPEL ILON: COMPACT RENEGOTIATIONS; SUCCESSION SCENARIOS

4. (SBU) DEPARTMENT OF EXTERNAL AFFAIRS DEPUTY SECRETARY EPEL ILON ALSO EMPHASIZED THE NEED FOR A REFORM AND RETHINKING OF GOVERNMENT'S ROLE AS THE COMPACT MONIES ARE DRAWN DOWN. CHUUK STATE WILL HAVE A GUBERNATORIAL ELECTION NEXT MONTH, WITH FIVE OR SIX CANDIDATES ON THE ROLLS; ALTHOUGH THAT STATE WAS SLOW TO START REFORMS, HE TERMED THEIR PROGRESS IN SLIMMING GOVERNMENT AS "FARTHER THAN ANYONE'S."

5. (S) WHEN DAS BRAZEAL EXPRESSED CONCERN ABOUT PRESIDENT OLTER'S HEALTH, ILON ASKED FOR USG ASSISTANCE IN TRANSPORTING HIM FROM HOUSTON, WHERE HE IS PRESENTLY HOSPITALIZED, TO DALLAS, WHERE HE WAS EXPECTED TO BOARD A COMMERCIAL FLIGHT FOR HIS RETURN TO THE FSM. DAS BRAZEAL AGREED TO INVESTIGATE WHETHER SUCH ASSISTANCE WAS POSSIBLE. (COMMENT. IT WAS LATER DETERMINED THAT SUCH COMMERCIAL TRANSPORT WAS UNFEASIBLE ON BOTH MEDICAL AND PRACTICAL GROUNDS, AND OTHER OPTIONS ARE PRESENTLY UNDER REVIEW. END COMMENT.) IF THE PRESIDENT DOES NOT RESUME HIS DUTIES AND IS SUCCEEDED BY
~~C O N F I D E N T I A L~~ SECTION 02 OF 03 KOLONIA 0077

STATE FOR EAP/PIA
SUVA - PLEASE PASS DAS BRAZEAL

E.O. 12958: DECL: 2/6/07
TAGS: PREL, PGOV, MARR, FM
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PRESIDENT NENA, SHE ASKED, WHO IS LIKELY TO BE NAMED VICE PRESIDENT? POHNPEI SENATOR LEO FALCAM, ILON REPLIED, CAN BE COUNTED ON TO SEEK THE POSITION AS A STEPPING STONE TOWARDS HIS LONG-RECOGNIZED DESIRE TO BECOME PRESIDENT.

6. (C) IN RESPONSE TO DAS BRAZEAL'S QUESTION ABOUT FSM VIEWS ON COMPACT RENEGOTIATIONS, ILON SAID THE FSM IS STILL LOOKING AT THEM TO START IN 1999. THE DOWNSIZING CONSOLIDATIONS AND REFORMS NOW UNDERWAY, HE SAID, HAVE NOT HAD TIME TO TAKE EFFECT, AND "...THE FSM NEEDS TO KNOW WHAT IT IS AFTER FIRST." THE FSM, HE DECLARED, HAS ALWAYS RESISTED WHAT HE TERMED "WELFARE" PROGRAMS, SUCH AS THOSE PROVIDING FREE SCHOOL LUNCHES. WHEN DAS BRAZEAL COMMENTED, AS SHE HAD DONE IN PALAU (REFTEL), THAT EQUAL TREATMENT FOR AMERICAN CITIZENS IN THE FSM WOULD DOUBTLESS BE ON THE U.S. AGENDA, ILON SAID THAT THE CURRENT PROVISIONS WERE PROMPTED BY NUMBERS ALONE -- "10 PERCENT OF THE FSM MOVING TO MANHATTAN WOULDN'T MAKE A DENT: 10 PERCENT OF MANHATTANITES MOVING TO THE FSM WOULD." EVEN IN THE ERA OF DIMINISHED RESOURCES IN WHICH SUCH RENEGOTIATIONS WILL BE HELD, HE SAID, HE HOPED THERE WOULD CONTINUE TO BE ROOM IN THE U.S. BUDGET FOR ASSISTANCE TO THE EAST-WEST CENTER IN HONOLULU, WHICH HE TERMED A VALUABLE RESOURCE FOR THE PACIFIC AREA.

SECRETARY TAKESY: COMPACT ISSUES, GUAM/CNMI FRICTION, CONSULTATIVE GROUP

7. (C) THE COMPACT RENEGOTIATIONS ALSO FIGURED PROMINENTLY IN DAS BRAZEAL'S MEETING WITH SECRETARY FOR EXTERNAL RELATIONS ASTERIO TAKESY. THE SECRETARY ALSO EMPHASIZED THAT THE FSM WANTS TO START THE RENEGOTIATIONS IN 1999, AS CALLED FOR IN THE COMPACT. WE MAY BE COMPELLED TO START EARLIER, THOUGH, HE SAID, ALTHOUGH DOING SO "...WOULD EITHER MEAN THAT THE COMPACT RELATIONSHIP HASN'T WORKED -- OR WE HAVE RUN OUT OF MONEY." TAKESY CHARACTERIZED THE U.S./FSM RELATIONSHIP AS "EXTREMELY IMPORTANT FOR DEFENSE AND ECONOMIC REASONS," BUT NOTED THAT THE RESIDENCE, TRAINING, AND EMPLOYMENT OPPORTUNITIES THE COMPACT GRANTS FSM CITIZENS IN THE U.S. ARE EQUALLY IMPORTANT TO THE FSM.

8. (SBU) GUAM AND THE CNMI, TAKESY SAID, WILL ALSO BRING THEIR VIEWPOINTS TO THE NEGOTIATING TABLE. MUCH OF THE LOW LEVEL CONCERN THERE ABOUT FSM CITIZENS IS BASED ON COMPLEX ISSUES. ON THE ISSUE OF HOUSING, FOR INSTANCE: FSM CITIZENS MAY GO TO THE HEAD OF THE HOUSING QUEUE BECAUSE THEY HAVE NONE, AND DISPLACE RESOURCES FOR GUAMANIAN WAITING FOR HOUSING REHABILITATION, CAUSING BAD FEELINGS; THERE ARE ALSO CONCERNS ABOUT FSM CITIZENS' CLAIMS ON THE PUBLIC HEALTH CARE RESOURCES OF THE ISLANDS. BUT, HE SAID, SEGMENTS THE TOURIST, CONSTRUCTION, AND SECURITY PROVISION SECTORS OF THE ECONOMIES IN GUAM AND THE MARIANAS DEPEND ON FSM LABOR, AS NATIVES THERE ARE UNWILLING TO TAKE THOSE KINDS OF LOW-SKILL, LOW-PAYING JOBS.

9. (SBU) NOTING THAT THE NEXT CONSULTATIVE GROUP MEETING IS SCHEDULED FOR MID-MAY IN TOKYO, TAKESY SAID HE BELIEVED IT WOULD BE A GOOD PRACTICE TO ROTATE FUTURE MEETING VENUES BETWEEN THE MAJOR DONOR CAPITALS (TOKYO, CANBERRA AND WASHINGTON). HE THEN ASKED IF THE U.S. WOULD CONSIDER HOSTING THE 1998 MEETING: DAS BRAZEAL SAID SHE WOULD RAISE THE ISSUE IN WASHINGTON. THE FSM LEADERS, HE SAID, KNOW DONOR ASSISTANCE IS CONTINGENT ON FSM PERFORMANCE AND USE OF ITS CURRENT RESOURCES --BUT, HE SAID, EVERYONE KNOWS THE U.S. /FSM COMPACT RELATIONSHIP IS A CONTINUING ONE UNLESS ONE OF THE PARTNERS DEMURS.

ACTING PRESIDENT NENA: REFORM MEASURES, EMPAT ADVISORS, INVESTMENTS

10. (SBU) DAS BRAZEAL OPENED HER CALL ON ACTING PRESIDENT JACOB NENA WITH BEST WISHES FOR PRESIDENT OLTOR'S HEALTH AND SAFE JOURNEY BACK TO THE FSM. NENA SAID THE GFMSM HAD JUST PURCHASES A RESPIRATOR IN PREPARATION FOR THAT, AND THAT HE KNEW THE PRESIDENT WISHED TO RETURN. TURNING TO THE FUTURE, NENA SAID THAT THE FSM CONGRESS HAD TASKED THE EXECUTIVE BRANCH WITH SETTING UP A TASK FORCE ON THE
~~C O N F I D E N T I A L~~ SECTION 03 OF 03 KOLONIA 0077

STATE FOR EAP/PIA
SUVA -- PLEASE PASS DAS BRAZEAL

E.O. 12356: DECL: 2/6/2007
TAGS: PREL, PGOV, MARR, FM
SUBJECT: AMBASSADOR BRAZEAL'S JANUARY 27-31 VISIT TO THE FSM

COMPACT AND FUTURE NEGOTIATIONS. FOR NOW, THOUGH, THE FOCUS IS ON REFORM AND REDUCTION IN GOVERNMENT COSTS: A SPECIAL SESSION OF CONGRESS HAS BEEN CALLED FOR MARCH TO CONSIDER AN ADB-FUNDED LOAN PROGRAM THAT COULD, BY OFFERING EARLY BUY-OUTS TO GOVERNMENT EMPLOYEES, REDUCE THE NATIONAL EMPLOYMENT ROLLS BY AS MUCH AS 50 PERCENT, AND ROUGHLY SIMILAR AMOUNTS AT THE STATE LEVEL. HE PRAISED THE PARTIALLY U.S.-FUNDED TWO PERSON EMPAT ECONOMIC ADVISORY TEAM AS PROVIDING VALUABLE COUNSEL ON THE REFORM PROCESS, AND VOICED THE HOPE THAT THE TOURISM SPECIALIST BEING CONSIDERED FOR THE SECOND POSITION -- AFTER THE RECENT EARLY DEPARTURE OF ONE OF THE PREVIOUS ADVISORS -- WILL AGREE TO ACCEPT THE JOB.

11. (SBU) TURNING TO THE ECONOMIC FRONT, NENA NOTED THE CONTINUING PROBLEMS WITH LAND TENURE THAT IMPEDE ECONOMIC ACTIVITY: THERE ARE STILL PROBLEMS GETTING THE TRADITIONAL LEADERS TO COMPLY WITH THE LAW, BUT "NO ONE WANTS TO TAKE THE ISSUE ON." MOST MICRONESIANS, HE SAID, PREFER JOINT VENTURES WITH THE U.S. AND JAPANESE, PARTIALLY BECAUSE OF THEIR LONG ASSOCIATION HERE AND THE SENSE THAT THE VENTURE WILL TRULY BENEFIT THE FSM. OTHER POSSIBLE PARTNERS ARE MORE PROBLEMATIC, HE SAID. AS AN EXAMPLE, NENA TERMED THE RECENT DEPARTURE OF THE TAIWAN-BASED FISHING GROUP TING HONG "A GOOD THING," AS THEIR BOATS WERE POLLUTING THE SEAS AND DEPOPULATING THE FISH STOCKS IN FSM WATERS.

12. (U) DAS BRAZEAL DID NOT HAVE THE OPPORTUNITY TO VIEW
THIS MESSAGE BEFORE HER DEPARTURE.

MARTIN

SECT: SECTION: 01 OF 03
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SSN: 0077
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 INFO: RUEHKO/AMEMBASSY TOKYO 3812
 RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS
 RUEHGV/USMISSION GENEVA 2395
 RUEHUL/AMEMBASSY SEOUL 4533
 RUEHBY/AMEMBASSY CANBERRA 1860
 RUCNDT/USMISSION USUN NEW YORK 1507
 SUBJ: UNGA RESOLUTION: PHILIPPINES SEEKS PROTECTION OF
 OVERSEAS WOMEN WORKERS

DECLASSIFIED E.O. 13526
 Department of State Guidelines, November 6, 2015

By KRH NARA, Date 2/11/2025
 2024-0313-17

TEXT:

~~CONFIDENTIAL~~ SECTION 01 OF 02 MANILA 003297

C O R R E C T E D COPY FOR PARA MARKINGS

STATE FOR IO, DRL, EAP/PIMBS

E.O. 12958: DECL: 3/19/07

TAGS: UNGA, PHUM, ELAB, KWMN, SOCI, RP

SUBJECT: UNGA RESOLUTION: PHILIPPINES SEEKS PROTECTION OF
 OVERSEAS WOMEN WORKERS

1. CLASSIFIED BY LABATT D. ORTBLAD, REASON 1.5 (B)

2.(U). SUMMARY: THERE IS WIDESPREAD CONCERN ABOUT THE
 VULNERABILITY OF OVERSEAS FEMALE WORKERS IN THE GOVERNMENT,
 CHURCH AND NGO COMMUNITY IN THE PHILIPPINES. WOMEN MAKE UP AN
 ESTIMATED 55-60 PERCENT OF THE TOTAL SIX MILLION FILIPINOS
 SEEKING JOBS OVERSEAS (OFW) TO ESCAPE HIGH UNEMPLOYMENT AND
 POVERTY IN THE PHILIPPINES. MANY WOMEN REPORT THEY ARE VICTIMS
 OF CONTRACT FRAUD AND/OR PRESSURES TO ENTER PROSTITUTION WHEN
 THEY ARRIVE IN HOST COUNTRIES. IN LIGHT OF THIS, THE GOP IS
 PURSUING INTERNATIONAL AGREEMENTS PROTECTING MIGRANT WORKERS,
 INCLUDING A RECENTLY TABLED U.N. RESOLUTION RELATED TO
 "VIOLENCE AGAINST WOMEN MIGRANT WORKERS." END SUMMARY

HIGH LEVEL ATTENTION

3.(U) THE PLIGHT OF OVERSEAS FILIPINO WORKERS (OFW) RECEIVES
 PRIORITY ATTENTION AT THE HIGHEST LEVELS OF THE GOP. PRESIDENT

CLINTON LIBRARY PHOTOCOPY

RAMOS MADE THIS A CENTRAL THEME DURING HIS RECENT VISIT TO SOUTH ASIA AND THE MIDDLE EAST, WHERE HE BOTH SOUGHT SUPPORT FOR A U.N. CONVENTION ON MIGRANT WORKERS PROPOSED BY THE GOP AND INTERCEDED ON BEHALF OF OFWS CHARGED WITH CRIMES IN THEIR HOST COUNTRIES. HE GOT SUPPORT FROM BANGLADESH FOR THE CONVENTION AND WON COMMITMENTS ON WORKER CONDITIONS IN COUNTRIES LIKE QATAR. THE DFA HAS AN UNDERSECRETARY CHARGED WITH FOCUSING ON THE ISSUE OF OFWS ALONE AND THE DEPARTMENT OF LABOR FIELDS A LARGE CORPS OF LABOR ATTACHES AT EMBASSIES IN EUROPE, ASIA AND THE MIDDLE EAST TO PROMOTE THE OFWS' WELFARE.

VULNERABLE WORKERS

4. (U) A KEY CONCERN IS THAT 55-60 PERCENT OF THE OFW POPULATION IS FEMALE. THEY ARE GENERALLY YOUNG, UNMARRIED AND ENGAGED IN THE SERVICE INDUSTRY AS DOMESTICS OR ENTERTAINERS. THESE ARE JOBS LOW IN STATUS AND PAY, SUBJECT TO AMBIGUOUS IMMIGRATION POLICIES AND OFTEN EXCLUDED FROM THE RECEIVING COUNTRIES' LABOR CODES. IN SUM, THE JOBS RENDER THE FEMALE OFWS VULNERABLE TO LEGAL CHICANERY, ABUSE AND EVEN FORCED PROSTITUTION. THE GREAT MAJORITY WORK IN ASIA AND MIDDLE EASTERN COUNTRIES (86 PERCENT IN 1993) WHERE THERE IS A RISE IN SEX TRAFFICKING. (THE TOP FOUR RECEIVING COUNTRIES ARE SAUDI ARABIA, HONG KONG, SINGAPORE AND JAPAN.) IN LIGHT OF THESE DANGERS, OFFICIALS IN THE GOP'S LABOR DEPARTMENT ASSERT THAT THEY SEEK TO DISCOURAGE WOMEN FROM SEEKING OVERSEAS JOBS BUT ADMIT THAT THE NUMBERS OF MIGRANTS REMAIN LARGE AS WOMEN SEEK RELIEF FROM UNEMPLOYMENT AT HOME.

5. (C) A DFA CONTACT EXPLAINED THAT THE CURRENT DRAFT GOP RESOLUTION IN THE U.N. IS INTENDED TO ADDRESS THESE ISSUES BY PROVIDING SOME STANDARD FOR BOTH THE SENDING AND RECEIVING COUNTRIES TO EVALUATE THE WORKING ENVIRONMENT FOR THESE WOMEN. THE RESOLUTION DRAWS ON THE RECOMMENDATIONS OF A U.N. SPONSORED EXPERTS' CONFERENCE IN MANILA IN MAY 1996. THE RESOLUTION WOULD ADOPT THE VARIOUS "INDICATORS" FOR VIOLENCE AND VULNERABILITY OF FEMALE OVERSEAS WORKERS AND RECOMMEND THAT COUNTRIES COLLECT DATA ON THEM. FOR INSTANCE, A RECEIVING COUNTRY WOULD BE ASKED TO COLLECT STATISTICS ON INSTANCES OF FAILURE TO PAY WAGES OR OF SEXUAL HARRASSMENT, WHICH WOULD BE USED TO INDICATE WHETHER A CLIMATE OF POSSIBLE VIOLENCE AGAINST THESE WORKERS WAS FORMING. THE GOP DFA VIEWS ITS DRAFT RESOLUTION AS "NON-CONTROVERSIAL." OUR DFA CONTACT BELIEVED THAT CRITICISM OF THE RESOLUTION MUST LIKELY BE BASED ON A MISTAKEN IMPRESSION IT WAS SOMEHOW "AIMED" AT A PARTICULAR COUNTRY ALTHOUGH THIS WAS NOT THE CASE.

6. (C) THE PHILIPPINES' RELATIONS WITH THESE RECEIVING COUNTRIES ARE OFTEN HIGHLY COLORED BY THE PLIGHT OF THE OFWS. IN 1993 THE CASE OF AN OFW DOMESTIC IN SINGAPORE CHARGED WITH MURDER GRABBED HEADLINES HERE AND CAUSED NOT ONLY THE RECALL OF THE FILIPINO AMBASSADOR BUT ALSO THE EVENTUAL RESIGNATION OF THE FOREIGN AND LABOR SECRETARIES. A SIMILAR CASE OF A FEMALE OFW WHO KILLED HER EMPLOYER TO DEFEND AGAINST HIS SEXUAL DEPRADATIONS TROUBLED RELATIONS WITH THE UNITED ARAB EMIRATES IN 1995. THE AGGRESSIVE INVESTIGATIONS BY GOP LABOR ATTACHES OF NIGHT CLUBS IN JAPAN EMPLOYING FEMALE OFWS BECAME AN ISSUE FOR BOTH GOVERNMENTS IN 1994. IN RELATION TO THE USG, THERE WAS GREAT FILIPINO ATTENTION GIVEN TO THE PLIGHT OF WOMEN OFWS

IN GARMENT SWEAT SHOPS AND THE SEX INDUSTRY IN SAIPAN DURING 1995.

STOPPING TRAFFICKING

7. (U) THE GOP AND PHILIPPINE NGOS HAVE BEEN ACTIVE IN RAISING THE ISSUE OF WOMEN MIGRANT WORKERS IN INTERNATIONAL FORA. THE PHILIPPINE DELEGATION TO THE 1995 U.N. BEIJING WOMEN'S CONFERENCE POINTED OUT THE PERILS OF GROWING TRAFFICKING IN OMAN. THEY DESCRIBED IT AS "A CRISIS OF GLOBAL PROPORTIONS
~~C O N F I D E N T I A L~~ SECTION 02 OF 02 MANILA 003297

C O R R E C T E D COPY FOR PARA MARKINGS

STATE FOR IO, DRL, EAP/PIMBS

E.O. 12958: DECL: 3/19/07

TAGS: UNGA, PHUM, ELAB, KWMN, SOCI, RP

SUBJECT: UNGA RESOLUTION: PHILIPPINES SEEKS PROTECTION OF OVERSEAS WOMEN WORKERS

WITH ORGANIZED SEX SYNDICATES PROFITING FROM THE COMMODIFICATION OF WOMEN." THE DELEGATION WARNED OF THE RECRUITMENT OF POOR WOMEN FROM THE PROVINCES FOR "FICTITIOUS JOBS ABROAD" WHICH WERE DESIGNED TO FORCE THEM INTO PROSTITUTION. IN A NOVEMBER 1996 SPEECH HERE CRAFTED AS A FOLLOW UP TO THE BEIJING CONFERENCE, THE FIRST LADY, MRS. HILLARY CLINTON, TOLD AN AUDIENCE OF FILIPINO WOMEN LEADERS DURING THE MANILA APEC CONFERENCE THAT THE GOP "DESERVES PRAISE FOR ITS URGENT CAMPAIGN TO END THE ILLEGAL RECRUITMENT OF FILIPINAS FOR OVERSEAS JOBS IN WHICH THE RIGHTS OF WOMEN AND GIRLS ARE ROUTINELY VIOLATED IN OTHER COUNTRIES." (THESE SENTENCES DREW THE LOUDEST APPLAUSE DURING THE SPEECH.)

NGO AND CHURCH CONCERNS

8. (U) IN A FEBRUARY BANGKOK CONFERENCE CO-SPONSORED BY THE ASIAN WOMEN'S HUMAN RIGHTS COUNCIL (AWHRC, WHICH HAS BEEN LONG BASED IN MANILA), THE "GLOBAL ALLIANCE AGAINST TRAFFICKING WOMEN" CONDEMNED THE INTENSIFIED TRAFFICKING IN WOMEN IN THE REGION, WHICH, AS WOMEN LEADERS HERE CLAIM, HAS BEEN AGGRAVATED BY THE POLITICAL INSTABILITY ALONG THE BORDER BETWEEN BURMA AND THAILAND. ACCORDING TO THE AWHRC DIRECTOR HERE, THE BANGKOK CONFERENCE ATTENDED BY REPRESENTATIVES FROM 30 COUNTRIES FROM ASIA, NORTH AMERICA AND EUROPE ENDORSED IN PRINCIPLE THE STEPS RECOMMENDED BY THE GOP'S UN DECLARATION. THE MANILA DIRECTOR OF THE AWHRC TOLD US THAT FILIPINO WOMEN LEADERS FEAR A REPETITION OF THE THAI MODEL OF LARGE-SCALE SEX TOURISM HERE. GROWING INDUSTRIALIZATION HAS BROUGHT MORE YOUNG WOMEN INTO LOW-PAYING, SHORT TERM CONTRACTUAL FACTORY JOBS IN THE CITIES WHERE THEY ARE MADE EASIER PREY FOR SEX INDUSTRY RECRUITERS. DURING THE APEC MEETING LAST NOVEMBER, THE CATHOLIC BISHOPS CONFERENCE OF THE PHILIPPINES ISSUED A STATEMENT OF CONCERN TO THE APEC COUNTRIES OVER THE PLIGHT OF MIGRANT WORKERS IN THE ASIA PACIFIC, POINTING OUT THAT MORE INTERNATIONAL AGREEMENTS WERE NEEDED TO PROTECT THEM.

MARTIN

SECT: SECTION: 01 OF 02
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SSN: 3297
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 RUCPDOG/DEPT OF COMMERCE
 RUETIAA/NSA
 INFO: ////
 SUBJ: CNMI DISCUSSIONS ON LABOR WITH GOP AND
 PRC ACTION REQUESTS

TEXT:
~~CONFIDENTIAL~~ STATE 117045

E.O. 12958: DECL: JUNE 19, 2007
 TAGS: ELAB, PREL, CJAN, KTIA, CH, RP
 SUBJECT: CNMI DISCUSSIONS ON LABOR WITH GOP AND
 PRC ACTION REQUESTS

REF: MANILA 7180

CLASSIFIED BY EAP DEPUTY ASSISTANT SECRETARY AURELIA E.
 BRAZEAL. REASON: 1.5 (B) (D).

1. (U) THIS IS AN ACTION REQUEST FOR EMBASSIES BEIJING
 AND MANILA. SEE PARAS 13 AND 15 RESPECTIVELY. TEXT OF
 DRAFT USG LETTER TO GOVERNOR TENORIO OF THE COMMONWEALTH
 OF THE NORTHERN MARIANA ISLANDS (CNMI) IS PROVIDED IN PARA
 16 FOR POSTS' BACKGROUND ONLY.

2. (C) SUMMARY: THE COMMONWEALTH OF THE NORTHERN -ARIANA
 ISLANDS, A U.S. COMMONWEALTH NOT CURRENTLY SUBJECT TO U.S.
 MINIMUM WAGE LAWS OR TO MOST OF THE PROVISIONS OF THE
 IMMIGRATION AND NATIONALITY ACT, SIGNED AN MOU ON MAY 8
 WITH PRC MINISTRY OF FOREIGN TRADE AND ECONOMIC
 COOPERATION (MOFTEC) VICE MINISTER LIU SHANZAI IN SAIPAN.
 THE MOU CONCERNS THE RIGHTS OF CHINA-S NON-RESIDENT ALIEN
 WORKERS IN THE CNMI -AND PURPORTS TO ESTABLISH THE CHINESE

ECONOMIC DEVELOPMENT ASSOCIATION (CEDA) IN SAIPAN.
 ALTHOUGH THE MOU STATES THAT CEDA WILL SERVE AS A CLEARING
 HOUSE FOR CHINESE WORKERS IN THE CNMI, THERE ARE
 INDICATIONS THAT IT ALSO WILL PERFORM DIPLOMATIC DUTIES.
 WE ARE CONCERNED BECAUSE, UNDER THE CNMI COVENANT, ALL

DECLASSIFIED E.O. 13526
 Department of State Guidelines, November 6, 20
 By KBH NARA, Date 2/11/2025
 2024-0313-17

FOREIGN AFFAIRS OF THE CNMI ARE THE RESPONSIBILITY OF THE U.S. FEDERAL GOVERNMENT. THE MOU WAS SIGNED BY CNMI GOVERNOR TENORIO WITHOUT STATE HAVING HAD AN OPPORTUNITY TO REVIEW THE DOCUMENT BOTH FOR CONTENT AND FORM AND, IN PARTICULAR, TO CONSIDER THE APPROPRIATENESS OF THE CNMI SIGNING SUCH A DOCUMENT WITH A FOREIGN GOVERNMENT AND WHETHER THE PROPOSED OPENING OF A PRC OFFICE IS ACCEPTABLE. FURTHERMORE, IN A MAY 30 LETTER TO GOVERNOR TENORIO PRESIDENT CLINTON RELAYED THE ADMINISTRATION'S DECISION TO SEEK CONGRESSIONAL APPROVAL TO EXTEND INA AND MINIMUM WAGE LAWS TO THE CNMI.

3. (S) A COMPLICATING FACTOR IS THAT THE CNMI HAD SIGNED AN MOU IN 1994 WITH THE PHILIPPINES DEPARTMENT OF LABOR AND EMPLOYMENT REGARDING PHILIPPINES OVERSEAS CONTRACT WORKERS IN THE CNMI. THE DEPARTMENT OF STATE WAS INFORMED SHORTLY AFTER THE FACT OF THIS MOU BUT RAISED NO OBJECTION AT THE TIME. HOWEVER, IN LIGHT OF THE RECENT DEVELOPMENTS OUTLINED IN PARA 2, STATE NOW BELIEVES IT APPROPRIATE TO REITERATE TO BOTH THE CNMI AND TO THE GOP THE FEDERAL GOVERNMENT'S PREROGATIVE TO BE INVOLVED, AS DEEMED APPROPRIATE, IN DISCUSSIONS BETWEEN CNMI OFFICIALS AND FOREIGN GOVERNMENTS AND BEFORE THE SIGNING BY THE CNMI OF DOCUMENTS WITH FOREIGN GOVERNMENTS. WE UNDERSTAND THAT A CNMI DELEGATION PLANS TO VISIT THE PHILIPPINES ON JUNE 26 FOR ADDITIONAL DISCUSSIONS ON LABOR-RELATED ISSUES AND THAT THE CNMI EXPECTS TO SIGN A NEW MOU WITH THE GOP DURING THESE MEETINGS. END SUMMARY.

BACKGROUND-CHINA MOU

4. (U) THE CNMI IS A U.S. COMMONWEALTH, NOT CURRENTLY SUBJECT TO U.S. MINIMUM WAGE LAWS OR TO MOST PROVISIONS OF THE IMMIGRATION AND NATIONALITY ACT. DEPARTMENT OF INTERIOR (DOL) OFFICE OF INSULAR AFFAIRS ADMINISTERS RELATIONS BETWEEN THE USG AND THE CNMI. ALIEN WORKER POPULATION IN THE CNMI IS OVER 30,000, REPORTEDLY COMPRISING 91 PERCENT OF THE PRIVATE SECTOR LABOR FORCE. U.S. RESIDENTS NUMBER SLIGHTLY UNDER 30,000. THERE IS A LARGE CHINESE NON-RESIDENT ALIEN WORKER POPULATION IN THE CNMI TOTALING OVER 7000. MOST ARE GARMENT WORKERS WITH SOME WORKING IN CONSTRUCTION. PHILIPPINE OFFICIALS

ESTIMATE THERE ARE MORE THAN 20,000 PHILIPPINE NATIONALS WORKING IN THE CNMI.

5. (S) THE U.S. GOVERNMENT HAS BECOME INCREASINGLY CONCERNED OVER WORKER RIGHTS, CURRENT WORKING CONDITIONS, AND OTHER DEVELOPMENTS IN THE CNMI. CHINESE WORKERS WORK FOR LOW WAGES IN THE CNMI PRODUCING GARMENTS WHICH ARE THEN LABELED CORRECTLY "MADE IN AMERICA." MOFTEC HAS COMPLAINED TO CNMI GOVERNOR TENORIO THAT SOME CHINESE WORKERS HAVE BEEN RECRUITED FOR NON-EXISTENT JOBS, HAVE EXPERIENCED LATE PAYMENT OF SALARY, OR HAVE BEEN BEATEN, KILLED OR ROBBED. WE ALSO UNDERSTAND THAT THE PHILIPPINE GOVERNMENT HAS EXPRESSED DISSATISFACTION WITH THE STEPS TAKEN TO DATE BY THE CNMI TO IMPLEMENT THE PROVISIONS

CONTAINED IN ITS 1994 MOU WITH THE CNMI.

6. (SBU) CONGRESS APPROPRIATED DOLLARS 10 MILLION IN FY95 AND FY97 TO THE DOL TO WORK JOINTLY WITH THE CNMI GOVERNMENT TO ADDRESS LABOR, IMMIGRATION AND LAW ENFORCEMENT PROBLEMS IN THE CNMI. THE TREATMENT OF ALIEN WORKERS IS A MAJOR ASPECT OF THE INITIATIVE. THE WHITE HOUSE ANNOUNCED ON MAY 30 THAT IT WILL PROPOSE TO EXTEND THE APPLICABILITY OF THE IMMIGRATION AND NATIONALITY ACT AND THE U.S. MINIMUM WAGE TO THE CNI. THE ADMINISTRATION IS PREPARING ITS ANNUAL REPORT TO CONGRESS ON LABOR, IMMIGRATION AND LAW ENFORCEMENT ISSUES IN THE CNMI AND ANTICIPATES ITS TRANSMISSION TO CONGRESS WITHIN THE NEXT FEW WEEKS. THE REPORT WILL CONTAIN POLICY RECOMMENDATIONS ON LABOR AND IMMIGRATION FOR CONGRESSIONAL CONSIDERATION.

7. (SBU) ON MAY 8, CNMI GOVERNOR TENORIO MET WITH MOFTEC VICE MINISTER LIU SHANZAI IN SAIPAN TO DISCUSS MATTERS RELATING TO CHINESE WORKERS. TENORIO INVITED THE DEPARTMENT OF STATE TO ATTEND THE MEETING IN WHICH "MATTERS OF MUTUAL CONCERN REGARDING CHINESE WORKERS" WERE TO BE DISCUSSED. IN ITS LETTER TO THE STATE DEPARTMENT, THE CNMI MADE NO MENTIONS OF ITS INTENT TO SIGN AN MOU OR OF THE POSSIBILITY THAT A CEDA OFFICE MIGHT BE OPENED. THE GOVERNOR DID GIVE A DRAFT COPY OF THE MOU TO THE DOL REPRESENTATIVE A DAY BEFORE THE MEETING WITH THE PRC, WHICH ALLOWED NO TIME FOR U.S. GOVERNMENT REVIEW OR COMMENT. AS STATE HAD NO PERSONNEL IN THE AREA AND THE MEETING WAS DESCRIBED MERELY IN TERMS OF A DISCUSSION, DOL AND DOL REPRESENTATIVES IN THE VICINITY, WHO WERE NOT FULLY BRIEFED ON THE NATURE OF THE MEETING, ATTENDED.

8. (C) DURING THE MEETING, CHINA AND THE CNMI SIGNED AN MOU TO PROTECT THE RIGHTS OF CHINESE WORKERS IN THE CNMI.

IN APPARENT RESPONSE TO ALLEGATIONS THAT CHINESE GOVERNMENT AGENTS PROHIBIT POLITICAL ACTIVITIES OR MARRYING, AND OTHERWISE LIMIT WORKER RIGHTS WHILE IN THE CNMI, THE AGREEMENT PROVIDES THAT CHINESE WORKERS WILL BE GIVEN WRITTEN NOTICE OF THEIR RIGHTS AND LIBERTIES UNDER U.S. AND CNMI LAW.

9. (C) THE AGREEMENT ALSO PURPORTS TO ESTABLISH AN ENTITY CALLED THE CHINESE ECONOMIC DEVELOPMENT ASSOCIATION (CEDA) IN SAIPAN. THE ASSOCIATION WOULD BE GIVEN "JURISDICTION OVER ALL CHINESE WORKERS DISPATCHED HERE-BY THE CHINESE GOVERNMENT." ACCORDING TO THE DOL NOTETAKER, CEDA WILL ALSO HAVE THE AUTHORITY TO ISSUE VISAS AND ATTEND TO DIPLOMATIC DUTIES. CEDA'S ESTABLISHMENT WAS NEGOTIATED WITHOUT STATE DEPT. INVOLVEMENT OR AGREEMENT, AND IS INCONSISTENT WITH PROVISIONS OF THE FOREIGN MISSIONS ACT (22 USC 4301 ET SEQ.) REQUIRING NOTIFICATION TO THE DEPARTMENT OF STATE OF PROPOSED ACQUISITION OF PROPERTY BY A FOREIGN MISSION. ACCORDING TO PRESS REPORTS, CEDA PLANS TO OPEN ITS DOORS THE END OF JUNE.

10. (C) IN A JUNE 5 INTERAGENCY MEETING OF DOS, DOL, AND DOL, DOS CONFIRMED ITS RESPONSIBILITY FOR THE FOREIGN

AFFAIRS ASPECT OF THIS MATTER. UNDER THE 1976 COVENANT THAT ESTABLISHED THE POLITICAL RELATIONSHIP BETWEEN THE CNMI AND THE U.S., THE FEDERAL GOVERNMENT, NOT THE CNMI, IS IN CHARGE OF FOREIGN AFFAIRS. THE DEPARTMENT'S LEGAL BUREAU HAS REVIEWED THE MAY 8 MOU. SUBSTANTIVELY, THERE APPEARS TO BE NO PROBLEM WITH THE TEXT OTHER THAN WITH THE ESTABLISHMENT OF CEDA. THE PROPOSED OPENING OF CEDA REQUIRES FURTHER CLARIFICATION AND REVIEW. SIMILARLY, THE ISSUE OF WHETHER IT IS APPROPRIATE FOR THE CNMI TO BE SIGNING MOU'S WITH A FOREIGN GOVERNMENT AND WHAT THE DEPARTMENT'S ROLE SHOULD BE IS BEING CONSIDERED.

11. (U) WE ARE DRAFTING A LETTER TO TENORIO (SEE PARA 16) EMPHASIZING BOTH THE CNMI'S COVENANT WHICH PLACES FOREIGN AFFAIRS IN THE HANDS OF STATE AND THE FOREIGN MISSIONS ACT WHICH REQUIRES STATE APPROVAL OF FOREIGN MISSIONS. ESTABLISHMENT OF CEDA MUST BE HELD IN ABEYANCE UNTIL FURTHER NOTIFICATION AND NO PROTOCOLS OR AMENDMENTS TO THE MOU SHOULD BE NEGOTIATED OR SIGNED WITHOUT PRIOR CONSULTATIONS WITH THE DEPARTMENT OF STATE.

12. (U) THE CNMI AND THE PHILIPPINES SIGNED A SIMILAR AGREEMENT IN 1994. SEE PARA 14 FOR DETAILED BACKGROUND INFORMATION.

ACTION REQUEST FOR EMBASSY BEIJING:

13. (U) PLEASE DELIVER THE FOLLOWING NOTE TO MFA AND MOFTEC INFORMING THEM THAT ANY ACTION RELATING TO CEDA SHOULD BE HELD IN ABEYANCE AS STATE IS CURRENTLY REVIEWING THE DOCUMENTS:

COMPLIMENTARY OPENING

WORKER RIGHTS IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS (CNMI) ARE A MATTER OF MUTUAL CONCERN. WE ARE AWARE OF CHINESE CONCERNS REGARDING THE INAPPROPRIATE TREATMENT EXPERIENCED BY SOME CHINESE NATIONALS WHO HAVE TRAVELED TO THE COMMONWEALTH OF THE NORTHERN MARIANAS ISLANDS FOR PURPOSES OF EMPLOYMENT.

THE DEPARTMENT OF STATE WAS INVITED BY GOVERNOR TENORIO TO PARTICIPATE IN MEETINGS WITH THE MINISTRY OF FOREIGN TRADE AND ECONOMIC COOPERATION (MOFTEC) FROM MAY 7 TO MAY 10 THE PURPOSE OF WHICH WAS DESCRIBED AS "TO DISCUSS MATTERS OF MUTUAL CONCERN REGARDING CHINESE WORKERS IN THE COMMONWEALTH." UNFORTUNATELY, HOWEVER, WE HAD NOT UNDERSTOOD THAT ANY DOCUMENTS WERE TO BE SIGNED WITH THE PEOPLE'S REPUBLIC OF CHINA DURING THE MAY 7-10 MEETING AND CONSEQUENTLY NO U.S GOVERNMENT REPRESENTATIVES VERSED IN THE FOREIGN AFFAIRS SIGNIFICANCE OF SUCH ACTIONS WERE IN ATTENDANCE.

THE DEPARTMENT OF STATE, BEING RESPONSIBLE FOR THE CONDUCT OF FOREIGN AFFAIRS FOR THE ENTIRE UNITED STATES, INCLUDING THE COMMONWEALTH, IS CONCERNED WITH AND HAS A ROLE TO PLAY IN THE SIGNING OF DOCUMENTS WITH FOREIGN GOVERNMENTS, AS

WELL AS IN APPROVING, UNDER THE FOREIGN MISSIONS ACT, THE OPENING OF ANY REPRESENTATIVE OFFICES OF SUCH GOVERNMENTS IN THE UNITED STATES, INCLUDING THE COMMONWEALTH. IN VIEW OF THIS, WE ASK THAT THE ESTABLISHMENT OF THE CHINESE ECONOMIC DEVELOPMENT ASSOCIATION (CEDA) BE HELD IN ABEYANCE UNTIL FURTHER NOTIFICATION. WE ALSO ASK THAT NO FURTHER PROTOCOLS OR AMENDMENTS TO THE MOU BE NEGOTIATED OR SIGNED WITH THE CNMI WITHOUT PRIOR CONSULTATION WITH THE DEPARTMENT OF STATE. WE WOULD APPRECIATE DETAILED CLARIFICATION OF THE PROPOSED FUNCTIONS AND RESPONSIBILITIES OF CEDA.

THE UNITED STATES GOVERNMENT SHARES MOFTEC'S CONCERN THAT ALL WORKERS IN THE CNMI BE TREATED FAIRLY AND JUSTLY. IN THIS REGARD, WE WOULD LIKE TO INFORM THE GOVERNMENT OF THE

PEOPLE'S REPUBLIC OF CHINA THAT PRESIDENT CLINTON RECENTLY ANNOUNCED HE WOULD SEEK TO EXTEND THE U.S. MINIMUM WAGE AND IMMIGRATION LAWS TO THE CNMI IN ORDER TO MAKE THE CNMI'S LABOR PRACTICES CONSISTENT WITH OUR COUNTRY'S VALUES.

WE LOOK FORWARD TO WORKING WITH CHINA TO ENSURE THAT THE WORKER POPULATION ON CNMI, BOTH AMERICAN AND FOREIGN, BENEFIT FROM EQUITABLE LABOR PRACTICES.

COMPLIMENTARY CLOSING

BACKGROUND ON PHILIPPINE-CNMI DISCUSSIONS ON LABOR ISSUES

14. ~~(C)~~ GOVERNOR TENORIO NOTED THE SIGNING OF THE MOU WITH THE PHILIPPINES DURING CONGRESSIONAL HEARINGS HELD SHORTLY AFTER IT WAS SIGNED. HE ALSO NOTIFIED THE DEPARTMENT OF STATE OF THE MOU'S SIGNING IN AN AFTER-THE-FACT LETTER TO THEN-SECRETARY CHRISTOPHER. ASSISTANT SECRETARY LORD INDICATED IN A MARCH 30, 1995 LETTER TO THE CNMI THAT THE DEPARTMENT "BELIEVES THAT DIRECT CONTACTS BETWEEN YOUR GOVERNMENT (I.E. THE CNMI) AND THE GOVERNMENT OF THE PHILIPPINES COULD BE A USEFUL MEANS OF ADDRESSING THIS ISSUE OF COMMON CONCERN." DURING 1995, THE CNMI IN SOME CASES NOTIFIED THE DEPARTMENT IN ADVANCE OF ITS INTENT TO CONDUCT DISCUSSIONS ON LABOR ISSUES WITH PHILIPPINE OFFICIALS. THE CNMI NOTED IN CORRESPONDENCE THE RESPONSIBILITY FOR THE FEDERAL GOVERNMENT TO CONDUCT ITS FOREIGN RELATIONS. DEPARTMENT FURTHER UNDERSTANDS THAT DURING PAST CNMI-GOP DISCUSSIONS IN MANILA, EMBASSY LABOR ATTACHE WAS KEPT ACTIVELY INFORMED BY BOTH PARTIES TO THE DISCUSSIONS, WHILE NOT ACTUALLY ATTENDING THEM. IN THE CASE OF DISCUSSIONS HELD BETWEEN THE GOP AND REPRESENTATIVES OF OTHER U.S. GOVERNMENT DEPARTMENTS, EMBASSY LABOR ATTACHE FREQUENTLY PARTICIPATED AS WELL. DEPARTMENT ALSO NOTES THAT THE BILATERAL MUTUAL LEGAL ASSISTANCE TREATY, BROUGHT INTO FORCE IN NOVEMBER 1996, MAY PROVIDE OUR TWO COUNTRIES NEW TOOLS WITH WHICH TO PURSUE BETTER ENFORCEMENT OF U.S. LAWS IN THE LABOR AND WAGE AREAS.

ACTION REQUEST FOR EMBASSY MANILA

15. (U) IN LIGHT OF THIS BACKGROUND, PRESIDENT CLINTON'S RECENTLY ANNOUNCED INITIATIVE, AND UPCOMING MEETING BETWEEN CNMI AND GOP OFFICIALS IN MANILA, EMBASSY MANILA IS REQUESTED TO TRANSMIT THE FOLLOWING DIPLOMATIC NOTE TO THE GOP:

COMPLIMENTARY OPENING:

... AND WOULD LIKE TO INFORM THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES THAT PRESIDENT CLINTON RECENTLY ANNOUNCED THAT THE ADMINISTRATION WOULD SEEK TO EXTEND THE U.S. MINIMUM WAGE AND IMMIGRATION LAWS TO THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS IN A RESPONSIBLE AND APPROPRIATE MANNER IN ORDER TO MAKE THE CNMI'S LABOR PRACTICES CONSISTENT WITH OUR COUNTRY'S VALUES.

THE UNITED STATES GOVERNMENT UNDERSTANDS THAT THE FAIR AND JUST TREATMENT OF ALL WORKERS IN THE CNMI IS ALSO OF GREAT CONCERN TO YOUR GOVERNMENT, AND IN VIEW OF OUR SHARED INTEREST IN THIS MATTER WILL KEEP YOU INFORMED AS MORE SPECIFIC POLICY RECOMMENDATIONS ARE DEVELOPED AND TRANSMITTED TO CONGRESS.

IN VIEW OF THE DEPARTMENT OF STATE'S RESPONSIBILITY FOR FOREIGN AFFAIRS ON BEHALF OF THE CNMI, WE REQUEST THAT ANY PROPOSED AMENDMENTS TO THE TEXT OF THE 1994 MOU OR ANY NEW MOU BE PRESENTED TO THE DEPARTMENT OF STATE FOR REVIEW BEFORE THEY ARE SIGNED. IN LIGHT OF THE POSSIBLE FOREIGN AFFAIRS IMPLICATIONS, WE APPRECIATE YOUR GOVERNMENT'S COURTESY IN INFORMING THE U.S. GOVERNMENT IN ADVANCE OF YOUR INTENT TO UNDERTAKE DISCUSSIONS ON LABOR ISSUES WITH THE GOVERNMENT OF THE CNMI. WE REQUEST THAT YOU CONTINUE TO DO SO, AND THAT YOU MAINTAIN CLOSE COMMUNICATION WITH THE U.S. EMBASSY IN MANILA AND WITH THE DEPARTMENT OF STATE CONCERNING SUCH DISCUSSIONS. WE UNDERSTAND SUCH DISCUSSIONS ARE CONTEMPLATED WITH THE CNMI BEGINNING JUNE 26, AND WOULD APPRECIATE RECEIVING INFORMATION ON THE TOPICS WHICH YOU ANTICIPATE WILL BE DISCUSSED DURING THESE MEETINGS.

WE WILL BE REQUESTING THAT OFFICIALS OF THE CNMI FOLLOW THE SAME PROCEDURES WHEN UNDERTAKING DISCUSSIONS WITH YOUR GOVERNMENT. GIVEN THE POSSIBLE FOREIGN AFFAIRS AND LAW ENFORCEMENT IMPLICATIONS OF THE CNMI'S DISCUSSIONS WITH FOREIGN GOVERNMENTS, THE U.S. GOVERNMENT RESERVES THE RIGHT TO SEND REPRESENTATIVES TO ANY SUCH DISCUSSIONS, SHOULD THAT BE DEEMED APPROPRIATE.

COMPLIMENTARY CLOSING.

TEXT OF LETTER BEING SENT TO CNMI GOVERNOR TENORIO

16. (SBU) FOLLOWING TEXT IS PROVIDED FOR POST'S INFORMATION ONLY, AND SHOULD NOT BE RELEASED TO LOCAL OFFICIALS OR MEDIA.

BEGIN TEXT DEPARTMENT OF STATE LETTER TO CNMI GOVERNOR:

CLINTON LIBRARY PHOTOCOPY

HONORABLE FROILAN C. TENORIO
GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
SAIPAN, MP 96950

DEAR GOVERNOR TENORIO:

I WRITE IN REGARD TO THE MEMORANDUM OF UNDERSTANDING THAT YOU AND MR. LIU SHANZAI, VICE MINISTER OF THE MINISTRY OF FOREIGN TRADE AND ECONOMIC COOPERATION FOR THE PEOPLES REPUBLIC OF CHINA, SIGNED ON MAY 8 COVERING VARIOUS LABOR AND IMMIGRATION ISSUES, INCLUDING THE ESTABLISHMENT IN THE COMMONWEALTH OF A "CHINESE ECONOMIC DEVELOPMENT ASSOCIATION."

THE DEPARTMENT OF STATE APPRECIATED YOUR INVITATION OF MAY 2ND TO PARTICIPATE IN MEETINGS FROM MAY 7 TO MAY 10 THE PURPOSE OF WHICH WAS DESCRIBED AS "TO DISCUSS MATTERS OF MUTUAL CONCERN REGARDING CHINESE WORKERS IN THE COMMONWEALTH." AS IS REFLECTED IN THE PRESIDENT'S LETTER TO YOU OF MAY 30, THIS ADMINISTRATION IS VERY CONCERNED ABOUT LABOR CONDITIONS FOR TEMPORARY ALIEN WORKERS IN THE COMMONWEALTH. THE ADMINISTRATION FIRMLY BELIEVES THAT STRONG STEPS NEED TO BE TAKEN TO PROTECT FOREIGN WORKERS IN THE COMMONWEALTH AND WISHES TO ENCOURAGE SUCH ACTIONS. UNFORTUNATELY, HOWEVER, WE HAD NOT UNDERSTOOD THAT ANY DOCUMENTS WERE TO BE SIGNED WITH THE PEOPLES REPUBLIC OF CHINA DURING THE MAY 7-10 MEETING AND CONSEQUENTLY NO U.S GOVERNMENT REPRESENTATIVES VERSED IN THE FOREIGN AFFAIRS SIGNIFICANCE OF SUCH ACTIONS WERE IN ATTENDANCE. THE DEPARTMENT OF STATE, BEING RESPONSIBLE FOR THE CONDUCT OF FOREIGN AFFAIRS FOR THE ENTIRE UNITED STATES, INCLUDING THE COMMONWEALTH, IS CONCERNED WITH AND HAS A ROLE TO PLAY IN THE SIGNING OF DOCUMENTS WITH FOREIGN GOVERNMENTS, AS WELL AS IN APPROVING, UNDER THE FOREIGN MISSIONS ACT (22 USC 4301 ET SEQ.), THE OPENING OF ANY REPRESENTATIVE OFFICES OF SUCH GOVERNMENTS IN THE UNITED STATES, INCLUDING THE COMMONWEALTH.

ACCORDINGLY, THE DEPARTMENT OF STATE WILL BE IN CONTACT WITH THE APPROPRIATE CHINESE GOVERNMENT OFFICIALS IN BEIJING TO REQUEST DETAILED CLARIFICATION OF THE

PROPOSED FUNCTIONS AND RESPONSIBILITIES OF THE PROPOSED CHINESE ECONOMIC DEVELOPMENT ASSOCIATION (CEDA) OFFICE IN SAIPAN. AT THE SAME TIME, WE WILL INFORM THEM THAT ANY ACTION CONCERNING THE OPENING OF THE PROPOSED CEDA OFFICE MUST BE HELD IN ABEYANCE UNTIL FURTHER NOTIFICATION FROM THIS DEPARTMENT. YOU MAY ACCORDINGLY WISH TO DESIGNATE AN APPROPRIATE COMMONWEALTH GOVERNMENT OFFICIAL TO SERVE AS LIAISON AS OUR DISCUSSIONS WITH THE CHINESE PROCEED. WE ALSO NOTE THAT THE MOU CALLS FOR PROTOCOLS AND WE REQUEST THAT NO PROTOCOLS OR AMENDMENTS TO THE MOU BE NEGOTIATED OR SIGNED WITHOUT PRIOR CONSULTATIONS WITH THE DEPARTMENT OF STATE.

WE APPRECIATE YOUR PREVIOUS NOTIFICATION TO US OF THE

CONCLUSION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF LABOR AND EMPLOYMENT OF THE REPUBLIC OF THE PHILIPPINES AND YOUR GOVERNMENT.

AS WE HAVE PREVIOUSLY INDICATED, THE DEPARTMENT OF STATE BELIEVES THAT COOPERATION BETWEEN THE GOVERNMENT OF THE PHILIPPINES AND THE COMMONWEALTH MAY PROVIDE A PROMISING AVENUE FOR RESOLUTION OF LABOR-RELATED ISSUES. WE UNDERSTAND THAT ADDITIONAL DISCUSSIONS TO ADDRESS CERTAIN LABOR AND IMMIGRATION ISSUES ARE SCHEDULED FOR LATER THIS MONTH WITH THE REPUBLIC OF THE PHILIPPINES. IN LIGHT OF THE POSSIBLE FOREIGN RELATIONS IMPLICATIONS OF SUCH DISCUSSIONS, WE REQUEST THAT YOUR GOVERNMENT CONTINUE ITS PAST PRACTICE OF INFORMING THE DEPARTMENT IN ADVANCE OF ITS INTENT TO UNDERTAKE DISCUSSIONS WITH FOREIGN GOVERNMENT OFFICIALS, AND OF MAINTAINING CLOSE COMMUNICATION WITH THE U.S. EMBASSY IN MANILA DURING AND FOLLOWING THE CONCLUSION OF ANY SUCH TALKS.

WE ALSO REQUEST THAT YOUR GOVERNMENT COORDINATE WITH THE DEPARTMENT IN ADVANCE REGARDING THE SIGNING OF ANY FURTHER DOCUMENTS.

WE WILL BE REITERATING TO THE GOVERNMENT OF THE PHILIPPINES OUR REQUEST THAT THEY ADHERE TO THE SAME PRO-CEDURES. GIVEN THE POSSIBLE FOREIGN RELATIONS AND LAW ENFORCEMENT IMPLICATIONS OF THE COMMONWEALTH'S DISCUSSIONS WITH FOREIGN GOVERNMENTS, THE U.S. GOVERNMENT RESERVES THE RIGHT TO SEND REPRESENTATIVES TO SUCH DISCUSSIONS, SHOULD THAT BE DEEMED APPROPRIATE.

SINCERELY

(DAS BRAZEAL)

END TEXT USG LETTER TO CNMI GOVERNOR TENORIO.
PICKERING

SECT: SECTION: 01 OF 01

SSN: 7045

TOR: 970621012553 M2815719

DIST:

SIT: KRISTOFF KYLE LEE NORRIS PRITCHARD SUETTINGER TARULLO
SIT: NSC

Cable

PREC: ROUTINE
 CLASS: ~~CONFIDENTIAL~~
 LINE1: RAACZYUW RUEHCAA4177 2280221-CCCC--RHEHAAX.
 LINE2: ZNY CCCCC ZZH
 LINE3: R 160218Z AUG 97
 LINE4: FM SECSTATE WASHDC
 OSRI: RUEHC
 DTG: 160218Z AUG 97
 ORIG: SECSTATE WASHDC
 TO: RUEHBJ/AMEMBASSY BEIJING 0000
 INFO: RUEHML/AMEMBASSY MANILA 0000
 RUEHGZ/AMCONSUL GUANGZHOU 0000
 RUESLE/AMCONSUL SHANGHAI 0000
 SUBJ: PROTECTING MIGRANT WORKER RIGHTS IN THE CNMI

DECLASSIFIED E.O. 13526
 Department of State Guidelines, November 6, 2015
 By KBH NARA, Date 2/11/2025
 2024-0313-M

TEXT:

~~CONFIDENTIAL~~ STATE 154177

E.O. 12958: DECL: (AUGUST 15, 2007)
 TAGS: ELAB, PREL, PHUM, CR, RP, CQ
 SUBJECT: PROTECTING MIGRANT WORKER RIGHTS IN THE CNMI

REF: (A) STATE 117045, (B) BEIJING 22958,
 (C) BEIJING 26862, (D) STATE 117510

1. (U) CLASSIFIED BY DRL DEPUTY ASSISTANT SECRETARY GARE SMITH. REASON: 1.5 (B), (D).

SUMMARY

2. ~~(S)~~ REFEELS DISCUSSED ISSUES ARISING FROM THE SIGNING MAY 8 OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN OFFICIALS OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS (CNMI) AND THE MINISTRY OF FOREIGN TRADE AND ECONOMIC COOPERATION (MOFTEC) OF THE PRC. REFEELS ALSO DESCRIBE PROBLEMS ARISING FROM PRESENCE OF LARGE NUMBERS OF FOREIGN WORKERS IN THE CNMI. THIS CABLE REQUESTS EMBASSY VIEWS ON THE BEST WAY TO EXPLORE POSSIBLE STRENGTHENING OF COOPERATION WITH CHINA ON PROTECTION OF CHINESE WORKERS IN THE CNMI. END SUMMARY.

BACKGROUND INFORMATION ON "LABOR" ISSUES IN THE CNMI

3. (U) UNDER A COVENANT BETWEEN THE U.S. AND THE CNMI, THE ISLANDS CONTROL THEIR OWN IMMIGRATION AND ARE EXEMPT FROM U.S. MINIMUM WAGE LAW. WORKERS FROM THE PHILIPPINES, AND

CROWING NUMBERS FROM CHINA AND BANGLADESH, HAVE MIGRATED TO THE CNMI SINCE THE COVENANT TOOK EFFECT IN 1986. EFFORTS BY THE U.S. DEPARTMENTS OF LABOR (DOL) AND JUSTICE (DOJ) TO PROSECUTE COMPLAINTS OF LABOR ABUSE HAVE BEEN FRUSTRATED BY

INTIMIDATION, OR DEPORTATION, OF VICTIMS AND WITNESSES. EXPLOITATION OF VULNERABLE WORKERS HAS SPAWNED OTHER CONCERNS - FORCED PROSTITUTION, DRUG AND FIREARMS TRAFFICKING, EXTORTION, ILLEGAL GAMBLING, MURDER, AND PUBLIC CORRUPTION. THERE ARE INDICATIONS THAT ORGANIZED CRIME FROM CHINA AND JAPAN IS TAKING ROOT IN THE CNMI.

COOPERATIVE ARRANGEMENTS WITH THE PHILIPPINES

4. (C) FOLLOWING UNFAVORABLE PUBLICITY AND EXPRESSIONS OF CONCERN FROM SOME QUARTERS OF CONGRESS, THE CNMI SIGNED AN MOU WITH THE PHILIPPINES IN SEPTEMBER 1994. ALTHOUGH THE CNMI AGREED TO MEASURES TO PREVENT EXPLOITATION OF PHILIPPINE WORKERS, PHILIPPINE AUTHORITIES HAVE BEEN DISSATISFIED WITH STEPS THE CNMI HAS TAKEN TO DATE TO IMPLEMENT ITS COMMITMENTS UNDER THIS ACCORD.

5. (C) IN PARALLEL DEVELOPMENTS, DOL AND DOJ ATTORNEYS VISITED MANILA IN 1994-95 TO SEEK PHILIPPINE COOPERATION IN DEALING WITH THE PROBLEMS THEY FACED IN THE CNMI. THE INFORMAL ARRANGEMENTS THEY WORKED OUT COVERED WITNESS PROTECTION, SHARING OF EVIDENCE, PROVISION FOR PAYMENT OF BACK WAGES, AND INFORMATION (TO BE GIVEN WORKERS DEPARTING FOR THE CNMI ON U.S. LABOR LAW AND THE NAMES, ADDRESSES, AND TELEPHONE NUMBERS OF U.S. AGENCIES IN THE CNMI. PHILIPPINE AUTHORITIES HAVE BEEN SATISFIED WITH THESE ARRANGEMENTS AND, AS A RESULT OF THIS COOPERATION (PER REF D), AFTER CARRYING OUT POLICE RAIDS ON ILLEGAL RECRUITING OPERATIONS, HAVE SHARED SEIZED EVIDENCE WITH USC ATTORNEYS.

STRENGTHENING COOPERATION WITH THE PRC

6. (C) AS STATED IN OUR DIP NOTE, "WORKER RIGHTS IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS ARE A MATTER OF MUTUAL CONCERN." HOWEVER, USC CONCERN FOR THESE RIGHTS IS NOT MATCHED BY COMMENSURATE AUTHORITY. FOR EXAMPLE, AS NOTED ABOVE, PROSECUTING LABOR LAW VIOLATORS IS DIFFICULT WHEN INTIMIDATED WITNESSES DO NOT COME FORWARD, OR WHEN COMPLAINING VICTIMS ARE DEPORTED. IN THE CASE OF THE PHILIPPINES, COP AUTHORITIES ARE HELPING US PROTECT WITNESSES, LOCATE WORKERS WHO HAVE RETURNED HOME, TAKE DEPOSITIONS TO BE INTRODUCED IN FEDERAL COURT, AND ARE GOING AFTER THOSE WHO WOULD INTIMIDATE RETURNEES. THEY ALSO HAVE HELPED US DISTRIBUTE WAGES (TO RETURNED WORKERS)

COLLECTED AFTER SUCCESSFUL COURT PROSECUTION OF ABUSIVE EMPLOYERS. IF POSSIBLE, WE WOULD LIKE TO REPLICATE THIS COOPERATION WITH THE CHINESE. (NOTE: SOME STEPS ARE BEING TAKEN. WE WILL REQUEST COUNTRY CLEARANCE SHORTLY FOR A DOL TEAM TO DISTRIBUTE \$4.7 MILLION IN COURT-AWARDED BACK WAGES TO APPROXIMATELY 2,200 PERSONS IN CHINA WHO WORKED IN GARMENT FACTORIES IN THE CNMI. END NOTE.)

7. (C) CHINA'S DECISION TO OPEN A CHINESE ECONOMIC DEVELOPMENT ASSOCIATION (CEDA) IN THE CNMI INDICATES THEY SHARE OUR CONCERNS OVER THE PLIGHT OF CHINESE WORKERS IN THE CNMI. U.S.-PRC COOPERATION ON THIS ISSUE COULD INJECT A POSITIVE ELEMENT INTO OUR HUMAN/WORKER RIGHTS DISCUSSIONS

WITH CHINA. SHOULD THE CHINESE HAVE AN INTEREST, WE ARE PREPARED TO PURSUE COOPERATION IN ANY NUMBER OF WAYS, INCLUDING SENDING USG EXPERTS (E.G., FROM DOL AND DOJ) TO BEIJING FOR DISCUSSIONS WITH COUNTERPARTS. ALTERNATIVELY, OR IN ADDITION, MIGHT THERE BE KNOWLEDGEABLE STAFF MEMBERS ACCOMPANYING THE JUSTICE MINISTER, ON HIS PROPOSED VISIT, WITH WHOM YOU RECOMMEND WE RAISE THE MATTER?

ACTION REQUEST

8. (X) REQUEST EMBASSY'S ASSESSMENT OF THE LIKELIHOOD OF INITIATING COOPERATION WITH THE PRC ON PROTECTION OF CHINESE WORKERS IN THE CNMI, AND ON THE BEST WAY TO ACHIEVE THIS GOAL. (INSTRUCTIONS FOR CLARIFYING MATTERS RELATING TO CEDA BEING SENT SEPTTEL.) END ACTION REQUEST.
ALBRIGHT

SECT: SECTION: 01 OF 01

SSN: 4177

TOR: 970815222310 M2891803

DIST:

SIT: NSC

Cable

PREC: IMMEDIATE
 CLASS: ~~CONFIDENTIAL~~
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 LINE2: ZNY CCCCC ZZH
 LINE3: O 200812Z MAY 98
 LINE4: FM AMEMBASSY MANILA
 OSRI: RUEHML
 DTG: 200812Z MAY 98
 ORIG: AMEMBASSY MANILA
 TO: RUEHC/SECSTATE WASHDC PRIORITY 8934
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 SUBJ: PHILIPPINE PERSPECTIVE: MIGRATION AND
 VIOLENCE AGAINST WOMEN

DECLASSIFIED E.O. 13526
 Department of State Guidelines, November 6, 2015
 By KBM NARA, Date 2/11/2025
 2024-0313-m

TEXT:
~~CONFIDENTIAL~~ SECTION 01 OF 03 MANILA 006010
 CORRECTED COPY (TEXT)

DEPARTMENT PASS TO LABOR (ILAB)
 USIA FOR EA (DMILLER, HHARA)

E.O. 12958: DECL 05/19/08
 TAGS: KWMMN, SMIG, ELAB, PHUM, KFRD, PREL, ECON, CVIS, RP
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 VIOLENCE AGAINST WOMEN

REFS: A) STATE 084494; B) STATE 87336, C) MANILA
 2431.

1. CLASSIFIED BY POLCOUNS A O'NEILL, REASON 1.5 (B)
2. SUMMARY: (U) THE PHILIPPINE GOVERNMENT PUTS A HIGH PRIORITY ON ADDRESSING THE PROBLEM OF INTERNATIONAL TRAFFICKING IN WOMEN IN LIGHT OF AN ESTIMATED TWO MILLION FILIPINO WOMEN WORKING OVERSEAS (A LARGE PERCENTAGE OF WHOM ARE IN VULNERABLE OCCUPATIONS). THE MISSION RESPONSE TO REF A'S INQUIRY ON VIOLENCE AGAINST WOMEN REFLECTS THE PHILIPPINE PRIORITY ON COMBATING TRAFFICKING RATHER THAN OTHER ISSUES MENTIONED IN REFTTEL.
3. (U) PHILIPPINE SOCIAL WELFARE OFFICIALS AND NGOS ARE CONCERNED OVER AN APPARENT INCREASE IN THE TRAFFICKING

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OF WOMEN AS A RESULT OF THE REGIONAL ECONOMIC CRISIS WHICH HAS MADE MORE YOUNG WOMEN VULNERABLE TO ILLICIT RECRUITERS. REGIONAL ORGANIZATIONS, INCLUDING ASEAN, APPEAR UNABLE OR UNWILLING TO ADDRESS THE PROBLEM. THE PHILIPPINE SOCIAL WELFARE, IMMIGRATION AND POLICE AUTHORITIES UNDERTAKE FEW DIRECT LAW ENFORCEMENT EFFORTS TO STOP TRAFFICKING ALTHOUGH THERE HAVE BEEN SPORADIC RAIDS ON "SEX INDUSTRY" CLUBS SUSPECTED OF EMPLOYING UNDERAGE WOMEN. BECAUSE THE TRAFFICKING PROBLEM HAS BEEN A SENSITIVE ISSUE EVOKING CONCERN FROM BOTH THE CHURCH AND MEMBERS OF CONGRESS FOR THE PAST FEW YEARS, PHILIPPINE WOMEN'S RIGHTS NGOS HAVE TACKLED THE PROBLEM AND DEVELOPED EFFECTIVE PROGRAMS FOR PREVENTIVE EDUCATION, RESEARCH, AND ASSISTANCE TO VICTIMS. MISSION BELIEVES THERE ARE TWO OPPORTUNITIES FOR SUPPORTING USEFUL PHILIPPINE INITIATIVES: 1) A PARTNERSHIP WITH THE MANILA IOM OFFICE AND THE PHILIPPINE "COALITION AGAINST TRAFFICKING" AS THEY DEVELOP MEDIA CAMPAIGNS, A RESEARCH DATA BASE, AND TRAINING PROGRAMS FOR LAW ENFORCEMENT AND SOCIAL WELFARE OFFICIALS; AND 2) SUPPORT FOR THE PHILIPPINE GOVERNMENT'S PROPOSED UN CONVENTIONS ON PROTECTING OVERSEAS WOMEN WORKERS AND ON DETERRING TRAFFICKING. END SUMMARY

SKEPTICISM ON REGIONAL APPROACH

4. (U) PHILIPPINE FOREIGN AFFAIRS SECRETARY DOMINGO SIAZON TOLD A MAY 14-15 IOM/ILO MEETING ON REGIONAL MIGRATION HERE THAT HE WAS CONCERNED OVER THE INCREASED VULNERABILITY OF BOTH LEGAL AND ILLEGAL OVERSEAS FILIPINO WORKERS IN ASIA IN THE CURRENT DIFFICULT ECONOMIC CLIMATE. HE EXPRESSED CONCERN OVER THE INCREASING PERCENTAGE OF WOMEN IN VULNERABLE OCCUPATIONS ACCEPTING OVERSEAS EMPLOYMENT, INDICATING THAT THE CURRENT CLIMATE SEEMED TO LEAD TO MORE ABUSES. (ACCORDING TO SIAZON, NUMBERS OF THOSE HIRED THROUGH FORMAL CONTRACTS OFTEN FACED "CONTRACT SUBSTITUTION" AT THEIR DESTINATION, WHICH FORCED THEM TO ACCEPT LOWER WAGES AND ABUSIVE WORK CONDITIONS.)
5. (C) HOWEVER, DRAWING ON HIS EXPERIENCE AS THE CHAIR OF THE ASEAN MINISTERS SINCE 1997, SIAZON TOLD THE MANILA CONFERENCE IT WAS "NOT POSSIBLE" FOR A REGIONAL GROUP LIKE ASEAN TO ADDRESS MIGRATION ISSUES, INCLUDING TRAFFICKING, IN THE CURRENT SOUTHEAST ASIAN POLITICAL CLIMATE. MOST DELEGATES AT THE MANILA IOM/ILO CONFERENCE EXPRESSED A SIMILAR SKEPTICISM THAT ASEAN MEMBER COUNTRIES COULD DEAL WITH THE MIGRANT WORKER ISSUE AT A TIME WHEN THE CURRENT REGIONAL ECONOMIC CRISIS FOCUSED THEIR ATTENTION ON POLITICAL/ECONOMIC STABILITY AMID GROWING UNEMPLOYMENT. (PRIVATELY, SIAZON TOLD US ASEAN COOPERATION ON MIGRATION ISSUES WAS UNLIKELY IN LIGHT OF THE CONFLICTING INTERESTS OF MEMBER COUNTRIES, MENTIONING SINGAPORE AND INDONESIA AS OPPOSED TO FORMALLY ADDRESSING THE ISSUE.)
6. (U) RESPONDING TO INTENSE DOMESTIC POLITICAL PRESSURES TO HELP THE OVER FOUR MILLION FILIPINOS

WORKING OVERSEAS, THE GOP HAS FOCUSED ESPECIALLY ON THE PLIGHT OF WOMEN IN VULNERABLE OCCUPATIONS. IT HAS SPONSORED RECENT DRAFT UN CONVENTIONS FOR THEIR PROTECTION, INVOLVING CONVENTIONS ON PROTECTING WOMEN WORKERS OVERSEAS AND DETERRING TRAFFICKING IN WOMEN AND GIRLS (REF C). IN ADDITION, THE GOP CALLED FOR MORE ACTION AGAINST TRAFFICKING IN WOMEN DURING A MARCH ASIA-PACIFIC MINISTERIAL CONFERENCE ON TRANSNATIONAL CRIME, WHICH IT HOSTED IN MANILA.

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7. (U) THE MANILA OFFICE OF THE IOM BELIEVES REGIONAL TRAFFICKING HAS SIGNIFICANTLY GROWN SINCE THE ONSET OF THE ECONOMIC CRISIS BUT IT IS VERY DIFFICULT TO PROVIDE STATISTICS. A RECENT IOM STUDY OF TRAFFICKING TO A SINGLE COUNTRY, JAPAN, ESTIMATED 150,000 FILIPINO WOMEN ARE EMPLOYED IN VULNERABLE OCCUPATIONS (HALF OF WHOM WERE UNDOCUMENTED). SUPPORTING THIS ESTIMATE, GOP STATISTICS INDICATE THAT OVER 250,000 FILIPINOS (OVER 90 PERCENT FEMALE) ENTERED JAPAN AS DOCUMENTED WORKERS IN 1990-95. ACCORDING TO AN IOM SURVEY OF A SMALL SAMPLING OF RETURNEES, MANY OF THOSE WHO WENT AS ENTERTAINERS TO JAPAN SAID THEY WERE FORCED INTO PROSTITUTION.

8. ACCORDING TO NGOS, MANY FILIPINO WOMEN ARE WELL AWARE OF THE "SEX INDUSTRY" ROLE OF THEIR JAPAN "ENTERTAINER" JOBS WHEN THEY ACCEPT THEM. HOWEVER, FEELING ECONOMIC PRESSURE TO PROVIDE REMITTANCES TO THEIR OFTEN INDIGENT FAMILIES IN RURAL PHILIPPINE PROVINCES, THE WOMEN OFTEN PRACTICE DELIBERATE SELF-DECEPTION ABOUT THE SCOPE OF ABUSE AND DANGER THEY WILL FACE IN AN INDUSTRY DOMINATED BY JAPANESE UNDERWORLD FIGURES. THE PHILIPPINE POPULAR PRESS OFTEN HELPS ABET THESE DELUSIONS THROUGH ITS DISINGENUOUS REPORTING ABOUT THE ATTRACTIVE JOBS HELD BY A MINORITY OF WOMEN WHO LAND "BONA FIDE" ENTERTAINER JOBS IN JAPAN. NUMEROUS, INFLUENTIAL RECRUITING AND "TALENT" AGENCIES THAT DISPATCH WOMEN ENTERTAINERS HELP SUPPORT THIS COLLUSION TO DISGUISE THE TRUTH. THEY RUN A SMALL INDUSTRY OF DANCE AND VOICE SCHOOLS THAT HELPED PROCESS AND SEND OVER 33,000 ENTERTAINERS TO JAPAN IN 1997 (A 13 PERCENT INCREASE OVER 1996).

GOP INEFFECTIVE

9. ~~(S)~~ THE PHILIPPINE GOVERNMENT HAS NO TRACK RECORD OF TACKLING THE RECRUITING RINGS THAT PROVIDE FILIPINO WOMEN TO OVERSEAS "SEX INDUSTRY" CONTACTS. ACCORDING TO LOCAL NGOS, LEGISLATION IS NEEDED TO ADDRESS THE PROBLEM BUT EVEN THAT MAY BE INEFFECTIVE. ALTHOUGH, PRESIDENT RAMOS FORMED AN INTERAGENCY GROUP IN 1997 TO TACKLE THE TRAFFICKING PROBLEM, PILIPPINE AUTHORITIES' ENFORCEMENT OF CURRENT LAWS THAT COULD DETER TRAFFICKING IS UNRELIABLE. POLICE RARELY TAKE ACTION TO ENFORCE PROSTITUTION STATUTES AND CORRUPTION AMONG PHILIPPINE IMMIGRATION OFFICERS ABETS THE FREQUENT USE OF FORGED TRAVEL DOCUMENTS. THE MANILA-BASED "COALITION AGAINST TRAFFICKING OF WOMEN" (CATW) DOCUMENTED THE USE OF ALTERED PASSPORTS BY PHILIPPINE WOMEN DEPARTING FOR CONTRACTS IN JAPAN AS "ENTERTAINERS." A CEBU NGO TOLD US THE POLICE ALMOST NEVER TOOK ACTION AGAINST SEX CLUBS BECAUSE THEY FEARED THE POLITICAL CONNECTIONS OF THE CLUB OWNERS. AFTER ATTORNEYS WORKING WITH THa NGO SUCCEEDED IN HAVING ONE CLUB PADLOCKED FOR "CHILD LABOR" VIOLATIONS (UNDERAGE PERFORMERS), LOCAL POLICE CONTACTS BROUGHT FURTHER CASES TO THE NGOS' ATTENTION IN A TACIT ADMISSION THE POLI ACTING ALONE IN THEIR LAW ENFORCEMENT CAPACITY WERE UNABLE TO TACKLE THE ISSUE.

NGO APPROACH

10. (U) CONCERNED NGOS HAVE COALESCED AROUND VARIOUS VIEWPOINTS ON THE ISSUE. THE LARGEST COALITION, THE CATW, HAS WIDESPREAD CONTACTS IN GOVERNMENT AND ACADEME AND SEEKS TO END TRAFFICKING THROUGH PUBLIC EDUCATION, ADVOCACY WITH INSTITUTIONS, AND LEGAL ASSISTANCE TO VICTIMS. ANOTHER GROUP ALIED AROUND THE ASIAN WOMEN'S HUMAN RIGHTS COUNCL'S BRANCH IN MANILA DEPLORES THE EFFECTS OF CRIMNALIZING AND JAILING PROSTITUTES IN THE ABSENCE F PROSECUTION OF THOSE VICTIMIZING THEM. COMMITTED TO LONG-TERM REFORM, THE AWHRC SEEKS BETTER LEGAL AND SOCIAL TREATMENT OF WOMEN CAUGHT IN PROSTITUTION AS A MORE IMMEDIATE GOAL. THE CATW USES ITS RESEARCH ON TRAFFICKING IN A PUBLIC EDUCATION PROGRAM TO ALERT DISADVANTAGED WOMEN TO THE COMMON DECEPTIONS USED BY ILLICIT RECRUITERS AND THE DANGERS TO WHICH WOMEN ARE EXPOSED WHEN TAKEN IN BY TRAFFICKING RINGS. COOPERATING WITH A BELGIAN GOVERNMENT AID PROGRAM, THE CATW HAS ASSISTED THE MANILA OFFICE OF THE INTERNATIONAL ORGANIZATION FOR MIGRATION (IOM) IN BROADCASTING A WEEKLY PROGRAM TARGETED AT ECONOMICALLY DISTRESSED REGIONS WHERE RECRUITERS OFTEN PREY. THE CATW IS SEEKING BETTER ESEARCH AND DATA ON THE EXTENT OF TRAFFICKING AND THE METHODS OF THE CRIMINAL RINGS IN COOPERATION WITH MANILA'S ATENEO UNIVERSITY AND THE UNIVERSITY OF GHENT IN BELGIUM. IT SEEKS TO IDENTIFY

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THE FLOW OF PROFITS FROM TRAFFICKING, THE SOCIAL DIMENSIONS, AND THE SCOPE FOR EFFECTIVE LAW ENFORCEMENT APPROACHES TO THE PROBLEM. THE CATW ALSO COLLABORATED ON A UN AND CANADIAN GOVERNMENT FUNDED "ROADMAP ON MIGRATION AND TRAFFICKING IN SOUTHEAST ASIA," WHICH PROVIDES AN OVERVIEW OF COMMON TRAFFICKING PATTERNS. MEMBERS PROVIDE COUNSELING, TEMPORARY SHELTER AND REHABILITATION PROGRAMS FOR THE VICTIMS OF TRAFFICKING.

11. (U) THE ASIA FOUNDATION HAS WORKED WITH THE CATW SINCE LAST YEAR TO ASSIST ITS ORGANIZATION OF REGIONAL SEMINARS TO PROVIDE PREVENTIVE EDUCATION. UNDER A RECENT MISSION USAID GRANT, THE AMERICAN CENTER FOR LABOR SOLIDARITY BEGAN A PROGRAM TO STRENGTHEN PROTECTIONS FOR OVERSEAS WOMEN WORKERS, WORKING WITH AN NGO WHICH PROVIDES BRIEFINGS FOR WOMEN DOMESTICS OUTBOUND FOR OVERSEAS JOBS.

SAIPAN

12. (U) A FOCUS OF ATTENTION IN THE MANILA PRESS HAS BEEN THE MISTREATMENT OF WOMEN WORKING IN THE COMMONWEALTH OF THE NORTHERN MARIANAS (CNMI). THE U.S. DEPARTMENT OF LABOR'S PROSECUTION OF OFFENDING EMPLOYERS, INCLUDING MANY CLUB OWNERS EMPLOYING FILIPINO WOMEN, WON LARGE CASH AWARDS FOR THE UNPAID WAGES OWED WOMEN HELD ON THE PREMISES OF THE CLUBS FOR WEEKS AT A TIME. LAW ENFORCEMENT EFFORTS HAVE BEEN ASSISTED THROUGH CONTACTS WITH PHILIPPINE AUTHORITIES ARRANGED THROUGH THE EMBASSY'S LEGAL ATTACHE OFFICE. HOWEVER, NGO CONTACTS HERE EXPRESS CONCERN THAT THE CONSTRUCTION OF LARGE CASINOS AND EXPANSION OF THE TOURISM INDUSTRY IN CNMI WILL MEAN A CONTINUED TRAFFICKING NETWORK TO THE ISLANDS.

RECOMMENDATIONS

13. (U) PROVIDED THERE IS FUNDING FOR NEW OR EXPANDED PROGRAMS, MISSION INTENDS TO EXPAND ITS SUPPORT FOR NGO EFFORTS IN FY 99 AND BEYOND TO EXPOSE TRAFFICKING RINGS, EDUCATE THE PUBLIC AND PRESS FOR TOUGHER LAW ENFORCEMENT. THE MISSION BELIEVES THE NETWORK OF CONCERNED NGOS COMBATING TRAFFICKING IN THE PHILIPPINES AND OVERSEAS IS LIKELY UNIQUE IN THE REGION. IN LIGHT OF THIS, U.S. SUPPORT FOR THEIR PROGRAMS COULD YIELD EFFECTIVE MODELS AND A WIDENING NETWORK OF INFLUENCE IN THE REGION. (IN ADDITION, ALTHOUGH WE HAVE NO EVIDENCE THAT EFFORTS HERE AT VISA FRAUD AND ATTEMPTED ILLEGAL ENTRY ARE LINKED TO ORGANIZED TRAFFICKING IN WOMEN "PER SE," COOPERATING WITH NGO RESEARCH MAY YIELD USEFUL INSIGHTS FOR OUR CONSULAR ANTI-FRAUD EFFORTS TO IDENTIFY

THE TRAFFICKERS WHO MAY HAVE ESCAPED NOTICE.) WE FURTHER RECOMMEND USIS FUNDING FOR A MANILA SEMINAR ON TRAFFICKING OF WOMEN AND A RELATED TELEPRESS CONFERENCE. (PARTICIPANTS FROM OTHER ASEAN COUNTRIES MIGHT BE CONSIDERED IF FUNDING IS AVAILABLE.) THE SEMINAR FINDINGS CAN SERVE AS A FIRST STEP IN MISSIN SUPPORT FOR PUBLIC EDUCATION CAMPAIGNS.

14. (U) AS DIRECT BILATERAL COOPERATION, IT MAY BE USEFUL TO SUPPORT GOP EFFORTS AT PASSING UN CONVENTIONS MEANT TO PROVIDE SPECIAL PROTECTION TO WOMEN MIGRANT WORKERS. STRENGTHENING LAW ENFORCEMENT COOPERATION WOULD EVENTUALLY BE ESSENTIAL. AT THIS STAGE, HOWEVER, IT IS UNCLEAR WHAT GOVERNMENT AGENCY COULD SERVE AS AN EFFECTIVE PARTNER. MISSION WILL FOLLOW THE CABINET CHANGES IN THE NEWLY ELECTED GOVERNMENT TO DETERMINE WHETHER THE PROBABLE WINNER'S ANNOUNCED LAW ENFORCEMENT REFORM PROGRAM WILL OPEN AN OPPORTUNITY FOR COOPERATION ON COMBATING TRAFFICKING.

HUBBARD

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