

## ***Contemporary Watch***

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### **Canada: Indian Immigrants using Fake Marriages**

More than 50 couples have tried to enter Canada using documents issued by a makeshift temple located in the Punjab region of India. Applicants told officials they had been married in their village homes and produced guest photos taken in a reception hall, sample invitations and marriage certificates to prove their claim. The weddings were all orchestrated by the owner of the building who arranged what appeared to be a traditional Sikh marriage called a Anand Karaj, or ceremony of bliss. The temple would hire guests, print invitations, provide the proper traditional clothing and take "wedding" photos. The elaborate marriage palace in the photos turned out to be a tattered-up truck stop.

An immigration officer based in New Delhi wrote that statements taken from locals all confirm no genuine marriage had taken place. Once the "couples" were in Canada, they would be able to remarry without the stigma of divorce, the report said.

Canadian citizen Satpal Bharj, 47, of Toronto, is caught in the vortex of the marriage frauds. He met his wife, Harjeet, 35, in 1996 and they married in India, where he adopted her daughter from a previous marriage. They now have a child of their own and are expecting another. But an urgent liver transplant and subsequent accident delayed his application to bring his wife to Canada.

Immigration officials denied his application because their "age gap was too great" and said Mr. Bharj took too long to file it. This is obviously preposterous, but an example of how decent people are getting hurt because of the fraud.

*Courtesy: Veronique Mandal, National Post, August 9, 2000.*

### **Switzerland: Preparing to Force Back Kosovo Refugees**

With the deadline for departure having expired for Kosovo Albanian refugees yesterday, Swiss authorities are preparing in the coming months to deport 10,500 Kosovars, 500 in June alone, who have outstayed their welcome.

Switzerland took in tens of thousands of Kosovo war refugees last year. And now it is in a hurry for them to leave, despite warnings by U.N. officials that the shattered Yugoslav province can't cope.

Since the middle of last year, more than 32,000 ethnic Albanians have either returned home or registered to do so under a Swiss government program that included cash handouts of up to \$1,176 per adult and building materials upon arrival in Kosovo.

The figures include people who fled both before and during the fighting last year between Yugoslav forces and ethnic Albanian rebels that led to NATO intervention and the deployment of international peacekeepers in Kosovo, a province of Serbia.

Justice Minister Ruth Metzler has refused to delay the expulsions, under pressure from center-right parties and from the widespread public perception of ethnic Albanians as petty criminals and drug-traffickers. But she says the action will be gradual.

Authorities estimate that of the 10,500 due to be deported, about one half will "disappear" to other countries or go underground in Switzerland.

*Courtesy: AP, June 1, 2000*

### **Ireland: Tougher Immigration Law Amendments**

The Irish Government is to rush through amendments to legislation to give the Garda tough new powers to fast-track the deportation of hundreds of illegal immigrants.

The Minister for Justice, Mr O'Donoghue, yesterday published amendments to

the Illegal Immigrants (Trafficking) Bill, which will allow gardaí to detain without warrant the subject of a deportation

order. The amendments, which will force asylum-seekers with a deportation order against them to remain in a particular district and to report to gardaí at specified times, will be dealt with today when the legislation goes into report stage. They will also require illegal immigrants to cooperate with gardaí to get travel documents, a passport or travel ticket needed for deportation. A garda or immigration officer who suspects a person against whom a deportation order is in force has destroyed his or her identity documents or intends to avoid removal from the State may arrest that person without warrant. Under the Bill any person who organises the entry of illegal immigrants will face an unlimited fine or up to 10 years in prison.

The Illegal Immigrants (Traffic king) Bill has already been amended at committee stage to reduce from three months to 14 days the period in which an asylum-seeker could seek judicial review of a refusal of refugee status.

The Fine Gael Justice spokesman Mr. Jim Higgins, last night described the proposed measures as "draconian". He said it was clear the Minister was intent on introducing the toughest regime in Europe to send out the message that asylum-seekers were not wanted here.

The Labour Party spokesman on justice, Mr. Brendan Howlin, said the amendments would attempt to amend in a draconian way the Immigration Act enacted last year. "This is the second time the Illegal Immigrants (Trafficking) Bill has been used to graft on extra legislation. That is a bad way to deal with this issue."

There were 1,036 asylum applications in April compared with 315 in April last year, an increase of 329 per cent, according to Government figures.

*Courtesy: Miriam Donohoe, The Irish Times, Wednesday, May 31, 2000*

## **Germany: Cabinet Approves Plan to allow More IT Workers**

Germany's cabinet approved plans to allow as many as 20,000 foreign workers into the country to help fill vacancies at computer and telecommunications firms, paving the way for the regulations to take effect Aug. 1.

Foreign technology workers offered a yearly salary of at least 100,000 deutsche marks (\$47,600) will be entitled to a five-year residence permit, which may be extended beyond five years if necessary.

Chancellor Schroeder told, "We must make sure that in these times of globalization we don't suffer from a lack of cosmopolitanism. There's a huge amount of international competition for the best people and Germany would be making a big mistake if it didn't take part."

Even with an unemployment rate of 9.6 percent, Germany has an estimated 5,000 technology vacancies, reflecting the failure of the education system to keep pace with Germany's fast-expanding technology industry. Companies like International Business Machines Corp., the world's biggest computer company, complain of a "critical shortage" of IT specialists.

Technology companies already employs more than 1.7 million people and Schroeder announced plans in March to allow non-European Union workers into the country, many of whom the government expects to come from India and Eastern Europe. Computer and telecommunications companies have made 11,000 jobs and 1,350 training positions available and so far 5,700 e-mail applications have come in from abroad, the Labor Ministry said. About 1,200 of

those came from India, 500 from Algeria, 400 from Pakistan, 350 from Bulgaria and 300 from Russia.

The government's plans, which need approval from the Bundesrat, the upper house of parliament where Germany's 16 states are represented, will also allow foreign students studying in Germany to work in the country after their courses end.

*Courtesy: Bloomberg, May 31, 2000.*

### **Foreign Workers: Debate over Visas for High-tech Foreign Workers in USA**

As the debate unfolds in Congress, focusing not on whether to allow in more temporary high-skilled workers from abroad, but how many and under what conditions--researchers suggest that both disparate visions of the effect of high-skilled foreign workers may be correct.

Congress will consider how much to expand the sought-after H-1B visa, a three-year work visa, renewable for a maximum of six years, provided for highly skilled workers, about two-thirds of them destined for information technology positions.

A maximum of 115,000 such visas are issued annually, but in each of the last four years, the cap has been reached long before year's end. As a result, under various competing versions being offered in Congress, the number of such visas would be expanded to anywhere from 200,000 annually to an unlimited number. The various provisions being considered also set minimum wages for visa holders and require companies recruiting them to pay fees dedicated toward education and retraining of American workers. The high-tech industry estimates that some 300,000 to 800,000 information technology jobs go unfilled because qualified workers can't be found. The Information Technology Association of

America, a trade association, predicts that its businesses will create 1.6 million jobs this year, an increase of 16 percent, at a time when workers are already in short supply.

But the industry's view of the labor shortage has skeptics. What high-tech employers really want is access to a relatively inexhaustible supply of labor having the appropriate skill sets, willing to work long and hard hours, at 'reasonable wages' and conducting themselves in a relatively docile manner--that is not fomenting too many activities of a pro-sort of union nature. If these conditions are not met, then there is an alleged worker shortage.

Thomas Espenshade, a Princeton University sociologist who has studied the trend, said his research shows that over nearly the last three decades, wages for workers in science and engineering fields have declined 10 percent in real terms. Espenshade conceded that high-technology workers are receiving forms of compensation, such as stock options, that don't surface in an analysis of wages. But he added, "I have the feeling that when industry says that there's a labor shortage, what they really mean is that their demand for labor is essentially insatiable at the wage that they would like to pay."

Immigration officials have begun uncovering smuggling rings bringing in employees under the guise of H-1B workers, some of them without proper training and others without the jobs promised. Many of the smugglers make money from commissions taken out of the immigrants' paychecks, officials said. For instance, late last year, immigration officials convicted Deep Sai Consulting Inc. of Lawrenceville, Ga., of violations in what it classifies as a "body shop" case. The company had been applying for and receiving H-1B visas for hundreds of Indian immigrants, ostensibly for computer jobs. Many of them, while well-educated, did not have computer-related training, and those who were qualified to work in the field did not find the jobs promised to them when they paid the company up to \$4,000 to bring them to the U.S., immigration officials said.

Holders of H-1B visas in computer fields earn a median salary of \$53,000 a year, 8 percent below that of U.S. computer engineers with less than 10 years experience. Recently arrived high-tech workers are three times as likely to be "contingent workers," employed by subcontractors who pay lower wages and do not give employees benefits, said B. Lindsay Lowell, director of research at Georgetown University's Institute for the Study of International Migration.

Two-thirds of those who arrive with such visas want to stay and become permanent residents or citizens, he said. Lowell and others have argued that it is irresponsible to bring in more of these highly skilled temporary workers, with an implicit promise of permanent immigration status that can't be met. The U.S. has quotas by country for the number of permanent work visas it issues, and a majority of the holders of the temporary visas issued to highly skilled workers are from Asian nations.

The number of students pursuing science and engineering degrees is again on the rise since reaching its nadir in 1994, he said. But a growing percentage of those students, particularly those pursuing graduate degrees, are foreigners, who need master's degrees or doctorates as an entryway into the U.S. workforce.

*Courtesy: Karen Brandon, Chicago Tribune, May 28, 2000.*

### **Foreign Workers: Singaporeans want Fewer Foreign Workers**

A poll conducted by government-controlled television Channel News Asia found that more than 70% of Singaporeans want the number of foreigners entering the city-state for work to be restricted. Seventy-eight percent of those

polled said fewer foreign workers should be allowed into the country as the population continues to grow.

The poll asked Singaporeans what they would be most concerned about when the population reaches 5.5 million, which according to the government, will occur in 2040. Apart from the lack of space, those polled said there wouldn't be enough jobs to go around. The 500 surveyed said the government should focus its resources on employment, followed by housing and health. One percent said the government should concentrate on the water supply. No margin of error was given.

Singapore has a population of 3.5 million, with foreigners numbering about 700,000. The topic of foreign workers in the tiny city-state is a controversial issue for many Singaporeans. The government has continually insisted that foreign talent was necessary in order for the economy to thrive.

*Courtesy: AP, May 30, 2000.*

#### **Foreign Workers: Housing Facilities & Compulsory Medical Check-up in Malaysia**

Malaysian employers must now provide all foreign workers with accommodation to help reduce crime and to prevent illegal settlements. The workers would also have to undergo medical tests upon arrival.

These strict measures, which came into force recently, were aimed at reducing the number of illegal workers and preventing the spread of diseases. Employers in the plantation, manufacturing, construction and services sectors would have to sign a form declaring that they had housing for their foreign workers. Those who did not have housing, would not be permitted to hire the foreigners and would be blacklisted if found to have falsified declarations. This move

would also address the problem of families of foreign workers overstaying illegally. As there was no such ruling on accommodation at present, many foreign workers brought their families on social visit permits.

The move to localise medical examinations will put an end to workers submitting fake certificates of fitness. Foreign workers, including maids, will be required to have their health screened within a month of starting work instead of having a medical check in their country. This new ruling would reduce the incidence of transmissible diseases brought in by foreign workers.

*Courtesy: The Straits Times (Singapore), May 29, 2000.*

### **Japan: Record 1.55 Million Foreign Residents in 1999**

The number of registered foreign residents in Japan hit a record high 1.55 million at the end of 1999, accounting for 1.23% of Japan's total population. A survey by the ministry's Immigration Bureau also revealed that about 3,000 foreign students in Japan got jobs at companies in Japan last year, another record high.

According to the bureau, the number of foreigners who had been in Japan for more than 90 days reached 1,556,113, up 43,997 or 2.9% from 1998. The figure showed an increase of 200,000 over the level for 1994 and was 500,000 higher than 10 years ago. The ratio of foreigners in Japan's total population surpassed 1% for the first time in 1992 and has since been increasing, the bureau said.

The number of Koreans, estimated at 636,000, was the largest for any group of foreigners in Japan but as a ratio of the total foreign population it fell to a record low of 40.9%. Chinese ranked second at 294,000 or 18.9%, followed by Brazilians at 224,000 or 14.4%. The fourth largest group was people from

the Philippines, followed by U.S. citizens, the bureau said. All groups except Koreans increased in 1999, it said.

Among the 2,989 foreign students who acquired jobs in Japan, 1,829 or 61.2% were Chinese. South Koreans formed the second largest group, followed by Taiwanese, Malaysians and U.S. citizens. Of the companies which hired such foreigners, 15.1% were engaged in commerce and trading, while 13.2% were computer firms, and 12.7% were related to education. The foreign students mainly obtained jobs such as translators or interpreters, or posts in technical development and sales. Last year, the government approved 97.3% of applications filed by foreign students to change their status to employees, the bureau said.

Meanwhile, 55,167 foreigners were deported in 1999, up 6,674 or 13.8% from 1998. Of them, 44,403 had overstayed their visas and 46,258 had been unlawfully employed. The number of those who had illegally entered Japan rose to a record high 9,337, up 25% from 1998. The number of deported foreigners rose for the first time in three years, after falling below 50,000 in 1997 and 1998.

The ministry attributed the increase to revision of the immigration and refugee law, which took effect in February, saying many foreigners illegally staying in Japan probably turned themselves in to the authorities before the law entered into force. The law extended to five years from one year the period for which people who have been deported from Japan will be refused entry into the country. It also made illegally staying in Japan a punishable offense.

*Courtesy: Kyodo, May 30, 2000.*

#### **USA: House and Senate Drop INS Plan to Track Aliens**

US Congress has scrapped the creation of a system to track the comings and goings of the 29 million foreigners who enter the United States each year on temporary visas, more than 11 million of whom never go home.

The House and passed legislation repealing a section of the 1996 Immigration Reform Act that required the government to develop an automated system for recording when every alien arrives and leaves the United States. In its place, Congress is demanding that the attorney general use information the INS already collects to build an on-line, searchable database of information about aliens. The database must be accessible at all air, sea and ground ports of entry and is to be shared with U.S. consular offices and federal and state law enforcement agencies.

U.S. and Canadian business leaders, the Canadian and Mexican governments and various U.S. officials cheered the lawmakers for halting development of the system that they said would ruin international trade and would have been costly and difficult to implement. Congress enacted the measure despite earlier lamentations that foreigners regard U.S. temporary visa regulations as a joke and despite Immigration and Naturalization Service reports that more than 40 percent of visitors to this country never go home.

Various members of Congress have protested that the nation is unduly exposed to the undetected incursions of spies, of terrorists like those who bombed the World Trade Center in New York in 1993, and of killers like Rafael Resendez-Ramirez, the "Railway Killer." Resendez-Ramirez, who had been deported three times, recently was convicted of numerous murders during illegal visits to the United States from Mexico.

Members of the national and international business communities are relieved because they considered the original legislation - Section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act - a huge nuisance.

They predicted it would delay border crossings and raise the cost of doing business.

*Courtesy: August Gribbin, The Washington Times, May 31, 2000.*

### **Foreign Workers: International Students Working Illegally in Australia**

More than 80 international students in Australia have had their visas cancelled after they were found illegally working for a security firm on the New South Wales railway.

Estimates committee member Kim Carr claimed the students breached their conditions of entry to Australia. The Department of Immigration interviewed 130 persons and found that 88 persons had their visas cancelled for breaching the working conditions of those visas. These were students who were allegedly here on student visas working on Sydney Railway stations.

Education Department first assistant secretary, international division, Robert Horne said he was only made aware of the incident after Senator Carr initially raised the matter. The department has agreed to find out the names of the colleges that the students were attending.

*Courtesy: Australian Associated Press, June 1, 2000.*

### **USA: Court Rules for Illegal Immigrants**

A federal appeals court ruled that illegal immigrants seeking to stay in the United States can't be disqualified simply because they used a fake Social Security card to work.

In a 2-1 ruling, a panel of the 9th U.S. Circuit Court of Appeals ruled that a San Diego woman who came to the country illegally was eligible to apply for legal residency under the 1986 amnesty law despite her conviction for using someone else's Social Security card. The appellate court overturned an immigration judge's ruling and said Octavia Beltran Tirado, 50, did not commit a so-called "crime of moral turpitude" because she used the Social Security card only to work. The appellate court distinguished her use of the false Social Security number from someone who would use one to commit fraud or some other crime.

Beltran came to the United States illegally in 1968 from Mexico. She found a Social Security card on a bus and used the number as her own from 1972 to 1991, according to court records. She was convicted and sentenced to three months in prison and three months in a halfway house. The Immigration and Naturalization Service sought to deport her in 1993, but she applied for legal residency under the 1986 law that granted amnesty to people able to show they were living in the United States since before 1972. Beltran, who works as a manager in a fast food restaurant, has remained in the country while her case was pending.

Jonathan Montag, a lawyer who represented the woman, said the ruling could affect thousands of illegal immigrants because the use of false Social Security cards is widespread. "Most people who come here illegally come here to work and if you are doing anything in the real economy you have to be using a Social Security card," Montag said.

*Courtesy: AP, May 31, 2000.*

**Foreign Workers: UK Plans Long-term Strategic Immigration Policy to Close Skills Gap**

UK ministers are close to finalising a long-term strategic immigration policy to help end skills shortages across the economy and address the problems of an ageing population. The move signals a significant break with the "closed-door" policy on economic migrants in place since the early 1970s which in effect bars people entering Britain to look for work.

That policy has led to an ad hoc approach to issuing visas to overseas workers to fill skills gaps after they have emerged. Recent visa programmes include a fast-track permit scheme for information technology specialists, and a separate programme for entrepreneurs with good business ideas that allows them to work in Britain even if they have no capital.

Barbara Roche, Home Office minister, will set out the new policy in a keynote speech in September 2000. She has been working with the Department for Education and Employment to assess existing skills shortages and estimate where shortfalls may emerge in the future. She wants to de-stigmatise the term "economic migrant" and present overseas workers as an asset to the economy. She will also say inward investors are attracted to Britain because it is multi-cultural and a place where overseas staff will feel welcome.

The policy fits with Labour's aims to improve productivity and raise long-term economic growth. The Treasury cites an inadequate skills base as a key reason why British productivity has been poor. The UK has fewer highly skilled people than the US and compares poorly with Germany. The problem goes beyond the public sector. Employers point to shortages in communications and IT.

The national plan for the health service will create 20,000 nursing posts at a time when hospitals are already suffering one of their worst-ever recruitment crises, particularly in London and the south-east.

Ms Roche is eager to separate the issues of immigration and asylum seeking which she believes have become blurred in the public mind. She will argue that the absence of a proper immigration policy has left those seeking work in Britain little option but to try and enter as asylum seekers. That in turn has left them prey to organised racketeers, such as the group responsible for the deaths of 58 Chinese migrants earlier this year.

The government hopes by presenting the policy as an effort to end skills shortages, it will prevent scare stories that could stoke racial tension. Since the introduction of the closed-door policy, the only legal immigration is for people to join relatives or spouses already here. The one exception has been for people wishing to set up businesses who can prove they have at least \$250,000 or a job to go to.

*Courtesy: Rosemary Bennett and Christopher Adams, The Financial Times (London), August 11, 2000.*

### **Sex Workers: Call for Laws to Protect Immigration Victims in Australia**

New laws were needed to protect people brought to Australia under false pretences and forced to work in the sex industry. The Scarlet Alliance, the national forum for sex worker organisations, called on Immigration Minister Phillip Ruddock to review legislation and policy to protect people who were exploited by illegal immigration and criminal networks.

"Daily we are exposed to an increasing number of smuggling and trafficking cases - and not just involving labour exploitation in the sex industry - but other industries and smuggling of refugees and other migrants," spokeswoman Sue Metzenrath said. One case involved a Colombian woman who was bought to Australia under the impression she would

work as a cleaner to pay off a \$5,000 debt. Once she arrived here she was told her debt was \$40,000 and she would have work as a sex worker to pay it off.

"This case highlights the failure of the laws since she is looking at being deported and has been offered no protection," Ms Metzenrath said. "The government needs to act as a matter of urgency and incorporate human rights standards of treatment for victims of trafficking and smuggling, clearly define these terms in law and widen visa categories within the Migration Act in order to protect the victims."

*Courtesy: The Associated Press, August 11, 2000.*

### **Sex Workers: Sex Slave Trial Begins in Little Rock, USA**

After some logistical problems accommodating four Cantonese translators, jury selection got underway in a federal trial of five people accused of participating in a scheme to bring Chinese women to Arkansas, USA for sex.

The defendants include former Little Rock television executive David Jewell Jones, who is a Henderson State University trustee. Also on trial are former state Rep. Mark Riable of Little Rock, Fordyce dentist Bob Newton Rushing and Little Rock restaurateur Tony Ma and his wife Mary Ma. The five are accused of breaking federal immigration laws.

Included in a grand jury's allegations was an attempt by Jones to arrange a student visa for a woman and that Riable conducted a sham wedding. According to the July 7, 1998, indictment, the defendants carried out a conspiracy from October 1991 through May 1997 to secure the unnamed Chinese women's entry into the United States for the purpose of sexual relationships with Jones. The indictment accuses Jones of having non-consensual sex with one of the women.

Jones faces charges of conspiracy to commit visa-marriage fraud, making a false visa application, harboring an illegal alien and obstruction of justice. The indictment accuses Riable, a lawyer and former municipal judge, of performing a sham marriage Oct. 13, 1992, in Jones' van between one of the women and Rushing. Riable faces charges of conspiracy and making a false visa application. Rushing faces a conspiracy count.

The Mas, Chinese emigrants who live in Mabelvale, are accused of telling a woman not to report sexual encounters with Jones to authorities. Tony Ma faces the same counts as Jones, plus unlawful procurement of citizenship. Mary Ma faces counts of conspiracy, harboring an illegal alien, obstruction of justice and unlawful procurement of citizenship.

*Courtesy: Jamie Stngle, AP, July 11, 2000.*

### **USA: Sheik's Daughter Defy Tradition for Love**

The Marine and the royal cousin fell in love but her family disapproved. She was forbidden to see him and confined to the house. In her native Bahrain, that can happen to women who defy Islamic taboos. And so Lance Cpl. Jason Johnson and Meriam Al-Khalifa did what young lovers often do when confronted with a hostile world: They fled. Now they are at the centre of an immigration court case in San Diego as she fights to remain in the United States.

Johnson, 25, spirited his 18-year-old beloved out of Bahrain late last year aboard a commercial airliner, disguising her as a Marine with phony military documents and a New York Yankees cap to hide her long hair. The couple met in a mall in the Bahraini capital of Manama, where Johnson was assigned to a counter-terrorism unit to provide security for

Americans in Bahrain, including 500-plus U.S. Defense Department employees. For several months she hid from Johnson the fact that her father is Sheik Abulla Al-Khalifa, a cousin of the head of state, Emir Hamad bin Isa Al-Khalifa. As the daughter of a sheik, she holds the title of sheika. All he knew was that she spoke nearly flawless English with a slight British "Spice Girl" accent and had been to the United States at age 12 to visit Disney World in Florida. "We had to see each other behind my family's back," she said. "When they found out, they were very angry." Forbidden by her family to see each other, the two continued their courtship mostly by telephone. That's when the intercontinental elopement plans were hatched. With his yearlong tour of duty nearing its end, Johnson refused to leave without the woman he loved.

But when the couple arrived in Chicago, they were confronted by officials of the Immigration and Naturalization Service, who had been alerted to the royal runaway by the government of Bahrain, a strategically important U.S. ally.

Rather than bow to the State Department's request to take the first flight back to her Persian Gulf island nation, Al-Khalifa requested political asylum, contending that she faces persecution for breaking one of the strongest strictures in the Islamic world.

"I did the worst thing possible in my country, to fall in love with a non-Muslim," said Al-Khalifa, now 19. "To make it even worse, he's an American." Johnson agrees. "I think they'd kill her if she ever returned," he said. "She embarrassed the royal family. To keep their reputation clean, they would have to take vengeance."

Given a reprieve by the slow pace of immigration proceedings, the truck driver's son and the sheik's daughter married in a wedding chapel on the Strip in Las Vegas in November, two weeks after arriving in the United States. They settled into the spartan accommodations of government housing at Camp Pendleton, a world away from her life of luxury in Bahrain. There Al-Khalifa does housework,

something she had servants to do in Bahrain. Johnson, who has been busted by the Marine Corps back to private first class for the escapade, goes to work every day as a machine-gunner.

On July 17, the couple faces the latest in a series of INS hearings in San Diego, where a judge will consider her petition for asylum, a plea opposed by the U.S. government.

It is common for some families in Islamic countries to treat a woman who has dated, let alone married, without her family's blessing as nothing more than a prostitute who has brought dishonor on her family and country, a fact that INS officials considered in allowing her to remain in the United States for a hearing.

Though Bahrain is considered by most scholars to be far more liberal than most Islamic nations, it has seen a recent surge of Islamic fundamentalism. Bahraini women who dare to socialize with non-Muslim men are sometimes considered "damaged goods" to be scorned or physically assaulted, said Richard Dekmejian, a Middle East expert and political science professor at USC.

A spokesman for the Bahraini Embassy in Washington said Al-Khalifa has no reason to fear returning home. "The family still loves her very much and would love her to go back," said the spokesman. "Nothing will happen to her. This is a family matter, not a royal matter." Still, she fears that others in Bahrain, possibly at the behest of right-wing clergy, might assault her if she returns, possibly as a sign that not even the royal family is exempt from a strict enforcement of cultural codes.

This decision entitled her to a hearing under U.S. laws that allow political asylum for foreign citizens who can demonstrate that they face persecution because of race, religion, political opinions, social group or nationality. Being married to a U.S. citizen alone does not guarantee a right to stay in the country.

Experts on immigration law say there is a precedent for Al-Khalifa's asylum bid on the grounds that she will face persecution for having married outside her faith. But they noted that she will have to present evidence of physical threats or past maltreatment--and evidence that she has become such a pariah that local authorities would not protect her.

*Courtesy: Tony Perry, Los Angeles Times, July 10, 2000.*

### **Foreign Workers: Malaysia to Expel 1,400 Bangladeshi Illegals**

Malaysia has started to expel more than 1,400 Bangladeshis detained for offences such as illegal entry, overstaying and possession of fake visas

According to Nasir Ahmad, Director of the Immigration Department Enforcement Division, the government had allocated 1.4 million Ringgit (\$368,420) to fund the repatriation. The Bangladeshi illegals involved in this programme were detained at seven detention depots and prisons throughout the country. In the first five months of 2000, the authorities had detained 1,987 Bangladeshis.

Malaysia, which depends on foreign labour for menial jobs, said in February it had tightened employment restrictions on foreigners taking up a raft of skilled and semi-skilled jobs, which in future will only be available to Malaysians. Government data shows there were more than 700,000 foreigners working legally in Malaysia in 1999. Officials say there are also hundreds of thousands of illegal workers, most from Indonesia and Bangladesh.

*Courtesy: Reuters, July 8, 2000.*

### **South Korea: Plans To Bring in Indian IT Experts**

With government backing, a Seoul advertising firm plans to bring in thousands of Indian computer experts in the next two years. The plan by Oriental Ad.com is welcome news for South Korea's computer industry which is plagued by a serious shortage of skilled manpower.

Oriental Ad is a local franchise for Bombay-based Aptech Ltd., which produces hundreds of thousands of computer experts yearly at its 1,500 branches around the world. Oriental Ad plans to open its first computer manpower training institute in Seoul in July. The number of such institutes will be increased to 12 by 2004, it said. Oriental Ad also plans to bring in about 100 Indian computer experts this year, 1,000 in 2001 and 5,000 in 2002 for employment at a dozen South Korean companies.

"It is true that we have a shortage of experts in the computer industry. We welcome and support such efforts to import skilled manpower," said Choi Woo-suk, a spokesman for the Ministry of Commerce, Industry and Energy. Choi said his ministry planned to hold a meeting with Oriental Ad to discuss the issue. He also said the ministry was seeking to expand the period of working visas for foreign computer experts from the current two years to up to 10 years.

Officials at the South Korean computer industry says the nation will have a shortage of "hundreds of thousands" of computer experts in the next several years.

*Courtesy: AP, May 25, 2000.*

### **Foreign Workers: Solution on Rights of Foreign Workers in South Korea on Sight**

On Sundays, for the past few years, foreign workers have been gathering on Taehangno, a street in northeastern Seoul usually filled with Korean college students, to exchange information and spend their weekends. Since first entering Korea in 1991 as construction workers, after the country began experiencing labor shortages in the so-called "3D jobs" - difficult, dangerous and dirty - their population has grown and their voices are raising to protect their rights. As of April 30, the Justice Ministry said there were 235,000 foreign workers in the nation and 64 percent of them, 149,000 people, were here illegally. The number itself shows that the manufacturing sector, in which 3D jobs are concentrated, needs these people to work.

The government introduced a foreign industrial trainee program in 1994 to solve problems with illegal migrant workers, but it proved ineffective as many claimed foreign participants were being treated poorly. And their trainee status did nothing to protect their due rights as laborers. Foreign migrant workers often ended up leaving their original place of employment in search of better conditions and pay.

Factory owners, who hire industrial trainees, complain that no matter how hard they try to treat everyone equally, foreign workers try to take advantage of the situation. Since 1994, 29,910 have run away, accounting for 22 percent of the total 135,769 industrial trainees. To stop the foreigners from fleeing, factory owners started confiscating their passports and identification cards, and forcing them to give part of their pay as security, to be returned upon the completion of the contract.

On the other hand, foreign workers blame the factory owners for treating them unfairly, giving them no other choice but to run away. It has become a vicious cycle of distrust for all involved. To fight inhumane treatment<sup>1</sup> and form better

relations with the local community, foreign workers are coming together.

A worker from Bangladesh in a kitchenware factory was physically abused by his boss with a stick and ended up getting 10 stitches in the back of his head. His friends in the Bangladesh community visited the factory and made an official protest. The company paid for the medical cost and apologized for the inhumane act.

Filipinos have formed "Women on the Move" to protect their rights. Other Filipino workers in northern Kyonggi Province gather every Sunday to raise funds to help friends in need by holding raffles.

Workers from Sri Lanka donated 100 wheelchairs and 10 computers to a welfare center for the physically handicapped and senior citizens late last month. They spent nearly a year to collect the money to provide an opportunity to form better relations with the local community.

These foreigners and human rights groups, both at home and abroad, have raised their voices for better treatment. Their rights are being violated because their status as workers is not being guaranteed by the law, so they should be given work permits instead. In fact, in 1996, there was a move to allow work permits for the alien workers, but the bill never passed the National Assembly and it was automatically suspended.

Recently the government announced that it would extend the industrial trainee period from two to three years and grant an additional one to two years for people who finish the session. Successful trainees would be able stay in the nation up to five years. The government will also establish an institute to work on protecting the rights of foreign workers. The solution is considered as a positive sign that the authorities are no longer ignoring the issue, however it is far from solving the problem.

*Courtesy; Korea Times, May 26, 2000.*

### **Foreign Workers: More Japanese are Advocating Opening the Doors to Foreigners**

In Japan more and more business executives are calling on the government to open up the country further to foreign workers, as companies begin to grapple with a projected decline in the country's working population.

Earlier this year, many Japanese were shocked by a United Nations' demographic projection that pointed to dire economic consequences if Japan doesn't open its doors wider to foreign workers. With the country facing a rapid aging of its population profile, the U.N. said Japan would need to import 609,000 immigrants a year to maintain its 1995 working-age population level of 87.2 million through 2050. If Japan followed this advice, the U.N. says that 30% of the country's population would be immigrants or their descendants by midcentury.

That would amount to a radical change for a country that is justly famous for its insular attitude. Even with the number of foreign residents surging by 50% over the past decade, foreigners still accounted for a scant 1.2% of Japan's population as of 1998, the most recent year for which data is available.

But there are tentative signs that the demographic time bomb facing Japan is forcing a rethink about immigration in business circles. For example, the Keidanren, Japan's most prominent big-business lobby, issued a statement recently stressing the importance of bringing in foreign workers to boost the country's economic growth. While many Japanese fear that an influx of foreign workers would bring a host of new problems to the nation, Keidanren says immigration fits "the trend of the times."

These calls are being echoed in other circles as well. Eisuke Sakakibara, a professor at Keio University and a former Vice Finance Minister for International Affairs, is calling for a radical review of Japan's immigration law and even its nationality act "to make Japan an open country in a real sense."

Meantime, responding to this burgeoning support for more foreign labor, the Japanese government is moving to open the country to more foreign workers - incrementally - by issuing working visas more liberally. Japan will make it easier for foreign workers to get in. In a first step toward that end, the immigration department recently expanded the categories of trainee visa that are issued, mostly to people from neighboring Asian countries, to cover the agricultural sector for the first time. These visas have been available since the middle of the 1990s, but they were limited mostly to manufacturing and construction. The new move, according to an official at the Japan International Training Cooperation Organization, was triggered in part by an acute shortage of workers in Japan, especially young ones.

The immigration department also has said it will study the possibility of extending the benefit of the new policy to nursing, an area where a tremendous number of helping hands will be needed in Japan after the turn of the century because of the rapid aging of the country's population.

*Courtesy: Masayoshi Kanabayashi, The Wall Street Journal, May 25, 2000.*

### **Germany: Call for German Baby Boom to keep out Migrants**

One of Germany's most influential conservative politicians called on Germans to have more children as an alternative to

taking in more immigrants. Edmund Stoiber, the head of the state government of Bavaria, was breaking with a taboo dating back to the Nazi past which has effectively prevented discussion by the mainstream parties of measures to boost fertility.

He said: "We are having too few children - to a worrying degree, the significance of which is scarcely recognised". His comments went to the heart of a raging debate in Germany over the linked issues of racist violence, immigration and demographics. They represented the first considered response from the right to claims that Germany has to accept more immigrants if it is to maintain its competitive edge and its welfare system.

That view lies at the root of a recently-launched government drive against the racist right. It is based on projections of the effects of Germany's low birth-rate. A UN study last March concluded that, by the middle of the century and without immigration, 32% of Germany's population would be over the age of 60.

Mr Stoiber, a possible candidate for the Chancellorship in 2002, said immigration could "mitigate the problem but not solve it". Though he was careful to stress his support for the crackdown on racist violence, Mr Stoiber told the newspaper Die Welt that the answer to the looming demographic crisis lay with "psychological and financial support" for couples who wanted to have children.

His remarks are nevertheless bound to stir controversy. Earlier this year, a fellow Christian Democrat was pilloried for standing for election on a platform of "Children not Indians" (*Kinder nicht Inder*), a slogan which precisely reflected the thrust of Mr Stoiber's comments.

Figures published recently showed that while the seasonally adjusted jobless rate for Germany as a whole fell fractionally, the percentage of unemployed in the east rose. At 17.3%, it

was more than double the 7.7% in the west. In an age of increasing globalisation, race hate in the east is keeping out foreign investment and expertise, officials say. It also presents a potentially immense challenge when the EU expands to eastern Europe. As members of the union, Poles, Czechs and Hungarians would be free to seek work in Germany.

There have been three race killings already this year. Also last month, a bomb thought to have been planted by ultra-rightwingers went off at a Düsseldorf railway station, injuring nine immigrants, of whom six were Jews.

Federal interior ministry officials held a telephone conference with their counterparts from the 16 German regions to decide on the feasibility of banning the small far right National Democratic party (NPD), which has a large skinhead following. Proposals for a ban have split the government. Otto Schily, the interior minister, has argued that such a move could prove unconstitutional. But it has wide backing among the Greens.

*Courtesy: John Hooper, The Guardian (London), August 10, 2000.*

### **Iran: Repatriation of over 1000 Afghan Refugees**

Over 1000 Afghan refugees living in Iran were repatriated in two separate operations. According to IRNA, 808 refugees from Iran's eastern Sistan-Baluchistan province, and 263 from the central Isfahan province were transported to Iran's eastern border with Afghanistan.

It said that since the April 8 start of a programme organised by the United Nations High Commissioner for Refugees (UNHCR), 7,228 refugees from Sistan-Baluchistan and over 6,229 refugees from Isfahan have returned home.

"Some 330,000 Afghans are living in this (Sistan-Baluchistan) province, and only 100,000 of them possess an official alien resident card," IRNA quoted an official as saying.

These voluntary departures fall within the framework of an agreement between the UNHCR and Iran on the repatriation of some 100,000 refugees over a six-month period. An agreement was signed February 14 between the UNHCR and the Iranian authorities which in particular allows Afghan refugees without identity papers to seek asylum within six months or to present a request to return home. Three transit camps for voluntary repatriation have been put in place in the provinces of Tehran, Khorassan, and Sistan-Baluchistan, according to the interior ministry.

According to the UNHCR, there are 1.4 million Afghans in Iran. The Iranian authorities estimate some 700,000 of them are there illegally.

*Courtesy: Agence France Presse, August 9, 2000.*

#### **Foreign Workers: India to Lift Ban on Domestic Workers in Kuwait**

Indian Minister of State for external affairs Ajit Kumar Panja said that India would this year lift a ban on its nationals from going to work in Kuwait as domestic staff. New Delhi imposed the ban in February because of maltreatment at the hands of unscrupulous agents and after complaints to human rights organisations in India highlighted the difficulties faced by Indian domestic workers in the Gulf emirate. According to Panja an Indian community welfare team would visit Kuwait shortly to discuss arrangements before a final decision was taken.

Kuwaiti nationals represent just 34.6 percent of the total population of 2.27 million and, according to latest official figures, some 300,000 domestic workers are employed in Kuwait. The largest expatriate community in the emirate is from India, numbering more than 285,000, followed by 274,000 Egyptians. Bangladeshis, Pakistanis, Sri Lankans, Iranians and Arab nationals also have sizeable communities in Kuwait.

Such is the popularity of domestic helpers that the Kuwaiti government allows households to employ as many as three foreign workers before the employer has to pay an annual charge of 50 dinars (165 dollars) for health care.

But several dozen Asian workers commit suicide in the Gulf monarchies each year, many of them to escape unscrupulous employers or to avoid the shame of returning home empty-handed.

*Courtesy: Agence France Presse, July 10, 2000.*

### **United Kingdom: Easier Work Permits For IT Specialists**

The Tory Party has seized on an announcement that work permits will be made more easily available to computer specialists from overseas. Alan Duncan, the shadow Technology minister, said the Chancellor had been bounced into acting because earlier tax changes were forcing people with computer skills abroad. The Government has clamped down on consultants working for a single company, who register as self-employed for tax purposes.

The changes to work permit regulations are designed to enhance the UK's reputation as an attractive location for talented overseas students and entrepreneurs. IT will be added to the categories of "shortage occupations".

*Courtesy: Stephen Foley, The Independent (London), March 22, 2000.*

### **New Zealand: New Migrants 'Neglected'**

Newly arrived immigrants are becoming "the forgotten people" of New Zealand, a report released by the Citizens Advice Bureaux Association says. In the report "The Forgotten People: The Experience of Immigrants to New Zealand" - the association uses the experiences of its clients to highlight problems facing immigrants.

Many skilled, talented and highly motivated immigrants had been ignored or neglected since arriving in New Zealand. The areas causing the most distress were acceptance of qualifications, unscrupulous immigration consultants, and few employment opportunities.

The report says that despite being granted residence on the basis of qualifications approved by the New Zealand Qualifications Authority, professionals often found after arrival that they did not meet standards set down by various professional bodies here.

The association says New Zealand is missing a chance to boost its knowledge economy with "this wonderful pool of talent". Many migrants were turning their backs on New Zealand and looking to Australia for better opportunities.

The report asserts that in case after case "many highly skilled migrants are not being treated equally as prospective employees". In some cases, immigrants were told jobs had been filled internally when they got an interview, only to see the same job re-advertised days later.

*Courtesy: Katherine Hoby, New Zealand Press Association,  
March 22, 2000.*

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