

**STATE OF THE
NATION**
RESEARCH REPORTS



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Issues and Concerns of Overseas Filipinos:
An Assessment of the Philippine Government's Response

UNIVERSITY OF THE PHILIPPINES
CENTER FOR INTEGRATIVE AND DEVELOPMENT STUDIES
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FOREWORD

The diaspora of Filipinos to the major continents of the world has been the subject of a plethora of studies that aim to deepen our understanding of the OCW phenomenon—its roots, magnitude, immediate history, social organization and the policy problems it generates. The Flor Contemplacion execution in Singapore and the Sarah Balabagan case did not only highlight the need to identify the gaps in our knowledge but more importantly, to assess and weigh policy alternatives in the hope of arriving at a rational approach to the present OCW problem.

As part of its contribution to the public discussion on how to manage the OCW phenomenon in the wake of the outrage over Contemplacion's death, the University of the Philippines-Center for Integrative and Development Studies (UP-CIDS) convened a team headed by Dr. Elena L. Samonte of the UP Department of Psychology to articulate and assess various forms of state interventions that address the plight of Filipinos migrating to work in distant shores. This State of the Nation Research Report is the result of the team's two-month intensive study. It is useful not only for its substantive discussion but for the instructive documents which are appended to it.

The UP-CIDS wishes to acknowledge the editorial assistance of Mr. Satur Ocampo. Bella Lucas and Joy Aparis saw this Report through its publication with the help of Stretch Payawal and Michael Arciga.

As in all our publications, the views expressed in this Report are those of the authors whose academic freedom is upheld by the University.

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INTRODUCTION

A special session of the Philippine Congress was convened on May 22-26, 1995 to ratify the United Nations (UN) International Convention for the Protection of the Rights of Migrant Workers and Their Families and to pass a legislative measure that would address the issues and concerns of overseas Filipinos. This special session was held in response to the public outcry against the apparent indifference of government to the plight of Filipino overseas workers. It came in the wake of the Maga-Contemplacion deaths which sparked in Filipinos a critical awareness of their government's response to the problems of migrant laborers abroad.

The bills [Appendix A] covered by the discussions in relation to the Magna Carta for Overseas Filipinos were:

1. Senate Bill No. 2068 by Senator Blas Ople, creating a legal welfare commission for overseas workers;
2. Senate Bill No. 2069 by Senator Ernesto Herrera, declaring the guiding principles of the overseas employment program and establishing a higher standard of protection of overseas Filipino (migrant) workers;
3. Senate Bill No. 2070 by Senator Alberto G. Romulo, providing for a Magna Carta of Filipino Overseas Workers; and
4. Senate Bill No. 2071, by Senator Edgardo Angara, *et al.*, creating the Department of Overseas Employment.

The basic premise underlying these bills was the desire of the state to provide "full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all," as provided for in the Philippine Constitution (Section 3, Article XIII).

However, the question remains: How can government, through legislation, adequately and substantively respond to the issues and concerns of overseas Filipinos?

OBJECTIVES

This paper aims to (1) review the issues and concerns of overseas Filipinos; (2) assess the response of government to these issues; (3) delineate the priority areas that the Magna Carta for Overseas Filipinos should address; and (4) identify other areas that should be considered in the light of the continuing review being undertaken by the Philippine Senate.

BACKGROUND

International migration, simply defined, is the movement of people across state boundaries. As we approach the turn of the millenium, the international movement of people is becoming more pronounced as a global reality, reflective of the need for closer cooperation among nations. This reality suggests a closer look into the country's ability to address the problems and concerns arising from the phenomenon of migration. While it is always easy to attribute increased labor migration to the poor labor-absorptive capacity of the nation's economy, there are issues beyond domestic realities that affect the levels of migration from the Philippines. The policies of receiving states provide the essential basis for the sustained flow of migrants from across national boundaries.

Philippine outmigration, contrary to what is perceived by many, is not a recent phenomenon. As early as 1565 Filipino seafarers manned the ships which plied the Manila-Acapulco trade route. These early global voyagers brought merchandise from the East to the "new world." These simple beginnings marked the advent of what is now called the *Filipino Diaspora*.

The second wave of Filipino migration commenced in the 1800s, consisting of educated Filipinos who went to Europe to escape political persecution at the hands of Spanish Colonial authorities. The exiles produced outstanding literary and artistic works as they advocated political and social reforms at home.

From migration propelled by political factors, the third wave which commenced in the early 1900s consisted mainly of economic migrants who worked in the sugar and pineapple plantations of

Hawaii. They later moved to the United States (US) mainland to work in hotels, restaurants, sawmills, railroad construction, agricultural plantations, and canneries (Cordova, 1983 as cited in Maceda, 1995). Filipino military servicemen also migrated to the US after World War II (*ibid.*). Another group of migrants were the “*pensionados*” or scholars who left the Philippines to pursue further studies in the US. Essentially, this third wave marked the earliest form of large-scale recruitment of Filipino laborers to the United States.

In the mid 1970s, international conditions, particularly in the Middle East, were ripe for the mass movement of contract labor to overseas markets. From this period up to the early 1980s, at least 72 percent of Filipino contract workers were bound for the Middle East. This fourth wave of migration was to be sustained through the establishment of new markets and the continued demand for Philippine labor. To this date, Filipinos work in at least 149 countries, accounting for at least 50 percent of total Asian migrants worldwide.

Aside from the economic migrants, there is also a new breed of Filipino migrants consisting mainly of women marrying foreign nationals, war veterans who are qualified to apply for naturalization as US citizens, technical trainees who participate in international exchange programs, and emigrants who are seeking permanent settlement overseas.

Filipino Migration Trends

Filipino workers overseas migration consistently rose in the last 19 years. In 1975, a total of 36,035 Filipino workers were deployed. This figure increased to 214,590 in 1980, or by 42 percent. In 1985, a total of 372,784 were deployed, manifesting an increased demand for Filipino workers in the global market. This figure represents a 40 percent increase from that of 1980. Despite the diminishing demand for construction workers in the Middle East in the late 1980s, the deployment of Filipino contract workers increased by 18 percent to 446,095 in 1990. This further rose in 1994, when a total of 719,602 contract workers were deployed. In the late 1980s Filipino migration manifested a shift in the market's destination from the Middle East to Asia [Appendix B].

There was a notable increase of women among the deployed workers, accounting for 51 percent of the total in 1993 from 47 percent in 1987. Of the total new hires in 1993, 51 percent were in the vulnerable occupations, 95 percent of whom were female migrants. In terms of the distribution of overseas contract workers (OCWs) in vulnerable occupations in 1994, domestic helpers constituted 73,951 or 28.57 percent, entertainers made up 52,964 or 20.46 percent; and other skills accounted for 131,932 or 50.97 percent. The major destinations of overseas contract workers include Saudi Arabia, Hong Kong, Japan, United Arab Emirates, Kuwait, Singapore, Qatar, Bahrain, Brunei and Oman.

The other category of Filipino migrants are the immigrants. In 1975 a total of 14,492 immigrants were registered by the government. As in the case of the contract workers, the emigration figures showed a sustained rise except in 1983 and 1984. From then on, the figure has been steadily increasing, mainly dictated by the immigration policies of receiving states. The highest emigration figure was posted in 1993 at 66,413. The major destination of Filipino immigrants include the United States, Canada and Australia. More recently, Japan has emerged as a major destination due to the increasing number of Filipino women marrying Japanese nationals.

In recent years, Filipino fiancées marrying foreign nationals have also increased significantly. In 1989, a total of 7,831 fiancées and spouses of foreign nationals were registered by the government. The number was highest in 1993, at 19,396. In 1994, the registered figure dropped to 16,848. From 1989 to 1994, the average increase in the number of Filipino fiancées and spouses of foreign nationals was 19.2 percent a year. The major destination of this type of immigrants include the United States, Japan, Australia, Germany, Canada and other countries (CFO, 1992; CFO Statistics, 1994; Samonte, 1994b).

LEGISLATIVE AND EXECUTIVE RESPONSES TO AREAS OF CONCERN OF OVERSEAS FILIPINOS

Nearly 500 years after the first "Manila Village" was established in Louisiana, United States, (Espina, 1980 as cited in Maceda, 1995) we continue to see Filipinos taking part in the social and development processes of at least 149 countries. More important to note is that Filipinos account for almost half of all Asian migrants worldwide.

The steady increase in the number of Filipino workers going abroad manifests a clear and positive message that Filipino workers are good and that receiving countries have seen their significant role in their development pursuits.

For the Philippines, too, the impact has been significant: the economic benefits, in terms of dollar remittances and tax payments that prop up the Philippine economic recovery from its lowest ebb; the technology transfer facilitated by returning or visiting Filipino migrants; and the various financial and material contributions during times of national crisis or calamities [Appendix B] (Vasquez, 1992; Cariño, 1994a; Cariño, 1994b). On the other end of the spectrum are the psychosocial costs in terms of individual risks, human rights violations, and breakup of families that confront Filipino migrants (Samonte, 1992; Battistella, 1993; Beltran and de Dios, 1994).

The identified areas of concern of Filipino overseas workers, according to stage in the migration cycle are :

Pre-departure

- o illegal recruitment
- o public misconceptions about international migration
- o deficient and defective documentation system (birth registry, passporting, arrival-departure monitoring, pre-departure registration)
- o pre-departure orientation

On-site services

- o weak documentation system for Filipino nationals
- o cultural/social adaptation problems
- o problems resulting from employment and settlement abroad (inadequate crisis centers, inadequate funds for legal assistance, increasing labor and consular-related cases, victims of crimes and violence)

Reintegration

- o Sociocultural and economic reintegration

There are other problems that require government response:

- o support for families of overseas contract workers (OCWs)
- o structural reforms
- o human resource development of foreign service personnel
- o development of administrative tools
- o monitoring system for assistance to nationals
- o integrated program and policy framework for overseas Filipinos
- o cooperation of and coordination with different sectors

Given such realities, what is the government's response to address the needs and problems of Filipino migrants? Since 1975, the government has established various response and intervention systems to cover the basic pre-departure and on-site services for Filipino migrants. These services have improved in recent years to respond to the specialized needs and concerns of a significantly greater number and variety of temporary and permanent migrants.

The executive branch of government, through the Department of Foreign Affairs (DFA), Department of Labor and Employment (DOLE) and other agencies, has put up regulatory and protective measures to address the migrants' concerns. In recent years, it has become evident that the response system cannot exclusively rely on one or two agencies. These efforts of various agencies must be integrated into a comprehensive program for overseas Filipinos.

The legislative branch, on the other hand, has introduced various bills and resolutions which seek to address the specified problems and concerns of overseas Filipinos. In 1992, the Philippine Congress introduced the first-ever bill for a Magna Carta for Overseas Filipinos.

Legislative Response

The 8th and 9th Congresses have introduced various bills and resolutions covering such issues as political rights, benefits, institutional reforms, protection and welfare assistance for OCWs, intermarriage, World War II veterans and intercountry adoption, taxation, and investment opportunities [Appendix C].

A total of 35 bills and resolutions affecting overseas Filipinos were filed in the 8th Congress. Of this total, only three were enacted into law: the *Balikbayan* Program (Republic Act No. 6768), *Kalakalan 20* (Republic Act No. 6810) and the act declaring unlawful the practice of matching Filipino women for marriage to foreign nationals through the mail-order system (Republic Act No. 6955). The bulk of the bills and resolutions during the 8th Congress concentrated on providing welfare assistance and benefits to overseas Filipinos, particularly OCWs.

Meanwhile, 95 bills and resolutions on overseas Filipinos were filed during the 9th Congress. Of the total, 26 addressed the concerns of World War II veterans. Ten bills called for the upgrading of benefits and pensions of veterans. There were nine bills/resolutions calling for the investigation of OCW problems in Kuwait, Saudi Arabia, Singapore and Hongkong. The 9th Congress did better than the 8th in initiating such investigations.

The bills filed in both the 8th and 9th Congresses do not fully respond to the areas of concern identified. For example, there seems to be greater concern for car importation privileges than for a documentation and monitoring system for overseas Filipinos or institutional reforms that would enable the agencies concerned to be more responsive. There were no bills to address the welfare of millions of undocumented workers. Moreover, most of the bills have not gone beyond first reading.

The special session of Congress in May 1995 was convened to fast track the passage of proposed legislations to address the concerns of overseas Filipinos. The Magna Carta sought to establish the parameters for greater guarantees to overseas Filipinos in terms of protection of their rights, provision of services and benefits, and establishment of structural support mechanisms to integrate government programs. The concerns which the bill sought to address included the following:

- o absentee voting;
- o land ownership, specifically to increase the present ownership limitations of land by former Filipino citizens from 1000 sq. m. of urban land to 3000 sq.m., and from one hectare of rural land to three hectares;
- o practice of professions by former Filipino citizens;
- o overseas representation in Congress; and
- o mechanisms to address the concerns of distressed OCWs, repatriation and remittances.

Some difficulties and hindrances to the passage of bills and implementation of laws

Absentee voting - The 9th Congress directed the Commission on Elections (COMELEC) to incorporate the issue of absentee voting in an Election Code for the Philippines. Such a provision was included in the draft Election Code. However, there were controversial issues pertaining to political dynasties and the computerization of election returns which prevented further discussion on absentee voting.

Balikbayan Program - The private sector has long protested the duty-free privileges given to returning nationals, citing that locally manufactured products were no longer being patronized. Protests of the private sector grew even stronger as ordinary citizens living in the duty-free zones of Clark and Subic Bay were given duty-free privileges.

Intermarriages with foreign nationals - The 8th Congress enacted Republic Act No. 6955, " an act declaring unlawful the practice of matching Filipino women for marriage to foreign nationals on a mail-order basis, including the advertisement, publication, printing or distribution of brochures in furtherance thereof." To date, there are no implementing guidelines because the law did not designate any specific government agency to implement it. Thus, classified advertisements for "penpals" who can be potential spouses of foreign nationals continue to be published.

Pension of Filipino war veterans - The pension for veterans was increased from 500 to 1,000 pesos through an act of Congress. Burial allowance was also increased. However, some veterans at the 50th anniversary of the Leyte Landing complained that such amounts were not commensurate to the actual cost of living.

Executive Response

The Department of Foreign Affairs (DFA) and the Department of Labor and Employment (DOLE) are the primary agencies mandated to take care of Filipino nationals overseas. By virtue of their mandates, the different agencies have different sets of clientele. The DOLE units, the Philippine Overseas Employment Administration (POEA) and Overseas Workers' Welfare Administration (OWWA) provide services to Filipino migrant workers. The DFA-attached Commission on Filipinos Overseas (CFO) handles the Filipino emigrants. The Philippine Embassies and Consulates, on the other hand, are mandated to serve and protect Filipino nationals abroad.

At various stages of the migration process, the concerned government agencies have been implementing programs that provide services, safety nets and protective measures for overseas Filipinos

[Appendix D]. The current responses of these agencies to the needs and concerns of Filipino overseas workers, according to the stages in the migration cycle, are as follows:

Pre-departure

- o Regulation of recruitment and manning agencies;
- o National information campaign to counter illegal recruitment at the grassroots;
- o Enforcement of policies against illegal recruitment;
- o Pre-departure registration for departing contract workers and emigrants;
- o Pre-departure orientation seminars (PDOS) for departing overseas workers and emigrants;
- o Guidance and counseling services for fiancées and spouses of foreign nationals; and
- o Interagency information program on migration concerns and realities.

The measures to counter the deficient/defective documentation system at present remain as proposals or are plagued by budgetary constraints and lack of political will (endorsement for funding). These are: a new national identification system, modernization program and deterrents to passporting irregularities to ensure the integrity of the Philippine passport, refocusing objectives and computerization of arrival-departure data and computerization of data bases.

On-site services.

- o Setting up of Filipino Workers Development Centers by OWWA in the Middle East, Asia and Europe;

- o Legal and welfare assistance to distressed overseas contract workers/ migrants;
- o Conduct of job site visitation by labor and consular officials;
- o Mobilization of Filipino groups overseas as part of the support system and economic agents;
- o Establishment/ maintenance of support network to address Filipino migrant needs;
- o Post-arrival orientation for Filipino immigrants; and
- o Establishment and operation of Philippine community schools abroad.

The sheer number of overseas Filipinos puts tremendous pressure on the capacity of the Foreign Service to address all their problems and concerns. The attrition law and ban on hiring of personnel, limited funds for on-site programs, insufficient equipment and materials also put constraints on the quality of responsiveness of the agencies concerned.

Moreover, efforts to coordinate DFA and DOLE representatives are constrained by their respective job designs. The DFA addresses consular-related problems while the DOLE takes care of the labor-related problems. The concept of the Country Team Approach has yet to be translated into concrete, behaviorally-anchored steps and procedures.

Reintegration program

The reintegration program for overseas Filipinos is designed to help those returning to reassume their developmental role in nation building. The overall program includes sociocultural and economic reintegration, focusing on skills upgrading and training, livelihood generation activities, entrepreneurship programs, transfer of technology, and cultural/educational immersion programs. The *Kabuhayan 2000* Program provides training and capital assistance to prospective OCW entrepreneurs. However, most of the programs and strategies address the immigrants and professionals (Business

for Expatriates/Exports Through Expats; *Balik Scientist Program*, Science and Technology Advisory Councils, Exchange Visitors Program, *Lakbay-Aral Program*, Retirement Program) and not the majority of temporary migrants, both skilled and unskilled.

Others

To address the needs of the families of OCWs, the Department of Social Welfare and Development (DSWD) provides counseling services for solo parents while the OWWA has an educational support program for children. The other concerns which focus on organization development interventions require services more aligned and personnel more attuned to the needs of their clientele and the changing environment. Proposals have been presented to change the mandate of the CFO; alter the recruitment and selection process, establish training and performance evaluation systems of the DFA and DOLE; and a tracking and monitoring system to assist nationals as well as develop strategies to encourage coordination and cooperation among various agencies, groups, and sectors [Appendix D].

Multisectoral network

At present, there are various interagency committees and task forces composed of government agencies which deal with the variety of concerns of overseas Filipinos: illegal recruitment, migration information campaign, legal assistance, repatriation, Medicare, housing, and migration statistics.

The Gancayco Commission

The Gancayco Commission, officially named the Presidential Fact-Finding and Policy Advisory Commission on the Protection of Overseas Filipinos, was created by the President through Executive Order No. 231 on March 20, 1995 [Appendix E]. Under Memorandum Order No. 271 [Appendix F], the Commission was tasked to submit "recommendations on safety nets and other protective measures to prevent or remedy abuses against overseas workers and other Filipino nationals abroad." Thus, in the first two weeks of May 1995, the Commission conducted separate sectoral consultations with the following groups: organized labor, employers and private

recruitment/manning agencies, overseas contract workers, government agencies and organizations, and nongovernment organizations (NGOs).

On 16-17 May 1995, representatives of these sectors attended a Multisectoral Consultation Workshop on the Protection of Overseas Filipinos and came up with the following priority areas of intervention:

- o *Services* - Programs and services should definitively address the needs and concerns (psychosocial, legal, medical, insurance, information, livelihood) of overseas Filipinos during the various phases of labor migration (pre-departure, on-site, reintegration). Common activities identified were: adequate orientation and preparation, information drive, and worker education to ensure an informed decision.
- o *Structure* - There must be an integrative mechanism to coordinate all the efforts of the various agencies ministering to overseas Filipinos. OCWs must also be properly represented in this structure to ensure that their concerns are appropriately and adequately addressed. The present separate structures servicing overseas Filipinos are constrained by their *mandates and resources* in fully addressing the problems and needs of OCWs.
- o *Policy/Legislation* - The various sectors, in principle, favored a Magna Carta for Overseas Filipinos. However, except for the NGOs, these sectors neither reviewed the bills nor presented their suggestions.

The groups underscored policies that would address problems of *illegal recruitment* and the *adjudication process*. One of the policies under consideration is the *full disclosure policy* [Appendix G]. This policy entails a paradigm shift that will require not only a review and overhauling of the labor standards that have become irrelevant, and of processes that do not take into account host country legislations and market realities, but also attitude change on the part of all sectors involved: the government bureaucracy, the recruiters, employers and the OCWs.

- o *Research* - Monitoring and evaluation of the various programs and interventions are needed. It is important to conduct both process and impact evaluation to provide valuable information on the effectiveness of the programs and the factors that contribute to or impede their implementation.
- o *Data Bank* - A valid and reliable data base on overseas Filipinos is imperative if programs, policies and measures are to be responsive.
- o *Others* - Other priority measures call for *political will, training and retooling* of those in the service, and *ratification* of the relevant *international conventions*.

Assistance-to-Nationals Task Force

On 6 April 1995, an Assistance-to-Nationals (ATN) Task Force was created by virtue of Administrative Order No. 182 [Appendix H] in order to establish a consolidated multisectoral agenda and arrangements for better responses to the problems affecting overseas Filipinos. The ATN Task Force, composed of 11 government agencies and four private sector representatives, is chaired by the Department of Foreign Affairs (DFA) and co-chaired by the Department of Labor and Employment (DOLE). The Commission on Filipinos Overseas serves as the Secretariat. The member agencies include the Department of Justice (DOJ), Department of Social Welfare and Development (DSWD), Department of Health (DOH), National Commission on the Role of Filipino Women (NCRFW), Philippine Overseas Employment Administration (POEA), Overseas Workers' Welfare Administration (OWWA), National Bureau of Investigation (NBI), Commission on Human Rights (CHR) and Commission on Filipinos Overseas (CFO).

Six weeks after its establishment, the ATN Task Force put in place a coordinative mechanism for an integrated government and public sector response system to the problems of international migration. The Task Force is expected to pursue doable activities that will harmonize national goals and strategies devised to protect the well-being and rights of overseas Filipinos. Its work program [Appendix I] includes:

- o *Structural Reforms* (upgrade and strengthen the Consular Assistance Division, redeploy personnel, etc.)
- o *Upgrading of Infrastructure and Support Mechanisms* (establish 24-hour operations/ computerization, multisectoral support networks)
- o *Policy Reforms* (rethink Overseas Employment Program or OEP and develop accompanying plan, draft the crisis management and security manual)
- o *Functional Reforms* (reform/enhance mandate of support agencies)
- o *Enhance Coordinative Mechanism* (establish multisectoral forum on migration, database linkages)
- o *Bilateral and Multilateral Initiatives* (establish joint commissions on migrant workers, use of regional and global platforms)
- o *Retooling and Reorientation of the Foreign Service*
- o *Education Reform and Information Program* (education curriculum reform, image and service projection, establishment of the Migrant Advisory and Information Network or MAIN).

The ATN Task Force served as a venue for analyzing two versions of the Magna Carta — House Bill No. 14314 and Senate Bill No. 2070, [Appendix J]. The member agencies suggested changes to and refinements of certain provisions, including:

- o coverage of all overseas Filipinos and not just the overseas migrant workers;
- o definition of terms;
- o limitation of avallment of benefits and services only to those duly registered with POEA and OWWA;

- o renaming of the Filipino Overseas Workers' Center to Filipino Overseas Resource Center;
- o staffing of said Center;
- o establishment of a shared government information system for migration;
- o clear delineation of the government programs and services that address problems at the various stages of the migration process;
- o representation in Congress for overseas Filipinos;
- o establishment of a legal assistance fund;
- o participation of the Professional Regulatory Commission in providing the guidelines to allow the practice of professions by Filipino expatriates in the country; and
- o sources of funds and appropriations.

INTERNATIONAL INSTRUMENTS FOR THE PROTECTION OF MIGRANT WORKERS

The signing by the Allies and Germany of Part XIII of the Treaty of Versailles at the end of the First World War established the International Labor Organization (ILO). From the first session of the International Labor Conference in Washington D.C. in October 1919, the ILO has been concerned with the protection of migrant workers. The Preamble to the ILO's Constitution which states that:

conditions of labor exist involving such injustice, hardship, and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperiled; and an improvement of those conditions is urgently required; as for example, by ... protection of workers when employed in countries other than their own (quoted from Penna in Battistella, 1993).

Moreover, Article 427 of the Treaty of Versailles argues that the working conditions in host countries must ensure fair economic terms for all legal workers in those countries.

The ILO is a specialized agency of the United Nations with a tripartite structure, enabling equal status among representatives of governments, employers, and workers. The organization's concern for migrant workers are expressed in International Labor Conventions and Recommendations or International Labor Standards. These Recommendations and Conventions embody the agreements reached by two-thirds majority of the representatives of ILO member states.

Major ILO Conventions and Recommendations for Migrant Workers

ILO Conventions and Recommendations are inspired both by humanitarian concerns, particularly the visible plight of workers, and by a notion of social justice, which embraces equality, dignity and security as well as participation in economic and social matters (Szal, 1995).

Since 1919, the ILO has adopted several international instruments containing comprehensive sets of standards on migration issues. The most relevant ILO standards pertinent to migrant workers are as follows:

- o Convention No. 97 - Migration for Employment Convention (Revised), 1949
- o Recommendation No. 86 - Recommendation Concerning Migration for Employment (Revised), 1949
- o Recommendation No. 100 - Protection of Migrant Workers (Underdeveloped Countries), 1955

- o Convention No. 111 - Discrimination in Employment and Occupation
- o Convention No. 118 - Equality of Treatment (Social Security), 1962
- o Convention No. 143 - Convention Concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers, 1975
- o Recommendation No. 151 - Recommendation Concerning Migrant Workers, 1975
- o Recommendation No. 169 - Recommendation Concerning Employment Policy, 1975
- o Convention No. 157 - Establishment of an International System for the Maintenance of Rights in Social Security, 1982

While ILO Conventions and Recommendations contain laudable provisions, they do not automatically guarantee the protection of the migrant workers. On the one hand, Conventions have to be ratified by each member state, whose national laws and practices should be consistent with the ratified Convention. On the other hand, Recommendations, which provide supplementary information, carry a moral force but cannot be ratified (Noriel, 1993). However, since these international instruments are considered as standards for the protection of migrants' rights and welfare, they may be incorporated and/or serve as basis for enacting national laws and policies and forging agreements with other countries.

Convention No. 97

After its 32nd session in Geneva on 1 July 1949, the ILO adopted Convention No. 97 which revised the 1939 Convention Concerning Migration for Employment. Article 1 of the Convention

aims to make available on request to the International Labor Office and Ratifying States "information on national policies, laws and regulations relating to emigration and immigration; information on special provisions concerning migration for employment and the conditions of work and livelihood of migrants for employment; information concerning general agreements and special arrangements on these questions concluded by the Member."

The Convention, in Article 6, points to the protection of migrant workers. It obliges Ratifying States to apply without discrimination to immigrants within their territory the same treatment as that which they apply to their own nationals in respect of the following: (a) salaries, membership in trade unions and enjoyment of the benefits of collective bargaining, and accommodation; (b) social security; (c) employment taxes, dues or contributions payable in respect of the person employed; and (d) legal proceedings relating to the matters referred to in this Convention.

Another notable provision is Article 7 Section 2 which states that a member state's public employment services to migrants for employment are free of charge. The Philippine government does not implement this provision because the Philippine Overseas Employment Administration (POEA) charges fees for processing the papers of contract workers (*Philippine Migration Review*, 1990).

Recommendation No.86

Recommendation No. 86, an accompanying document of Convention No. 97, embodies provisions on the rights of migrant workers and defines the responsibilities to the migrant workers of both labor-exporting and labor-importing countries. It addresses the multifarious concerns of migrant workers and the recommended duties of concerned countries in various phases of the migration process, from pre-departure, on job-site, to reintegration.

Article II of the document explicitly stipulates that "each member should have due regard to the manpower situation in the country and the government should consult the appropriate organizations of employers and workers on all general questions on migration for employment."

As in Convention No. 97, Recommendation No. 86 further elaborates the principle of equality of treatment. This document also suggests an Annex detailing a "Model Agreement on Temporary and Permanent Migration for Employment, Including Migration of Refugees and Displaced Persons."

The Model Agreement includes specific provisions on the following:

- o Exchange of Information,
Action Against Misleading Propaganda
- o Administrative Formalities
- o Validity of Documents
- o Conditions and Criteria of Migration
- o Organization of Recruitment
- o Introduction and Placing
- o Selection and Testing
- o Information and Assistance of Migrants
- o Educational and Vocational Training
- o Exchange of Trainees
- o Conditions of Transport
- o Travel and Maintenance Expenses
- o Transfer of Funds
- o Adaptation and Naturalization
- o Supervision of Living and Working Conditions
- o Settlement of Disputes
- o Equality of Treatment
- o Treatment to Trades and Occupations
and the Right to Acquire Property
- o Supply of Food
- o Housing Conditions
- o Social Security
- o Contracts of Employment
- o Change of Employment
- o Employment Stability
- o Provisions Concerning Compulsory Return
- o Return Journey
- o Double Taxation
- o Methods of Cooperation
- o Final Provisions which shall determine the duration
and expiration of the Agreement

The Model Agreement is valuable for framing a standard agreement mutually acceptable to the concerned countries of origin and of destination. The contents of the Model Agreement are more comprehensive than the Labor Agreements that the Philippines, under President Ferdinand E. Marcos, had concluded with Iraq, Qatar, and Jordan (*ibid.*). The latter merely delineate the essential features and the mechanics of labor export/import among concerned parties while the Model Agreement of Recommendation No. 86 stipulates specific measures to implement general provisions.

Convention No. 143

Convention No. 143 is an offshoot of a resolution adopted by the International Labor Conference in 1971 to review existing standards for migrant workers in the light of increasing incidence of international trafficking of labor, clandestine/undocumented migration, and discrimination against migrants.

This Convention has two parts. A Ratifying State has the option to exclude either Part I or Part II of the Convention provided that it details the measures to be taken in the other part.

Part I deals with "Migrations in Abusive Conditions." Article 1 requires all Ratifying States "to respect the basic human rights of all migrant workers," **including undocumented workers**. Article 3 calls on signatory countries to adopt all necessary and appropriate measures "to suppress clandestine movements of migrants for employment and illegal employment of migrants and against the organizers of illicit or clandestine movements of migrants ..." Ratifying States are to prosecute those engaged in manpower trafficking. Another important provision in Article 9 mandates "the equality of treatment for himself (the illegal migrant) and his family in respect of rights arising out of past employment as regards remuneration, social security, and other benefits."

Part II which is concerned with "Equality of Opportunity and Treatment," applies only to legal migrants. Each Ratifying State is required to declare and pursue a national policy "to promote equality of opportunity and treatment in respect of employment and occupation, of social security, of trade union and cultural rights, and of individual and collective freedoms for persons who as migrant workers or as members of their families are lawfully within their territory."

Convention No. 143 has two corollary Recommendations (No. 151 and No. 169) furthering the interest and protection of migrants.

Recommendation No. 151

Part I of Recommendation No. 151 provides for the principle of equality of opportunity and treatment of migrant workers and members of their families with nationals of state parties. Part II includes measures to formulate and apply a social policy appropriate to national conditions and practice in which migrants are entitled to reunification with their families, protection of their health, and social services. Part III deals with security of employment and residence of migrant workers. This section provides for the protection of migrants from expulsion upon loss of employment, sufficient time to find alternative employment in case of job termination, and entitlement to unemployment benefits.

Apparently, the provisions of Convention No. 143 and Recommendation No. 151 address the plight of Filipino migrant workers. Human rights violations experienced by Filipino migrants can be seen in their deplorable work conditions, discrimination, abuses and exploitation (Battistella, 1993). It is ironic that most violations against migrant workers have been perpetrated by countries which are signatories to the Universal Declaration of Human Rights and the International Covenant for Civil and Political Rights.

Recommendation No. 169

Recommendation No. 169 urges labor-exporting countries to generate more local employment opportunities and create better conditions of work locally to entice their nationals to stay. It also calls for both countries of origin and of employment to conclude bilateral and multilateral agreements.

A scholar on migration (Asis, 1992) argues that contract migration is likely to continue in the foreseeable future. Even if the Philippines would have achieved "Philippines 2000," it would still export surplus labor. As such, the government should have a vision to generate policies on migration that favor the protection of Filipino

workers. A step towards this is the conclusion of bilateral and multilateral agreements, taking into account the provisions of ILO international instruments.

The record of the Philippines in negotiating agreements is poor. As of December 1990, the Philippine government had concluded bilateral agreements only with three countries, namely, Jordan, Iraq, and Qatar [Appendix K]. These countries are not even major destinations of Filipino workers.

The Philippines should also continue to negotiate social security agreements particularly with countries where there are large concentrations of Filipino migrant workers. So far, the Philippines has ratified and put into force social security agreements only with three countries, namely, Austria, Spain and the United Kingdom. The Philippines has also ratified a social security convention with France. At present the Philippine government has seven other proposals for social security agreements.

The Philippines, like other Asian countries, has been lukewarm in ratifying ILO instruments. There have been only 469 instruments ratified in Asia, or 8.3 percent of the total of 5,642 ILO instruments. Countries that have ratified some of the ILO instruments include: Bangladesh, Indonesia, India, Malaysia, Nepal, Pakistan, the Philippines, the Republic of Korea, Singapore, and Thailand. No Asian country has ratified the two principal international instruments (Convention Nos. 97 and 143) that relate to migration for employment, except Malaysia, which ratified Convention No. 97 with limited application to Sabah.

It is imperative that the Philippine government ratify ILO Conventions, particularly Nos. 97 and 143. In so doing, the government can forge bilateral labor agreements with 25 countries in which a significant number of Filipino migrants are currently based. The 25 countries are among the 36 signatories of Convention No. 97 and 10 of them belong to the 15 signatories of Convention No. 143 (*Philippine Migration Review*, 1990). For Middle East countries which are not signatories to these Conventions, the Philippine government should negotiate agreements to adopt some of the sections of the Model Agreement, even on an informal arrangement only.

UN Convention on the Protection of All Migrant Workers and Members of Their Families

The Philippine government played a major role in pushing for the United Nations (UN) Convention on the Protection of Migrant Workers and Their Families. This is a landmark convention “which provides in a single multilateral instrument a comprehensive set of standards universally applicable to migrant workers and their families. It covers for the first time several subcategories of migrant workers and provides a universal dimension of the ‘migrant worker’” (Arts. 2, 58-63) (Nanda, 1993: 261). This Convention covers both the documented and undocumented workers. However, the Convention bestows the documented workers with special rights which undocumented workers do not enjoy. These include (*ibid.*):

- o liberty of movement
- o right to family unity
- o political rights in the state of employment
- o participation in decision-making pertaining to their institutions and the life and administration of local communities
- o certain trade union freedoms
- o equality of treatment with nationals regarding certain benefit programs
- o certain employment protections.

While ratification of this Convention, particularly by receiving countries, is encouraged, it should be noted that there are still gaps in coverage that must be addressed. These gaps, delineated by Nanda (*op. cit.*:264-267), include:

- o noncoverage of other persons in business, trade, and investment, as well as seafarers, workers on offshore installations, and asylum seekers
- o lack of specific attention to the special situation of migrant women and to the second generation of migrant workers in general

- o inadequate provision in Article 50 of the Convention for the rights of family members (spouses and children) independent of those of the migrant workers
- o only a partial granting under the Convention of the right to participate in the political processes in the receiving state
- o the Convention's reliance on an indirect enforcement mechanism under which State Parties are obligated to provide 'an effective remedy' through their judicial, administrative, legislative, or any other competent authority
- o the undocumented workers do not enjoy guaranteed rights pertaining to liberty of movement (Art. 30); trade union rights (Art.40); equality of treatment with nationals of the state of employment regarding housing, educational and health services, access to and participation in cultural life (Art. 43); right to family unity (Art. 44); and several employment-related rights (Art. 45-50).

As earlier noted, it is of utmost importance that the Philippine government ratify the various international instruments and enforce their provisions to protect our migrant workers. The government must also carefully study the gaps in these instruments and address them appropriately. Of particular importance is the development of mechanisms that would encourage the undocumented workers to have themselves documented so that their rights could be protected and safeguarded.

CHALLENGES AND CONSTRAINTS AFFECTING THE CAPACITY OF GOVERNMENT TO ADEQUATELY ADDRESS THE NEEDS OF OVERSEAS FILIPINOS

International migration has a consequence that far extends beyond economic structures. There are social implications to this global reality that affects not only the core of individual family lives, but even the social fabric and coherence of a nation. The challenge posed by these realities is how to manage the phenomenon of labor migration.

While there has been an explicit recognition of this challenge, it is best to assure the government's resolve in addressing these realities within the realm of policy and program initiatives.

In this assessment, however, one has to establish first the general public perceptions that have influenced the government in many of its decisions. While these perceptions may not necessarily capture the reality, they have a critical role in pushing the reform process that immediately followed the public's manifestation of disgust and frustration over the Contemplacion-Maga Case. These perceptions may be summarized as follows:

1. Government pays mere lip service to the "new heroes" by not giving them attention and protection commensurate to the overseas Filipinos' contribution to the economy;
2. Government puts greater priority on maintaining good relations with other countries over protecting the well-being of its citizens abroad;
3. Government does not have a comprehensive program for overseas Filipinos, but merely reacts to issues and problems as they arise; and
4. A culture of indifference and ineffectiveness pervades the foreign service.

The issues and concerns that have adversely affected the ability of government to effectively respond to the problems of overseas Filipinos may be classified into four major areas:

1. Institutional;
2. Behavioral/attitudinal problems;
3. Communication breakdown; and
4. Policy.

The following discussion of each of these areas reveals inherent weaknesses and defects in existing frameworks and processes.

Institutional

1. There are structural defects in existing government agencies that address the concerns of Filipinos overseas. This is clearly seen in the internal structures, for instance, of the Department of Foreign Affairs (DFA). While the Consular Assistance Division (CAD) has been designated as the focal unit for "Assistance-to-Nationals" cases, it is not attached to the Office of Consular Services. Thus the CAD is deprived of the very important coordinative function and infrastructural support essential in any program of government.
2. Part of the structural defects is the absence of a coordinative mechanism or body that can effectively integrate the efforts of various government agencies. Given the complex problems of Filipinos overseas, it is clear that the solutions to their problems require a comprehensive support system that would involve the different agencies of government, the non-government sector, academe, and the private sector. There are at least twelve government agencies that attend to the problems of overseas Filipinos. The separate initiatives of these agencies will have to be integrated, or at least coordinated, to ensure complementation of agency efforts and to maximize the use of their limited resources.

3. Functional infirmities are another problem. On the part of the Philippine Overseas Employment Administration (POEA), its adjudication functions will have to be readjusted and strengthened to provide "teeth" to its drive against illegal recruitment. Beyond the POEA are other government agencies whose mandates may need rethinking and realignment to provide for a cohesive program for overseas Filipinos.
4. The absence of a definite body to formulate and coordinate policy on overseas Filipino concerns diminishes the ability of government to proactively address the problems and concerns attendant to migration. While the presence of Filipinos in many countries around the world is a fact of life, there is no consolidating mechanism which will integrate the various programs and services of government for them. The various government agencies, as dictated by organizational standards, have adopted specialized tasks that address specific sectors of the overseas Filipino population — the overseas contract workers and the immigrants. Beyond the two categories are the undocumented Filipinos who, more often than not, are considered to be an incidental concern of government. This reality dictates a more comprehensive view of the concerns of overseas Filipinos in general. While the "country team" approach has been adopted to integrate the efforts of various government representatives overseas, there is no mechanism or body in the home front to coordinate and consolidate the over-all policy.
5. Communication bottlenecks are another problem. They are almost inherent in big bureaucracies, more so when such offices have units beyond the national geographic boundaries. At the DFA and the DOLE, communication bottlenecks are highlighted by the fact that problems which originate abroad require solutions from other intervening agencies or units in the Philippines. As information is passed from one layer of the organization to another, the relevance and timeliness of interventions are put to test. The delegation of greater authority to the Heads of Posts, therefore, should be given serious thought. This should be complemented by

a serious effort to simplify communication flows and procedures. Government agencies should pinpoint specific units that will be accountable for the tasks.

Serious effort should also be undertaken to establish effective lines of communication among agencies of the government and the various sectors of the society. The magnitude of the problems of overseas Filipinos requires the cooperation of various agencies and the restructuring of communication and coordination lines among the various actors in the playing field.

6. Bureaucratic restraints likewise impede the ability of government to effectively address the problems of overseas Filipinos. These restraints include basic administrative, procedural, and financial problems that can undermine any good-intentioned and well-planned framework for effective intervention. As programs and services are redefined to become client-driven, organizations have not correspondingly been modified to suit the thrusts of these initiatives. While government aims to be more proactive and preventive in its approach, there is no apparent resolve to effect the necessary organizational changes. As government looks into the problems of overseas Filipinos, the solutions have been viewed and defined invariably in terms of simple arithmetic. Many in government still think that more resources (manpower and money) would lead to better services. Time and experience have proven that this is not so. Proposals, therefore, to create new offices within Departments to address the problems at hand do not necessarily guarantee solutions. Instead, the institutions are converted into bigger and more unmanageable entities which make communication and service delivery more complicated. What is needed now are forward-looking, small, and compact units or agencies that would lessen the bureaucratic restraints in all big and complex departments.
7. The inadequacy of resources has also been identified as a critical issue. The average consular staff to worker ratio in Philippine Embassies/Consulates in the Middle East currently stands at 1:5,600. Considering the huge number

of Filipinos in the area, additional personnel should be provided to adequately address the OCWs' needs. The financial resources needed to carry out the over-all reform and intervention program will also have to be provided to establish a more meaningful presence for the government and its partners in the implementation of the program.

Behavioral/Attitudinal Problems

1. Behavioral problems pervade not only the people in government but also the public at large. While conventional wisdom would favor a reorientation in the attitude and culture of people in government, reality dictates a reformation also in the attitude and thinking of the public. The reality is that as the government tries to address the clamor for more responsive services, the public largely expects it to provide services beyond the limits of its resources. So much so that there is no longer a distinction between what the government *can do* and *should do* for its citizens.
2. The culture of public service requires a serious reformation process from that of "indifference" to "caring." The Department of Foreign Affairs (DFA) has been tagged as elitist primarily because it is perceived to be unable to communicate through service its intent to care for its publics. The frontline units of the government, particularly the diplomatic posts abroad; will have to be manned by officials and personnel who are attuned to the needs and problems of the Filipino migrants if they are to be effective in delivery of services.

Communication Breakdown

1. The government units responsible for addressing the problems of overseas Filipinos lack the ability to communicate the realities of migration. While the general perception favors migration as a means to further individual

economic goals, the government has done little to ensure that adequate information is given to the public to enable it to make informed decisions about migration.

2. The existing support system of government has also failed to provide for an effective feedback mechanism, thereby generating public cynicism, if not contempt, over the perceived inability of government to respond to the needs of Filipinos overseas. While existing policies and laws require government agencies to respond within fifteen days from receipt of requests, this is hardly followed. This calls for the establishment and operation of 24-hour coordinative and information centers within the various agencies of government.
3. The Department of Foreign Affairs (DFA) has no effective tracking and monitoring system for assistance-to-nationals (ATN) cases. This limits its ability to manage effectively its ATN program. Setting up such a system in the home office will "keep the posts on their toes" and induce them to provide definitive answers to problems brought to their attention. This system will run parallel to the establishment of a feedback mechanism that will benefit the public at large and the posts.
4. There is also a clear failure on the part of the government to project effectively its services, capabilities, as well as limitations. The services that the government can offer, given its present capabilities, should be carefully defined to the public. While it is good politics to project a government that is prepared to address all the needs of its citizens, it is destructive to project this image when the government can only realistically provide so much. This is particularly true for situations where the government has tried to sway public opinion to its favor by suggesting that it shall provide interventions or assistance to all overseas Filipinos in need, regardless of their status and the nature of their needs. In essence, this means that the government shall not distinguish between the documented and the undocumented workers, and between those who have faithfully abided by the laws of the host countries and those who have not. The

communication policy must define priorities in terms of the coverage of the services that the government should provide its nationals abroad.

Policy Issues

1. The government must clearly state whether it has or does not have an overseas employment program. While President Fidel V. Ramos, in his Labor Day speech, indicated that the government has no overseas employment program, the reality, as evidenced by the existence of the Philippine Overseas Employment Agency (POEA) and its marketing programs, indicates otherwise. Flip-flopping on this question will impede, rather than facilitate, the establishment of the necessary support measures for the overseas Filipino communities. The absence of a clear-cut policy on this matter also gives conflicting signals to the local and foreign community, thereby diminishing the potential for establishing a collective local and international response to the problem.
2. The policy environment for the programs and services for overseas Filipinos will also have to be defined clearly. In developing these programs, one has to bear in mind the following:
 - a. For every opportunity arising from overseas migration, there is a corresponding threat;
 - b. Beyond the welfare needs of overseas Filipinos are their interests in a genuine partnership with the country; and
 - c. While individuals have rights, they also have corresponding obligations to provide for a more mature relationship between the government and the people it serves.

WHAT REMAINS TO BE DONE

Given the aforementioned considerations and recommendations, the following issues must be dealt with by the various sectors involved:

1. *Paradigm Shifts and Attitude Change*

The paradigm shifts require attitude changes that in turn, may require organization development interventions that will enable those involved to move (a) from a "turf mentality" to a "cooperative framework," (b) from focusing on separation of line functions to a strategic type of alliance, and (c) from hiding one's cards to laying one's cards on the table. The rewards and reinforcements for such shifts must be in place to continuously support the viability and appropriateness of these changes. Such changes entail areas of ambiguity and uncertainty. Thus, it is important that not only are concrete guidelines provided but the concerned personnel must also be equipped with skills to deal with the ambiguity, uncertainty and the stress engendered.

2. *Conflict of Interest*

Each of the sectors (government agencies, legislators, recruiters, overseas contract workers, organized labor, nongovernment organizations, general public) will have to deal with the other sectors self-oriented interests and realign or balance them with the common good of all concerned. Whether these interests are tangible (profits) or intangible (psychological rewards or recognition of one's contribution), there must be a code of ethics and a set of values that work toward the common good and remain paramount in the total framework.

3. *Trust*

Along with a paradigm shift, the various players must also rework their trust in one another. Instrumental to the development of trust is a better understanding of each one and a willingness to give everyone a second chance. Openness and a nonjudgmental attitude are imperative for each one to operate in a new environment.

4. *Political Will*

Political will mainly pertains to the government because it is the main actor as far as this issue is concerned. The government cannot just pay lip service to recommendations and bills filed or enacted into law, and issue platitudinous statements during Labor Day celebrations. As noted in the previous section, the reality requires that government articulate what it is actually doing and not simply state what it does not want to have (overseas employment program). Then and only then can it adequately give teeth to all legislations and act positively on the recommendations.

5. *Leadership vs. Management*

The line agencies need leaders, not just managers. To sustain the trust that must be built between and among those involved in this issue, they must show constancy (staying the course), congruity (matching words with deeds), reliability (being there when it counts), and integrity (honoring one's commitments and promises). Leaders are those who provide the vision, have a long-range perspective, are dynamic, capable and innovative, are concerned not only with the content but also the process (Bennis, 1989).

As the global community approaches a new millenium, nations are faced with realities that require creative responses to the visible threats that affect the well-being of migrants. For years, many countries seemed to have worked on the assumption that as national boundaries become less pronounced with the free movement of peoples across states, migrants will easily be assimilated within the mainstream of national and global concerns. Existing conditions and realities indicate otherwise.

Given this, nations will have to be more pro-active in their responses to the developments that occur as a result of the international sharing of human resources. The Philippines, in particular, will have to overcome the traditional constraints and face squarely, and with clearer resolve, the threats faced by its migrants abroad. Because it shares no less than 10 percent of its population with the rest of the world, the Philippines will have to be dynamic in its approaches to the problem. In this regard, it must be guided by no less than a firm commitment to the common good.

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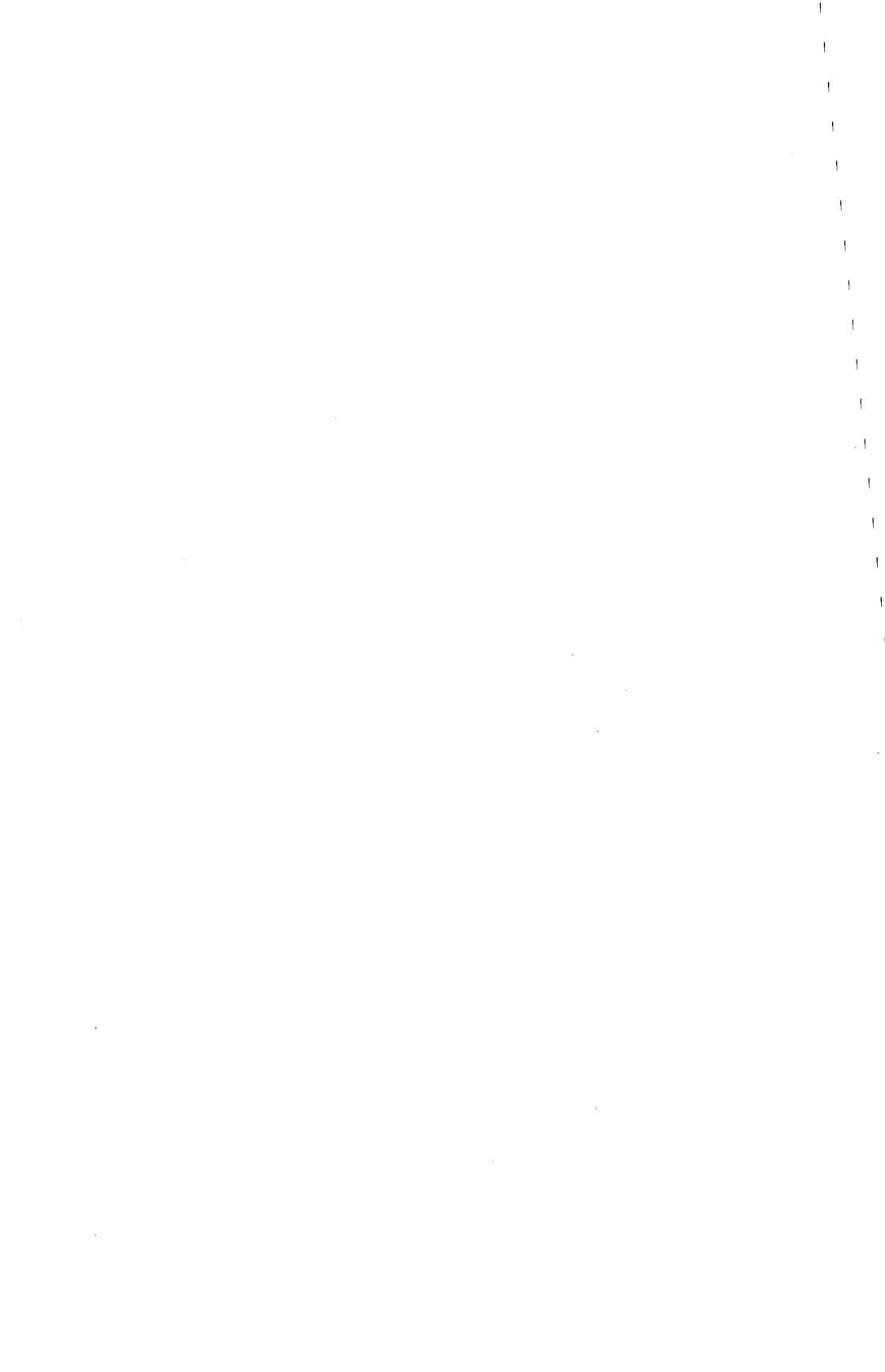
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- Appendix B *Filipino Migration: A Situationer*
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on Overseas Employment
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Appendix A

Senate Bills Related to the Magna Carta of Overseas Filipinos

- **Senate Bill No. 2068**
introduced by Senator Blas F. Ople
- **Senate Bill No. 2069**
introduced by Senator Ernesto Herrera
- **Senate Bill No. 2070**
introduced by Senator Alberto G. Romulo
- **Senate Bill No. 2071**
introduced by Senators
Edgardo J. Angara,
Rodolfo G. Biazon,
Gloria M. Macapagal-Arroyo,
Raul S. Roco and
Francisco S. Tatad

NINTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)

S E N A T E

S. No. 2068

Introduced by Senator Ople

EXPLANATORY NOTE

The Constitution expressly mandates the State to afford full protection to labor, both local and overseas, whether organized or unorganized.

In the case of overseas workers, a number of legislative and executive measures have been enacted and issued during the past twenty years since the overseas employment program was established with the objective to systematize and rationalize the said program and also to protect the interests and welfare of our overseas workers.

Nevertheless, it appears that the present system, structures and procedures that have been established to implement the various aspects of the overseas employment program of government have failed to address the needs and concerns of our overseas workers. Many documented cases have shown the mounting problems and difficulties suffered by hundreds of Filipinos OCWs in foreign countries.

The tragedy of Flor Contemplacion, the domestic helper recently hanged in Singapore, has brought into sharper focus not only the deficiencies and loopholes in the existing structures designed to protect overseas workers, but also the apparent apathy, indifference and negligence shown by government officials and functionaries charged with protecting and promoting the welfare of these workers.

Specifically, the Contemplacion case has shown the glaring fact that it is the area of legal welfare of our overseas workers which our present system and structures have miserably failed to address. In compliance with the request made by this representation during the recent Senate joint hearing of the Committees on Foreign Relations and Labor and Employment on the Contemplacion case, the Department of Foreign Affairs submitted a list of Filipino OCWs detained abroad for various offenses. The

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list shows that there are 1,005 Philippine nationals detained abroad for various offenses, with the Kingdom of Saudi Arabia having the most number of Filipino detainees at 474. Singapore comes second with 108 and Tokyo, Japan is third with 99. There are 55 detained Filipinos in Malaysia, 51 in Kuwait, 27 in Hongkong and 25 in Abu Dhabi.

On the other hand, there are 26 Filipinos facing the death penalty abroad of whom 23 are detained in Malaysia, 2 are in Beijing, China and one in Abu Dhabi.

This bill therefore seeks to provide the urgent response to address the abovesited tragic plight of our overseas workers by establishing a permanent government body to be called the "Legal Welfare Commission for Overseas Workers" which shall be primarily responsible for devising and setting up the appropriate system and procedures that would provide immediate legal assistance and protection to Filipino overseas workers who are arrested, investigated or charged with criminal, civil or administrative offenses in the countries where they work, or who have themselves filed complaints against their foreign employers.

The Commission shall be composed of a Chairman and two members to be appointed by the President of the Philippines, with proven competence and with at least ten (10) years experience as a legal practitioner either in the government service or in private practice or both. The Commission shall be staffed by a pool of lawyers from the Departments of Justice, Labor and Employment, Foreign Affairs, Office of the Solicitor General and other agencies concerned as may be detailed therein upon authority issued by the Office of the President. The Commission may also appoint or hire additional lawyers and other technical and administrative personnel for the effective discharge of its functions, including the hiring of competent foreign lawyers to represent overseas workers facing charges abroad, provided that a Filipino lawyer shall always be assigned to collaborate with any foreign lawyer so hired to ensure that the rights and interests of the workers are adequately safeguarded.

Among the other important functions of the Commission shall be to:

- * Investigate, on its own or on complaint of any overseas worker or any member of his family, any grievance or complaint against an official or employee of any department, agency or office of the Philippine government whether here or abroad;

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- * Establish close linkages and arrangements with the DOLE, DFA, POEA, OWWA and other government agencies concerned, as well as with non-government organizations and associations involved in helping overseas workers to ensure effective coordination and cooperation in the provision of legal assistance services to said workers;
- * Keep and maintain a record and inventory of all cases and complaints filed by or against overseas workers abroad and regularly monitor the status and progress thereof and ensure that the workers are given adequate legal assistance and protection as provided under the proposed Act; and
- * Recommend to Congress and to the President legislative and executive measures that the Commission deems necessary to protect the rights and promote the overall welfare of Filipino overseas workers.

This bill also seeks to establish a Legal Assistance Fund for OCWs to finance the legal services to be extended said workers such as the hiring of competent foreign lawyers to represent them, payment of bail bonds to secure the temporary release of workers who are under detention, payment of court fees and other litigation expenses. The said fund, which shall be administered by the Commission, shall be sourced from the Contingency Fund of the President, the Presidential Social Fund, and from the Welfare Fund for Overseas Workers administered by the OWWA.

The government has time and again claimed that our overseas workers are the new heroes considering their valuable contributions to the overall economic development of the country. Yet present government structures and systems have miserably failed to provide these new heroes the support, assistance and care they truly deserve. It is high time that we correct such injustice and neglect.

The early approval of this proposed measure is, therefore, earnestly requested.

(Sgd.) BLAS F. OPLE
Senator

NINTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)

S E N A T E

S. No.2068

Introduced by Senator Ople

AN ACT

CREATING A LEGAL WELFARE COMMISSION FOR OVERSEAS WORKERS, DEFINING ITS POWERS AND FUNCTIONS, AND SETTING UP A LEGAL ASSISTANCE FUND AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Declaration of Policy.* — The Constitution expressly mandates that the State shall afford full protection to labor, local and overseas, organized and unorganized. Towards this end, the State is obliged to protect the interest and promote the welfare of Filipino overseas workers in recognition of their valuable contribution to the overall economic development of the country.

In the implementation of the above constitutional mandate and declared policy, it is imperative that an effective mechanism be instituted to ensure that the rights and interests of Filipino workers who find themselves in legal predicament in the countries where they are working, are adequately protected and safeguarded.

SEC. 2. *Creation of the Commission.* — To carry out the objectives of this Act, there is hereby created a body to be known as the "Legal Welfare Commission for Overseas Workers", hereinafter referred to as the "Commission" to be composed of a Chairman and two (2) Members to be appointed by the President of the Philippines who must be of proven competence and with at least ten (10) years experience as a legal practitioner, either in the government service or in private practice of law or both.

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SEC. 3. *Term; Salaries; Privileges.* — The Chairman and Members of the Commission shall be appointed for a term of six (6) years without reappointment and shall receive and enjoy the same salaries and privileges as the Chairman and members of the Commission on Human Rights created under Executive Order No. 163, Series of 1987.

SEC. 4. *Powers and Functions.* — The Commission shall exercise the following powers and functions:

- (a) To devise and set up the appropriate legal system, structure and procedures that would provide immediate legal assistance and protection to Filipino overseas workers who are arrested, investigated or charged with civil, criminal or administrative offenses in the countries where they are working, or who have filed complaints against their foreign employers;
- (b) To investigate, on its own or on complaint by any Filipino overseas worker or any member of his family, any complaint or grievance said worker or member of his family has against an official or employee of any department, agency or office of the Philippine government, whether here or abroad;
- (c) To adopt its operational guidelines and rules of procedure, and cite for contempt for violations thereof in accordance with the Rules of Court;
- (d) To establish close linkages and arrangements with the Department of Labor and Employment and Foreign Affairs, the Philippine Overseas Employment Administration, the Overseas Workers Welfare Administration and other government agencies concerned, as well as with non-governmental organizations and associations of migrant workers, in order to ensure effective coordination and cooperation in the provision of legal assistance services to Filipino overseas workers;
- (e) To administer and manage the Legal Assistance Fund for Overseas Workers established under Section 6 hereof and authorize disbursements therefrom in accordance with the purposes for which the Fund was set up;

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- (f) To keep and maintain a record and inventory of all cases and complaints filed by or against Filipino overseas workers abroad and regularly monitor the status and progress thereof and ensure that the workers are given adequate legal assistance and protection as provided under this Act;
- (g) To recommend to Congress and to the President legislative and administrative measures that the Commission deems necessary to protect the rights and promote the legal welfare of Filipino overseas workers;
- (h) To request the assistance of any department, bureau, office or agency of the government for the effective discharge of its functions and responsibilities; and
- (i) To exercise such other powers and functions as may be necessary to accomplish the objectives of this Act.

SEC. 5. *Staff.* — The Commission shall be assisted by a pool of lawyers from the Departments of Justice, Labor and Employment, and Foreign Affairs, the Office of Solicitor General, and other government agencies concerned as may be assigned and detailed therein upon authority issued by the Office of the President.

The Commission may also appoint or hire additional lawyers and other technical and administrative personnel for the effective discharge of its functions, including the hiring of competent foreign lawyers to represent Filipino overseas workers facing charges abroad, provided that a Filipino lawyer shall also be assigned to collaborate with any foreign lawyer so contracted to ensure that the rights of said workers are adequately safeguarded.

SEC. 6. *Legal Assistance Fund.* — There is hereby established a Legal Assistance Fund for Overseas Workers, hereinafter referred to as the "FUND", in the amount of One hundred million pesos (P 100,000,000.00) to be constituted from the following sources:

- P 50 M from the Contingency Fund of the President
- P 30 M from the Presidential Social Fund
- P 20 M from the Welfare Fund for Overseas Workers established under LOI No. 537, as amended by P.D. Nos. 1694 and 1809.

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Any balances of existing funds which have been set aside by the government specifically as legal assistance or defense fund to help overseas workers shall, upon effectivity of this Act, be turned over to, and form apart of the FUND created under this Act.

SEC. 7. *Uses of the FUND.* — The FUND created under the preceding section shall be used exclusively to provide legal services to overseas workers in accordance with such guidelines and procedures as may be promulgated by the Commission. The expenditures to be charged against the FUND shall include the fees for the foreign lawyers to be hired by the Commission to represent overseas workers facing charges abroad, bail bonds to secure the temporary release of workers under detention, court fees and charges and other litigation expenses.

SEC. 8. *Appropriation.* — In order to cover the expenses for the operations of the Commission for calendar year 1995, there is hereby appropriated the amount of Thirty million pesos (P 30,000,000.00) to be charged against the Contingency Fund of the President or from any available item of appropriation in the budget for the Office of the President. For the succeeding years, the amounts necessary for the operations of the Commission shall be included in the budget of the Office of the President of the Philippines under the General Appropriations Act.

SEC. 9. *Separability Clause.* — The provisions of this Act are hereby declared to be separable, and in the event that any part, section or provision thereof is held invalid or unconstitutional, no other part or section or provision of this Act shall be affected thereby.

SEC. 10. *Repealing Clause.* — Any provisions of law, decree, executive order, rules or regulations which are in conflict with any provisions of this Act are hereby repealed or amended accordingly.

SEC. 11. *Effectivity.* — This Act shall take effect fifteen (15) days following its publication in the *Official Gazette* or in national newspapers of general circulation in the Philippines.

Approved,

/agl/SAA
4/19/95
9:10 a.m.

NINTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)

S E N A T E

S. No. 2069

Introduced by Senator Herrera

AN ACT
TO DECLARE THE GUIDING PRINCIPLES OF THE OVERSEAS
EMPLOYMENT PROGRAM AND ESTABLISH A HIGHER
STANDARD OF PROTECTION AND PROMOTION OF THE
WELFARE OF OVERSEAS FILIPINO [MIGRANT] WORKERS

*Be it enacted by the Senate and House of Representatives of
the Philippines in Congress assembled:*

SECTION 1. *Short Title.* — This Act shall be known and cited
as the "OVERSEAS Filipino [Migrant] Workers Act of 1995".

SEC. 2. *Guiding Principles.* — (a) Whether legal or illegal,
documented or undocumented, all OVERSEAS Filipino [migrant] workers
situated in any part of the world are entitled to the protection and care
of the State by virtue of their Philippine citizenship. In this regard, the
State shall exercise its inherent and supreme power and authority to extend
all NECESSARY assistance and charities and prevent [any form of] injury to
all OVERSEAS Filipino WORKERS [citizens abroad] — especially to those who
are unable to protect themselves.

(b) In the pursuit of an independent foreign policy and while
considering national sovereignty, territorial integrity, national interest and
the right to self-determination paramount in its relations with other states,
the State shall, at all times, endeavor to uphold the dignity of its citizens,
in general, and OVERSEAS Filipino [migrant] workers, in particular.

(c) While recognizing the significant contribution of OVERSEAS
EMPLOYMENT to the national economy IN TERMS OF DEVELOPMENT OF
INTERNATIONAL GOODWILL, FACILITATION OF TRANSFER OF TECHNOLOGY

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AND GENERATION OF [through their] foreign exchange, [remittances] the State SHALL (does) not promote MASSIVE overseas employment as THE PRIMARY means to sustain economic growth and achieve national development, BUT SHALL BE PURSUED IN THE CONTEXT OF THE GENERAL AGREEMENT IN TRADE IN SERVICES AND OTHER REGIONAL COOPERATION PROGRAMS. The existence of the overseas employment program rests solely on the assurance that the dignity and fundamental human rights and freedoms of the Filipino citizens shall not, at any time, be compromised or violated. The State, therefore, shall continuously create local employment opportunities and promote the equitable distribution of wealth and the benefits of development.

(d) The country-team approach, as enunciated under Executive Order No. 74, shall be the mode under which Philippine Embassies or their personnel will operate in the protection of the OVERSEAS Filipino [migrant] workers as well as in the promotion of their welfare. The protection of [the] OVERSEAS Filipino [migrant] workers and the promotion of their welfare, in particular, and the protection of the dignity and fundamental rights and freedoms of the Filipino citizen, in general, shall be the primordial concern of the Philippine Embassies that is superior to other diplomatic functions.

(e) Deployment of Filipino workers abroad entails, on the part of the State, a responsibility to ensure their protection. Pursuant to this, the Government shall deploy only FIT AND skilled Filipino workers and only to countries that guarantee their protection. Guarantee of protection to OVERSEAS Filipino [migrant] workers may be manifested by any of the following:

- i) The country has ADEQUATE [existing] labor and social laws protecting the rights of migrant workers; or
- ii) The country is a signatory to multilateral conventions, declarations or resolutions relating to the protection of migrant labor workers; or
- iii) The country has concluded a bilateral agreement or arrangement with the Government protecting the rights of overseas Filipino workers; or

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- iv) The country is taking positive, concrete measures to protect the rights of migrant workers.

(f) In recognition of the important role of the OVERSEAS Filipino [migrant] workers in the Philippine economy and their growing number, the State shall DEVELOP CONCRETE PROGRAMS THAT WILL FACILITATE EFFECTIVE [provide an atmosphere conducive to their] reintegration into the mainstream of Philippine society. Towards this end, mechanisms for the proper use and investment of their foreign exchange remittances shall be afforded to the Filipino migrant workers and their families.

(g) Non-governmental organizations, duly recognized as legitimate, are partners of the State in the protection of Filipino migrant workers and in the promotion of their welfare. The State shall cooperate with them in a spirit of trust and mutual respect.

[(h) The right of Filipino migrant workers to participate in the democratic decision-making processes of the State is recognized. The immediate institution of a system of absentee voting by qualified Filipinos abroad is imperative.]

SEC. 3. *Illegal Recruitment.* — COMMISSION OF ANY OF THE FOLLOWING ACTS BY A LICENSED RECRUITMENT AGENCY SHALL BE DEEMED ILLEGAL:

- I) EXACTION OF FEES BEYOND ALLOWABLE AMOUNTS PRESCRIBED BY THE SECRETARY OF LABOR OR COLLECTING FEES WITHOUT DELIVERING THE PROMISED EMPLOYMENT;
- II) PUBLICATION OR PROMISE OF NON-EXISTENT JOBS RESULTING IN WORKERS BEING STRANDED OR BEING FORCED TO ACCEPT A JOB OF LOWER PAY OR EXPOSURE TO HAZARDOUS/HARMFUL CIRCUMSTANCES; AND
- III) DEPLOYMENT OF WORKERS NOT FOLLOWING THE PRESCRIBED PROCEDURES SET BY POEA AND OTHER GOVERNMENT AGENCIES.

COMMISSION OF ANY OF THE ACTS UNDER ARTICLE 34 OF P.D. 442, AS AMENDED, OR ANY ACT OF RECRUITMENT BY A NON-LICENSED RECRUITER CONSTITUTE ILLEGAL RECRUITMENT.

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COMMISSION OF ACTS OF ILLEGAL RECRUITMENT AS HEREIN DEFINED SHALL BE PUNISHED IN ACCORDANCE WITH ARTICLE 39 OF P.D. 442, AS AMENDED.

The appropriate government agencies shall give utmost priority to the PREVENTION OF ILLEGAL RECRUITMENT AS WELL AS TO THE hearing and resolution of all cases involving illegal recruitment as defined under Article 38 of Presidential Decree No. 442, as amended.

FOR THE PURPOSE OF PREVENTING ILLEGAL RECRUITMENT, THE DEPARTMENT OF LABOR AND EMPLOYMENT (DOLE), THE PHILIPPINE OVERSEAS EMPLOYMENT ADMINISTRATION (POEA), THE OVERSEAS WORKERS WELFARE ADMINISTRATION (OWWA), THE DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT (DILG), AND THE CONCERNED LOCAL GOVERNMENT UNITS (LGUS) SHALL COOPERATE IN SETTING UP PROCEDURES USING THE MECHANISM OF THE PUBLIC EMPLOYMENT SERVICE OFFICE (PESO).

TO FURTHER STRENGTHEN THE EFFORTS AGAINST ILLEGAL RECRUITMENT, a mechanism for free legal assistance for victims of illegal recruitment constituting economic sabotage under Article 38 of Presidential Decree No. 442, as amended, shall be established within the Department of Labor and Employment including its regional AND OVERSEAS offices. Such mechanism must include coordination and cooperation with the Department of LABOR AND EMPLOYMENT and non-government organizations and other volunteer groups.

The provisions of Republic Act 6981 to the contrary notwithstanding, any person who becomes a victim of illegal recruitment constituting economic sabotage under Article 38 of Presidential Decree No. 442, as amended, shall be automatically entitled to the Witness Protection Program provided thereunder.

SEC. 4. *Services.* — Pre-departure loan and family assistance loan grants, legal assistance, repatriation services, and medical and disability assistance shall be provided by the Overseas Workers Welfare Administration (OWWA) to OVERSEAS Filipino [migrant] workers without delay and with minimum processing requirements. In order to [further] prevent unscrupulous, illegal recruiters from taking advantage of workers seeking employment abroad, the OWWA, in coordination with government financial institutions, shall institute financing schemes that will UPGRADE [expand] the grant of pre-departure loan and family assistance loan.

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Should A NEED FOR REPATRIATION, INCLUDING [the cause of] death of any OVERSEAS Filipino [migrant] workers, be not the result of [his committing] a crime but work-related or due ot natural means, or by accident; or by *force majeure*, the Overseas Workers Welfare Administration (OWWA) shall be responsible for the [immediate] EXPEDITIOUS REPATRIATION OF THE OVERSEAS FILIPINO WORKER. [if the family or heirs do not have the means to repatriate and the employment contract of the deceased does not provide for repatriation.] PERFORMANCE OF THE FOREGOING RESPONSIBILITIES BY OWWA SHALL BE WITHOUT PREJUDICE TO REIMBURSEMENT OF THE COSTS ON SERVICES FROM THE RESPONSIBLE PUBLIC OR PRIVATE ENTITY.

Undocumented Filipino migrant workers needing repatriation shall also be assisted by the OWWA.

SEC. 5. *Diplomatic Efforts and Bilateral Agreements.* — The Government, THROUGH THE Department of Foreign Affairs, SHALL [must] exert diplomatic efforts, PREFERABLY IN COOPERATION [in coordination] with other LABOR-SENDING countries, TO ADVANCE THE INTERESTS AND LEGAL RIGHTS OF OFWS IN HOST COUNTRIES. [with the same labor migration problem, to gain concessions in domestic (countries of employment) legislations which affect the situation of migrant workers] As far as possible, bilateral agreements with countries where a [majority] SIGNIFICANT NUMBER of OVERSEAS Filipino [contract] workers are employed SHALL BE VIGOROUSLY PURSUED. [must be urgently concluded. The existence or non-existence of a bilateral agreement with countries of employment must be a primary consideration in the formulation of deployment strategies in the absence of a showing that such countries guarantee basic rights and fundamental freedoms.]

SEC. 6. *Establishment of OVERSEAS FILIPINO WORKERS DEPLOYMENT CENTERS (OFWDC) [a Crisis Center.]* — [Within the premises and] U[u]nder the administrative jurisdiction of the Philippine Embassy in countries where there are large concentrations of OVERSEAS Filipino [migrant] workers, there shall be established IN SUITABLE PLACES OFWDCS [a Crisis Center with the] WHICH SHALL HAVE THE following services:

- (a) Counselling and legal services;
- (b) Assistance in the procurement of medical and hospitalization services; [and]

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- (c) Information, advisory, settlement, and community networking services; AND
- (D) SUCH OTHER SERVICES WHICH ARE DESIRABLE AND APPROPRIATE.

The OFWDCS [Crisis Center] shall be staffed by the service attaches or officers who represent other Philippine government agencies abroad and, if available, volunteers from the Filipino Community settled in the host countries. In countries where there is [a] concentration of OFWS [Filipino Migrant Workers,] AND WHERE THERE IS NEED AS MAY BE DETERMINED BY [categorized as highly problematic by] the Department of Foreign Affairs and the Department of Labor and Employment, [and] the government SHALL [must] provide [a] lawyer and SUCH OTHER SERVICE WORKERS IN THE OFWDC. [a social worker for the Crisis Center.] The Labor Attache shall coordinate the operation of the OFWDC [Crisis Center] and shall keep the Chief of Mission informed and updated on all matters affecting it.

SEC. 7. ESTABLISHMENT OF A SHARED GOVERNMENT INFORMATION SYSTEM FOR MIGRATION. AN INTER-AGENCY COMMITTEE COMPOSED OF THE DEPARTMENT OF FOREIGN AFFAIRS, THE DEPARTMENT OF LABOR AND EMPLOYMENT, THE PHILIPPINE OVERSEAS EMPLOYMENT ADMINISTRATION, THE OVERSEAS WORKERS WELFARE ADMINISTRATION, THE COMMISSION ON FILIPINO OVERSEAS, THE DEPARTMENT OF TOURISM, THE BUREAU OF IMMIGRATION, THE NATIONAL STATISTICS OFFICE, AND THE NATIONAL BUREAU OF INVESTIGATION SHALL BE ESTABLISHED WITH THE AIM OF IMPLEMENTING A SHARED GOVERNMENT INFORMATION SYSTEM FOR MIGRATION. THE INTER-AGENCY COMMITTEE SHALL INITIALLY MAKE AVAILABLE TO ITSELF THE INFORMATION CONTAINED IN EXISTING DATA BASES/FILES. THE SECOND PHASE SHALL INVOLVE LINKAGING OF COMPUTER FACILITIES IN ORDER TO ALLOW FREE-FLOW OF DATA EXCHANGES AND SHARING AMONG CONCERNED AGENCIES.

THE INTER-AGENCY COMMITTEE SHALL CONVENE TO IDENTIFY EXISTING DATA BASES WHICH SHALL BE DECLASSIFIED AND SHARED AMONG OTHER MEMBER AGENCIES. THESE SHARED DATA BASES SHALL INITIALLY INCLUDE BUT NOT BE LIMITED TO THE FOLLOWING INFORMATION:

- (A) MASTERLIST OF THE FILIPINO MIGRANT/OVERSEAS FILIPINO WORKERS/TOURISTS BY COUNTRY STATE OF DESTINATION;

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(B) MASTERLIST OF DEPARTING/ARRIVING FILIPINOS;

(C) STATISTICAL PROFILES OF FILIPINO MIGRANTS/OVERSEAS
FILIPINO WORKERS/TOURISTS;

[Masterlist [of Filipino Migrant Workers] and Inventory of Pending Legal Cases Involving Filipino Overseas Contract Workers (OCWs) and Filipino workers Serving Prison Terms. In order to monitor closely the conditions of Filipino migrant workers, for the purpose of extending adequate assistance to them, the Department of Foreign Affairs and the Department of Labor and Employment are hereby mandated to establish a complete and accurate masterlist of FILIPINO migrant workers and an inventory of pending legal cases involving Filipino OCWs and Filipino OCWs serving prison terms.

The inventory shall include but not be limited to the following information:]

- (d) name and other personal circumstances of the OFWs; country of deployment, job title, job site, and inclusive dates of work contract, name of employer and personal circumstances, if available, charge(s)-violation(s), status and other incidental data (including length of the prison term, if already convicted and serving sentence), and nature of assistance given by the government;
- (E) BLACKLISTED FOREIGNERS/UNDESIRABLE ALIENS;
- (F) LEGAL MANDATES;
- (G) PROGRAMS AND SERVICES FOR VARIOUS CLIENTELE; AND
- (H) LISTING OF OVERSEAS POSTS WHICH MAY RENDER ASSISTANCE TO A FILIPINO NATIONAL.

THE INTER-AGENCY COMMITTEE IS FURTHER TASKED TO ENSURE THAT THE ESTABLISHED INFORMATION SYSTEM WOULD CONSOLIDATE DATA OUTPUTS FROM THE CONCERNED AGENCIES THAT MONITOR LEVELS OF MIGRATION TO AND FROM THE COUNTRY.

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SEC. 8. *Rights and Enforcement Mechanism Under International and Regional Human Rights Systems.* — The Department of Foreign Affairs is mandated to make an assessment of rights and avenues of redress under international and regional human rights systems that are available to Filipino migrant workers who are victims of abuse and violations and, as far as practicable, pursue the same on behalf of the victims if it is legally impossible to file individual complaints. If an individual complaints machinery is available under international or regional systems, the Department of Foreign Affairs shall inform the Filipino migrant workers of the existence of such legal options.

SEC. 9. *Appropriations.* — The amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year following its enactment into law and thereafter.

SEC. 10. *Implementing Guidelines.* — All concerned departments and agencies, shall, within ninety (90) days from the effectivity of this Act, promulgate the necessary guidelines to put into effect the various purposes and provisions for the full implementation of this Act.

SEC. 11. *Repealing Clause.* — All laws, decrees, executive orders, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 12. *Effectivity Clause.* — This Act shall take effect after fifteen (15) days from its publication in the *Official Gazette* or in at least two (2) national newspapers of general circulation, whichever comes earlier.

Approved,

NINTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)

S E N A T E

S. No. 2070

Introduced by Senator Alberto G. Romulo

EXPLANATORY NOTE

The Constitution mandates: "The State shall afford full protection to labor, local and overseas, organized and unorganized, and promote full employment opportunities for all." (Section 3, Art. XIII)

Since the Marcos regime, thousands of Filipino workers have been deployed every month all over the world including to countries with harsh and oppressive laws and employers.

These workers "saved the Philippines from economic collapse, because the foreign exchange they sent home during its darkest days (Marcos years) propped up the peso and the economy". To this day they continue to remit billions of dollars every year. Last year alone \$4 billion dollars OCW earnings was remitted to our economy.

But at a very heavy price — degradation, beatings, rape, death to many of our countrymen.

One columnist wrote: "Filipinas, celebrated in songs as shy and faithful, work as entertainers and prostitutes in Japan. Professional Filipinas work as housemaids in Singapore, Hongkong, and Europe. Filipino men work as laborers in the Middle East. They sneak into the United States and Europe as illegal migrants. They suffocate or freeze to death as they are being smuggled into European countries...

"In the first two months of this year alone, the remains of 667 overseas contract workers were repatriated by the Overseas Workers Welfare Administration (OWWA), (*Inquirer*, March 18).

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On March 17, Flor Contemplacion was hanged in Changi Prison, Singapore for a crime she did not commit.

Thus the urgency to provide adequate, continuous and compassionate protection and safeguards to Filipino workers in foreign lands.

This bill seeks to protect and promote the rights and welfare of Filipino workers against abusive, unjust and oppressive treatment in foreign lands. It undertakes to harmonize the State's foreign relations and policies with the human rights of every Filipino worker.

This bill also provides for absentee voting by Filipino overseas workers.

The immediate enactment of this bill is urged.

(Sgd.) ALBERTO G. ROMULO
Senator

NINTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)

SENATE

S. No.2070

Introduced by Senator Alberto G. Romulo

**AN ACT
PROVIDING FOR THE MAGNA CARTA
FOR FILIPINO OVERSEAS WORKERS**

*Be it enacted by the Senate and House of Representatives of the
Philippines in Congress assembled:*

CHAPTER I

GENERAL PROVISIONS

SECTION 1. *Short Title.* — This Act shall be known as the Magna Carta for Filipino Overseas Workers (hereinafter called "Workers").

SECTION 2. *Declaration of Policy.* — The State shall promote the well-being and protect the human rights of every Filipino Overseas Workers.

SECTION 3. *Scope.* — This Act shall apply to all Filipino citizens working abroad and duly registered with the Philippine Overseas Workers Administration (POEA) and/or Overseas Workers Welfare Administration (OWWA) and/or the Department of Labor.

CHAPTER II

COUNTRY TEAM APPROACH

SECTION 4. *Country Team Approach.* — In the performance of their functions to protect the human rights and promote the well-being of Filipino overseas workers, the Department of Foreign Affairs, the

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Department of Labor and Employment, the Philippine Overseas Employment Administration and the Overseas Workers Welfare Administration shall adopt the country-team approach as provided in Executive Order No. 74.

All officers, representatives and personnel of the Philippine government posted abroad regardless of their mother agencies shall act as a country team under the leadership of the Ambassador.

CHAPTER III

PROTECTION OF RIGHTS AND BENEFITS

SECTION 5. *Deployment of Overseas Filipino Workers.* — The government shall allow the deployment of Filipino Overseas Workers only in countries where the rights of Filipino migrant workers are protected as embodied in a bilateral agreement or arrangement with the Philippine government.

Any of the following may be considered by the government as a further protection of the rights of Filipino Overseas Workers on the part of the receiving country:

- a) The receiving country has existing labor and social laws protecting the rights of migrant workers;
- b) It is a signatory to multilateral conventions, declarations or resolutions relating to the protection of migrant workers;
- c) It is taking positive, concrete measure to protect the rights of migrant workers.

The government shall undertake the necessary initiatives to promote the acceptance or adherence of receiving countries to multilateral conventions, declarations or resolution pertaining to the protection of migrant workers' rights.

SECTION 6. *Ban on Deployment.* — The government, when the national interest, public safety or public welfare so requires, may at any time, terminate or impose a ban on the deployment of Filipino Overseas Workers.

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SECTION 7. *Benefits.* — The State shall provide the following benefits and services to Filipino Overseas Workers and their families:

- a) Educational Benefits – The government shall provide financial assistance to any deserving child of a Worker who desires to study. Such assistance may be in the form of scholarship grants, student loan programs, subsidies, and other incentives in both public and private schools.
- b) Housing program for all qualified Workers.
- c) Health Services – The National Government shall provide an integrated health service for Workers which shall include, but not limited to, the following: hospitalization, medical care and treatment.
- d) Legal Services – The Filipino Overseas Workers Center shall ensure that Workers are provided with the necessary counseling and legal services.
- e) Credit Facilities – The Overseas Workers Welfare Administration (OWWA) shall grant short and medium term loans such as salary, educational, calamity and emergency loans.

The National Government shall allocate funds necessary for the effective implementation of the above mentioned benefits.

SECTION 8. *Establishment of a Filipino Overseas Workers Center.* — A Center shall be established in places where there are vast concentration of Filipino overseas workers. The Center shall provide the following services to Filipino Overseas Workers and their families:

- a) Program to promote social integration, adjustment such as post-arrival orientation, settlement, advisory services, community networking and activities for social interaction;
- b) Counseling and legal services;
- c) Training and skills upgrading;

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- d) Information and education services or programs;
- e) Welfare assistance;
- f) Orientation programs for returning workers;
- g) Assist the various government agencies in the Philippines in the implementation of laws, rules and regulations like in case of absentee voting; and
- h) Monitoring of daily situations, circumstances and activities affecting Filipino overseas workers.

The establishment and operations of the Center shall be a joint undertaking of various Philippine government agencies. It shall have a counterpart 24-hour information and assistance center at the Department of Foreign Affairs to ensure a continuous network and coordinative mechanism at the home office.

SECTION 9. *Jurisdiction and Operations.* — The Center shall be under the administrative jurisdiction of the Philippine Embassy or Consulate premises. It may also be established in such areas as may be deemed necessary by the Department of Foreign Affairs and in accordance with the policies of the host country. It shall be staffed by the service attaches hired for the purpose of helping the said workers. The assistance of volunteer groups may be enlisted.

CHAPTER IV

EXERCISE OF THE RIGHT TO VOTE

SECTION 10. *Absentee Voting.* — Every qualified Filipino Overseas Worker may exercise his right to vote during an election in accordance with law, notwithstanding his absence in the Philippines.

SECTION 11. *Notice of Election.* — Immediately after the date of election shall have been fixed, the Commission on Elections (COMELEC) through the Diplomatic or Consular Offices of the Republic of the Philippines shall cause the publication in a newspaper of general circulation

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in the countries where Filipino overseas workers are found, the registration and election centers, the place, date and time of the holding of such registration and election and the requirements for participation.

SECTION 12. Procedure for Registration. — Registration may be effected personally or by mail.

a) Personal registration shall be effected by the voter presenting himself in person before the Diplomatic or Consular offices and submitting thereto the following:

1. Philippine Passport;
2. Copy of his contract of employment duly processed and confirmed by the Department of Labor and Employment in the case of a Filipino overseas worker employed by a private employer abroad or by a foreign government;

The duly designated proper registration officer upon being satisfied that the applicant is a qualified absentee voter shall furnish applicant with the Absentee Voters Affidavit to be accomplished in triplicate.

b) Registration by mail shall be effected by the applicant sending to the Diplomatic or Consular office in the country where he is located or if no such office is established in that country, then to the Commission on Elections in Manila a written application under oath containing the information appearing in the Absentee Voters Affidavit as follows:

1. Complete name, age and other personal circumstances as shown in his passport;
2. Date of last departure from the Philippines;
3. Periods of specific residence in the Philippines;
4. Date of arrival in the country of destination;
5. Length of stay in the country of destination;

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6. Expected date of return to the Philippines;
7. Status of admission of applicant in the country of destination as shown in the passport; and
8. Registry number of contract of employment as shown in the face of the contract, duration of the contract and other related data.

He shall mail the letter application to the COMELEC office in Manila together with the photocopy of the required documents under paragraph (a) of this Section.

SECTION 13. *Approval and Disapproval of Application.* — The personal registration and the written applications sent by mail to the diplomatic or consular offices shall be approved or disapproved with five (5) days from receipt thereof. In case of disapproval of any application by the diplomatic or consular office, the voter may appeal to the COMELEC office in Manila from such disapproval. The COMELEC shall act within five (5) days from receipt of such appeal and shall notify the voter of its decision within five (5) days from the election.

Application mailed directly to COMELEC by absentee voters located in countries without Philippine diplomatic or consular offices shall be acted upon within ten (10) days from receipt of application. In case of disapproval, a motion for reconsideration may be filed by the voter himself by mail from the country where he is located within ten (10) days from receipt of the notice of disapproval.

All applications acted upon, whether approved or disapproved by the Philippine diplomatic or consular offices, shall be transmitted to the COMELEC office in Manila within ten (10) days from approval or disapproval.

SECTION 14. *Election.* — The qualified Filipino overseas workers shall cast their vote in the manner in which the COMELEC shall provide by way of rules and regulations.

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CHAPTER V

SOURCES OF FUNDS AND APPROPRIATIONS

SECTION 15. *Sources of Fund and Appropriations.* — For the implementation of this Act, the following funds are hereby transferred to the Department of Labor and Employment:

- a) Five percent (5%) to be taken from the thirty-five percent (35%) allocated to the Armed Forces of the Philippines (AFP) modernization program as provided in Republic Act No. 7917;
- b) Fifty percent (50%) of the funds in the Overseas Workers' Investment Fund (OWIF) under Republic Act No. 7111;
- c) For the initial implementation of this Act, appropriation shall be taken from available savings and funds of the National Government. Thereafter, the amount necessary to carry out the provisions of this Act shall be included in the annual general appropriations act of the Department of Labor and Employment.

CHAPTER VI

REPORT TO CONGRESS

SECTION 16. *Report.* — In order to update Congress on the situation of Filipino Overseas Workers in foreign countries, the Department of Foreign Affairs and the Department of Labor and Employment shall submit a quarterly report on the following:

- a) Working conditions of Filipino overseas workers;
- b) Problems encountered by the overseas workers, specifically violation of their rights;
- c) Initiatives/actions taken by the Philippine foreign posts to address the problems of Filipinos Overseas Workers;

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- d) Changes in the laws and policies of host countries; and
- e) Status of negotiations on bilateral labor agreements between the Philippines and the host country.

CHAPTER 17. *Failure to Report.* — Any officer of the government who fails to report as stated in the preceding section shall be subject to administrative penalty.

CHAPTER X

MISCELLANEOUS PROVISIONS

SECTION 18. *Implementing Rules and Regulations.* — The Department of Foreign Affairs in coordination with the Department of Labor, the Philippine Overseas Employment Administration, the Overseas Workers Welfare Administration shall make the rules and regulations necessary for the proper implementation of this Act.

The Commission on Elections in coordination with the Department of Foreign Affairs, the Department of Labor, the Philippine Overseas Employment Administration, the Overseas Workers Welfare Administration shall make the necessary rules and regulation with regard to absentee voting.

SECTION 19. *Repealing Clause.* — All laws, Presidential Decrees, Executive Orders, and rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 20. *Separability Clause.* — If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SECTION 21. *Effectivity.* — This Act shall take effect after its complete publications in at least two (2) national newspapers of general circulation.

Approved,

S E N A T E

S. No. 2071

Introduced by Senators Edgardo Angara, Rodolfo Biazon,
Gloria Macapagal-Arroyo, Raul Roco and Francisco Tatad

EXPLANATORY NOTE

It is the obligation of the State to provide economic opportunities for its citizens. However, faced with the reality that the national economy cannot presently absorb the huge labor and manpower supply, the State recognizes the crucial role of the Filipino Overseas Contract Workers (OCWs) in national development. As Filipino citizens and invaluable contributors to Philippine economy, the OCWs must enjoy full protection under our laws.

The tales of Filipino OCWs abroad speak of the sacrifices and hardships encountered by every OCW. Behind the facade of monetary reward, our OCWs face the grim prospect of abuse, maltreatment and personal degradation abroad.

Sadly, succor from the government is hardly felt. The recent death in the gallows of Filipina maid Flor Contemplacion shows not only the harshness of the judicial system of a neighbor-country; more importantly, it exposed the helplessness of the government in extending assistance to a beleaguered OCW and the inadequacy of our institutional safeguards.

It is in this light that we realize the need to pass into law an Act creating the Department of Overseas Employment. As the lead government agency catering to the needs of Filipino OCWs, it shall be primarily responsible for the protection of their rights and the safeguard of their welfare and interest.

Statistics from the Department of Labor and Employment shows that from the initial 3,694 Filipino OCWs deployed abroad in 1969, the

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number swelled to half a million by 1983. By 1993, the Kingdom of Saudi Arabia alone has absorbed a total Filipino workforce of 2,012,800. Yearly, OCWs processed – both landbased and seabased – is on the average of 740,000.

All over the world, the presence of Filipino workforce is felt.

We feel that given the magnitude of the number of Filipino OCWs deployed abroad and the complexity of their needs and problems, the establishment of a separate Department becomes a necessity. In this way, the government will have a more focused attention *vis-a-vis* the Filipino OCWs and impress upon our OCWs the serious and deliberate attention it gives to them.

Approval of the bill is, thus, earnestly requested.

(Sgd.) EDGARDO J. ANGARA

(Sgd.) RODOLFO G. BIAZON

(Sgd.) GLORIA M. MACAPAGAL-ARROYO

(Sgd.) RAUL S. ROCO

(Sgd.) FRANCISCO S. TATAD

NINTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)

S E N A T E

S. No. 2071

Introduced by Senators Edgardo Angara, Gloria Macapagal-Arroyo,
Rodolfo Biazon, Raul Roco and Francisco Tatad

AN ACT
CREATING THE DEPARTMENT OF OVERSEAS EMPLOYMENT,
RATIONALIZING THE ORGANIZATION AND FUNCTIONS OF
GOVERNMENT AGENCIES RELATED TO OVERSEAS
EMPLOYMENT, AND FOR OTHER PURPOSES.

*Be it enacted by the Senate and the House of Representatives of the Philippines
in Congress assembled:*

CHAPTER 1

GENERAL PROVISIONS

SECTION 1. *Short Title.* — This Act shall be known as the
“Department of Overseas Employment Act.”

SEC. 2. *Declaration of Policy.* — In the promotion of social justice,
it is the policy of the State to create economic opportunities for all Filipinos
and protect and enhance their human dignity. Towards this end, the
government shall take steps to provide job opportunities for all Filipinos
within the country.

However, in the meantime that the national economy is unable to
absorb the huge local labor and manpower supply, the State shall support
and recognize the crucial role and important contributions of Filipino
overseas contract workers (hereafter, OCWs) in the task of nation-building
and national development.

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Overseas employment shall receive full protection from the State. The government shall make periodic review of its overseas employment program with the end in view of balancing the nation's economic demands *vis-a-vis* the need to protect and support its workers overseas.

To enhance the capability of the State to provide protection to Filipino OCWs, the State shall institute mechanisms and safeguards and conduct diplomatic initiatives to protect them from unjust and unfair treatment in foreign lands.

Recognizing that the protection of Filipino OCWs starts within our own territory, the State shall pursue with vigilance and determination its fight against illegal recruitment activities and provide stiff penalties for the commission thereof.

For the benefit of returning Filipino OCWs, the State shall generate local job-integration programs and provide them incentives as well as government assistance.

SEC. 3. *Department of Overseas Employment.* — To carry out the above-declared policy, there is hereby created the Department of Overseas Employment, hereinafter referred to as the Department, which shall prepare, integrate, coordinate, review, implement, supervise and control all plans, programs, projects and activities of the Government relating to overseas employment of Filipinos.

SEC. 4. *Powers and Functions.* — The Department shall have the following powers and functions:

- (a) Formulate policies for the adoption and implementation of comprehensive programs covering labor export and the protection of Filipino OCWs;
- (b) Establish institutional mechanisms and linkages for the integration, rationalization and coordination of the activities and functions of various government agencies dealing with overseas employment;
- (c) Establish and maintain a welfare system for OCWs;

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- (d) In coordination with the Department of Foreign Affairs, actively pursue diplomatic initiatives with the objective of entering into bilateral or multilateral agreements or conventions protecting Filipino OCWs;
- (e) Serve as the primary government agency tasked with the protection and promotion of the interest of every citizen desiring to work overseas by securing for him the most equitable terms and conditions of overseas employment, and providing social and welfare services;
- (f) Formulate, provide, implement and review social re-integration programs for returning Filipino OCWs;
- (g) Formulate such rules and regulations as may be necessary to implement the objectives of this Act; and
- (h) Exercise such other powers as may be necessary or incidental in the attainment of the objectives of this Act.

CHAPTER II**THE DEPARTMENT OF OVERSEAS EMPLOYMENT**

SEC. 5. *Composition.* — The Department shall be composed of the Office of the Secretary and the Offices of the Undersecretaries and Assistant Secretaries, and the bureaus and services of the Department.

SEC. 6. *Office of the Secretary.* — The Office of the Secretary shall consist of the Secretary and his immediate staff.

SEC. 7. *The Secretary.* — The Secretary shall be appointed by the President, subject to confirmation by the Commission on Appointments.

No person who has a direct or indirect financial interest or control over any private recruitment agency shall be eligible for appointment as Secretary within two (2) years from his retirement, resignation, or separation therefrom.

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The Secretary shall have the following functions:

- (a) Advise the President on the promulgation of executive/administrative orders, other regulative issuances and legislative proposals on matters pertaining to overseas employment;
- (b) Formulate guidelines, rules and regulations and other issuances necessary to carry out Department policies and programs.
- (c) Evaluate the policy, plans, programs and projects accomplishment of the Department;
- (d) Issue orders, directives, rules and regulations, circulars and other issuances necessary to carry out overseas employment policies, plans, programs and projects;
- (e) With respect to on-site labor and welfare stations abroad, assign, designate, rotate and recall welfare officers;
- (f) Provide over-all direction, supervision and control over all offices under the Department to ensure effective and efficient implementation of its policies, plans, programs and projects;
- (g) Coordinate with other government offices, labor organizations, employers associations and any other group to carry out the mandate of the Department;
- (h) Prepare reports for the President, the Congress and the public;
- (i) Delegate authority for the performance of any function to officers and employees of the Department;
- (j) Exercise such other powers and functions as may be provided by law or assigned by the President.

SEC. 8. *The Undersecretaries.* — The Secretary shall be assisted by three (3) Undersecretaries who shall be appointed by the President upon the recommendation of the Secretary.

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The Offices of the Undersecretaries shall consist of the Undersecretaries and their respective immediate staff.

SEC. 9. *Assistant Secretaries.* — The Secretary shall also be assisted by three (3) Assistant Secretaries, one (1) for operations, one (1) for policy and programs, and another for administrative services. The Assistant Secretaries shall be appointed by the President upon the recommendation of the Secretary.

They shall have the same powers and functions as those provided for in Section 8 Chapter 2 Title II of the Administrative Code of 1987.

SEC. 10. *Qualifications.* — No person shall be appointed Secretary, Undersecretary, or Assistant Secretary of the Department unless he is a citizen and resident of the Philippines, of good moral character, and of proven competence in any of the following fields: (a) economics; (b) public administration; (c) management; or (d) law.

SEC. 11. *Bureaus and Services.* — Subject to the power of the Secretary, with the approval of the President, to reorganize, restructure, and redefine the functions of the services and bureaus for the effective discharge of the powers and functions of the Department under this Act, the Department shall have the following services and bureaus:

- (a) *Planning Service.* — The Planning Service shall provide the Department with efficient, effective and economical services relating to programming, project development and evaluation, and the development and implementation of a management information system;
- (b) *Administrative Service.* — The Administrative Service shall provide the Department with efficient, effective and economical services relating to records, management, supplies, equipment, collections, disbursements, building administration and maintenance, security and custodial work;
- (c) *Human Resource Development Service.* — The Human Resource Development Service shall provide the Department with a program and corresponding projects that shall make available training,

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education and development opportunities needed to upgrade the levels of competence and productivity of Department managers and personnel. It shall absorb the powers and functions of the Administrative Service in relation to the development and administration of personnel programs including selection and placement, development, performance evaluation, employee relations and welfare;

- (d) **Financial Management Service.** — The Financial and Management Service shall be responsible for providing the Department with efficient, effective and economical services relating to budgetary, financial, management improvement and internal control matters;
- (e) **Legal Service.** — The Legal Service shall provide legal advice and service to Department officers and employees; prepare informative or clarificatory opinions on labor laws, rules and regulations for uniform interpretation thereof; answer legal queries from the public; assist the Office of the Solicitor General in suits involving the Department of its officers or employees or act as their principal counsel in all actions taken in their official capacity or other causes before judicial or administrative bodies;
- (f) **International Labor Affairs Service.** — The International Labor Affairs Service shall be responsible for monitoring the observance and implementation of all obligations, courtesies, and facilities required by international labor affairs, particularly the International Labor Organization, the Conference of Asian-Pacific Labor Ministries, the Association of Southeast Asian Nations Labor Ministers Meeting, and related international labor standards and agreements reached in various international labor fora, treaties, and other multilateral, bilateral or multi-bilateral agreements in the area of labor and employment; provide staff support and policy guidelines to the Secretary in the supervision, monitoring and reporting of the activities of the Philippine overseas labor officers assigned in different countries; serve as the instrumentality of the Department for technical cooperation, programs and activities with other countries and international institutions;

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- (g) Information and Publications Service. — The Information and Publications Service shall be responsible for rapport and understanding between the Department and the public through the development of public relations programs and the dissemination of accurate and updated information on labor and employment by means of publications and media coverages of special events and related matters on the Department's policies, plans, programs and projects, likewise, it shall be responsible for providing answers to queries from the Department regarding the Department's policies, rules, regulations, programs, activities and services.
- (h) Recruitment and Placement Bureau. — The Bureau shall be in charge of all placements of Filipino OCWs abroad, including the documentation of every OCW. It shall regulate private sector participation in the recruitment and overseas placement of workers by setting up a licensing and registration system.

The placement program shall include mechanisms for the reintegration into the Philippine society of the OCWs upon their return. For this purpose, the Bureau shall:

- (1) Coordinate with appropriate private and government agencies in the promotion, development, re-placement and the full utilization of the potentials of the returning OCWs;
- (2) Institute, in cooperation with other government agencies concerned, a computer-based information system on returning skilled and semi-skilled Filipino OCWs which shall be accessible to all local recruitment agencies and employers, both public and private;
- (3) Provide a computer-based information system on available jobs/job opportunities to returning OCWs; and
- (4) Provide periodic study and assessment of job opportunities for returning Filipino OCWs.

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- (i) Overseas Workers' Welfare Bureau. — The Bureau shall be responsible for the protection of rights and provision of assistance to Filipino OCWs. It shall provide them social and welfare services including insurance coverage, social work assistance, legal assistance, cultural services, remittance services, repatriation and medical needs. The grant of these assistance shall be governed by the rules and regulations to be issued by the Department upon the recommendation of the Bureau.
- (j) Overseas Monitoring Bureau. — The Bureau shall be composed of two sections, *viz.*, the Statistics and Research Division and the Referral Division.

[1] The Statistics and Research Division shall adopt a centralized and comprehensive database system for Filipino OCWs. For this purpose, every departing OCW shall be issued an identification number for the easy retrieval of his file. The file shall contain the following:

- [a] personal circumstances including family background, educational and employment history, medical record, provincial and city addresses;
- [b] country of destination, details of the contract of employment, names and addresses of both the foreign employer and local recruiter/agent;
- [c] other relevant data.

The Division shall likewise be responsible for the collation of all data concerning Filipino OCWs coming from the different Philippine diplomatic posts abroad and the preparation of the corresponding report. The report shall include, but not be limited to the following information:

- [a] Masterlists of Filipino OCWs by country/state of destination;
- [b] Masterlists of departing and arriving Filipino OCWs;

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- [c] Statistical profile on Filipino OCWs;
 - [d] Blacklisted foreign agents/employers;
 - [e] Programs and services for various clientele; and
 - [g] Lists of overseas posts which may render assistance to Filipino nationals.
- [2] Referral Division. — It shall be responsible for the study, referral and appropriate handling of all cases and reports of problems coming from the Overseas Resource Bureau as hereunder provided.
- (k) Overseas Resources Bureau. — An overseas Resources Bureau shall be established in the Department. The Bureau shall be a source of the following services:
- (1) Program to promote social integration and adjustment such as post-arrival orientation, settlement, advisory services, community networking and activities for social interaction;
 - (2) Counselling and legal services;
 - (3) Training and skills upgrading;
 - (4) Information and education services or programs;
 - (5) Welfare assistance including medical service;
 - (6) Orientation programs for returning OCWs;
 - (7) Monitoring of daily situations, circumstances and activities affecting OCW;
 - (8) Coordinating the functions of the Overseas Welfare Attaches.

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SEC. 12. *Overseas Welfare Attache.* — To carry out the mandates of the Bureau under Section 11 hereof, an Overseas Welfare Attache (hereafter, Attache) shall be assigned by the Department in diplomatic posts abroad.

The Attache shall attend primarily to the legal and medical concerns of the OCWs.

With respect to his legal-related functions, he shall:

- (a) Monitor all cases of police arrests, detention, court hearings and other legal problems affecting the Filipino OCWs;
- (b) Coordinate with the Consul General in all cases of incarceration of Filipino OCWs for purposes of legal assistance, and consultation and visitation rights over the detained Filipino worker;
- (c) Refer cases involving any Filipino OCW to the proper agencies or authorities of the host country;
- (d) Apprise the Bureau of the legal problem of a particular OCW. Likewise, the Section Desk Officer shall furnish the home unit of his recommendations with respect to actual cases.

With respect to his medical-related functions, he shall:

- (a) Arrange and facilitate medical assistance to distressed OCW. Assistance could take the form of facilitating the admission of the worker in appropriate medical units or hospitals and the provision of professional medical service and medications.
- (b) Monitor the confinement of any Filipino in any medical institution in the host country and respond appropriately to any report of Filipino admission in such institution.
- (c) Regularly provide the Bureau reports on the hospital confinements of Filipino OCWs, especially referring to medical cases of serious nature.

To ensure a continuous network and coordinative mechanism at the home office, the Bureau shall operate on a twenty-four hour basis.

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MISCELLANEOUS PROVISIONS

SEC. 13. *Report to Congress.* — The Department shall submit to the Philippine Congress a semi-annual report of Philippine foreign posts located in countries hosting Filipino OCWs. The report shall include but not limited to the following information:

- (a) Working conditions of Filipino OCWs;
- (b) Problems encountered by Filipino OCWs including violations of their rights;
- (c) Initiative/actions taken by the Philippine foreign posts to address the problems of overseas Filipino workers;
- (d) Changes in labor laws and policies of host countries; and
- (e) Status of negotiations on bilateral labor agreements between the Philippines and the host country, if any.

SEC. 14. *Legal Representation.* — In areas where there is a vast concentration of Filipino workers, as determined by the Department, the government shall hire on a regular retainer basis a sufficient number of lawyers who are authorized to practice law before the courts of the host country.

In all other areas, legal representation shall be secured on a case-to-case basis.

In urgent cases and in areas where there is no lawyer hired on a retainer basis, legal representation shall be immediately accorded a worker in legal trouble with the professional fee temporarily charged to the operating budget of the embassy or consulate thereat, later to be reimbursed by an equivalent amount to be drawn against the funds of the Department.

SEC. 15. *Country-Team Approach.* — Under the Country-Team Approach, all officers, representatives and personnel of the Philippine government posted abroad regardless of their mother agencies shall, on a per country basis, act as one country-team with a mission under the leadership of the ambassador.

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With respect to matters affecting Filipino OCWs, the ambassador shall receive and be guided by the policies, directions and instructions from the Department.

The ambassador and/or the Secretary of the Department may recommend to the Secretary of the Department of Foreign Affairs the recall of officers, representatives and personnel of the Philippine government posted abroad for acts inimical to the national interest such as, but not limited to, failure to provide the necessary services or employ such measures to protect the rights of Filipino OCWs.

Upon receipt of the recommendation of the ambassador and/or Secretary of the Department, the Secretary of the Department of Foreign Affairs shall in the case of officers, representatives and personnel of other departments, endorse such recommendation to the department secretary concerned for appropriate action.

In host countries where there are Philippine consulates, such consulates shall also constitute part of the country-team under the leadership of the ambassador.

SEC. 16. *Appropriations.* — Such sums as may be necessary for the initial implementation of this Act shall be taken from the current fiscal year appropriations of the Department of Labor and Employment and such amounts as the President of the Philippines may allocate from other resources in accordance with law. Thereafter, the amount needed for the operation and maintenance of the Department shall be included in the annual General Appropriations Act.

SEC. 17. *Transitory Provisions.* — The Philippine Overseas Employment Administration (POEA), the Overseas Workers Welfare Administration (OWWA) and the Overseas Development Board (ODB) are hereby abolished. The functions of the POEA and the ODB are transferred to the Recruitment and Placement Bureau. The Overseas Workers Welfare Bureau shall absorb the functions of the OWWA.

To prevent disruption in the delivery of public services pending the full, implementation of the Department's organizational structure and staffing pattern, all officials and employees of the abolished offices shall continue

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to exercise their duties and functions and receive their salaries and allowances until they shall have been given notice of change of duties and functions, and of being absorbed by the new offices.

The civil service laws, rules and regulations pertinent to the displacement of personnel affected by this Act shall be observed. The national government shall provide such amounts as may be necessary to pay the benefits accruing to displaced employees at the rate of one and one-fourth (1 1/4) month's salary for every year of service: Provided, That, if qualified for retirement under existing retirement laws, said employees may opt to retire and receive the benefits thereunder.

SEC. 18. *Repealing Clause.* — All laws, presidential decrees, executive orders, and rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 19. *Separability Clause.* — If, for any reason, any Section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SEC. 20. *Effectivity Clause.* — This Act shall take effect after its complete publication in at least two (2) national newspapers of general circulation.

Approved.

Appendix B

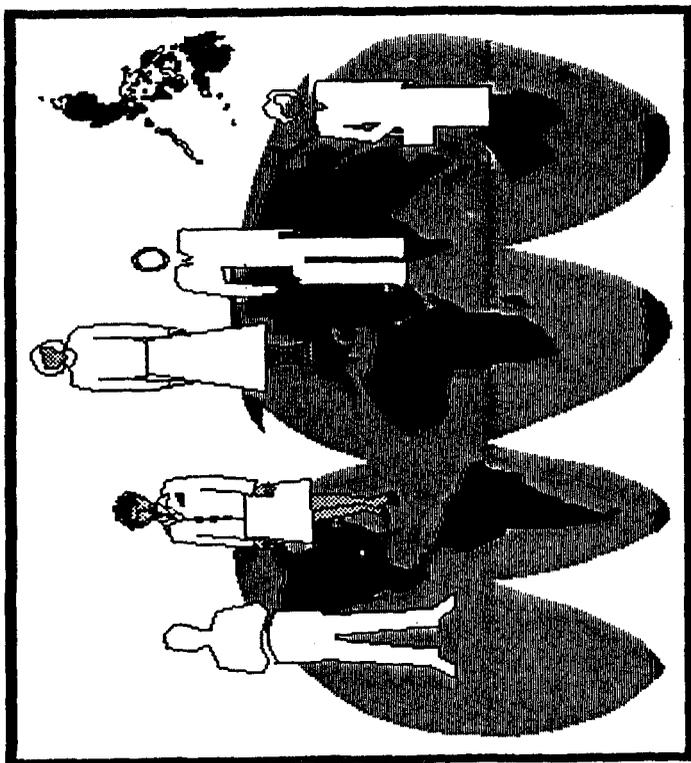
B₁ FILIPINO MIGRATION: A SITUATIONER

- Filipino Migration Trends
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- Total Number of Overseas Filipinos as of December 1993
- Deployment of Overseas Contract Workers (by selected year)
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- Donations from Filipinos Overseas thru the CFOs LINKAPIL Program (1990-1993)
- Tax Collections Abroad from Non-Resident Citizens

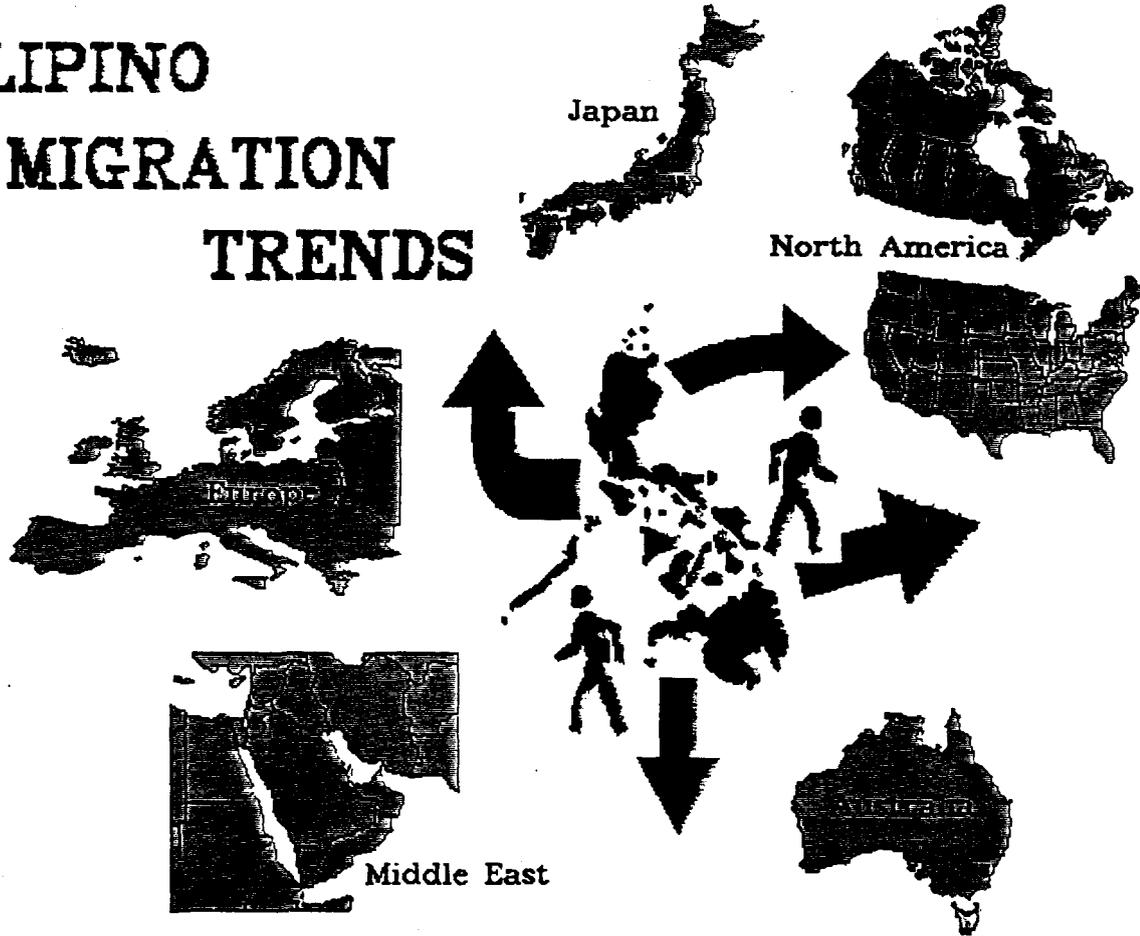
B₂ POLICY FRAMEWORK ON OVERSEAS EMPLOYMENT

- **Statement of President Fidel V. Ramos, May 1995**
- **Future Directions**
- **Challenges**
- **Policy of Selective Deployment**
- **Assistance-to-Nationals Task Force**
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 - **Retooling and Reorientation of Foreign Service**
 - **Education Reform and Information Program**

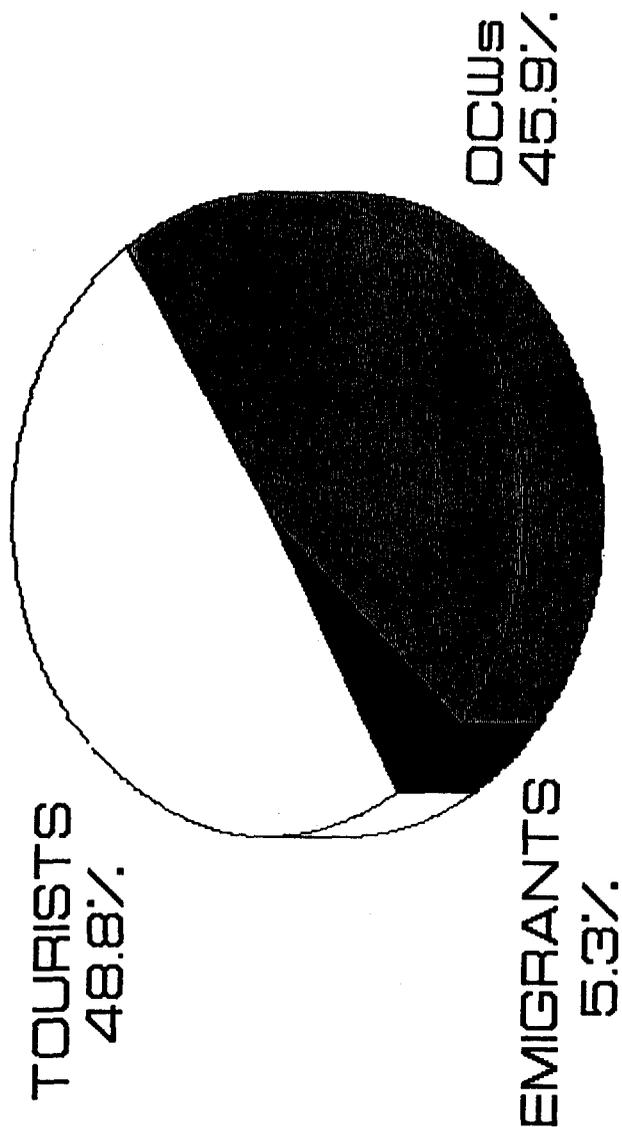
FILIPINO MIGRATION: A SITUATIONER



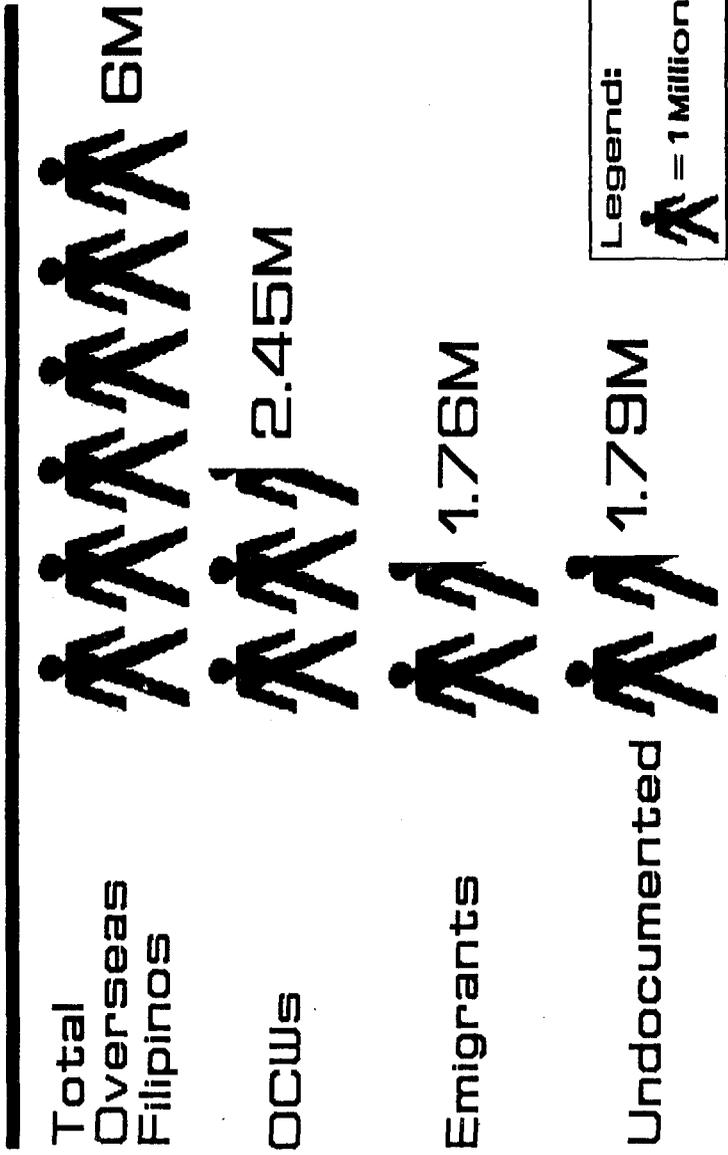
FILIPINO MIGRATION TRENDS



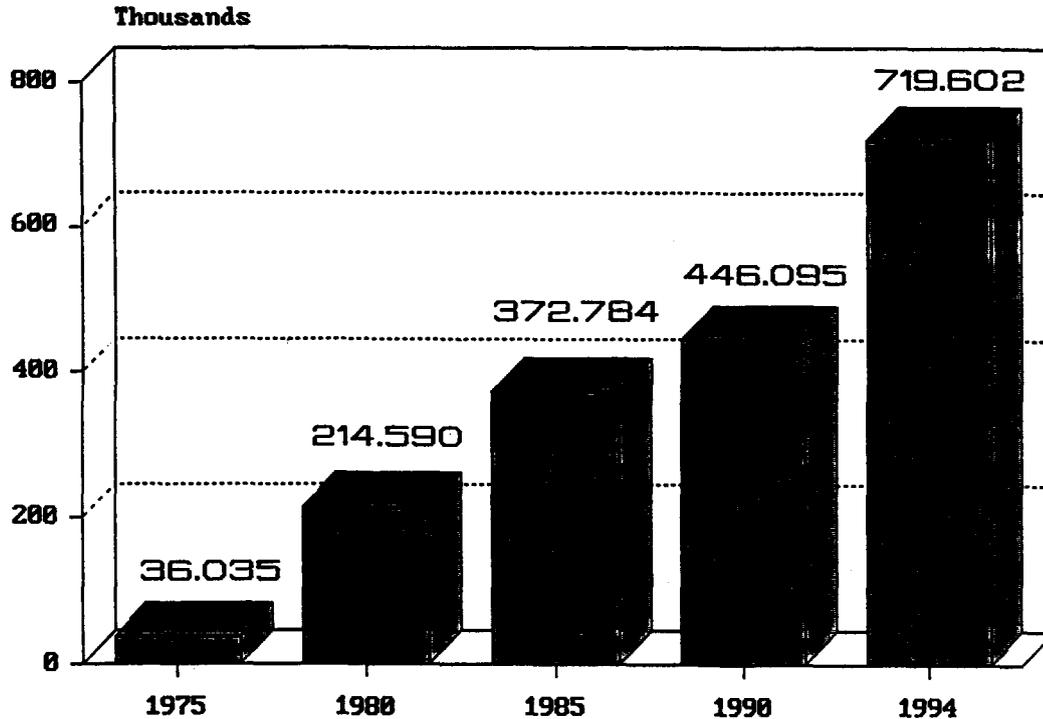
THREE CATEGORIES OF FILIPINOS OVERSEAS [1992]



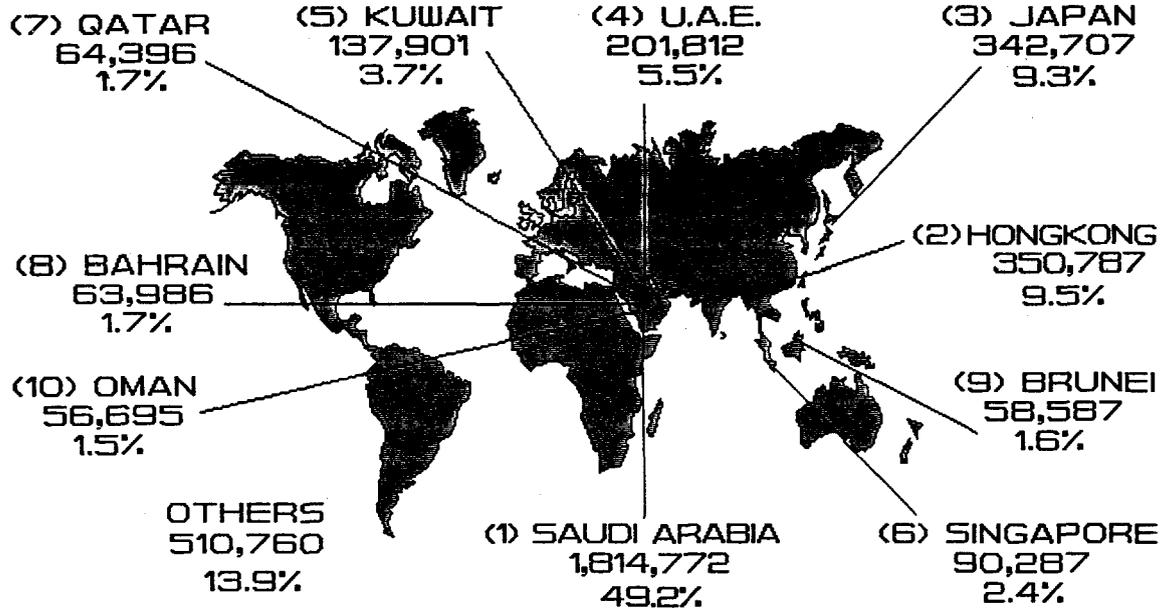
TOTAL NUMBER OF OVERSEAS FILIPINOS as of December, 1988



DEPLOYMENT OF OVERSEAS CONTRACT WORKERS (BY SELECTED YEAR)



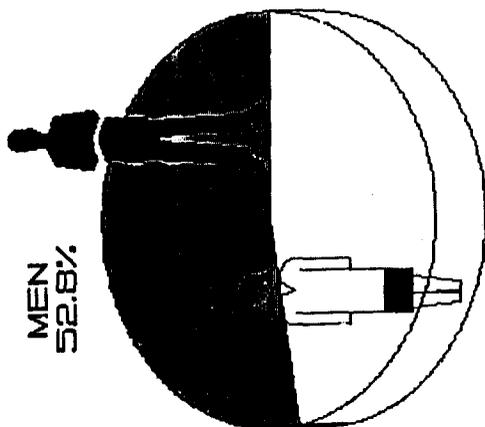
MAJOR DESTINATION COUNTRIES OF OVERSEAS CONTRACT WORKERS 1985 - 1993



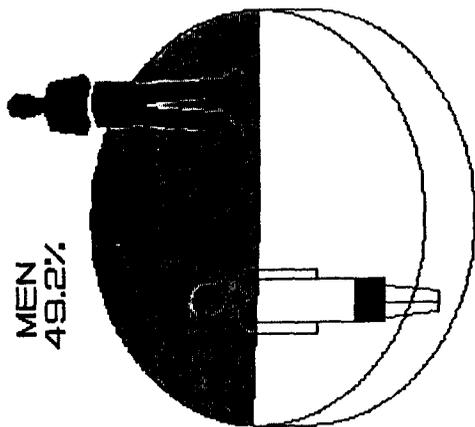
* 1985 - 1993 Total Deployment = 3,692,690
 * 5.6% of Estimated 1993 Philippine Population (66 million)

**SOURCE: DOLE
POKA**

PERCENT SHARE OF WOMEN OCWS 1987 AND 1994



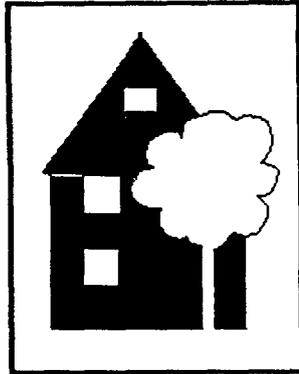
1987



1994

Source : DOLE

DISTRIBUTION OF OCWs
IN VULNERABLE OCCUPATIONS
(New Hires, 1994)



Domestic
Helpers
28.57%
(73,951)



Entertainers
20.46%
(52,964)

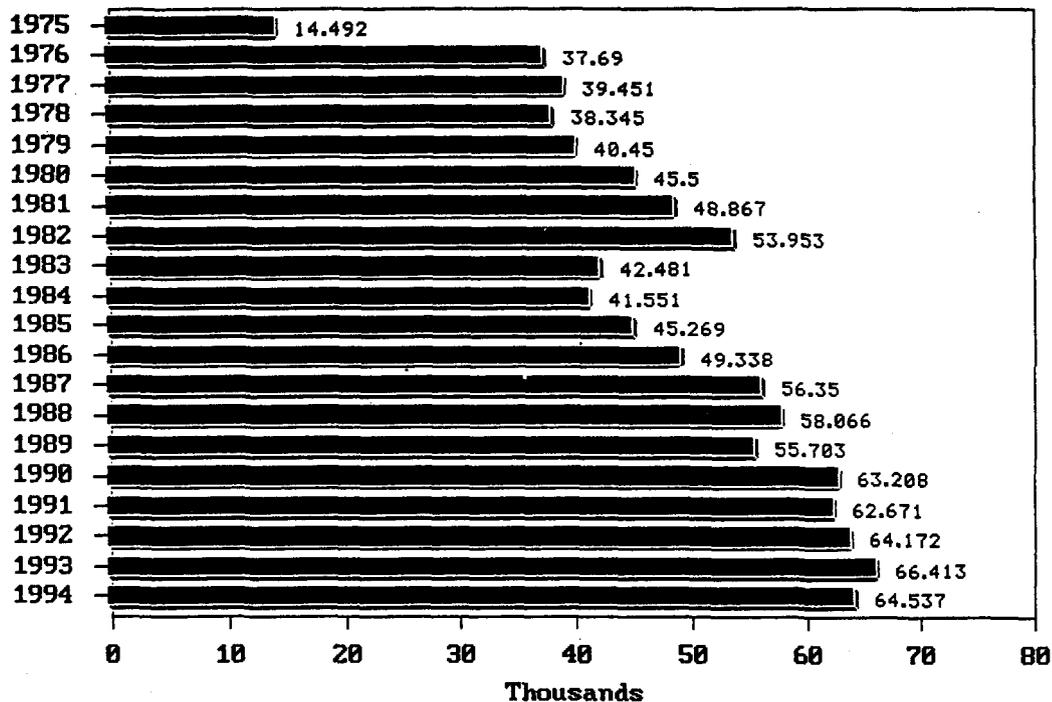


Other
Skills
50.97%
(131,932)

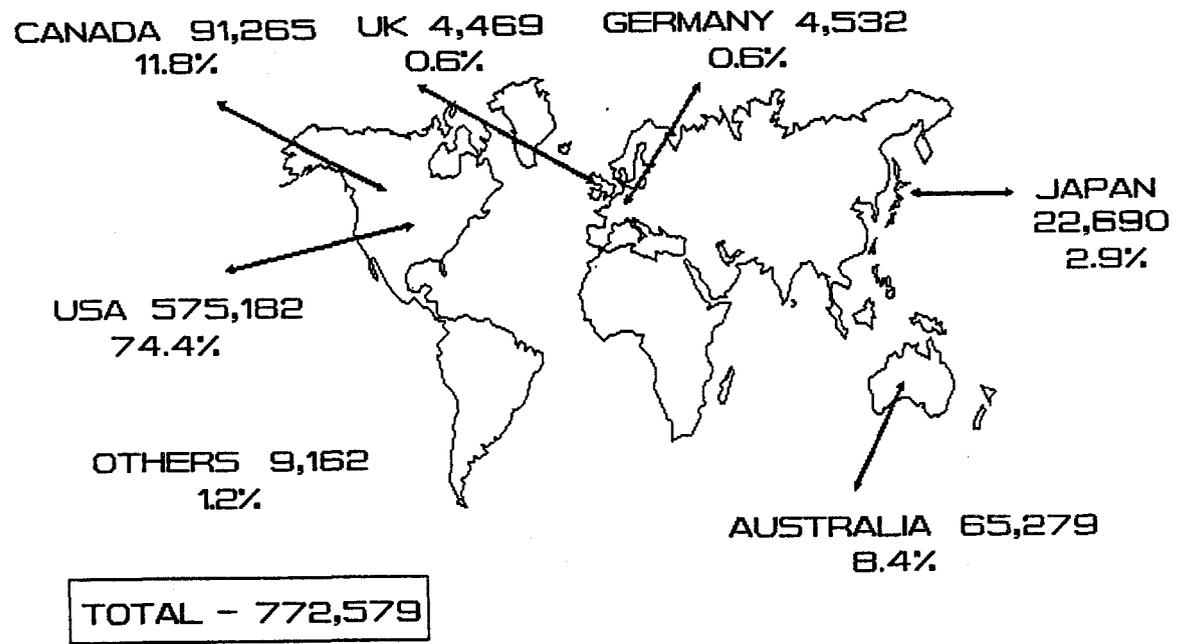
Source : DOLE

N = 258,847

DISTRIBUTION OF REGISTERED FILIPINO EMIGRANTS : 1975 - 1994

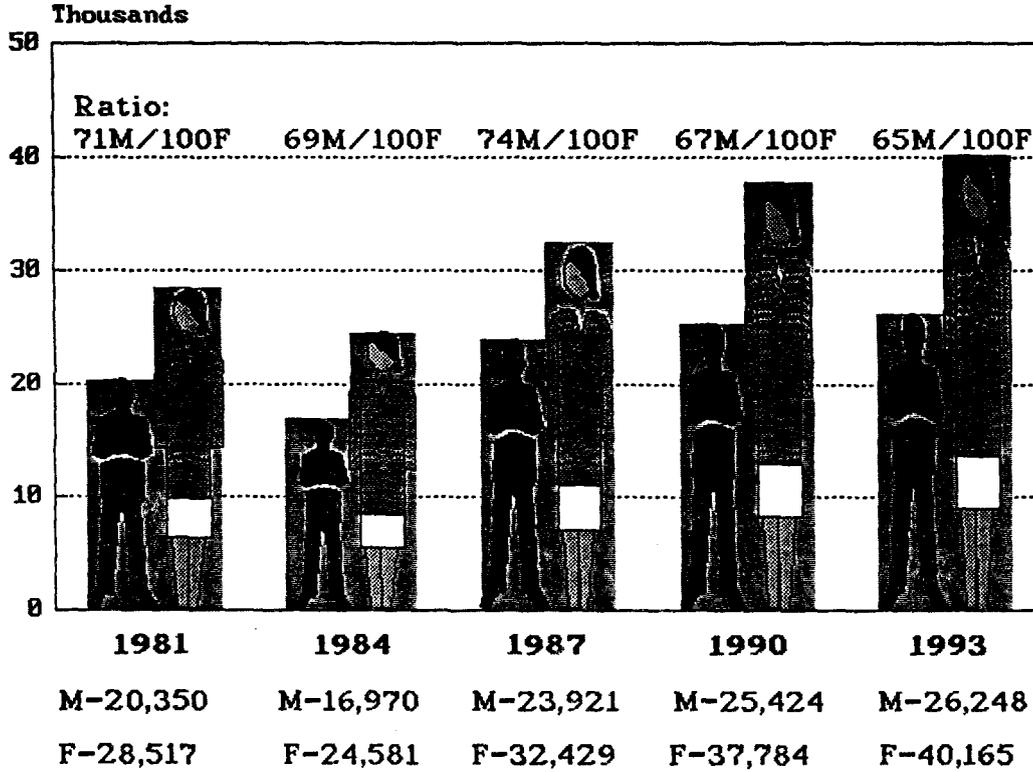


DISTRIBUTION OF REGISTERED FILIPINO EMIGRANTS BY COUNTRY OF DESTINATION 1981 - 1994



SOURCE: CFO

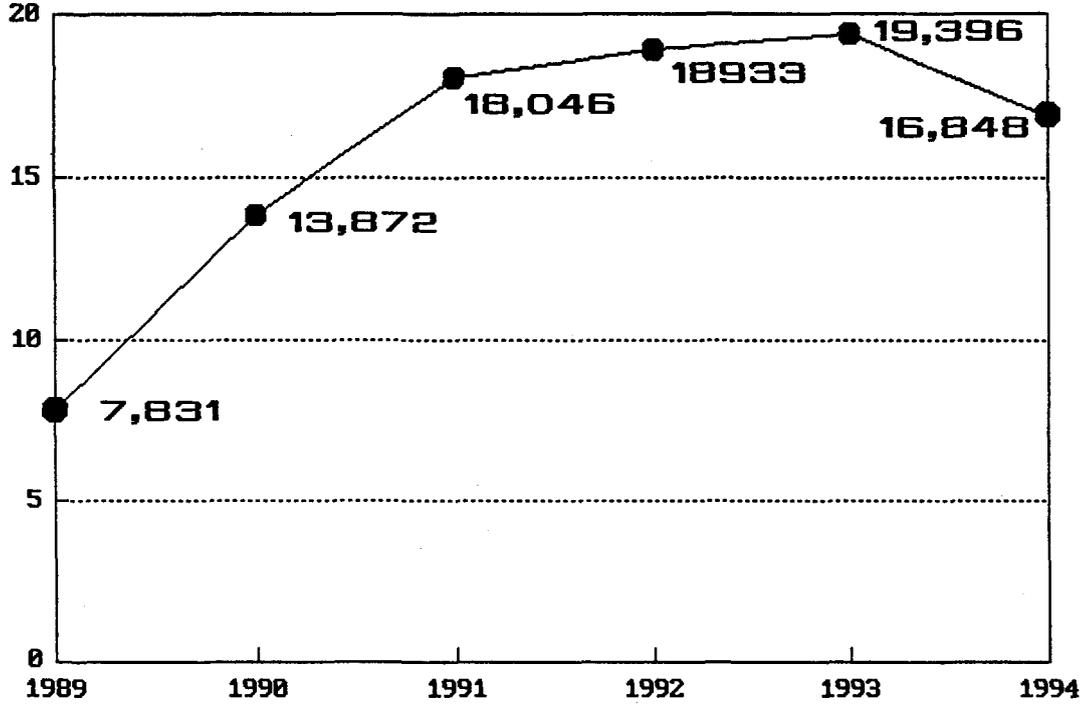
REGISTERED FILIPINO EMIGRANTS BY SEX



**AVERAGE AGE OF REGISTERED
FILIPINO EMIGRANTS : '93 - 94**

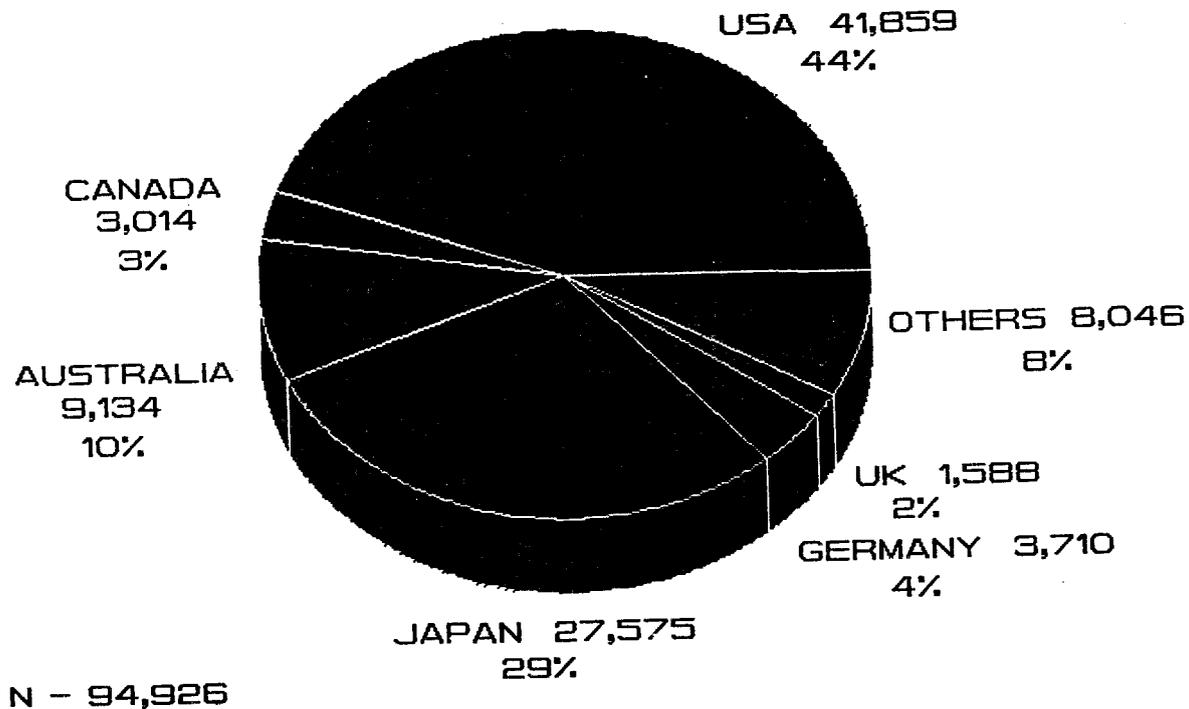
	USA	CANADA	AUST	JAPAN	OTHERS
'93	32	30	25	25	27
'94	33	31	25	25	26

**NUMBER OF FILIPINO FIANC(E)S & SPOUSES
OF FOREIGN NATIONALS : 1989 - 1994**



AVE. GROWTH RATE : 19.2%

DISTRIBUTION OF FIANCEES/SPOUSES OF FOREIGN NATIONALS : 1989 - 1994



CONTRIBUTIONS FROM OVERSEAS FILIPINOS

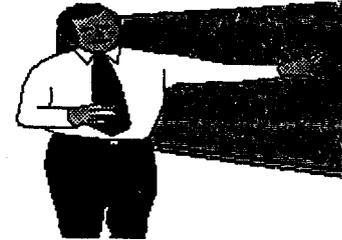


1. Remittance/Foreign Exchange
2. Tax Payments

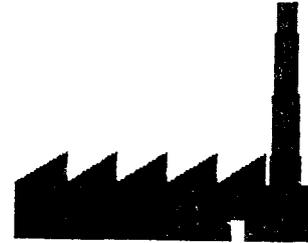


LINKAPIL

3. Contributions in Cash & Kind

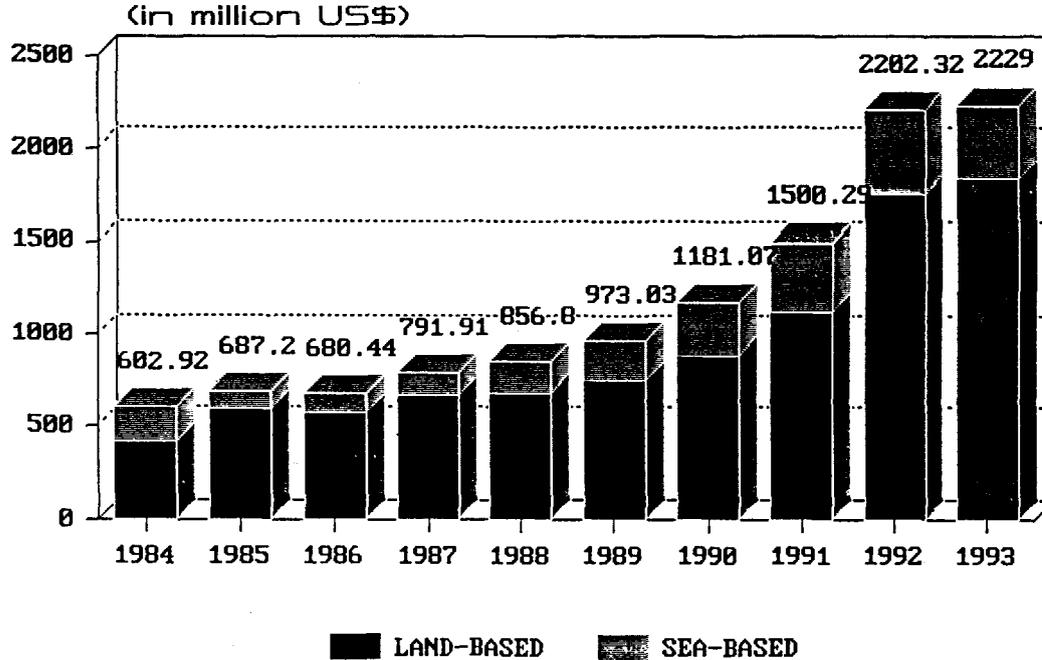


4. Personal Professional Services



5. Capital Investments/
Financial Intermediation

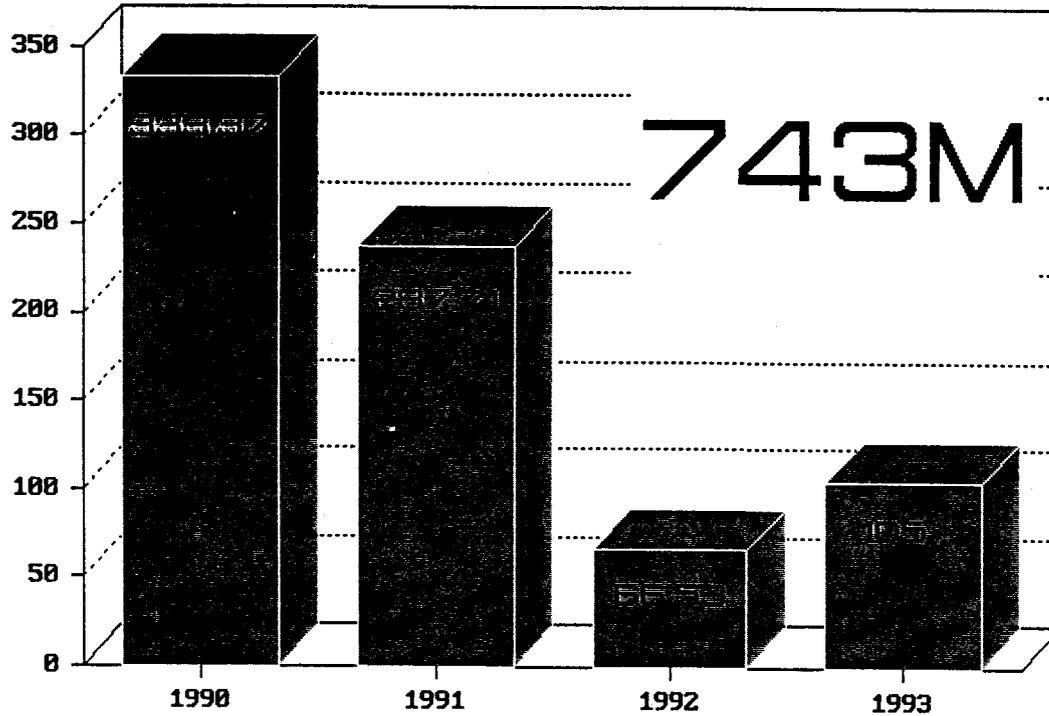
REMITTANCE FROM OVERSEAS FILIPINOS 1984 - 1993



Ave. Annual Growth Rate : 18.91%
Source: BSP, POEA, DOLE

DONATIONS FROM OVERSEAS FILIPINOS

(in million pesos)



Source: CFO, DOH, NEDA, DSWD, OP

**DONATIONS FROM FILIPINOS OVERSEAS
THRU THE CFO'S LINKAPIL PROGRAM
(CY. 1990 - 1993)**

No. of Donations Referred to/ Coursed thru the CFO	408 donations
Estimated Value of Donations	P501 million
Estimated Number of Beneficiaries	6.65 million
Number of Provinces	50 Provinces
Livelihood Projects Supported	46 Projects (P59.9 million)
Medical Missions Conducted	56 medical missions
Estimated Number of Beneficiaries of Medical Missions	35,030

TAX COLLECTIONS ABROAD FROM NON-RESIDENT CITIZENS

YEAR COVERED	AMOUNT OF TAX COLLECTED
1990	₱ 210 million
1991	239 million
1992	317 million
1993	317 million
TOTAL	₱ 1,083 million

Source: International Tax Affairs Division
Bureau of Internal Revenue



POLICY
FRAMEWORK
ON
OVERSEAS
EMPLOYMENT

"It is not the policy of my administration to export workers to foreign lands. That may have been the policy of earlier administrations, because of conditions then prevailing..."

- PFVR

Heroes Hall, Malacañang
May 1, 1995

FUTURE DIRECTIONS

- **To keep more of workers here at home**
- **To fully stop the movement of illegal workers**

CHALLENGES

- Facing squarely the issue which is dictated by the rules of free market and fair opportunity
- Addressing the attendant problems with available resources & internal capacities

POLICY OF SELECTIVE DEPLOYMENT

- **Respect freedom to work
abroad**
- **Helping those who choose
this option to find employ-
ment in the most humane
environment and in better
paying jobs**

ASSISTANCE-TO-NATIONALS TASK FORCE

CORE THEME:

Global & Philippine migration realities necessitate the redirection of policies and priorities, strengthening of existing capabilities, and the generation of creative responses to the problems of Filipino migration.

ASSISTANCE-TO-NATIONALS TASK FORCE

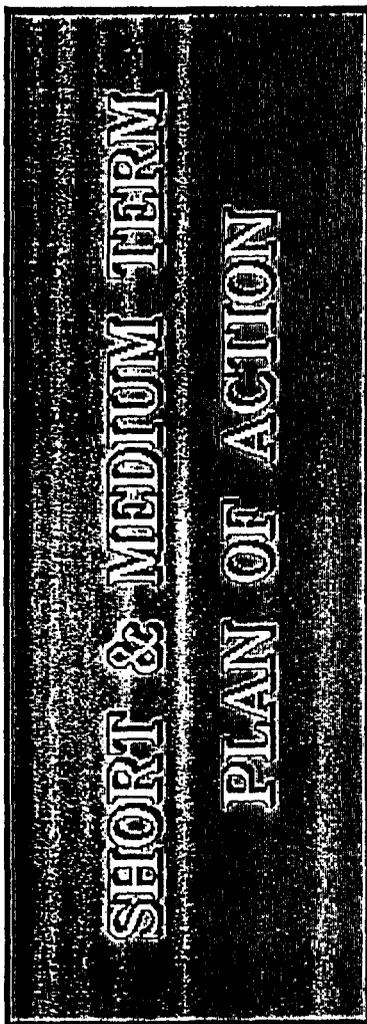
TASK:

Develop and implement an integrated program of gov't that will address the various concerns & problems resulting from migration

ASSISTANCE-TO-NATIONALS TASK FORCE

■ A.O. No. 182

- | | | |
|--------|--------|------------------|
| * DFA | * DSWD | * NBI |
| * DOLE | * POEA | * NCRFW |
| * DOJ | * OWWA | * CHR |
| * DOH | * CFO | * Private Sector |



SHORT & MEDIUM TERM
PLAN OF ACTION

SHORT & MEDIUM TERM PLAN OF ACTION

POLICY REFORM:

- **Passage of Magna Carta for Overseas Filipinos**
- **Codification of Policies and Guidelines**

SHORT & MEDIUM TERM PLAN OF ACTION

POLICY REFORM:

- Continuing review of policies and guidelines
- Rethinking of OEP

SHORT & MEDIUM TERM PLAN OF ACTION

STRUCTURAL REFORM:

- Strengthening of CAD and ATN units abroad
 - redeployment of 86 personnel
 - secondment of personnel
- Establishment of coordinative mechanisms

**SHORT & MEDIUM TERM
PLAN OF ACTION**

FUNCTIONAL REFORM:

- **Strengthening of agency
mandate**

SHORT & MEDIUM TERM PLAN OF ACTION

FUNCTIONAL REFORM:

- Enhanced programs for Filipino migrants
 - Protection
 - * Pre-deployment
 - * On-site
 - Reintegration

SHORT & MEDIUM TERM PLAN OF ACTION

IMPROVE INFRASTRUCTURE AND SUPPORT MECHANISMS:

- Establishment of 24-hour operations center
- Establishment of data base facilities

**SHORT & MEDIUM TERM
PLAN OF ACTION**

**IMPROVE INFRASTRUCTURE AND
SUPPORT MECHANISMS:**

- Establishment of 24-hour operations center
- Establishment of data base facilities

SHORT & MEDIUM TERM PLAN OF ACTION

IMPROVE INFRASTRUCTURE AND SUPPORT MECHANISMS:

- Establishment of data base linkages
- Documentation of Filipinos Overseas

**SHORT & MEDIUM TERM
PLAN OF ACTION**

IMPROVE COORDINATIVE MECHANISM:

- **ATN Task Force**
- **Multi-sectoral & International
networking**
- **Consultations and dialogues**

**SHORT & MEDIUM TERM
PLAN OF ACTION**

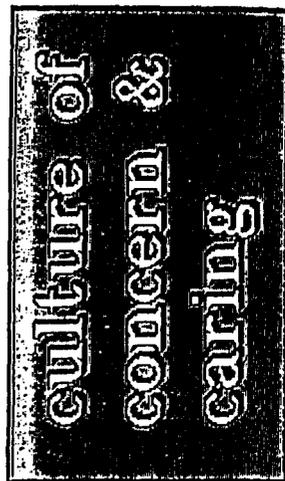
**BILATERAL AND MULTILATERAL
INITIATIVES:**

- **Use of Regional and Global
platforms**
- **Establishment of Joint
Commissions**

SHORT & MEDIUM TERM PLAN OF ACTION

RE-TOOLING & REORIENTATION OF FOREIGN SERVICE:

- Transform public perception



**SHORT & MEDIUM TERM
PLAN OF ACTION**

**RE-TOOLING & REORIENTATION OF
FOREIGN SERVICE:**

- **Establishment of Comprehensive
HIRD Program**

SHORT & MEDIUM TERM PLAN OF ACTION

EDUCATION REFORM AND INFORMATION PROGRAM:

- Education curriculum reform
- Image and service projection
- Establishment of Migrant
Advisory and Information
Network (MAIN)

"The challenge to government today is one of managing the phenomenon of labor migration. Overseas employment is not a government program; it is a fact."

— Pres. F.V. Ramos

Appendix C

BILLS AND RESOLUTIONS OF THE 8TH AND 9TH CONGRESSES

C₁ CONGRESSIONAL BILLS AFFECTING FILIPINOS OVERSEAS, 8th CONGRESS

- **Benefits for Filipinos Overseas**
- **Filipino Adopted Children**
- **General Welfare**
- **Institutional Reforms**
- **Intermarriage**
- **Investment Opportunities**
- **Overseas Employment**
- **Political Rights**
- **Taxation**
- **Tourism Development**
- **Veterans**
- **Welfare Assistance**

**C₂ CONGRESSIONAL BILLS AFFECTING
FILIPINOS OVERSEAS, 9th CONGRESS**

- **Benefits for Filipinos Overseas**
- **Citizenship**
- **Diplomatic Initiatives**
- **Economic Assessment**
- **Filipino Adopted Children**
- **General Welfare**
- **Institutional Reforms**
- **Intermarriages**
- **Investment Opportunities**
- **OCW Recruitment**
- **Overseas Employment**
- **Political Rights**
- **Taxation**
- **Tourism Development**
- **Veterans**
- **Welfare Assistance**

**CONGRESSIONAL BILLS
AFFECTING FILIPINOS OVERSEAS
8TH CONGRESS**

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
**GENERAL SUBJECT:	BENEFITS FOR FILIPINOS OVERSEAS		
*SPECIFIC SUBJECT, HB 11835 06/01/89 REP. AQUINO, TRINIDAD, ADAZA, GARDUCE, VALENCIA	BALIKBAYAN PROGRAM AN ACT INSTITUTING A FIVE- YEAR BALIKBAYAN PROGRAM.	IN 1987 BALIKBAYANS COMPRISE 20.77% OR 165,091 ARRIVALS OF THE TOTAL VIS- ITOR TRAFFIC OF 784,700 ARRIVALS. THERE IS OVERWHELMING CONCERN AMONG OVERSEAS FILIPINOS FOR OUR COUNTRY'S ECONOMIC AND SOCIAL DEVT. AND THEY STILL FEEL THE STRONG BOND OF KINSHIP WITH THE MOTHERLAND. THE REVIVAL OF THE PROGRAM ENCOURAGES THEIR CONTINUED INVOLVEMENT IN THE COUNTRY'S AFFAIRS.	CONSOLIDATED WITH SB 523 INTO A CONFERENCE COMMITTEE REPORT. PASSED 3RD READING
SB 523 05/30/88 SEN. LAUREL	AN ACT ENUMERATING THE TRAVEL BENEFITS AND PRIVI- LEGES FOR THE BALIKBAYAN.	THIS BILL PUTS INTO LAW TRAVEL BEN- EFITS AND PRIVILEGES GIVEN TO BALIKBAYANS IN RECOGNITION OF THEIR SUPPORT FOR THE COUNTRY'S TOURISM PROGRAM AND VALUABLE ROLE IN EFFORTS AT NATIONAL RE- CONSTRUCTION.	APPROVED BY SENATE IN NOV 89 THRU RA 6718 AND APPROVED BY THE HOUSE (VERSION) 11835.

CONGRESSIONAL BILLS, 8TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
BENEFITS (continued)			
*SPECIFIC SUBJECT:	CAR IMPORTATION		
SB 116 09/25/87 SEN. TAMANO	AN ACT AMENDING SUB. PAR. (A) SEC 3 OF BP BLG. 73 AS AMENDED, BY ALLOWING THE ENTRY OF HEAVY VEHICLES INTO THE PHIL. UNDER CERTAIN CONDITIONS.	THIS BILL SEEKS TO LIBERALIZE THE IMPORTATION OF MOTOR CARS WITH ENGINE DISPLACEMENTS OF OVER 2,800 CUBIC CENTIMETERS OR KERBWEIGHT EXCEEDING 1,500 KILOGRAMS, INCLUDING ACCESORIES, THUS AMENDING THAT FOR THAT PURPOSE B.P. 73.	2ND READING, COMMITTEE ON WAYS AND MEANS
SB 269 01/27/88 SEN. TAMANO, MACEDA, ENRILE	SAME AS SB 116	SAME DESC. AS SB 116	2ND READING
HB 6354 03/11/88 REP. ORBOS, BANDON, DAYANGHIRANG, LABARIA	AN ACT TO ALLOW NO-DOLLAR IMPORTATIONS OF USED CARS UNDER CERTAIN CONDITIONS AND FOR OTHER PURPOSES.	THIS BILL SEEKS TO PERMIT FILIPINOS WHO HAVE WORKED/RESIDED ABROAD FOR AT LEAST ONE YEAR AND THOSE WHO HAVE ALREADY BECOME CITIZENS OF OTHER COUNTRIES TO BRING INTO THE PHILS. 3-5 YEAR-OLD CARS WITH ENGINE DISPLACEMENTS NOT EXCEEDING 2,000 C.C.	1ST READING, COMMITTEE ON TRADE AND INDUSTRY

CONGRESSIONAL BILLS, 8TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
BENEFITS (continued)			
<p>*SPECIFIC SUBJECT: SB 416 04/28/88 SEN. TAMANO</p>	<p>ESTABLISH CONTRACT SAFEGUARDS</p>	<p>TO PROVIDE SAFEGUARD PRESERVA- TION TO EMPLOYMENT CONTRACTS, PROVIDE PENALTY FOR VIOLATIONS THEREOF AND FOR OTHER PURPOSES.</p>	<p>AS OF NOV. 1989, SUBSTITUTED BY SB 822 PER COMMITTEE REPORT 356.</p>
<p>*SPECIFIC SUBJECT: SR 307 11/04/88 SEN. ROMULO</p>	<p>IMPROVEMENTS IN REMITTANCES</p>	<p>DIRECTING THE COMMITTEE ON BANKS, FINANCIAL INSTITUTIONS AND CURRENCIES AND THE COMMITTEE ON LABOR IN AID OF LEGISLATION, TO INQUIRE INTO THE SYSTEMS AND PRAC- TICES OF BANKS VIS-A-VIS THE DOLLAR REMITTANCES OF OCWS AND TO PRO- VIDE PERMANENT REMEDIAL MEA- SURES THEREFOR.</p>	<p>REFERRED TO THE COMMITTEE ON BANKS, FINANCIAL INSTITUTIONS AND CURRENCIES AND COMMITTEE ON LABOR AND EMPLOY- MENT AND HUMAN RESOURCES</p>
<p>**GENERAL SUBJECT:</p>	<p>FILIPINO ADOPTED CHILDREN</p>		
<p>*SPECIFIC SUBJECT: SB 457 05/03/88 SEN. RASUL AND ZIGA</p>	<p>AMENDING FAMILY CODE AN ACT AMENDING ART 184 OF TITLE 7 OF EXECUTIVE ORDER NO 209 AS AMENDED, OTHERWISE KNOWN AS THE FAMILY CODE OF THE PHILIPPINES.</p>	<p>THE AMENDMENTS BEING PROPOSED ARE INTENDED TO FURTHER PROTECT AND PROMOTE THE WELFARE OF FILIPINO CHILDREN IN ADOPTION.</p>	<p>COMMITTEE ON WOMEN AND FAMILY RELATIONS</p>

CONGRESSIONAL BILLS, 8TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
BENEFITS (continued)			
SB 457 (continued)		THE SAID BILL PROPOSES THAT THE EXISTING RULES AND REGULATIONS ON INTERCOUNTRY ADOPTION SHOULD GOVERN UNTIL SUCH TIME THAT A LAW ON INTER-COUNTRY ADOPTION IS PASSED BY CONGRESS.	
**GENERAL SUBJECT:	GENERAL WELFARE		
*SPECIFIC SUBJECT:	OMNIBUS CODE FOR OCWs		
SR 462 05/11/89 SEN. LINA	RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEES TO CONDUCT INQUIRIES AND RECOMMEND MEASURES WHICH WILL INSURE IMMEDIATE, SAFE AND FAST SERVICES TO REMIT THE EARNING OF OCW; PREVENT, DETER, OR REDUCE OR INTERVENE IN CASES OF ABUSE, EXPLOITATION, MAL-TREATMENT OR DEATH OF FILIPINOS WORKING ABROAD; OPERATIONALIZE A MONITORING SYSTEM AND PROVIDE SERVICES TO PROTECT THE LIFE, PROPERTY AND HONOR OF OCWs.		PENDING COMMITTEE ON LABOR AND EMPLOYMENT AND HUMAN RESOURCES DEVELOPMENT

CONGRESSIONAL BILLS, 8TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
**GENERAL SUBJECT:	INSTITUTIONAL REFORMS		
*SPECIFIC SUBJECT:	DONATIONS TO RP GOV'T.		
HB 1983 REP. BAGATSING, MARQUEZ	AN ACT AUTHORIZING THE ARMED FORCES OF THE PHIL. COMMISARY AND EXCHANGE SERVICES TO IMPORT SANITIZED USED CLOTHING , EXEMPT FROM ALL TAXES, DUTIES AND OR CHARGES AND THE SALE THEREOF IN ITS OUTLETS FROM THE AMVETS NATIONAL SERVICE FOUNDATION, A US CONGRESSIONAL CHARTERED VETERANS ORGANIZATION OF WWII, KOREA AND VIETNAM.	THIS BILL AIMS TO ESTABLISH ECONOMIC PROJECTS THAT WOULD BENEFIT FILIPINO VETERANS AND PHIL ARMED FORCES.	APPROVED 3RD READING, TRANSMITTED TO SENATE
*SPECIFIC SUBJECT:	PHASE OUT OF DOLLAR REMITTANCES		
SB 618 06/09/88 SEN. MACEDA, HERRERA	A BILL SEEKING THE PHASE OUT WITHIN FIVE YEARS THE MANDATORY REMITTANCE TO THE PHILIPPINES OF FOREIGN EXCHANGE OF OCWS.		AS OF NOV. 1989 PENDING COMMITTEE ON LABOR, EMPLOYMENT AND HUMAN RESOURCES DEVELOPMENT

CONGRESSIONAL BILLS, 8TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
**GENERAL SUBJECT:	INTERMARRIAGE		
*SPECIFIC SUBJECT:	INVESTIGATION OF MAIL-ORDER BRIDE		
HR 13 7/23/87 REP. SANTOS, DRAGON, ALFELOR	RESOLUTION DIRECTING THE APPROPRIATE COMMITTEE TO CONDUCT AN INQUIRY IN AID OF LEGISLATION INTO THE ALLEGED MAIL-ORDER BRIDE OPERATIONS UNDER THE GUISE OF FRIENDSHIP CLUBS, LURING AND VICTIMIZING FILIPINO WOMEN INTO MARRYING FOREIGNERS AND TO RECOMMEND SUCH REMEDIAL MEASURES AS MAY BE NECESSARY TO PROTECT THE WOMEN FROM FALLING INTO SUCH ARRANGEMENTS. THIS RESOLUTION COVERS A PART OF SENATE BILL NO. 149.	THIS RESOLUTION COVERS A PART OF SB 149.	APPROVED ON 3RD READING

CONGRESSIONAL BILLS, 8TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
INTERMARRIAGE (continued)			
*SPECIFIC SUBJECT:	MATCHING PROHIBITION		
SB 20 07/31/87 SEN. MACEDA, RASUL, TAMANO	AN ACT TO DECLARE UNLAWFUL THE MATCHING OF FILIPINO WOMEN FOR MARRIAGE TO FOREIGN NATIONALS ON A MAIL-ORDER BASIS AND SIMILAR PRACTICES INCLUDING ADVERTISEMENTS.	THIS BILL SEEKS TO PROHIBIT THE PRESENT PRACTICE OF SOME PERSONS, AGENCIES, AND CLUBS OF INCLUDING FILIPINO WOMEN TO OFFER THEM- SELVES FOR MARRIAGE TO FOREIGN NATIONALS ON A MAIL-ORDER BASIS WHICH HAD LED TO THE HUMILIATION AND DEGRADATION OF FILIPINO WOMANHOOD.	2ND READING, COMMITTEE OR CONSTITUTIONAL AMENDMENTS
SB 25 08/03/87 SEN. MERCADO, HERRERA, ROMULO	AN ACT PROHIBITING THE PUBLICATION OR BROADCAST OF ANY ADVERTISEMENT THAT RE- CRUITS OR SELLS FILIPINO WOMEN AS WIVES TO FOREIGNERS.	SIMILAR TO SB 20.	CONSOLIDATED W/ SB 149, 2ND READING, COMMITTEE ON WOMEN AND FAMILY RELATIONS, COMMIT- TEE ON PUBLIC INFORMATION
SB 149 10/15/87 SEN. MACEDA, RASUL, TAMANO, MERCADO, HERRERA, ROMULO	AN ACT DECLARING UNLAWFUL THE PRACTICE OF MATCHING FILI- PINO WOMEN FOR MARRIAGE TO FOREIGN NATIONALS ON A MAIL- ORDER BASIS AND OTHER SIMILAR PRACTICES INCLUDING THE		ASSIGNED FOR 2ND READING PENDING CALENDAR FOR SPECIAL ORDER

CONGRESSIONAL BILLS, 8TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
INTERMARRIAGE (continued)			
SB 149 (continued)	ADVERTISEMENTS, PUBLICATION, PRINTING OR DISTRIBUTION OF BROCHURES AND OTHER PROPAGANDA MATERIALS IN FURTHERANCE THEREOF AND PROVIDING PENALTY THEREFOR.		ASSIGNED FOR 2ND READING PENDING CALENDAR FOR SPECIAL ORDER
HB 182 08/06/87 REP. GARCIA, ANDOLANA, MONFORT, DEL MAR, BACALTOS	AN ACT TO AMEND ART. 66 OF THE CIVIL CODE OF THE PHIL. IN ORDER TO PRESCRIBE ADDITIONAL REQUIREMENTS FOR MALE CITIZENS OR SUBJECTS OF A FOREIGN COUNTRY DESIRING TO MARRY A FILIPINO WOMAN.	SOME FOREIGNERS WHO COME TO VISIT THE PHILS. IN ORDER TO MARRY WOMEN ARE VAGABONDS OR SOCIAL AND MORAL DERELICTS IN THEIR OWN COUNTRY AND WHOSE REAL MOTIVE FOR MARRIAGE IS ONLY TO TAKE ADVANTAGE AND EXPLOIT OUR WOMEN BY MAKING THESE WOMEN WORK FOR THEM AND WORST BY SENDING THEM TO PROSTITUTION AND OTHER DEGRADING OCCUPATIONS.	2ND READING, COMMITTEE ON FAMILY RELATIONS AND POPULATION

CONGRESSIONAL BILLS, 8TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
**GENERAL SUBJECT:	INVESTMENT OPPORTUNITIES		
*SPECIFIC SUBJECT:	COUNTRYSIDE BUSINESS		
SB 869 11/21/88 SEN. ROMULO	AN ACT ESTABLISHING THE MAGNA CARTA FOR COUNTRY AND BARANGAY BUSINESS ENTER- PRISES, GRANTING INCENTIVES AND BENEFITS THEREFOR AND FOR OTHER PURPOSES.	SEEKING TO ENCOURAGE THE PRIVATE SECTOR TO INVEST IN THE COUNTRYSIDE AND THUS DEVELOP THE RURAL ECONOMY.	AS OF NOV. 1989, APPROVED BY COMMITTEE ON ECONOMIC AFFAIRS, WAYS AND MEANS AND RURAL DEVELOPMENT
HB 17848/ REP. ORBOS	AN ACT GENERATING INCENTIVES TO CERTAIN COUN- TRYSIDE BUSINESS ENTITIES	THIS BILL WILL PROVIDE EXEMPTION FROM ALL KINDS OF TAXES AND VAT, EXCEPT DUTIES AND AD VALOREM TAXES DUE FROM PROCEEDS DERIVED FROM THE COUNTRYSIDE BUSINESS ENTERPRISES WHICH SHALL BE EXCLUDED FROM THE COMPUTATION OF GROSS INCOME FOR THE PURPOSE OF COMPUTING THE INDIVIDUAL INCOME TAX OF OWNERS THEREOF.	CONSOLIDATED IN SB 869 AS OF NOV. 1989 PENDING ACTION OF THE PRESIDENT

CONGRESSIONAL BILLS, 8TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
<p>**GENERAL SUBJECT: *SPECIFIC SUBJECT:</p>	<p>OVERSEAS EMPLOYMENT OCW PROBLEM-INVESTIGATION</p>		
<p>SR 474 05/16/89 SEN. ROMULO AND HERRERA</p>	<p>A RESOLUTION DIRECTING THE COMMITTEES ON LABOR AND EMPLOYMENT AND SOCIAL JUSTICE, WELFARE AND DEVELOPMENT TO INQUIRE IN AID OF LEGISLATION, IN THE CASE AND PLIGHT OF EMILIETA EDROSOLAN, OVERSEAS WORKER FORMERLY EMPLOYED AS A DOMESTIC HELPER IN KUWAIT.</p>		<p>COMMITTEE ON LABOR, EMPLOYMENT AND HUMAN RESOURCES DEVELOPMENT</p>
<p>SB 420 04/17/89 SEN. ZIGA</p>	<p>AN ACT TO INQUIRE AND REVIEW ALL LAWS, RULES AND REGULATIONS PROTECTING THE RIGHTS, WELFARE, AND HEALTH OF FILIPINO CONTRACT WORKERS PARTICULARLY FILIPINA DOMESTIC HELPERS.</p>	<p>TO INQUIRE INTO AND REVIEW, IN AID OF LEGISLATION, ALL LAWS, RULES AND REGULATIONS PROTECTING THE RIGHTS, WELFARE AND HEALTH OF FILIPINO CONTRACT WORKERS OVERSEAS PARTICULARLY FILIPINA DOMESTIC HELPERS WHO REPORTEDLY ARE VICTIMS OF SEXUAL ABUSE BY THEIR EMPLOYERS.</p>	<p>COMMITTEE ON LABOR, EMPLOYMENT AND HUMAN RESOURCES DEVELOPMENT</p>

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
**GENERAL SUBJECT:	POLITICAL RIGHTS		
*SPECIFIC SUBJECT:	ABSENTEE-VOTING		
SB 78 08/26/87 SEN. ROMULO, GONZALES	AN ACT PROVIDING FOR A SYSTEM OF ABSENTEE VOTING BY QUALIFIED CITIZENS ABROAD.	FILIPINO CITIZENS WHO ARE OUTSIDE THE PHILS. , EITHER ON A TEMPORARY OR PERMANENT BASIS, INCLUDING THOSE IN THE SERVICE OF THE ARMED FORCES OF A FOREIGN COUNTRY MAY EXERCISE THEIR RIGHT OF SUFFRAGE THRU THE PHIL. EMBASSY/CONSULATE, DELEGATION OR MISSION, DESIGNATED BY COMELEC IN HOST COUNTRIES.	COMMITTEE ON ELECTORAL REFORMS AND PEOPLE'S PARTICIPATION
HB 4058 12/01/87 REP. AQUINO	AN ACT PROVIDING FOR A SYSTEM OF ABSENTEE VOTING BY QUALIFIED FILIPINOS ABROAD.		HOUSE OF REP
HR 7 07/31/89 REP. PUYAT-REYES	AN ACT AMENDING SEC. 1 ART. 5 OF THE CONSTITUTION BY EXCLUDING NON-RESIDENT FILIPINO CITIZENS FROM THE RESIDENCY REQUIREMENT FOR VOTES TO ENABLE THEM TO PARTICIPATE IN THE COUNTRY'S ELECTIONS.		CONSTITUTIONAL COMMITTEE

CONGRESSIONAL BILLS, 8TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
POLITICAL RIGHTS (continued)			
*SPECIFIC SUBJECT: OVERSEAS REPRESENTATION			
SB 142 10/09/87 SEN. ALVAREZ	AN ACT GRANTING SECTORAL REPRESENTATIONS TO OVERSEAS FILIPINOS IN THE HOUSE OF REPRESENTATIVES	MANY FILIPINOS ABROAD CONTINUE TO EXPRESS CONCERN FOR THEIR HOME COUNTRY AND DESIRE FOR CONTINUING DEMOCRATIC PROCESSES. THAT IS WHY THEY SHOULD BE GIVEN PROPER REPRESENTATION BY THIS GOVT. THE SECTORAL REPRESENTATIVE CAN READILY PROVIDE GLOBAL APPRECIATION AND COMPREHENSION OF ISSUES AND EVENTS AFFECTING PHIL. INTEREST AND OVERSEAS FILIPINOS.	COMMITTEE ON CONSTITUTIONAL AMENDMENTS (REVISION OF CODES AND LAWS)
** GENERAL SUBJECT: TAXATION			
* SPECIFIC SUBJECT TAX EXEMPTION			
HB 1892 09/24/87 REP. ABLAN, NALUPTA, ALBANO, ABAYA, ORTEGA, ET. AL.	AN ACT GRANTING 50% TAX EXEMPTION ON THE INCOME OF BALIKBAYAN DOCTORS, NURSES, EXECUTIVES, AND OTHER PROFESSIONALS WHO ARE COMING TO SETTLE PERMANENTLY IN THE PHILIPPINES.	THIS BILL SEEKS TO ENCOURAGE FIL. PROF'LS WHO HAVE BECOME PERMANENT RESIDENTS OR NATURALIZED CITIZENS OF OTHER COUNTRIES, TO COME BACK TO THEIR HOME COUNTRY AND APPLY OR CONTRIBUTE THEIR KNOWLEDGE AND SKILLS TO THE DEVT. PROGRAM OF THE PHILS. OR INVEST IN THE ECONOMIC RECOVERY PROGRAM OF THE GOVT.	1ST READING, COMMITTEE ON WAYS AND MEANS

CONGRESSIONAL BILLS, 8TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
TAXATION (continued)			
*SPECIFIC SUBJECT:	TAX EXEMPTION (VETERANS)		
HB 1893 09/24/87 REP. CABOCHAN, BAGATSING, MARQUEZ	AN ACT AUTHORIZING THE ARMED FORCES COMMISSARY AND EXCHANGE SERVICES TO IMPORT SANITIZED, USED CLOTHING EXEMPT FROM ALL TAXES DUTIES AND/OR CHARGES AND THE SALE THEREOF IN ITS OUTLETS FROM AMVETS NATIONAL SERVICES FOUNDATION, A US CONGRES- SIONAL CHARTERED VETERANS ORGANIZATION OF WWIL, KOREA AND VIETNAM.	THIS BILL AIMS TO ESTABLISH AN ECO- NOMIC PROGRAM THAT WILL BENEFIT FIL- IPINO VETERANS AND MEMBERS OF THE PHIL. ARMED FORCES.	REFERRED TO THE COMMITTEE ON NATIONAL DEFENSE
**GENERAL SUBJECT:	TOURISM DEVELOPMENT		
*SPECIFIC SUBJECT	TOUR AGENCY LICENSING		
SB 44 08/10/87 SEN. TAMANO	AN ACT LIBERALIZING THE LICENSING OF TRAVEL AND TOUR AGENCIES.	THERE IS A NEED TO INCREASE THE NUMBER OF LICENSED TRAVEL AND TOUR AGENCIES IN THE PHILS. IN ORDER TO ENHANCE THE DEVT. OF THE TOURISM INDUSTRY AND GIVE THE FILILIPINOS ABROAD A CHANCE TO VISIT THE PHILS. AND MAINTAIN LINKAGES WITH THEIR MOTHERLAND.	2ND READING, COMMITTEE ON TOURISM

CONGRESSIONAL BILLS, 8TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
**GENERAL SUBJECT:	VETERANS		
*SPECIFIC SUBJECT:	HEALTH		
SB 431 04/26/88 SEN. TAMANO AND ANGARA	AN ACT LIBERALIZING THE DEFINITION OF VETERANS GRANTING MEDICAL BENEFITS TO ALL RECOGNIZED VETERANS AND THEIR DEPENDENTS IN ALL GOVT. HOSPITALS AND FOR OTHER PURPOSES.		2ND READING, COMMITTEE ON HEALTH PER COMMITTEE REPORT 181
*SPECIFIC SUBJECT:	UNRESOLVED U.S. CLAIMS		
SR 13 08/17/87 SEN. ROMULO	A RESOLUTION REQUESTING THE PRESIDENT OF THE PHILS. TO MAKE REPRESENTATION WITH THE US GOVT. FOR THE RECONVENING OF THE JOINT RP-US VETERANS COMMISSIONS.	CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE PHILS. TO MAKE REPRESENTATION WITH THE PRESIDENT OF THE U.S.A. FOR THE RECONVENING OF THE JOINT RP-US VETERANS COMMISSION FOR THE SETTLEMENT OF THE UNRESOLVED CLAIMS TAKEN UP BY SAID COMMISSION IN 1986.	2ND READING, COMMITTEE ON FOREIGN RELATIONS PER COMMITTEE REPORT 245

CONGRESSIONAL BILLS, 8TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
VETERANS/UNRESOLVED U.S. CLAIMS(continued)			
SR 136 04/19/88 SEN. ROMULO	A RESOLUTION URGING THE PHIL. PANEL IN THE ON-GOING REVIEW OF THE RP-US MILITARY BASES AGREEMENT TO PRESS FOR THE IMMEDIATE CONVENING OF THE VETERANS PANEL.	CONVEYING THE SENSE OF THE SENATE IN URGING THE PHIL. PANEL IN THE ON-GOING REVIEW OF THE RP-US MILITARY BASES AGREEMENT TO PRESS FOR THE IMMEDIATE CONVENING OF THE VETERAN'S PANELS TO RESOLVE ALL CLAIMS FOR UNPAID COMPENSATION BY FILIPINO VETERANS OF THE SECOND WORLD WAR.	2ND READING, COMMITTEE ON FOREIGN RELATIONS, PER COMMITTEE REPORT 245.
** GENERAL SUBJECT*	WELFARE ASSISTANCE		
* SPECIFIC SUBJECT:	COST OF AIRFARE		
SB 388 03/24/88 SEN. MACEDA	AN ACT REQUIRING FOREIGN EMPLOYERS, CONTRACTORS, AND THEIR DULY AUTHORIZED REPRESENTATIVES TO ASSUME THE FULL COST OF WORKERS AIRFARE.	TO REQUIRE FOREIGN EMPLOYERS, CONTRACTORS, AND THEIR DULY AUTHORIZED REPRESENTATIVES TO ASSUME THE FULL COST OF WORKER'S AIRFARE AND TO PROVIDE TRANSPORTATION FROM PLACE OF WORK, PROVIDE AT LEAST 4 WEEKS VACATION WITH PAY FOR EVERY TWO YEARS OF CONTINUOUS SERVICE AND TO PROVIDE PENALTIES FOR VIOLATION THEREOF.	COMMITTEE ON LABOR, EMPLOYMENT AND HUMAN RESOURCES DEVELOPMENT

CONGRESSIONAL BILLS, 8TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
WELFARE ASSISTANCE (continued)			
*SPECIFIC SUBJECT: SB 19 07/30/87 SEN. ROMULO AND HERRERA	CREDIT ASSISTANCE AN ACT PROVIDING FOR CREDIT ASSISTANCE FOR OVERSEAS WORKERS.		SUBSTITUTED BY SB 177, REFERRED TO THE COMMITTEE ON LABOR, EMPLOYMENT, AND HUMAN RESOURCES DEVELOPMENT AND COMMITTEE ON BANKS, FINANCIAL INSTITUTIONS AND CURRENCIES

**CONGRESSIONAL BILLS
AFFECTING FILIPINOS OVERSEAS
9TH CONGRESS**

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
**GENERAL SUBJECT:	BENEFITS FOR FILIPINOS OVERSEAS		
*SPECIFIC SUBJECT:	BALIKBAYAN PROGRAM		
HR 117 08/26/92 REP. MATTI	RESOLUTION URGING THE HOUSE COMMITTEE ON TOURISM TO CONDUCT A REVIEW ON THE BALIKBAYAN PROGRAM AS MANDATED IN R.A. 6768.	IT IS NECESSARY FOR CONGRESS TO REVIEW THE PROGRAM TO GAUGE IF IT HAS BEEN ABLE TO LIVE TO THE PURPOSE FOR WHICH IT WAS INSTITUTED, WHICH IS TO ATTRACT AND ENCOURAGE OVERSEAS FILIPINOS TO COME AND VISIT THEIR MOTHERLAND (SEC 1 R.A. 6768).	1ST READING COMMITTEE ON TOURISM (UNFINISHED BUSINESS)
HB 7848 03/01/93 REP. MATTI	AN ACT AMENDING R.A. 6768 OTHERWISE KNOWN AS AN ACT INSTITUTING THE BALIKBAYAN PROGRAM.	BALIKBAYAN VISITORS THEMSELVES HAVE PROPOSED CERTAIN CHANGES/ REFINEMENTS TO MAKE THE LAW RESPONSIVE TO THE NEEDS OF THE MARKET	REFERRED TO THE COMMITTEE ON TOURISM FOR 3RD READING

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
BENEFITS (continued)			
*SPECIFIC SUBJECT: HB 122 01/25/93 REP. ROMERO	LAND ACQUISITION AN ACT AMENDING B.P. 185 ENTITLED AN ACT TO IMPLEMENT SEC. 15 OF ART. 14 OF THE CONSTITU- TION AND FOR OTHER PURPOSES, SO AS TO ALLOW NATURAL-BORN CITI- ZENS OF THE PHILS. WHO HAVE LOST THEIR CITIZENSHIP TO BE TRANSFER- EES OF LAND FOR RESIDENTIAL AND INVESTMENT PURPOSES.	TO ALLOW FORMER FILIPINO CITIZENS TO OWN 3,000 SQ.M. OF URBAN LAND AND 3 HAS. OF RURAL LAND.	1ST READING COMMITTEE ON JUSTICE
*SPECIFIC SUBJECT: HB 118 07/15/92 REP. ROMERO	PRACTICE OF PROFESSION AN ACT ALLOWING A NATURAL- BORN CITIZEN OF THE PHILS. WHO HAS LOST HIS FILIPINO CITIZENSHIP OR NOT HAVING LOST HIS CITIZEN- SHIP BUT HAS PRACTICED HIS PROFESSION IN A FOREIGN COUNTRY, TO PRACTICE HIS PROFESSION IN THE PHILS. AND PROVIDING REQUIREMENTS THEREFORE.	TO ALLOW FILIPINOS OVERSEAS THE OPPORTUNITY TO PRACTICE THEIR PROFESSION IN THE PHILS. THIS WILL ALSO BE BENEFICIAL FOR TRANSFER OF TECHNOLOGY PURPOSES.	1ST READING COMMITTEE ON JUSTICE

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
BENEFITS/PRACTICE OF PROFESSION (continued)			
SB 1082 02/02/93 SEN. GUINGONA	AN ACT TO GRANT NATURAL- BORN FILIPINO CITIZENS WHO LOST THEIR FILIPINO CITIZENSHIP BY NATURALIZA- TION IN FOREIGN COUNTRIES, THE RETENTION OF THEIR PRIVILEGE TO PRACTICE THEIR PROFESSION IN THE PHILIPPINES SUBJECT TO CERTAIN CONDITIONS FOR OTHER PURPOSES.	UNDENIABLY WE HAVE NOTED A SERIOUS BRAIN DRAIN, WITH THESE PROFESSIONALS BACK TO OUR FOLD, AND THIS LAW GRANTING THEM THE RETENTION OF THEIR AUTHORITY TO PRACTICE THEIR PROFESSIONS, WE MAY NOT ONLY PARTIALLY DO AWAY WITH THE BRAIN DRAIN, BUT MAY LIKELIKE CONTRIBUTE TO THE ECONOMIC STABILITY OF THE COUNTRY.	1ST READING COMMITTEE ON JUSTICE AND CIVIL SERVICE.
**GENERAL SUBJECT:	CITIZENSHIP		
*SPECIFIC SUBJECT:	REACQUISITION		
SB 885 10/28/92 SEN. TATAD	AN ACT PROVIDING FOR THE RE- ACQUISITION OF THE PHIL. CITIZENSHIP BY FORMER FILIPINO NATIONALS .	TO ENABLE CONGRESS TO ENACT A NEW LAW TO BENEFIT FORMER FILIPINOS WHO WISH TO REGAIN THEIR PLACE AND STATUS IN PHIL. SOCIETY AND CONTRIBUTE MATERIALLY AND OTHER WAYS TO THE WELL-BEING OF THE COUNTRY.	1ST READING COMMITTEE ON JUSTICE AND HUMAN RIGHTS

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
CITIZENSHIP (continued)			
<p>*SPECIFIC SUBJECT: SB 12 07/01/92 SEN. OSMEÑA</p>	<p>RESTRICTIONS AN ACT PROVIDING DUAL CITIZENSHIP, PROVIDING PENALTIES THEREFOR AND FOR OTHER PURPOSES.</p>	<p>TO PROHIBIT FILIPINO CITIZENS FROM HOLDING DUAL CITIZENSHIP.</p>	<p>1ST READING COMMITTEE ON JUSTICE</p>
<p>SB 869 10/21/92 SEN. ROMULO</p>	<p>AN ACT PROHIBITING DUAL CITIZENSHIP, PROVIDING PENALTIES THEREFOR, AND FOR OTHER PURPOSES.</p>	<p>THIS BILL SEEKS TO PROHIBIT FILIPINO CITIZENS FROM HOLDING DUAL CITI- ZENSHIP SINCE ART IV SEC 5 OF THE 1987 CONSTITUTION STATES THAT DUAL ALLEGIANCE IS INIMICAL TO THE NATIONAL INTEREST AND SHALL BE DEALT WITH BY LAW.</p>	<p>1ST READING, COMMITTEE ON JUSTICE</p>
<p>**GENERAL SUBJECT: *SPECIFIC SUBJECT:</p>	<p>DIPLOMATIC INITIATIVES RELATIONS WITH SOUTH AFRICA</p>		
<p>HR 42 08/04/92 REP. ABLAN</p>	<p>RESOLUTION URGING THE EXEC. DEPARTMENT, ESPECIALLY THE CENTRAL BANK, DFA, AND DTI TO LIFT ALL SANCTIONS AND HINDRANCES AGAINST TRAVEL, TRADE AND INVESTMENT BETWEEN THE REPUBLIC OF THE PHILS. AND REPUBLIC OF SOUTH AFRICA.</p>	<p>TRADE AGREEMENTS WITH SOUTH AFRICA WILL BE BENEFICIAL TO THE PHILS. IN OPTIMIZING MINING TECHNOLOGIES, THE PROGRESSIVE EXCHANGE OF PROFESSIONAL WORKER, DEVELOPMENT OF NEW MARKETS FOR AGRICULTURE GOODS, CREATION OF NEW SOURCES FOR PHIL. IMPORTATION OF WHEAT, STEEL, COAL AND HEAVY MACHINERIES</p>	<p>1ST READING, COMMITTEE ON ECONOMIC AFFAIRS</p>

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
**GENERAL SUBJECT:	ECONOMIC ASSESSMENT		
*SPECIFIC SUBJECT: HR 162 09/03/92 REP. BAGATSING JR., DEL MAR AND CHIONGBIAN	PESO APPRECIATION RESOLUTION DIRECTING THE HOUSE COMMITTEE ON ECONOMIC AFFAIRS TO CONDUCT AN IMMEDIATE INQUIRY, IN AID OF LEGISLA- TION, ON THE IMPACT OF THE DOMESTIC ECONOMY OF THE CONTINUING APPRECIATION OF THE PHIL. PESO AGAINST THE U.S. DOLLAR PARTICULARLY ON THE LOCAL EXPORT.	TO INCREASE FOREIGN EARNING REMITTANCES OF OCW's TO MITIGATE THE LOSSES IN LOCAL EXPORT INDUSTRY AND PREVENT SUBSEQUENT DEMISE OF THESE SECTORS OF OUR ECONOMY.	1ST READING, COMMITTEE ON ECONOMIC AFFAIRS
**GENERAL SUBJECT:	FILIPINO ADOPTED CHILDREN		
*SPECIFIC SUBJECT:	INTER-COUNTRY ADOPTION REGULATION		
SB 236 07/02/92 SEN. RASUL	AN ACT ESTABLISHING THE RULE TO GOVERN THE ADOPTION OF FILIPINO CHILDREN BY FOREIGNERS, AND FOR OTHER PURPOSES.	THE PROPOSED BILL SEEKS TO PROVIDE THE RULES UNDER WHICH ADOPTION BY FOREIGNERS MAY BE ALLOWED. LIKewise, THE AIM OF THE SAID BILL IS TO PROTECT THE BEST INTEREST OF FILIPINO CHILDREN IN ADOPTION.	1ST READING, COMMITTEE ON WOMEN AND SOCIAL JUSTICE (PRIORITY ADMIN. MEASURE)

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
FILIPINO ADOPTED CHILDREN/INTER-COUNTRY (continued)			
SR 213 11/12/92 SEN. SHAHANI	RESOLUTION INQUIRING THE POLICIES, RULES AND REGULATIONS RELATING TO ADOPTION, ESPECIALLY THE ADOPTION OF FILIPINO CHILDREN BY NON-RESIDENT FOREIGNERS THRU THE INTER-AGENCY OF INTER-COUNTRY ADOPTION PROCESSES, FOR THE PURPOSE OF DETERMINING WHETHER THE SAME ARE IN KEEPING WITH THE LAW AND ESTABLISHED POLICIES DESIGNED TO PROTECT THE CHILDREN AGAINST ABUSE AND EXPLOITATION.	TO ENCOURAGE AND COORDINATE PROGRAMS IN BOTH THE GOVT. AND PRIVATE SECTORS IN AN EFFORT TO REDUCE THE NUMBERS OF HELPLESS CHILDREN AND TO SUPPLY THEM WITH THE BASIC NEEDS FOR SUBSISTENCE.	1ST READING, COMMITTEE ON WAYS AND MEANS
SB 1133 03/03/93 SEN. SHAHANI	AN ACT ESTABLISHING THE RULES TO GOVERN THE ADOPTION OF FILIPINO CHILDREN BY FOREIGNERS AND FOR OTHER PURPOSES.	TO PROTECT THE RIGHTS AND PROMOTE THE BEST INTEREST OF FILIPINO CHILDREN IN ADOPTION.	1ST READING, COMMITTEE ON WOMEN AND FAMILY RELATIONS, SOCIAL JUSTICE AND WELFARE AND DEVELOPMENT

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
FILIPINO ADOPTED CHILDREN/INTER-COUNTRY (continued)			
HB 10363 08/11/93 REP. LAUREL-TRINIDAD AND ANDAYA	AN ACT ESTABLISHING THE RULES TO GOVERN INTER- COUNTRY ADOPTION OF FILIPINO CHILDREN AND FOR OTHER PURPOSES.	TO PROTECT THE RIGHTS AND PROMOTE THE BEST INTEREST OF FILIPINO CHILDREN IN ADOPTION.	APPROVED 3RD READING PER COMMITTEE REPORT 250
**GENERAL SUBJECT: *SPECIFIC SUBJECT:	GENERAL WELFARE OMNIBUS CODE FOR FILIPINO OCWs		
HB 6596 01/25/93 REP. SANCHEZ	AN ACT ENTITLED "OMNIBUS FILIPINO ACT" PROVIDING FOR EXPATRIATE VOTING BY QUALIFIED FILIPINOS ABROAD, OVERSEAS REPRESENTATION IN CONGRESS, OWNERSHIP OF LAND, IMPORT PRIVILEGES, AVOIDANCE OF DOUBLE TAXATION, TRANSFER OF TECHNOLOGY, AND PRACTICE OF PROFESSION.	THE BILL APPROACHES, IN A COMPREHENSIVE MANNER, ENCOMPASSING WITHIN ITS PROVISION RIGHTS AND PRIVILEGES SOUGHT BY FILIPINOS OVERSEAS, AND WAYS BY WHICH THEY CAN CONCRETELY ASSIST THE PHILIPPINE GOVERNMENT'S DEVELOPMENT PROCESSES	2ND READING, COMMITTEE ON SUFFRAGE AND ELECTORAL REFORMS, CONSOLIDATED INTO HOUSE BILL 11278
SB 980 12/07/92 SEN. ROCO	AN ACT TO ORDAIN AND INSTITUTE THE OVERSEAS FILIPINO CODE.	TO ALLOW FILIPINOS OVERSEAS CERTAIN RIGHTS WHICH THEY DO NOT ENJOY SUCH AS VOTING, SECTORAL REPRESENTATION, AND OWNERSHIP OF LAND.	1ST READING, COMMITTEE ON JUSTICE AND HUMAN RIGHTS AND ELEC- TORAL REFORMS AND PEOPLE'S PARTICIPATION

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
GENERAL WELFARE/OMNIBUS CODE (continued)			
SB 996 12/14/92 SEN. MACEDA	AN ACT PROVIDING VARIOUS INCENTIVES AND BENEFITS FOR FILIPINOS OVERSEAS AND RESIDENTS	THE BILL APPROACHES THE ISSUE IN A COMPREHENSIVE MANNER, ENCOMPASSING THE RIGHTS AND PRIVILEGES SOUGHT BY OVERSEAS FILIPINOS AND METHODS WHERE THEY CAN CONCRETELY HELP THE PHIL. DEVT. EFFORTS.	1ST READING, COMMITTEE ON JUSTICE AND HUMAN RIGHTS AND ELECTORAL REFORMS AND PEOPLE'S PARTICIPATION
HB 5456 12/02/92 REP. LACSON	AN ACT ENTITLED OMNIBUS FILIPINO OVERSEAS ACT	AN ACT PROVIDING FOR ABSENTEE-VOTING; OWNERSHIP OF LAND, REPRESENTATION IN CONGRESS, IMPORT PRIVILEGES, AVOIDANCE OF DOUBLE TAXATION, REMITTANCE OF FOREIGN EXCHANGE EARNINGS, INCREASED INVESTMENT OPPORTUNITIES, AND TRANSFER OF TECHNOLOGY	1ST READING, COMMITTEE ON JUSTICE
**GENERAL SUBJECT: *SPECIFIC SUBJECT:	INSTITUTIONAL REFORMS ABOLITION OF POEA/OWWA		
SB 892 10/30/92 SEN. SOTTO	AN ACT ABOLISHING POEA AND OWWA AND CREATING THE PHILIPPINE OVERSEAS MANPOWER EMPLOYMENT AND	THE BILL ENDEAVORS TO RATIONALIZE, COORDINATE AND STREAMLINE GOVERNMENT'S EFFORT TO EFFECTIVELY ADDRESS THIS PROBLEM.	1ST READING, COMMITTEE ON LABOR, EMPLOYMENT AND HUMAN RESOURCES

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
INSTITUTIONAL REFORMS (continued)			
SB 892 (continued)	DEVELOPMENT AUTHORITY, DEFINING ITS POWERS AND FUNCTIONS AND RESPONSIBI- LITIES, PROVIDING FUNDS, AND FOR OTHER PURPOSES.	CERTAIN AGENCIES SHOULD BE ABOLISHED FOR THE SAKE OF GETTING GOVERNMENT ACT TOGETHER.	DEVELOPMENT AND CIVIL SERVICES AND GOVERNMENT ORGANIZATION.
*SPECIFIC SUBJECT: RA 7650 04/06/93 REP. JAVIER	AMEND TARIFF/CUSTOMS LAWS AN ACT REPEALING SEC. 1404 AND AMENDING SECTION 1401 OF THE TARIFF AND CUSTOMS CODE OF THE PHILS. AS AMENDED RELATIVE TO THE PHYSICAL EXAMINATION OF IMPORTED ARTICLES.		APPROVED INTO LAW HB 3695, SB 1108, APPROVED JUNE 14, 1994
*SPECIFIC SUBJECT: HB 6286 01/19/93 REP. VILLAROSA	DONATION TO THE GOVERNMENT AN ACT GRANTING EXEMPTIONS OF GOODS, COMMODITIES, VEHICLES, EQUIPMENT, OR MATERIALS DONATED BY FOREIGN GOVERNMENT INSTITUTIONS, PRIVATE ENTITIES OR INDIVIDUALS TO THE GOVERNMENT OF	TO CREATE A CLIMATE FAVORABLE TO RESPONSIVE SERVICE AND FASTER DEVELOPMENT IN GOVERNMENT AGENCIES AND INSTRUMENTALITIES ESPECIALLY THE LOCAL GOVERNMENT UNITS WHO DO NOT HAVE FUNDS.	1ST READING, COMMITTEE ON WAYS AND MEANS

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
INSTITUTIONAL REFORMS/DONATION (continued)			
HB 6286 (continued)	THE PHILS. AND ITS INSTRUMENTALITIES AND FOR OTHER PURPOSES.		
SB 1368 08/19/93 SEN. MACEDA	AN ACT GRANTING TAX EXEMPTION FOR GOODS, COMMODITIES, VEHICLES, EQUIPMENT, OR MATERIALS DONATED BY FOREIGN GOVERNMENT, INSTITUTIONS, PRIVATE ENTITIES OR INDIVIDUALS TO THE PHILIPPINE GOVERNMENT AND ITS INSTRUMEN- TALITIES INCLUDING LOCAL GOVERNMENT UNITS AND FOR OTHER PURPOSES.	TO CREATE A CLIMATE FAVORABLE TO RESPONSIVE SERVICE ESPECIALLY LOCAL GOV'T. UNITS WHO ARE IN NEED OF SUCH DONATION BUT DO NOT HAVE THE FUNDS THEREFORE, THIS BILL IS PROPOSED TO GRANT EXEMPTION OF SUCH DONATION FROM TAXES, DUTIES AND OTHER IMPORT LEVIES OR CHARGES.	1ST READING, COMMITTEE ON WAYS AND MEANS
*SPECIFIC SUBJECT:	EXPANSION OF AGENCY MANDATE		
HB 2519 09/14/92 REP. SANCHEZ	AN ACT EXPANDING THE JURISDICTION OF POEA TO INCLUDE THE AUTHORITY TO AWARD ALL FORMS OF DAMAGES IN THE EXERCISE OF ITS ADJUDICATORY FUNCTION.	TO PROVIDE COMPLETE, INEXPENSIVE AND EXPEDITIOUS LEGAL RELIEF AND INDEMNIFICATION TO AGGRIEVED FILIPINO OVERSEAS WORKERS.	1ST READING, COMMITTEE ON LABOR AND EMPLOYMENT

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
INSTITUTIONAL REFORMS/EXPANSION (continued)			
SB 346 07/10/92 SEN. HERRERA, OPLE, ROMULO, ANGARA, REVILLA, TATAD	AN ACT CONFERRING JURISDICTION ON THE POEA TO AWARD DAMAGES, AMENDING SEC. 3(D) E.O. 246, AND FOR OTHER PURPOSES.	EO 247 REORGANIZED THE POEA, PROVIDES THAT THE POEA SHALL HAVE ORIGINAL AND EXCLUSIVE JURISDICTION OVER ALL CASES, INCLUDING MONEY CLAIMS, INVOLV- ING EMPLOYER-EMPLOYEE RELATIONS ARISING OUT OF OR BY VIRTUE OF ANY LAW ON CONTRACT INVOLVING OVERSEAS EMPLOYMENT.	2ND READING, COMMITTEE ON LABOR, EMPLOYMENT AND HUMAN RESOURCES DEVELOPMENT (COMMITTEE REPORT 55)
*SPECIFIC SUBJECT:	INVESTIGATION-DONATION		
SR 121 09/17/92 SEN. ARROYO	RESOLUTION INQUIRING INTO THE AMOUNT THE USAGE OF FUNDS APPROPRIATED AND SPENT FOR THE RELIEF AND REHABILITATION OF CENTRAL LUZON INCLUDING DONATIONS, IN AID OF LEGISLA- TION, TO ENABLE THE SENATE TO CRAFT A MEANINGFUL AND COMPREHENSIVE LAW PROVIDING MASTER DEVELOPMENT PLAN AND INFRASTRUCTURE REHABILITATION AND CONTINUING LIVELIHOOD PROGRAMS AND OTHER SOCIAL SERVICES IN THE DEVASTATED AREA.	TO PROVIDE MASTER DEVELOPMENT AND REHABILITATION PLAN FOR CENTRAL LUZON AND PROVIDE CONTINUING LIVELIHOOD PROGRAM AND OTHER ESSENTIAL SOCIAL SERVICES TO ALLEVIATE THE PLIGHT OF OUR COUNTRYMEN IN THE DEVASTATED AREA.	1ST READING, COMMITTEE ON ACCOUNTABILITY OF PUBLIC OFFICERS

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
INSTITUTIONAL REFORMS(continued)			
<p>*SPECIFIC SUBJECT: SR 97 08/20/92 SEN. MACEDA AND HERRERA</p>	<p>INVESTIGATION-GOV'T. AGEN. RESOLUTION DIRECTING THE COMMITTEE ON ACCOUNTABILITY OF PUBLIC OFFICERS AND INVESTIGATION (BLUE RIBBON) AND THE COMMITTEE ON WAYS AND MEANS TO INVESTIGATE, IN AID OF LEGISLATION, THE UPDATED IMPORTATION OF A BRAND NEW MERCEDEZ BENZ AND ROLLS ROYCE LIMOUSINE ALONG WITH P72 MILLION TOYOTA LAND CRUISERS WHICH WERE ALLEGEDLY RELEASED BY MICP AND THE BOC.</p>	<p>TO PREVENT ILLEGAL IMPORTATION OF MOTOR VEHICLES</p>	<p>1ST READING COMMITTEE ON LABOR</p>
<p>*SPECIFIC SUBJECT: HB 436 07/31/92 REP. LAUREL-TRINIDAD, MERCADO AND RAMIREZ</p>	<p>LABOR CODE AMENDMENTS AN ACT TO PROMOTE AND PROTECT THE RIGHTS OF OCWs AMENDING THE BOOKS 1 AND 2 OF THE LABOR CODE (PD 442) AS AMENDED AND FOR OTHER PURPOSES.</p>	<p>TO PREVENT ILLEGAL RECRUITMENT AND EXPLOITATION OF OCWS AND ENSURE THEIR GENERAL WELL-BEING INCLUDING THEIR FAMILIES</p>	<p>1ST READING, COMMITTEE ON LABOR AND EMPLOYMENT</p>

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
INSTITUTIONAL REFORMS/LABOR CODE (continued)			
SB 388 07/16/92 SEN. COSETENG	AN ACT TO PROMOTE AND PROTECT THE RIGHTS OF OCWS AMENDING BOOKS 1 AND 2 OF THE LABOR CODE (PD 442) AS AMENDED AND FOR OTHER PURPOSES.	AIMS TO UPDATE THE LABOR CODE, GIVE DUE RECOGNITION TO OCWS AND THE OVERSEAS LABOR MARKET, CENTRALIZE A LEAD AGENCY FOR OCWS, PROVIDE RIGHTS AND DUTIES OF OCWS.	1ST READING, COMMITTEE ON LABOR, EMPLOYMENT, AND HUMAN RESOURCES DEVELOPMENT
*SPECIFIC SUBJECT: HR 23 07/24/92 REP. RAMIREZ	OWWA FUND INVESTIGATION RESOLUTION DIRECTING APPROPRIATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE DETAILS OF THE REPORTED BILLION PESO FUND BEING ADMINISTERED BY OWWA . AND TO RECOMMEND NECESSARY MEASURES.	TO LOOK INTO THE DETAILS OF OWWA'S ADMINISTRATION OF SAID FUND.	1ST READING, COMMITTEE ON LABOR AND EMPLOYMENT
**GENERAL SUBJECT:	INTERMARRIAGES		
*SPECIFIC SUBJECT: SB 235 07/02/92 REP. RASUL	FAMILY CODE AMENDMENTS AN ACT AMENDING ART 25, 31, 33, 41, 42, 43, 47, AND 53 OF TITLE 1 OF THE EO 209 AS AMENDED, OTHERWISE KNOWN AS THE FAMILY CODE.	THE AMENDMENTS PROPOSED BY THIS BILL ARE BEING MADE TO CLARIFY SOME INACCURATE PROVISIONS OF THE CODE AND TO CHANGE THE SUBSTANCE TO	1ST READING, COMMITTEE ON WOMEN AND SOCIAL JUSTICE

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
INTERMARRIAGES (continued)			
SB 235 (continued)		CONFORM WITH THE AVERAGE MAN'S SENSE OF JUSTICE AND TO TAKE INTO ACCOUNT PRACTICAL CONSIDERATIONS.	
*SPECIFIC SUBJECT: SR 84 07/01/92 SEN. MACEDA	R.A. 6955 VIOLATIONS RESOLUTION URGING THE COMMITTEE ON WOMEN AND FAMILY RELATIONS TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE PUBLISHED REPORT ABOUT MASS MARRIAGES BETWEEN FILIPINO AND KOREAN CITIZENS, AMONG OTHER NATIONALS, VIA SATELLITE TV IN SEOUL, KOREA BY KOREAN EVANGELIST SUN MOON, WITH THE END VIEW OF DETER- MINING THE IMPLICATIONS OF SUCH MARRIAGES ON THE PROVISIONS OF R.A. 6955, DECLARING UNLAWFUL MAIL-ORDER MARRIAGES AND OTHER SIMILAR PRACTICES AND RECOMMEND APPROPRIATE LEGISLATIVE MEASURES.	SINCE THE SUBJECT WEDDING WAS DONE IN VIOLATION OF THE FAMILY CODE OF THE PHILIPPINES WITH POSSIBLE EXPLOITATION OF FILIPINO WOMEN AND DISREGARD OF THEIR HUMAN DIGNITY, AN INVESTIGATION SHOULD BE MADE BY AN APPROPRIATE COMMITTEE OF THE SENATE.	1ST READING, COMMITTEE ON WOMEN AND FAMILY RELATIONS

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
INTERMARRIAGES (continued)			
*SPECIFIC SUBJECT:	REPATRIATION		
HB 1248 08/20/92 REP. ESCUDERO	AN ACT PROVIDING FOR THE REPATRIATION OF FILIPINO WOMEN WHO HAVE LOST THEIR PHIL. CITIZENSHIP BY MARRIAGE TO ALIENS AND OF NATURAL-BORN FILIPINOS.	TO REPATRIATE FILIPINO WOMEN AS WELL AS NATURAL-BORN FILIPINOS WHO HAVE LOST THEIR CITIZENSHIP BUT WHO DESIRE TO RE-ACQUIRE PHIL. CITIZENSHIP	APPROVED 3RD AND FINAL READING, COMMITTEE ON WOMEN AND FAMILY RELATIONS PER COMMITTEE REPORT 206
**GENERAL SUBJECT:	INVESTMENT OPPORTUNITIES		
*SPECIFIC SUBJECT: SR 816 04/11/93 SEN. TANADA	AMEND NEGATIVE LIST RESOLUTION DIRECTING THE COMMITTEE ON ECONOMIC AFFAIRS TO CONDUCT AN INQUIRY, IN AID OF LEGISLA- TION, ON THE CLOSING OF THE APPLICATIONS TO THE NEGATIVE LIST C OF THE TRANSITORY PROVISION OF THE FOREIGN INVESTMENT ACT OF 1991.	THE SCRAPPING OF THE NEGATIVE LIST C WITHOUT ADEQUATE CONSULTATION MAY VIOLATE THE CONSTITUTION WHICH EXPRESSLY MANDATES AN ECONOMY EFFECTIVELY CONTROLLED BY FILIPINOS.	SUBSTITUTED BY SR 908 PER COMMITTEE REPORT 487 (COMM. ON ECONOMIC AFFAIRS)

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
INVESTMENT OPPORTUNITIES (continued)			
<p>*SPECIFIC SUBJECT: RA 7721 05/18/94 REP. TEVES</p>	<p>BANKING AN ACT LIBERALIZING THE ENTRY AND SCOPE OF OPERATIONS OF FOREIGN BANKS IN THE PHILS. AND FOR OTHER PURPOSES.</p>	<p>TO ENHANCE THE COUNTRY'S COMPETITIVENESS IN THE INT'L. MARKET AND SERVE AS A CHANNEL FOR THE FLOW OF FUNDS AND INVESTMENTS INTO THE ECONOMY TO PROMOTE INDUSTRIALIZATION.</p>	<p>APPROVED IN LAW, HB 8226, SB 1606 MAY 18, 1994</p>
<p>*SPECIFIC SUBJECT: SB 746 09/16/93 SEN. ARROYO</p>	<p>CONSTRUCTION AN ACT TO ENHANCE THE COMPETITIVENESS OF PHIL. CONSTRUCTION/CONTRACTORS AND INTERNATIONALLY-BID DOMESTIC AND OVERSEAS PROJECTS</p>	<p>THIS MEASURE SEEKS TO ADDRESS THIS PROBLEM WHICH HAS LONG BEEN THE CRY OF OUR DOMESTIC CONSTRUCTION INDUSTRY: TO STRENGTHEN THEIR COMPETITIVE- NESS AND HELP THE UNEMPLOYMENT PROBLEM, TO GRANT TAX CREDITS AND MAKE THE CONSTRUCTION INDUSTRY COMPETITIVE.</p>	<p>1ST READING, COMMITTEE ON PUBLIC WORKS AND HIGHWAYS</p>
<p>*SPECIFIC SUBJECT: HB 12281 03/10/94 REP. DE VENECIA, TEVES</p>	<p>TRADE LIBERALIZATION AN ACT TO FURTHER LIBERALIZE FOREIGN INVESTMENT, AMENDING FOR THE PURPOSE RA 7042, AND FOR OTHER PURPOSES.</p>	<p>3RD READING, REFERRED TO COMMITTEE ON ECONOMIC AFFAIRS</p>	

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
**GENERAL SUBJECT:	OCW RECRUITMENT		
*SPECIFIC SUBJECT: HB 815 08/11/92 REP. AMATONG	RESTRICTIONS AN ACT PROHIBITING OFFICIALS AND EMPLOYEES IN THE FOREIGN SERVICE AND THEIR SPOUSES AND RELATIVES WITHIN THE 4TH CIVIL DEGREE, EITHER BY CONSANGUINITY AND/OR AFFINITY TO ENGAGE DIRECTLY OR INDIRECTLY IN RECRUITMENT AND PLACE- MENT OF FILIPINO CONTRACT WORKERS THUS PROVIDING PENALTY THEREFOR AND FOR OTHER PURPOSES.	REPORTS THAT OFFICIALS ABROAD ENGAGED IN RECRUITMENT BUSINESS THUS PROTECTING INSTEAD THE INTEREST OF FOREIGN PRICIPALS INSTEAD OF THE WELFARE OF OCWS, THIS SAID BILL IS EARNESTLY PROPOSED.	APPROVED 3RD READING, COMMITTEE ON LABOR AND EMPLOYMENT
**GENERAL SUBJECT:	OVERSEAS EMPLOYMENT		
*SPECIFIC SUBJECT: SB 1503 11/04/93 SEN. HERRERA	HEALTH AN ACT PROVIDING FREE EXAMINATION AND TREATMENT FACILITIES FOR AIDS AND OTHER STANDARDS FOR OCWS AND FOR OTHER PURPOSES.	SEEKS TO EXPAND THE GOVERNMENT'S POLICY OF PROTECTING FILIPINO WORKERS HERE AND ABROAD BY PROVIDING FOR MANDATORY AIDS TESTING THRU OWWA. THE TEST IS ALSO AIMED AT PROTECTING THE WORKER'S FAMILIES AND THEIR COMMUNITIES.	1ST READING, COMMITTEE ON HEALTH AND LABOR

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
OVERSEAS EMPLOYMENT (continued)			
SB 161 07/01/92 SEN. HERRERA	AN ACT EXTENDING FURTHER BENEFITS TO OCWS AND THEIR DEPENDENTS BY PROVIDING FOR THE CREATION OF TREATMENT AND REHABILITATION CENTERS ESPECIALLY FOR DRUG DEPENDENTS AND OTHER PURPOSES.	IN ADDITION TO EXISTING PROGRAMS FOR OCWS, THE CREATION OF 3 REHAB CENTERS ARE PROPOSED FOR THEIR DEPENDENTS.	1ST READING, COMMITTEE ON HUMAN RESOURCES DEV'T. AND HEALTH
*SPECIFIC SUBJECT: SB 312 07/08/92 SEN. MACEDA	MINIMUM WAGE AN ACT TO FIX THE MINIMUM WAGE FOR OVERSEAS DOMESTIC HELPERS AND PROVIDE PENALTIES FOR VIOLATIONS THEREOF.	TO FIX THE MINIMUM WAGE OF DOMESTIC HELPERS OVERSEAS, TO IMPROVE THEIR SOCIAL AND ECONOMIC STATUS AND ENHANCE OPPORTUNITIES FOR ADVANCEMENT.	1ST READING, COMMITTEE ON LABOR AND EMPLOYMENT
*SPECIFIC SUBJECT: HR 306 11/04/92 REP. PUNZALAN	OCW PROBLEM-INVESTIGATION RESOLUTION URGING THE DOLE AND POEA TO CONDUCT IN-DEPTH STUDIES AND MAKE RECOMMENDATION TO THE HOUSE OF REPRESENTATIVES AS TO THE POLICIES AND PROGRAMS BEING	TO SYNCHRONIZE THE EFFORTS OF THE VARIOUS AGENCIES CONCERNED WITH THE PROMOTION OF THE WELFARE OF FILIPINO IMMIGRANTS AND WORKERS OVERSEAS	1ST READING, COMMITTEE ON LABOR AND EMPLOYMENT

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
OVERSEAS EMPLOYMENT/OCW PROBLEM (continued)			
HR 306 (continued)	UNDERTAKEN WITH REGARD TO FILIPINOS OVERSEAS IN THE BRITISH COLONY OF HONGKONG AND TAIWAN IN THE EVENT THE PEOPLE'S REPUBLIC OF CHINA ACQUIRES JURISDICTION AND SOVEREIGNTY OVER HONGKONG IN THE YEAR 1997.		
HR 208 08/20/92 REP. LOPEZ	RESOLUTION DIRECTING THE COMMITTEE ON FOREIGN AFFAIRS TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, INTO THE PLIGHT OF FILIPINAS WHO HAVE WORKED ABROAD, ESPECIALLY IN KUWAIT, FOUR OF WHOM HAVE REPORTEDLY COMMITTED SUICIDE AND THOSE IN NIGERIA REPORTEDLY FORCED INTO PROSTITUTION AND RECOMMEND MEASURES TO ADDRESS THE CONCERNS AND PROBLEMS OF FILIPINO MIGRANT WORKERS	TO PROTECT THE RIGHTS AND WELFARE AND HEALTH OF PHIL. DOMESTIC HELPERS FROM ALL KINDS OF ABUSES AND SEXUAL HARASSMENT.	1ST READING, COMMITTEE ON FOREIGN AFFAIRS

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
OVERSEAS EMPLOYMENT/OCW PROBLEM (continued)			
HR 98 08/20/92 REP. ECLEO	RESOLUTION URGING DOLE THRU POEA TO CONDUCT A THOROUGH INVESTIGATION INTO REPORTS THAT 31 FILIPINAS WERE MADE AS SEX SLAVES IN NIGERIA AND TO IMPOSE MEASURES AGAINST ERRING RECRUITERS AS WELL TO PROVIDE NECESSARY ASSISTANCE TO THE VICTIMS.	TO PROTECT THE RIGHTS, WELFARE, AND HEALTH OF FILIPINO DOMESTIC HELPERS FROM SEXUAL HARASSMENT.	1ST READING, COMMITTEE ON WOMEN
HR 129 08/28/92 REP. BAKUNAWA	RESOLUTION URGING DOLE TO DIRECT LABOR FIELD OFFICERS OF OWWA TO DETERMINE THE VERACITY OF DEATH CERTIFICATES GIVEN TO FILIPINO OCWS.	TO ENHANCE OVERSEAS WORKER PROTECTION FROM INJUSTICES AND INDIGNITIES.	1ST READING, COMMITTEE ON LABOR AND EMPLOYMENT
SR 114 09/16/92 SEN. HERRERA	RESOLUTION DIRECTING THE COMMITTEE ON LABOR, EMPLOYMENT, AND HUMAN RESOURCES DEVELOPMENT TO INQUIRE INTO THE CIRCUMSTANCES SURROUNDING THE DEATHS OF R. DIMACULANGAN, G. LLAMADO, M. MILITANTE, AND V. SADARAN.	THE MYSTERIOUS DEATH AND DISAPPEARANCES OF OCWS IN THE MIDDLE EAST WERE DISCLOSED BY FAMILIES TO THE GOVERNMENT THE MEASURE IS INTENDED TO ALLEVIATE THE PLIGHT OF OCWS WHO ARE COMPELLED BY EXTREME NECESSITY TO WORK IN FOREIGN SHORES.	1ST READING, COMMITTEE ON LABOR

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
OVERSEAS EMPLOYMENT/OCW PROBLEM (continued)			
SR 141 09/29/92 SEN. COSETENG	RESOLUTION DIRECTING THE COMMITTEE ON WOMEN AND FAMILY RELATION, LABOR AND EMPLOYMENT AND HUMAN RESOURCES DEV'T., FOREIGN RELATIONS, SOCIAL JUSTICE, WELFARE AND DEV'T., TO INVESTIGATE THE MYSTERIOUS DEATH AND DISAPPEARANCES OF OCWS AND TO ADOPT MEASURES TO PREVENT OCCURRENCES IN THE FUTURE.	THE INCREASE IN NO. OF CASES SHOWING MALTREATMENT & INJUSTICE COMMITTED AGAINST OCWS IS NOTED. THE RESOLUTION IS MADE TO DETERMINE APPROPRIATE ACTION TO BE MADE BY THE GOV'T.	1ST READING, COMMITTEE ON LABOR AND WOMEN AND FAMILY RELATIONS
SR 518 07/12/93 SEN. MACEDA	RESOLUTION DIRECTING THE COMMITTEE ON FOREIGN RELATIONS AND THE COMMITTEE ON LABOR AND EMPLOYMENT, AND HUMAN RESOURCES DEV'T., IN AID OF LEGISLATION, TO CONDUCT AN INQUIRY INTO THE REPORT THAT SOME FILIPINA DOMESTIC HELPERS WHO WERE AWAITING REPATRIATION IN THE PHILIPPINE EMBASSY PREMISES OF KUWAIT, UAE, WERE	THE SUBJECT NEWS REPORT IS HIGHLY SCANDALOUS AND PORTRAYS SERIOUS IMMORAL CONDUCT OF OUR PUBLIC OFFICERS ABROAD WHICH SHOULD NOT BE IGNORED. IF REPORTS ARE TRUE, PHIL. AMBASSADOR TO KUWAIT MUST BE HELD ACCOUNTABLE. THIS EVENT SHOULD NOT HAPPEN AGAIN.	1ST READING, COMMITTEE ON WOMEN AND FAMILY RELATIONS

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
OVERSEAS EMPLOYMENT/OCW PROBLEM (continued)			
SR 518 (continued)	ALLEGEDLY SEXUALLY ABUSED AND SOLD FOR SEX BY REPRESENTATIVES OF THE PHIL. EMBASSY, AND TO SUBMIT APPROPRIATE RECOMMENDATIONS, AND FOR OTHER PURPOSES.		
SR 504 06/28/93 SEN. COSETENG	RESOLUTION DIRECTING THE COMMITTEE ON WOMEN AND FAMILY RELATIONS TO CONDUCT AN INQUIRY, IN AID OF LEGISLA- TION, ON THE NUMBER OF DEATHS OF FILIPINO WOMEN ABROAD, THE CIRCUMSTANCES SURROUNDING THIS MYTERIOUS DEATHS, AND THE EXISTING SYSTEMS AND PROCEDURES TO PROTECT THESE WOMEN WHILE ABROAD	IT IS IMPERATIVE THAT FILIPINA WOMEN WORKING ABROAD BE GIVEN UTMOST PROTECTION, THAT IT IS NECESSARY TO INQUIRE INTO THE SUFFICIENT AND EFFECTIVITY OF EXISTING SYSTEMS AND PROCEDURES TO ENSURE THEIR WELL-BEING WHILE IN THEIR WORKPLACE.	1ST READING, COMMITTEE ON WOMEN AND FAMILY RELATIONS
SR 548 08/03/93 SEN. MACEDA	RESOLUTION DIRECTING THE COMMITTEE ON FAMILY RELATIONS, COMMITTEE ON LABOR AND EMPLOYMENT, AND HUMAN RESOURCES DEV'T.		1ST READING, COMMITTEE ON WOMEN AND FAMILY RELATIONS,

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
OVERSEAS EMPLOYMENT/OCW PROBLEM (continued)			
SR 548 (continued)	TO CONDUCT A JOINT INVESTIGATION IN AID OF LEGISLATION, OF THE MANY REPORTS THAT SOME FILIPINO ACTRESSES, MODELS, AND SINGERS ARE BEING ILLEGALLY RECRUITED TO BRUNEI FOR PROSTITUTION PURPOSES UNDER THE GUISE THAT THE TRIP IS FOR TOURISM, MODELLING OR LEGITIMATE EMPLOYMENT.		LABOR AND EMPLOYMENT, HUMAN RESOURCES DEVELOPMENT
**GENERAL SUBJECT:	POLITICAL RIGHTS		
*SPECIFIC SUBJECT:	ABSENTEE-VOTING		
HB 1724 08/28/92 REP. CESAR	AN ACT PROVIDING FOR A SYSTEM OF ABSENTEE-VOTING BY QUALIFIED FILIPINOS ABROAD.	TO ACTUALIZE THE PROVISION IN THE 1987 CONSTITUTION PARTICULARLY SEC. 2, ART. V.	1ST READING IN THE COMMITTEE ON SUFFRAGE AND ELECTORAL REFORMS
HB 226 07/27/92 REP. ROMERO, ALMARIO AND PONCE DE LEON	AN ACT PROVIDING FOR ABSENTEE-VOTING BY QUALIFIED FILIPINOS ABROAD.	TO EFFECT THE CONSTITUTIONAL MANDATE OF RECOGNIZING THE RIGHT OF SUFFRAGE THROUGH ABSENTEE VOTING IN FAVOR OF QUALIFIED FILIPINOS ABROAD.	1ST READING IN THE COMMITTEE ON SUFFRAGE AND ELECTORAL REFORMS

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
POLITICAL RIGHTS/ABSENTEE-VOTING (continued)			
SB 101 07/01/92 SEN. ROMULO	AN ACT PROVIDING FOR A SYSTEM OF ABSENTEE-VOTING BY QUALIFIED FILIPINOS ABROAD.	THIS BILL SEEKS TO EXTEND THE RIGHT OF SUFFRAGE TO FILIPINOS ABROAD. IT ALSO IMPLEMENTS THE CONSTITUTIONAL MANDATE OF THE 1987 CONSTITUTION	1ST READING IN THE COMMITTEE ON ELECTORAL REFORMS AND PEOPLE'S PARTICIPATION (URGENT ADMIN MEASURE)
HB 2957 09/26/92 REP. ABUEG JR. AND PONCE DE LEON	AN ACT PROVIDING FOR A SYSTEM OF ABSENTEE-VOTING BY QUALIFIED FILIPINOS ABROAD.	TO EXTEND THE RIGHT OF SUFFRAGE TO FILIPINOS ABROAD WHOSE NATIONALISM AND PATRIOTISM ARE NO LESS BY THEIR PHYSICAL SEPARATION FROM THEIR MOTHERLAND.	SUBSTITUTED BY HB 11278 PER COMM. REPORT 371. CALENDARED FOR 2ND RDG. IN THE COMM. ON SUFFRAGE AND ELECTORAL REFORMS
SB 454 07/24/92 SEN. TANADA	AN ACT PROVIDING FOR A SYSTEM OF ABSENTEE-VOTING BY QUALIFIED FILIPINOS ABROAD.	TO PROVIDE A SYSTEM OF ABSENTEE- VOTING FOR QUALIFIED FILIPINOS WORKING ABROAD.	1ST READING AND WAS REFERRED TO COMMITTEE ON ELECTORAL REFORMS AND PEOPLE'S PARTICIPATION

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
POLITICAL RIGHTS/ABSENTEE-VOTING (continued)			
HB 11278 11/10/93 REP. ESPINOSA, ROMERO AND CESAR	AN ACT PROVIDING FOR A SYSTEM OF ABSENTEE-VOTING BY QUALIFIED FILIPINOS ABROAD.	TO PROVIDE A SYSTEM OF ABSENTEE- VOTING FOR QUALIFIED FILIPINOS ABROAD.	2ND READING COMMITTEE ON SUFFRAGE AND ELECTORAL REFORMS PER COMMITTEE REPORT 371
SB 653 08/20/92 SEN. SOTTO AND HERRERA	AN ACT PROVIDING A SYSTEM FOR ABSENTEE-VOTING BY OVERSEAS FILIPINOS.	IN VIEW OF THE INHERENT DIFFICULTIES INVOLVED IN THE IMPLEMENTATION OF ANY SYSTEM OF ABSENTEE-VOTING DOWN TO THE LOCAL LEVEL, THE SYSTEM ESTABLISHED IN THIS BILL IS MEANT TO APPLY ONLY TO ELECTORAL EXERCISES WHICH REQUIRE VOTING ON A NATIONAL SCALE LIKE IN THE PRESIDENTIAL ELECTION, VICE- PRESIDENT, AND SENATORS, PLEBISCITES, INITIATIVES OR REFERENDA INVOLVING MATTERS OR ISSUES INVOLVING NATIONAL IMPORTANCE WHICH CALLS FOR VOTING BY THE ENTIRE NATIONAL CONSTITUENCY.	1ST READING COMMITTEE ON ELECTORAL REFORMS AND PEOPLE'S PARTICIPATION

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
POLITICAL RIGHTS (continued)			
<p>*SPECIFIC SUBJECT: HB 470 08/03/92 REP. GILLEGO</p>	<p>OVERSEAS REPRESENTATION AN ACT CREATING A SECTORAL SEAT FOR OVERSEAS FILIPINOS IN THE HOUSE OF REPRESENTATIVES.</p>	<p>TO GIVE FILIPINOS ABROAD PROPER REPRESENTATION IN THE HOUSE OF REPRESENTATIVES SINCE THEY ALSO BEAR THE BURDEN OF THE GOV'T.</p>	<p>1ST READING, COMMITTEE ON REVISION OF LAWS</p>
<p>**GENERAL SUBJECT:</p>	<p>TAXATION</p>		
<p>*SPECIFIC SUBJECT: SB 452 07/22/92 SEN. ARROYO</p>	<p>AMNESTY AN ACT GRANTING TAX AMNESTY TO PERSONS REPATRIATING THEIR FOREIGN CURRENCIES AND/OR SECURITIES TO THE PHILS.</p>	<p>TO INCREASE THE COUNTRY'S FOREIGN EXCHANGE RESERVE.</p>	<p>1ST READING COMMITTEE ON WAYS AND MEANS</p>
<p>*SPECIFIC SUBJECT: HB 279 07/27/92 REP. GILLEGO</p>	<p>EXEMPTIONS FOR RP BANK USERS AN ACT GRANTING EXEMPTION FROM PHIL. INCOME TAXES TO ALL FILIPINO OCWS EARNING US\$10,000 OR LESS PER ANNUM WHO REMIT THRU THE PHIL. BANKING SYSTEM.</p>	<p>THIS BILL AIMS TO ENCOURAGE FILIPINOS OVERSEAS TO REMIT THROUGH THE BANKING SYSTEM RATHER THAN THRU NON-BANK CHANNELS.</p>	<p>1ST READING, COMMITTEE ON WAYS AND MEANS</p>

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
TAXATION/EXEMPTIONS (continued)			
SB 798 09/30/92 SEN. WEBB	AN ACT GRANTING TAX EXEMPTION TO FILIPINO WORKERS EARNING US\$20,000 OR LESS REMITTED THRU THE PHIL. BANKING SYSTEM.	GRANTING EXEMPTION FROM PHIL. INCOME TAXATION TO ALL OCWS EARNING \$20,000 IN ORDER TO ALLEVIATE THEIR PLIGHT AND ENCOURAGE THE REMITTANCE OF THEIR EARNINGS THRU THE BANKING SYSTEM.	1ST READING, COMMITTEE ON WAYS AND MEANS, LABOR, EMPLOYMENT AND HUMAN RESOURCES DEVELOPMENT
*SPECIFIC SUBJECT: HB 8606 04./01/93 REP. PEREZ, ROMERO AND JAVIER	INCREASED EXEMPTION AN ACT PROVIDING FOR A TAX EXEMPTION FOR COMPENSATION INCOME DERIVED DURING THE TAXABLE YEAR BY NON-RESIDENT CITIZENS FROM SOURCES WITHOUT THE PHILS. AMOUNTING TO US\$20,000 AMENDING FOR THE PURPOSE SEC.21 AND 44 OF THE NATIONAL INTERNAL REVENUE CODE, AS AMENDED.	TO REMOVE THE INEQUITY OF TAXING NON-RESIDENT CITIZENS ON INCOME EARNED OVERSEAS AS WELL AS ACKNOWLEDGING THEIR SACRIFICE AND CONTRIBUTION TO HELP THE PHILIPPINE ECONOMY.	1ST READING, COMMITTEE ON WAYS AND MEANS
*SPECIFIC SUBJECT: SB 56 07/01/92 SEN. MACEDA	REVISED FILING DATE AN ACT FIXING NEW DATE FOR FILING INCOME TAX RETURNS FOR INDIVIDUALS, OVERSEAS	THE RETURN OF ANY INDIVIDUAL SPECIFIED ABOVE COVERING INCOME FOR THE PRECEDING TAXABLE YEAR SHALL BE FILED ON THE FF. DATES:	1ST READING, COMMITTEE ON WAYS AND MEANS

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
TAXATION/REVISED FILING DATE (continued)			
SB 56 (continued)	WORKERS, NON-RESIDENTS, AMENDING FOR THE PURPOSE CERTAIN PROVISIONS OF THE NATIONAL INTERNAL REVENUE CODE AND FOR OTHER PURPOSES.	FEBRUARY 15 FOR ALL GOV'T. EMPLOYEES, APRIL 15 FOR INDIVIDUAL TAXPAYERS FROM LUZON, 15 MAY FOR INDIVIDUAL TAXPAYERS FROM VISAYAS AND MINDANAO, OVERSEAS WORKERS AND OTHER NON-RESIDENTS.	
*SPECIFIC SUBJECT: HB 2785 09/18/92 REP. VILLAROSA	TAX EXEMPTION FOR OCWS AN ACT GRANTING EXEMPTION FROM PAYMENT OF CERTAIN FEES AND TAXES TO FILIPINO OCWS AND FOR OTHER PURPOSES.	TO GIVE MORE MEANING AND SUBSTANCE TO THE GOVERNMENT'S POLICY TO PROTECT AND PROMOTE THE WELFARE OF FILIPINO WORKERS.	1ST READING, COMMITTEE ON WAYS AND MEANS (UNASSIGNED BUSINESS)
SB 637 08/19/92 SEN. ARROYO	AN ACT PROVIDING FOR TAX EXEMPTION FOR INCOME DERIVED BY NON-RESIDENT CITIZENS FROM SOURCES WITHOUT THE PHILS. AMENDING FOR THE PURPOSE SEC. 21(A) AND 44 AND REPEALING SEC. (B) AND 29 (M) OF THE NATIONAL INTERNAL REVENUE CODE AS AMENDED.	THIS BILL SEEKS TO REMOVE THE INEQUITY OF TAXING NON- RESIDENT CITIZENS ON INCOME EARNED OVERSEAS AS WELL AS ACKNOWLEDGES THEIR SACRIFICES AND CONTRIBUTION TO HELP BOOST THE COUNTRY'S ECONOMY.	1ST READING, COMMITTEE ON WAYS AND MEANS

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
TAXATION/TAX EXEMPTION (continued)			
HB 8608 04/01/93 REP. PEREZ, ROMERO AND JAVIER	AN ACT PROVIDING FOR TAX EXEMPTION OF COMPENSATION INCOME DERIVED DURING THE TAXABLE YEAR BY A NON- RESIDENT CITIZEN FROM SOURCES WITHOUT THE PHILS. AMOUNTING TO US\$20,000 AMENDING FOR THE PURPOSE SEC. 21 AND 44 OF THE NATIONAL INTERNAL REVENUE CODE, AS AMENDED.	SEEKS TO REMOVE THE INEQUITY OF TAXING NON-RESIDENCY CITIZENS BY AMENDING SECTION 21 AND 44 OF THE NATIONAL INTERNAL REVENUE CODE OF THE PHILS. AS AMENDED.	COMMITTEE ON WAYS AND MEANS PER COMMITTEE REPORT 136
**GENERAL SUBJECT:	TOURISM DEVELOPMENT		
*SPECIFIC SUBJECT: SB 985 11/14/92 SEN. COSETENG	TOURISM DEV'T. ZONES AN ACT TO DECLARE THE ENVIRONS OF THE NAIJA TO ROXAS BLVD., INCLUDING THE RIZAL PARK AS THE CENTER, TOURISM DEV'T. ZONE, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES.	CONSIDERING THAT NO ONE IS LIKELY TO DISPUTE THAT THE CITY IS BOTH A HISTORICAL SITE AND AN ATTRACTION, THERE EXIST THEREFORE THE NEED TO DEVELOP AND PROMOTE STRATEGIC LOCATIONS TAKING INTO ACCOUNT THE CULTURE, CUSTOMS AND TRADITIONS OF OUR PEOPLE, ASEAN NEEDS AND COOPERATION AND THE BUSINESS ENVIRONMENT NEEDED TO RAISE REVENUES FOR THE GOV'T.	1ST READING COMMITTEE ON TOURISM AND DEVELOPMENT

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
**GENERAL SUBJECT:	VETERANS		
*SPECIFIC SUBJECT:	CEMETERIES		
SB 120 07/01/92 SEN. RASUL	AN ACT ESTABLISHING NATIONAL CEMETERIES, PROVIDING FOR THEIR ADMINISTRATION AND MAINTENANCE, AND FOR OTHER PURPOSES.	TO PROVIDE A FINAL RESTING PLACE FOR VETERANS, MILITARY PERSONNEL AND OTHER CITIZENS WHO HAVE GALANTLY FOUGHT FOR THE REPUBLIC OR HAVE SERVED THE COUNTRY WITH OUTSTANDING DEDICATION.	1ST READING, COMMITTEE ON NATIONAL DEFENSE AND FINANCE
HB 325 07/22/92 REP. LACSON	AN ACT SETTING ASIDE 500 SQ. METERS OF LAND, IN ANY PUBLIC CEMETERY IN ANY CITY OR MUNICIPALITY TO BE DESIGNATED AS A CEMETERY FOR THE VETERANS OF WWII, AND APPROPRIATING FUNDS THEREFOR.	TO PROVIDE A FINAL RESTING PLACE FOR VETERANS IN RECOGNITION OF THEIR SACRIFICES AND NOBLE DEEDS.	1ST READING, COMMITTEE ON LOCAL GOV'T. APPROPRIATIONS
*SPECIFIC SUBJECT:	CONFIRMATION OF SERVICES		
HB 8265 03/17/93 REP. BADELLES, GILLEGO	AN ACT PROVIDING FOR THE CONFIRMATION OF WWII MILITARY SERVICES.	TO APPRECIATE AND RECOGNIZE THE SACRIFICES MADE BY THESE MEN.	2ND READING, COMMITTEE ON NATIONAL DEFENSE, AND APPROPRIATIONS

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
VETERANS (continued)			
*SPECIFIC SUBJECT:	HEALTH		
SB 524	AN ACT REQUIRING ALL	TO PROVIDE WWII VETERANS WITH	1ST READING,
07/31/92	GOVERNMENT HOSPITALS TO	PRIMARY HEALTH CARE IN GOV'T	COMMITTEE ON
SEN. WEBB	PROVIDE FREE WARDS FOR	HOSPITALS.	HEALTH, NATIONAL
	VETERANS OF WWII.		DEFENSE AND
			SECURITY
HB 218	AN ACT REQUIRING ALL GOV'T.	TO PROVIDE FREE IMMEDIATE	1ST READING,
07/22/92	HOSPITALS TO PROVIDE FREE	MEDICAL TREATMENT &	COMMITTEE
REP. LACSON	WARDS FOR VETERANS OF WWII.	HOSPITALIZATION TO FILIPINO	ON HEALTH/
		VETERANS.	APPROPRIATIONS
*SPECIFIC SUBJECT:	INVESTIGATIONS OF PROBLEMS		
SR 243	RESOLUTION DIRECTING THE	TO LOOK INTO THE REPORTS OF	1ST READING,
12/09/92	COMM. ON NATIONAL DEFENSE	DELAYED PENSIONS & BENEFITS OF	COMMITTEE ON
SEN. MACEDA	AND SECURITY, TO INVESTI- GATE, IN AID OF LEGISLATION, THE REPORTED COMPLAINTS OF PHIL. VETERANS ON THEIR DELAYED PENSIONS AND THEIR BENEFITS, SOME EVEN LONGER THAN 18 MONTHS DELAYED OTHERS WERE DOUBLE-LISTED, PROPOSING CORRECTIVE MEASURES THEREFOR.	FILIPINO VETERANS WITH THE END VIEW OF RECOMMENDING MEASURES TO THE PROBLEM.	NAT'L DEFENSE

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
VETERANS (continued)			
SPECIFIC SUBJECT:			
PENSION OF DEPENDENTS			
<p>SB 301 07/06/92 SEN. LINA</p>	<p>AN ACT UPGRADING THE BENEFITS OF THE SURVIVING SPOUSE OF MILITARY VETERANS AND AMENDING FOR THE PURPOSE SEC. 11 AND 13 OF R.A. 6948.</p>	<p>THE BILL INTENDS TO CORRECT AN INJUSTICE TO A NEGLECTED SECTOR WHO HAVE SERVED AND ARE SERVING AND WILL CONTINUE TO SERVE THE COUNTRY.</p>	<p>SUBSTITUTED BY SB 1623</p>
<p>HB 3310 10/05/92 REP. DAMASING</p>	<p>AN ACT TO AMEND SEC. 3(A), SEC. 5(3) AND SEC. 11(D) ALL OF TITLE 2 OF R.A. 6948.</p>	<p>THE BILL SEEKS TO AMEND RA 6948 IN ORDER TO EXPAND CERTAIN BENEFITS PROVIDED BY SAID LAW TO VETERANS AND THEIR BENEFICIARIES. A FIRST AMENDMENT STATES THAT A DIRECT DESCENDANT CAN AVAIL OF EDUCATIONAL BENEFITS IN THE ABSENCE OF THOSE QUALIFIED TO AVAIL. SECOND AMENDMENT SEEKS TO AUTOMATICALLY VEST A VETERAN WITH A TOTAL DISABILITY STATUS UPON REACHING THE AGE OF 70. THE THIRD AMENDMENT SEEKS TO REQUIRE SURVIVING SPOUSE TO REACH THE AGE OF 65 BEFORE AVAILING HERSELF OF THE OLD AGE PENSION.</p>	<p>1ST READING, COMMITTEE ON VETERANS' AFFAIRS/ APPROPRIATIONS</p>

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
VETERANS (continued)			
<p>*SPECIFIC SUBJECT: HB 7802 02/02/93 REP. BADELLES</p>	<p>PERMANENT RESIDENCE STATUS AN ACT GRANTING PERMANENT RESIDENT STATUS AND OTHER PRIVILEGES TO FILIPINO VETERANS OF WWII WHO AVOIDED THEMSELVES OF AMERICAN CITIZENSHIP UNDER THE US IMMIGRATION ACT OF 1990 AND FOR OTHER PURPOSES.</p>	<p>TO FOSTER THE SOCIOECONOMIC SECURITY OF THE COUNTRY'S VETERANS IN RECOGNITION OF THEIR SERVICES TO THEIR COUNTRY.</p>	<p>2ND READING, COMMITTEE ON VETERANS AFFAIRS</p>
<p>HB 8665 04/06/93 REP. BADELLES, DAZA</p>	<p>AN ACT GRANTING PERMANENT RESIDENT STATUS AND OTHER RIGHTS AND PRIVILEGES FOR FILIPINO VETERANS WHO ACQUIRED AMERICAN CITIZENSHIP UNDER THE US IMMIGRATION ACT OF 1990 AND FOR OTHER PURPOSES.</p>	<p>SEEKS TO EXEMPT VETERANS AND THEIR FAMILIES FROM PAYING REGISTRATION AND IMMIGRATION FEES SHOULD THEY OPT TO STAY IN THE PHILS., TO INCLUDE HOLDING AND RETAINING THE LANDS THEY ACQUIRE, PRACTICE OF PROFESSION, MULTIPLE ENTRY VISA, RE-ENTRY PERMIT, IMMUNITY FROM DEPORTATION, AMONG OTHERS.</p>	<p>APPROVED 3RD READING, VETERAN AFFAIRS COMMITTEE REPORT NO. 146.</p>
<p>*SPECIFIC SUBJECT: HB 216 07/07/92 REP. LACSON</p>	<p>PROMOTION AN ACT PROMOTING TO ONE RANK HIGHER MEMBERS OF THE PHIL. COMMONWEALTH ARMY WHO SERVED IN THE USAFFE DURING THE WWII, AND PROVIDING FUNDS THEREFOR.</p>	<p>TO CORRECT THE INEQUITY AFFORDED TO LOYAL AND PATRIOTIC WWII VETERANS WHO FOUGHT IN THE WAR.</p>	<p>1ST READING, COMMITTEE ON VETERANS AFFAIRS/ APPROPRIATIONS</p>

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
VETERANS (continued)			
<p>*SPECIFIC SUBJECT: SB 136 07/10/92</p>	<p>TRANSPORT BENEFITS AN ACT GRANTING 50% TRANSPORT FARE DISCOUNTS FOR WWII VETERANS.</p>	<p>TO PROVIDE TRANSPORTATION FARE PRIVILEGES FOR WWII VETERANS.</p>	<p>1ST READING, COMMITTEE ON PUBLIC SERVICES AND NATIONAL DEFENSE</p>
<p>*SPECIFIC SUBJECT: RA 7696 04/09/94</p>	<p>UPGRADING OF PENSIONS AN ACT AMENDING CERTAIN SECTIONS OF RA 6948, OTHER- WISE KNOWN AS AN ACT STANDARDIZING AND UPGRADING THE BENEFITS OF MILITARY VETERANS AND THEIR DEPENDENTS.</p>	<p>INCREASE PENSION AS WELL AS OTHER BENEFITS PROVIDED FOR THE MILITARY VETERANS AND THEIR SPOUSES TO COPE WITH THE PRESENT COST OF LIVING.</p>	<p>APPROVED INTO LAW, SB 1623, HB 10606, 9 APRIL 1994</p>
<p>SB 37 07/01/92 SEN. ROMULO, GUINGONA, SHAHANI, RASUL, OSMENA</p>	<p>AN ACT TO AMEND CERTAIN SECTIONS OF RA 6948 AND FOR OTHER PURPOSES.</p>	<p>THE BILL SEEKS TO AMEND CERTAIN PROVISIONS OF RA 6948 SPECIFICALLY SEC. 3 WHICH WOULD GRANT A DIRECT DESCENDANT THE RIGHT TO AVAIL OF EDUCATIONAL BENEFITS OF PERSONS ENTITLED AS ENUMERATED IN THE SECTION. UNDER SEC 5, WHICH WOULD PROVIDE A TOTAL DISABILITY STATUS UPON REACHING THE AGE OF 70. SEC. 11 ALSO ENTITLES A SPOUSE OLD AGE PENSION WITHOUT ANY AGE REQUIREMENT.</p>	<p>SUBSTITUTED BY SB 1623</p>

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
VETERANS/PENSIONS (continued)			
SB 29 07/01/92 SEN. ROMULO, GUINGONA SHAHANI, RASUL & OSMENA	AN ACT TO AMEND CERTAIN SECTIONS OF RA 6948 ON OLD AGE PENSIONS AND FOR OTHER PURPOSES.	TO PROVIDE IMMEDIATE AND ADEQUATE CARE, BENEFITS AND OTHER FORMS OF ASSISTANCE TO WAR VETERANS AND VETERANS OF MILITARY CAMPAIGNS, THEIR SURVIVING SPOUSES AND ORPHANS.	SUBSTITUTED BY SB 1623
HB 58 07/28/92 REP. BADELLES	AN ACT INCREASING THE OLD AGE MONTHLY PENSIONS OF VETERANS FROM P500 TO P1000 AMENDING FOR THE PURPOSE SEC. 10 OF RA 6948 ENTITLED AN ACT STANDARDIZING AND UPGRADING THE BENEFITS OF MILITARY VETERANS AND THEIR BENEFITS.	TO INCREASE THE PRESENT MONTHLY PENSIONS OF VETERANS FROM P500 TO P1000 CONSIDERING THE HIGH PRICES OF COMMODITIES.	1ST READING, COMMITTEE ON APPROPRIATIONS
HB 1529 08/20/92 REP. DEL MAR	AN ACT AMENDING SEC. 10 OF RA 6948 INCREASING THE MONTHLY OLD AGE PENSION FROM P500 TO 1500.	TO INCREASE MONTHLY OLD AGE PENSION OF VETERANS FROM P500 TO P1500 IN CONSIDERATION OF THE HIGH STANDARD OF LIVING.	1ST READING, COMMITTEE ON HEALTH/ APPROPRIATIONS

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
VETERANS/PENSIONS (continued)			
HB 869 08/12/92 REP. LOPEZ	AN ACT TO AMEND SEC. 3(A), 5(3), 11(B), ALL OF TITLE 2 OF RA 6948.	THE BILL SEEKS TO AMEND CERTAIN PROVISIONS OF RA 6948 SPECIFICALLY GOVERNING EDUCATION BENEFIT, PENSION RATES AND ENTITLEMENT OF SURVIVING SPOUSE FOR OLD AGE PENSION. THERE IS ALSO A NEED TO AMEND SEC. 11(B) OF TITLE II OF RA 6948 WHICH REQUIRES SURVIVING SPOUSE OF A VETERAN TO REACH THE AGE OF 65 BEFORE SHE COULD AVAIL HERSLEF OF OLD AGE PENSION.	1ST READING COMMITTEE ON VETERANS AFFAIRS
HB 3311 10/05/92 REP. DAMASING	AN ACT INCREASING THE MONTHLY PENSION OF VETERANS AND APPROPRIATING FUNDS THEREFOR.	THE PASSAGE OF THIS BILL WILL ENHANCE THE WELL-BEING OF VETERANS BOOSTING THEIR MORAL AND RESTORE THEM TO THEIR RIGHTFUL PLACE OF HONOR AND DIGNITY IN THEIR COMMUNITIES.	1ST READING COMMITTEE ON VETERANS AFFAIRS/ APPROPRIATIONS
HB 4388 10/28/92 REP. LIBAN, DEL MAR & DRAGON	AN ACT INCREASING THE MONTHLY AND DEATH PENSIONS OF VETERANS, THE ENTITLEMENT OF SURVIVING SPOUSES AND BURIAL ASSISTANCE, AMENDING FOR THE PURPOSE CERTAIN PROVISIONS OF RA 6948.	THIS BILL SEEKS TO AMEND AND INCREASE THE EXISTING BENEFITS PROVIDED BY RA 6948 TO VETERANS AND THEIR QUALIFIED BENEFICIARIES.	1ST READING COMMITTEE ON VETERANS AFFAIRS/ APPROPRIATIONS

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
VETERANS/PENSIONS (continued)			
SB 893 10/30/93 SEN. COSETENG	AN ACT INCREASING THE MONTHLY OLD AGE PENSION OF VETERANS TO P2000, AMENDING FOR THE PURPOSE RA 6948 OTHERWISE KNOWN AS AN ACT STANDARDIZING AND UPGRADING THE BENEFITS OF MILITARY VETERANS AND THEIR DEPENDENTS.	SEEKS TO INCREASE THE OLD AGE PENSION OF WWII VETERANS AND SURVIVING SPOUSE FROM P500 TO P2000.	SUBSTITUTED BY SB 1623
SB 678 08/24/93 SEN. MACEDA	AN ACT INCREASING OLD AGE PENSION OF VETERANS TO P1000 MONTHLY AMENDING FOR THE PURPOSE RA 6948.	THIS BILL SEEKS TO INCREASE OLD AGE PENSION OF VETERANS AND SURVIVING SPOUSE FROM P500 TO P1000.	SUBSTITUTED BY SB 1623
*SPECIFIC SUBJECT: HR 88 08/18/92 REP. BAKUNAWA	US CITIZENSHIP RESOLUTION EXPRESSING SUPPORT TO THE MEASURE INTRODUCED BY SEN. DANIEL INOUE IN THE U.S. CONGRESS TO ALLOW FIL. VETERANS TO TAKE THEIR OATH OF U.S. CITIZENSHIP IN THE PHILS.	TO ALLEVIATE THE EXPENSES THAT WILL BE INCURRED BY THE FILIPINO WWII VETERANS IN THEIR TRAVEL AND STAY IN THE U.S.	1ST READING, COMMITTEE ON VETERANS AFFAIRS

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
VETERANS/US CITIZENSHIP (continued)			
HR 214 09/30/92 REP. J. RAMIREZ	RESOLUTION URGING THE DFA TO MAKE REPRESENTATION W/ THE U.S. GOV'T. TO CONSIDER REMEDIAL MEASURES TO ENSURE THAT THE U.S. IMMIGRATION ACT OF 1990 TRULY BENEFIT THE FILIPINO VETERANS.	TO HELP FOSTER THE SOCIO- ECONOMIC SECURITY AND GENERAL WELL-BEING OF THE COUNTRY'S VETERANS IN RECOGNITION OF THEIR SERVICES TO THE COUNTRY.	1ST READING, COMMITTEE ON VETERANS AFFAIRS
HR 131 08/28/92 REP. ROMERO, LAGMAN, LOBREGAT	RESOLUTION URGING THE EXEC. DEPT. OF THE GOV'T. TO CONDUCT OFFICIAL REPRESENTA- TION W/ THE U.S. DEPT. OF STATE TOWARDS THE OBJECTIVE OF NEGOTIATING AN AMENDMENT TO THE U.S. IMMIGRATION LAW ALLOWING FILIPINO USAFFE WWII VETERANS TO PROCESS THEIR US CITIZENSHIP APPLICATIONS IN THE US EMBASSY IN CEBU OR MANILA, AND UPON APPROVAL AND/OR GRANT OF PETITION, TO TAKE THEIR OATH OF CITIZENSHIP IN SAID EMBASSIES.	TO ALLOW FILIPINO VETERANS TO FILE AND PROCESS THEIR PETITIONS IN THE U.S. EMBASSY IN THE PHILS., THEREBY REDUCING EXPENSES CONSIDERABLY.	1ST READING, COMMITTEE ON VETERANS AFFAIRS

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
VETERANS (continued)			
<p>*SPECIFIC SUBJECT: SR 81 08/24/92 SEN. ALVAREZ</p>	<p>US SHELTER RESOLUTION URGING THE PRESIDENT TO MAKE REPRESENTATION WITH THE U.S. CONGRESS TO OPEN PROCESSING OF PAPERS OF NATURALIZATION IN MANILA AND THE PCGG TO LOOK INTO THE POSSIBILITY OF USING THE MAKIKI RESIDENCE A TEMPO- RARY SHELTER OF VETERANS.</p>	<p>PROVIDE PROPER VENUE FOR THE PROCESSING OF VETERANS US NATURALIZATION PAPERS IN MANILA, AND PROTECT THEIR RIGHTS AND INTERESTS.</p>	<p>1ST READING, COMMITTEE ON NATIONAL DEFENSE AND FOREIGN RELATIONS</p>
**GENERAL SUBJECT: WELFARE ASSISTANCE			
<p>*SPECIFIC SUBJECT: HB 3019 07/28/92 REP. ORBOS</p>	<p>CREDIT AN ACT ESTABLISHING CREDIT ASSISTANCE PROGRAM FOR OVERSEAS WORKERS</p>	<p>THE BILL SEEKS TO PROVIDE A PRE-DEPARTURE LOAN PACKAGE WITH LIBERAL INTEREST RATES AND PAYMENT SCHEDULE.</p>	<p>1ST READING, COMMITTEE ON LABOR AND EMPLOYMENT</p>
<p>*SPECIFIC SUBJECT: HB 437 07/31/92 REP. ECLEO</p>	<p>EMPLOYMENT FUND AN ACT CREATING THE EMERGENCY OVERSEAS EMPLOYMENT FUND UNDER THE OEDB AMENDING FOR THIS PURPOSE ART. 17 OF THE LABOR CODE OF THE PHILS.</p>	<p>SEEKS TO EXPAND THE POWERS AND DUTIES OF THE OEDB UNDER THE LABOR CODE PARTICULARLY IN EXTENDING POSSIBLE ASSISTANCE TO APPLICANTS FOR EMPLOYMENT ABROAD ESPECIALLY THOSE</p>	<p>1ST READING, COMMITTEE ON LABOR AND EMPLOYMENT</p>

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
WELFARE ASSISTANCE/EMPLOYMENT FUND (continued)			
HB 437 (continued)	BY EXPANDING ITS COVERAGE, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES	RECRUITED BY LICENSED AGENCIES AND ARE ASSURED OF JOBS ABROAD.	
*SPECIFIC SUBJECT: HR 259 10/14/92 REP. REYES AND CAPPLEMAN	HUMAN RIGHTS AGREEMENTS RESOLUTION URGING THE DFA TO ENTER IMMEDIATELY INTO HUMAN RIGHTS AGREEMENT W/ FOREIGN COUNTRIES HIRING FILIPINO OCWS AND CONTINUOUSLY MONITOR THEIR WELFARE TO PROTECT THEM FROM ALL KINDS OF ABUSE AND MALTREATMENT.	TO PROTECT THE WELFARE OF FILIPINO OCWS FROM ALL KINDS OF ABUSES.	1ST READING, COMMITTEE ON FOREIGN AFFAIRS
*SPECIFIC SUBJECT:	INITIATE BILATERAL AGREEMENTS		
SR 27 07/23/92 SEN. TANADA	RESOLUTION REQUESTING THE PRES. OF THE PHILS. TO CONSTITUTE A JOINT COMMITTEE FROM THE DOLE AND DFA FOR THE PURPOSE OF INITIATING BILATERAL	TO PROVIDE WELFARE FOR FILIPINOS WORKING ABROAD.	1ST READING, COMMITTEE ON LABOR AND EMPLOYMENT AND HUMAN RESOURCES DEVELOPMENT/ FOREIGN RELATIONS

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
WELFARE ASSISTANCE/BILATERAL AGREEMENTS (continued)			
SR 27 (continued)	AGREEMENTS BETWEEN THE PHILS. AND COUNTRIES WHERE FILIPINOS ARE CONTRACTED TO WORK PROVIDING FOR THEIR WELFARE.		
*SPECIFIC SUBJECT: SR 5 07/02/92 SEN. LINA	LEGAL SERVICES RESOLUTION DIRECTING THE APPROPRIATE COMMITTEES TO CONDUCT A STUDY, IN AID OF LEGISLATION, ON HOW THE GOVERNMENT CAN RENDER AND/OR EXTEND LEGAL ASSISTANCE TO FILIPINO OCWS TO PROTECT THEIR RIGHTS AND AFFORD THEM DUE PROCESS.	TO PROMOTE THE WELFARE AND PROTECT THE RIGHTS OF FILIPINO OCWS.	1ST READING, COMMITTEE ON LABOR AND EMPLOYMENT
*SPECIFIC SUBJECT: HB 4523 11/04/92 REP. LIBAN	OCW BANK AN ACT CREATING THE PHIL. OVERSEAS WORKERS BANK AND FOR OTHER PURPOSES.	TO PROVIDE FOR THE ESTABLISHMENT OF THE BANKING INSTITUTION FOR FILIPINO OCWS TO BE KNOWN AS THE PHIL. OVERSEAS WORKERS BANK.	1ST READING, COMMITTEE ON BANKS

CONGRESSIONAL BILLS, 9TH CONGRESS (continued)

LEGISLATIVE ACTION	TITLE	DESCRIPTION	STATUS
WELFARE ASSISTANCE (continued)			
*SPECIFIC SUBJECT: SB 164 07/01/92 SEN. HERRERA	SSS BENEFITS AN ACT EXTENDING THE COMPULSORY COVERAGE OF THE SOCIAL SECURITY SYSTEM TO SEA-BASED OCWS THEREBY FURTHER AMENDING RA 1161, AS AMENDED, OTHERWISE KNOWN AS THE SOCIAL SECURITY LAW AND FOR OTHER PURPOSES.	TO EXTEND THE SOCIAL BENEFITS TO SEA-BASED OCWS.	1ST READING, COMMITTEE ON LABOR AND EMPLOYMENT

Appendix D

SAFETY NETS AND PROTECTIVE MEASURES FOR OVERSEAS FILIPINOS

(as of 15 April 1995)

Pre-Departure

1. Illegal recruitment
2. Public misconception about international migration
3. Deficient documentation system
4. Pre-departure orientation

On-Site

1. Weak documentation system for Filipino nationals
2. Cultural/Social adaptation problems
3. Problems resulting from employment and settlement abroad

Reintegration

Sociocultural and economic reintegration

Complementary Initiatives

1. Support services to families of OCWs
2. Institutional reforms
3. Retooling of the Foreign Service Corps
4. Development of administrative tools
5. Implementation of a tracking and monitoring system for assistance-to-nationals cases
6. Establishment of a multisectoral forum on migration
7. Need for an integrated program and policy framework for overseas Filipinos
8. Establishing the appropriate incentives and institutional mechanisms to promote participation of overseas Filipinos in development cooperation
9. Continuing policy review and development

SAFETY NETS AND PROTECTIVE MEASURES
(As of 15 April 1995)

Appendix D

AREA OF CONCERN	CURRENT RESPONSE (Policy/Strategy/Program)	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
PRE-DEPARTURE					
1. Illegal recruitment	Establishment of a Task Force on Illegal Recruitment	POEA, DOJ, etc.	The Task Force is responsible for conducting preliminary investigation of criminal complaints. DOJ prosecutes cases. Apostleship of the Sea, & CBCP have entered into a memorandum of agreement to extend all kinds of assistance (legal/investigative) to fishermen and seamen victimized by illegal recruiters.	Very low rate of prosecution because many of the complainants ultimately enter into settlement with respondents, or they ultimately abandon their cases. Very slow process which results in the eventual loss of interest on the part of the complainant.	Establish special courts against illegal recruiters to manifest government's serious intent to arrest the growing tide of illegal recruitment. This will also fast-track resolution of cases. Imposition of stiffer penalties against illegal recruiters.
	National information campaign to counter illegal recruitment at the grassroots	POEA & other agencies	Utilization of DOLE, OWWA, and POEA provincial offices as information centers.	Limited resources to launch a massive information campaign.	Institutionalization of the program and integration in the Migrant Advisory Information Network (MAIN) which will be put up under the joint auspices of the DFA,

- POEA - Philippine Overseas Employment Agency
 DOJ - Department of Justice
 CBCP - Catholic Bishops' Conference of the Philippines
 DFA - Department of Foreign Affairs
 DOLE - Department of Labor and Employment
 OWWA - Overseas Workers Welfare Administration

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE (Policy/Strategy/Program)	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Illegal Recruitment (continued)	Enforcement of policies against illegal recruiters. Enforcement activities include filing of cases against illegal recruiters. (The POEA has established a list of legitimate recruiters which are published regularly for the public's information.)	POEA	System for filing of cases against illegal recruiters is available.	POEA has no police power to ensure the effective enforcement of laws against illegal recruiters.	DOLE, DILG, DSWD, POEA, OWWA, CFO, PIA and other agencies of the government. This will serve to maximize resources that are intended to promote public information on the realities of migration. Provide police powers to POEA.

- DILG - Department of Interior and Local Government
- DSWD - Department of Social Welfare and Development
- CFO - Commission on Filipinos Overseas
- PIA - Philippine Information Agency

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE (Policy/Strategy/Program)	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
<p>2. Public misconception about international migration</p>	<p>Conduct of a multi-sectoral and inter-agency information program on migration. This effort will be institutionalized in April through a Memorandum of Agreement (MOA) among participating agencies. The MOA shall establish a Migrant Advisory Information Network (MAIN). This will systematically link up the information centers of various agencies to readily provide the public with information on migration.</p>	<p>DFA, DOLE, DSWD, PIA, DILG, POEA, OWWA, CFO (CFO-initiated proposed MAIN)</p>	<p>The inter-agency effort helps to maximize the use of government resources in providing information to the public on migration realities. There is an evident need for additional funding for this purpose. The Church groups and the nongovernment organizations (NGOs), however, have not joined this effort due to their disagreement with the government's policy on overseas employment.</p>	<p>Lack of resources to launch a nationwide information campaign.</p> <p>The public is normally inclined to believe more what the informal network (families and friends) provides to them in terms of information about the advantages of migration.</p> <p>The absence of alternative livelihood opportunities diminishes the impact of this campaign.</p>	<p>There should be a greater focus on government efforts to systematically inform the public about pitfalls of migration, as well as available opportunities in the country. It is only by educating the public on the realities of migration that we can empower them into making informed decisions for themselves.</p> <p>Additional funding should be immediately provided to put into motion a comprehensive and serious effort at bringing information closer to the people.</p>

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE (Policy/Strategy/Program)	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Public misconception (continued)					
	<p>Part of this program involves the use of the tri-media approach in the information campaign. The CFO is currently producing with a private sector partner, a TV series called "Biyaherong Pilipino." This program will provide the public with information on realities overseas, as well as immigration, labor and settlement laws of other countries.</p>		<p>As a preventive measure, the information program seeks to counter the misinformation campaign of the-illegal recruiters, and provides a balancing factor in the usually one-sided and favorable picture presented by recruiters on the advantages of migration.</p> <p>The NGO sector and the various church-groups have been tapped to assist in the information campaign.</p> <p>By bringing the information closer to the people, they are afforded with the necessary facts that will help them make INFORMED DECISIONS about migration.</p>		<p>An Information Program Coordinating Council on Migration Concerns and Issues may be put up to include the participation of the church and various NGO/POs in the coordinative work.</p> <p>The DECS should incorporate more subjects on "civics" and "Filipinism" in the curriculum to enhance the student's appreciation on local developments as well as their duties and responsibilities to the country.</p> <p>Prosecution of parents who are responsible for using their minor children into working overseas.</p>

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE (Policy/Strategy/Program)	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
3. Deficient documentation system	Computerization efforts by the NSO	NSO	Decentralized birth registration system	Fraudulent birth certificates are rampant. Individuals are able to acquire multiple birth certificates, thereby undermining the country's civil registry system. This ultimately affects the country's passporting system.	Introduce a new NATIONAL IDENTIFICATION SYSTEM. The European countries are adopting national identification system which effectively registers the birth of individuals through a national network. Even the United States is currently looking into the possibility of transforming their social security numbering system into a national I.D., system for effective management of records and administration of social services.

NSO - National Statistics Office

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE (Policy/Strategy/Program)	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
3.2 Passporting system	<p>The DFA has embarked on a Modernization Program to promote the integrity of the Philippine Passport. The plan includes the institutionalization of machine readable passports to check on the problem of multiple passporting. The system will ensure that individuals are not issued more than one passport.</p>	DFA	<p>The integrity of the Philippine passport will be promoted since the system will correct imbalances of the past, particularly in terms of multiple passporting.</p> <p>This system will provide a one person-one passport arrangement.</p> <p>This will allow for an effective documentation of individuals who have been issued passports.</p>	<p>Absence of funds. The program is being pursued as a BOT project.</p>	<p>Fast-track the program through executive support.</p>
	<p>A Task Force on Passport Irregularities has been established to pursue preliminary investigation and prosecution of individuals involved with passport irregularities.</p> <p>Foreign Governments, through their representatives in the Philippines, have also supported the Philippine Government Programs against passport irregularities.</p>	DFA, DOJ, etc.	<p>More coordinated effort to address the problem.</p>	<p>Deterrence against passporting irregularities are not in place.</p>	<p>Provide stiffer penalties against offenders. The privilege of the individual to acquire a passport should be suspended in case he is found to have committed fraud or misrepresented himself in the acquisition of the same.</p> <p>A restriction list should be developed for individuals who have had a recorded case of violating the entry or immigration policy of another country.</p>

BOT - Build, Operate, Transfer

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE (Policy/Strategy/Program)	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Deficient documentation system (continued)					
Passporting (continued)					
3.3 Arrival-departure monitoring system	<p>The arrival-departure cards developed by an inter-agency task force is currently being administered by the BI. The cards are also being computerized now as part of an effort to systematically monitor the arrival and departure of individuals to and from the Philippines.</p>	BI	<p>This will be a complementary effort on estimation procedures on overseas Filipinos.</p> <p>The system, if computerized will provide an effective basis for data validation.</p>	<p>The program was delayed due to other priorities of the former BI Administration.</p> <p>The emphasis of this effort before was on the monitoring of illegal aliens in the Philippines.</p>	<p>Immediate passage of a Passport Law which will provide stiffer penalties against offenders.</p> <p>Issuance of an Administrative Order, tasking the BI to form part of the Assistance-to-Nationals Task Force, created per AO 182.</p>
	<p>The CFO is currently developing a proposal for the establishment of an Estimation Procedure on Overseas Filipinos, for funding by the UN Fund for Population Activities (UNFPA).</p>	CFO	<p>Once established, this will provide an efficient data base and statistical basis for policy formulation.</p>		<p>The NEDA should endorse the project for funding by the UNFPA or by an alternative funding institution. There should be a more pronounced planning process for overseas Filipino programs.</p>

BI - Bureau of Immigration

NEDA - National Economic and Development Authority

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE (Policy/Strategy/Program)	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Deficient documentation system (continued)					
Arrival-departure (continued)	Reconvening of the Task Force on International Migration Statistics.	Inter-agency (NSO, NSCB, CFO, POEA, DFA, etc.)	The task force serves as an integrating network for the statistical efforts of various agencies on international migration.	The task force is not being convened on a more regular basis.	The task force should provide the necessary network for the establishment of electronic linkages among the data base systems of DOLE, DFA, POEA, CFO, and other pertinent agencies.
			An effective data base system on international migration statistics will be useful in the policy formulation efforts of the government.	No systematic estimation procedure on overseas Filipinos.	NSO should tie up with the CFO in the establishment of an estimation procedure on overseas Filipinos on international migration statistics.
					The various government agencies should establish common and complementary data bases to facilitate information sharing.

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE (Policy/Strategy/Program)	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Deficient documentation system (continued)					
3.4 Pre-departure registration					
a. OCWs	POEA, by virtue of law, registers departing Filipino contract workers (OCWs)	POEA	Statistical information on the number of OCW deployment is made available through the system.	<p>System is not able to accurately present the actual number of Filipino OCWs at any given time.</p> <p>The POEA does not automatically provide masterlists of deployed OCWs to various Philippine Embassies and Consulates.</p>	<p>Upgrade the data base system of POEA. This effort should be complementary to the inter-agency Estimation Project which the CFO is currently pursuing.</p> <p>POEA should develop a system of regular masterlist generation for the information of the various Philippine Embassies and Consulates abroad.</p>
b. Immigrants	The Commission on Filipinos Overseas (CFO) registers Filipino emigrants.	CFO	The CFO provides masterlists of Filipino emigrants to various Philippine Embassies and Consulates on a monthly basis. This list serves as the basis of the posts in linking up and providing services to newly arrived Filipino immigrants.	The system is not able to capture the Filipino migrants who are able to convert their immigration status abroad. These include those who have originally gone overseas as workers, and were later on able to acquire permanent resident status.	Strict enforcement of government registration requirements among "Balikbayans" through the cooperation of the BI.

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE (Policy/Strategy/Program)	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Deficient Documentation System/Pre-departure registration (continued)					
Immigrants (continued)			The various foreign embassies and consulates in the Philippines cooperate in disseminating information among emigrants on the Philippine government pre-departure requirements.	<p>Despite massive information campaign through the facilities of the foreign embassies, the immigration agents at the airport are not able to consistently check on those who fail to comply with the government's predeparture requirements.</p> <p>The system of checking departing Filipinos' compliance with Government pre-departure requirements is done manually.</p>	<p style="text-align: center;">- do -</p> <p>The BI counters at the various points of exit should be electronically linked with the POEA and CFO so that processing of departing Filipino travellers can be systematically and efficiently handled through computer on-line verification system. The network should cover all agencies involved with the pre-departure processing of Filipino OCWs and immigrants.</p>

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE (Policy/Strategy/Program)	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Deficient Documentation System/Pre-departure registration (continued)					
c. Tourists	No registration is required by the government, although the names of tourists and their countries of destination are recorded in the departure cards.			The BI administers the departure-arrival cards. These primarily serve as basis for registering the number of departures, more than documenting the names of individual tourists.	<p>The computerization of the departure-arrival cards should be pursued to readily provide a listing of Filipinos who departed the country for reference purposes. The data to be generated from this exercise should also provide the government with information on Filipinos who left the country but did not return.</p> <p>A system for encouraging the Filipino tourists, workers, and immigrants to register with the Philippine Embassies and Consulates abroad should be established.</p> <p>The Civil Aeronautics Board should require airlines to conduct verification checks on documents of Filipino travellers. Regular briefing should be conducted by the DFA, NBI, and other concerned agencies of the government to train the airline personnel.</p>

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
4. Pre-departure orientation					
a. OCWs	The POEA conducts pre-departure orientation for Filipino OCWs in vulnerable occupations, (domestic helpers and entertainers).	POEA	The country-specific orientation programs provide information to the OCWs that will prepare them for their eventual work and settlement overseas. The programs are also being conducted with the cooperation of non-government organizations (NGOs) thereby providing a more comprehensive perspective on migration.	The orientation programs for the other classifications of workers (skilled) are being conducted by the recruitment agencies. The effectiveness of these programs cannot be ensured if it is to be maintained under recruitment agencies.	The orientation programs should be conducted for all OCWs and these should be supervised, if not implemented by the POEA. The POEA may continue with its present thrust of accrediting NGOs as implementing agencies for the orientation programs.
b. Immigrants	The CFO conducts pre-departure orientation programs for Filipino emigrants.	CFO	The CFO conducts country-specific and need-specific orientation programs. Aside from the general orientation program, the CFO also implements the following programs for need-specific clientele groups:		

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Pre-departure orientation (continued)					
Immigrants (continued)	Guidance & Counselling Program for Filipino fiancees and spouses of foreign nationals (All Filipino fiancees and spouses of foreign nationals proceeding abroad are required to attend the counselling session as a prerequisite to the issuance of passport per DFA Order No. 15-89 and DFA Order 24-94.)	CFO	<p><u>Guidance & Counselling Program for fiancees and spouses of foreign nationals</u></p> <p>The various foreign embassies are cooperating in the program through the regular provision of information on migrant rights, social security benefits, and other support services available to migrants. The CFO shares this information during the counselling program. Some foreign embassies have made attendance to the CFO's counselling sessions as a requirement prior to the acceptance of visa applications.</p>	<p>At least 50% of the clientele are already married by the time they come to the CFO for counselling, and therefore, they feel compelled to leave the country despite serious reservations about migration after the counselling session. There have been many documented cases of abuse resulting from the absence or lack of information on the background of the foreign partner by the Filipina.</p>	<p>Strict enforcement of the policy by the DFA.</p> <p>Amendment of the Civil Code of the Philippines, particularly Section 66, providing additional requirements to foreign nationals intending to marry Filipinos in the country. The requirements may cover the following: (1) presentation of medical certificate; (2) income tax return (ITR) or any documentation to indicate source of income; (3) police clearance from the country of the foreigner.</p> <p>The present requirements as provided for in the Family Code includes only the submission of a certificate of legal capacity to marry by the foreigner before the local registrar. This documentation does not provide nor say anything about the background of the foreigner.</p>

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Pre-departure orientation (continued)					
Immigrants (continued)	Peer Counselling Program	CFO	Peer counselling for 14-19 yr.-old emigrants This program addresses the information needs of young migrants and enhance their confidence to a level which would allow them to adapt to	Poor enforcement of Republic Act No. 6955, which prohibits the practice of matching foreigners to Filipinos on a mail-order basis.	While foreign countries require so many documentations from a migrating Filipino spouse or fiancée of their national, the Philippine Government almost does not require any documentation on the part of the foreigner intending to contract marriage in the Philippines. Strict enforcement of the law. Attendance to this program should be required among children in inter-country adoption. A corresponding program should also be set up for foreigners who are adopting Filipino children. They have to be oriented

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Pre-departure orientation (continued)					
Immigrants (continued)	Orientation Program for Filipino Veterans	CFO	their host country without having to succumb to peer pressure. <u>Orientation Program for Filipino Veterans who are qualified to apply for naturalization under the U.S. immigration act of 1990</u> This particular clientele group is informed of the realities in migration, focusing on the experiences of other veterans who have left earlier and failed to adjust in the host country. The limitations of the U.S. law are	Inasmuch as many of the veterans have been naturalized in the Philippines, and are therefore, already American citizens, the program is availed of voluntarily. The Philippine Government cannot impose attendance to this program as a requirement prior to their departure from the country.	on Filipino culture, values, and traditions prior to the child's eventual settlement with them in another country. The program for the adoptive parents may be conducted by the DSWD inasmuch as they are required to come to the Philippines anyway. Philippine Veterans groups should launch their own information and counselling program to support the CFO initiative.

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Pre-departure orientation (continued)					
Immigrants (continued)	Clientele Feedback Mechanism	CFO	explained to promote their understanding of the socioeconomic and adjustment problems which they may encounter overseas. This system allows Filipino immigrants to sustain its linkages with the CFO and therefore, provide them a facility for seeking assistance in addressing settlement problems. Feedback forms are given to the immigrants at the time of their registration with the CFO.	The feedback mechanism needs support and complementary support programs at the posts for the immediate application of solution to the problems.	A system for linking up the feedback mechanism with the services offered by the posts will have to be established.
c. Tourists	No program is offered at the moment.				The CFO has recommended to the DFA the conduct of briefing seminars among passport applicants on migration facts to promote understanding of migration

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/P
Pre-departure orientation (continued)					
Tourists (continued)					<p>realities and therefore, help the public to come up with informed decision about migration. The briefing services shall be conducted in the presence of counselors and information officers who will provide advisories to the travellers. This service will be made available at the DFA while the passport applicants await their turn for processing. This service will be done in close cooperation with the NGOs.</p> <p>The service will also be offered at the grassroots level through the proposed MAIN desk.</p> <p>First-time passport applicants (whether applying thru travel agencies or not) should be required to apply personally so that they may go through the briefing sessions.</p>

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
ON SITE					
1. Weak documentation system for Filipino nationals	The CFO has drafted a crisis management and security manual which provides for the establishment of a registry system for Filipino nationals in the different posts abroad. The manual will be disseminated for the guidance of the posts by the third quarter.	DFA	The registry system, once implemented, will allow the government to establish an effective and comprehensive data base on Filipino nationals abroad. This will facilitate the application of contingency measures in the event of a crisis.	The success of the program would depend to a large extent on the cooperation of the Filipino groups abroad, as well as various NGOs and support groups. Undocumented Filipinos may not wish to be covered by the registration system for obvious reasons.	Strict compliance by the posts. Provision of resources to the posts. Computer systems will have to be put up in every post for an effective registry system.
	The Filipino traveller is advised to register with the Philippine Embassy or Consulate through the information page in the Passport.	DFA		The absence of the listing of addresses of the embassies and consulates diminishes the effectiveness of the advisory.	During the CFO-proposed briefing for passport applicants, the addresses of Philippine Embassies and Consulates, as well as support groups abroad may be provided. Fliers or listings may be attached to the passport upon its issuance.

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Weak documentation system (continued)					
		DFA, POEA CFO		As a voluntary initiative, the Filipino traveller seldom complies with the advisory.	The POEA, CFO, and DFA may issue "Notice of Arrival" forms to the Filipino travellers upon issuance of the passport or upon pre-departure registration.
2. Cultural/Social adaptation problems	Pre-departure orientation seminars are conducted by the POEA and CFO.	POEA CFO	Filipino OCWs and immigrants are provided information on the culture and social/living conditions in various host countries.	Orientation programs for OCWs are conducted by the POEA for those in the vulnerable occupations, and by the recruitment agencies for other groups of OCWs. The absence of country-specific programs for ALL groups of OCWs is a major limitation which the POEA is currently addressing with the help of NGOs.	Country-specific programs, such as those conducted for the immigrants (CFO) and for the domestic helpers and entertainers (POEA) should be conducted for all groups of migrants. The NGOs/POs and church groups should be invited to cooperate in the implementation of orientation programs for OCWs. Funding for the conduct of the orientation programs should be provided to the NGOs/POs. Funding requirements may be sourced from the recruitment agencies which would not need anymore to conduct the orientation seminars.

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Cultural/Social adaptation (continued)					
	Conduct of post-arrival seminars for migrants	CFO DFA DOLE	The CFO, in cooperation with various migrant groups in the United States (US) and Australia, has set up post-arrival seminars for newly arrived immigrants. These seminars which focus on social integration and job search information are being funded by the host governments or by private institutions abroad. Resource persons come from the Filipino migrant community.	The post-arrival seminars have not been put up in most OCW-destination countries. The Filipino Workers Development Centers, however, have put up post-arrival services to help the newly-arrived OCWs adjust to the social and cultural conditions abroad. For many workers, though, they normally would not have the luxury of time as the immigrants would have for these post-arrival seminars, since they are immediately turned over to their employers by the foreign agents.	The Philippine Embassies and Consulates abroad shall be directed to establish post-arrival services for newly arrived immigrants. These services will be put up in coordination with various Filipino groups abroad or with the duly-established welfare agencies or support groups of the host governments.
	Foreign Service Circular No. 246-86 provides the conduct of periodic visits by the posts' representatives in job sites.	DFA	This program allows for regular networking with members of the Filipino communities.	Limited resources to conduct regular field/jobsite visitations.	More funding should be provided to the posts for the purpose of conducting regular fora/networking with Filipino OCWs.

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Cultural/Social adaptation (continued)					
	<p>For the immediate term, the DFA shall pursue bilateral initiatives to establish additional consulates in locations with heavy OCW concentration. These areas include East Malaysia (317,000); Al Khobar; Saudi Arabia (210,000); and Dubai, UAE (45,000).</p> <p>Establishment of Support Network to address Filipino migrant needs.</p>	<p>DFA DOLE CFO OWWA</p>	<p>The network allows the utilization of the extensive Filipino migrant community as a source of support for the disadvantaged members of the Filipino community.</p>	<p>Host countries, particularly in the Middle East, impose restrictions on the movement of Embassy or Consular personnel. This limits their ability to interact regularly and visit Filipino OCWs in their job sites.</p> <p>Many countries in the Middle East do not allow the establishment of associations or formal groups.</p>	<p>Multilateral and bilateral agreements (both formal and informal) should be pursued to allow for a greater mobility and access to Filipino OCWs among Philippine Consular/welfare/labor officials posted abroad.</p> <p>Provision of more funding for the establishment of new posts.</p> <p>The Philippine Embassies and Consulates will be pursuing networking activities with Filipino groups abroad to expand the network of support system which could</p>

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Cultural/Social adaptation (continued)					
			The CFO currently has 2,800 Filipino associations in its data base.		provide assistance to the members of the Filipino community.
	The Filipino support groups will be mobilized as part of the crisis management and security plans to be established by various posts. Area coordinators will be designated among the members of the Filipino community.		The various Philippine Embassies and Consulates maintain a list of these associations which could serve as basis for the networking activities.	Manpower complement in various posts are not sufficient to allow for regular coordination with various Filipino groups.	The Filipino registry system overseas will also have to be supported by Filipino groups abroad.
	The CFO is currently drafting a compendium of the social security, immigration, labor and settlement laws, as well as living conditions & judicial processes in OCW destination countries.	CFO	This will serve as basis for the orientation program and policy/program formulation effort of the government.	Awaiting full compliance by all posts with the Department Circular re submission of inputs.	Funding for publication should be sourced from contingency fund since this was not appropriated for in the regular CFO budget for CY 1995.
	Establishment of Philippine Study and Research Centers.	CFO	The establishment of these facilities will help sustain the link of Filipinos overseas with their motherland.	The establishment of the centers will rest upon the capacity of Filipino groups and other associations to respond to this initiative.	Local private institutions providing support to this initiative should be accorded certain incentives (Local libraries and publishing houses have donated books for the center in Hamburg, Germany).

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Cultural/Social adaptation (continued)					
3. Problems resulting from employment & settlement abroad	Various DFA Foreign Service Circulars have been issued, providing for the specific procedures/guidelines in attending to assistance- to- nationals cases. FSC No. 221-86, No. 245-86, No. 246-86, No. 300-87, No. 259-93, No. 145-94, No. 187-94, No. 140-95, DO 16-95, and DO 17-95.	DFA DOLE OWWA	The Centers are intended to be established by Filipino groups abroad or by private institutions such as the Science and Technology Advisory Councils(STACs). A pilot center is currently being established in Hamburg, Germany in cooperation with STAC and the University of Hamburg. Guidelines have been adequately provided by the circulars issued by the Home Office.	Inadequacy of resources to meet the growing needs of the Filipino migrant communities abroad 1. Manpower	Adoption of the redeployment schedule proposed by the DFA and provision of additional funding for the posts.

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Employment and settlement abroad (continued)					
	<p>The Foreign Service Code likewise provides that Philippine Embassies and Consulates shall afford protection to Philippine nationals abroad.</p>				
	<p>Redeployment of additional consular officials from less-problematic posts to areas with high incidence of problems. The DFA will be implementing in 1995 a redeployment schedule which will involve the deployment of 86 additional personnel in critical posts (Malaysia, Singapore, Saipan, United Arab Emirates, Riyadh, Jeddah, Kuwait and Libya). An additional 9 personnel will be deployed in critical posts (Tokyo, Kobe, Hong Kong, Seoul).</p>	<p>DFA DOLE DSWD CFO DOJ DOH</p>	<p>This will address the need for additional manpower in the critical posts. This will also ensure that the required professional specializations are present to address the needs of the OCWs.</p>		<p>Development of a Memorandum of Agreement among the various agencies to provide the details of the secondment of personnel among agencies.</p>

DOH - Department of Health

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Employment and settlement abroad (continued)					
<p>The posts will also be beefed up by social workers/counselors & legal attaches to address the needs of the migrant workers. The additional personnel will come from specialized agencies such as the DSWD, DOJ, and other agencies.</p>	<p>CFO has been tasked by the DFA to assist in the development of policies and programs for Filipino OCWs.</p>	<p>DFA</p>	<p>CFO programs and network may be utilized to assist in addressing the problems of the Filipino migrant communities.</p>	<p>CFO, per Batas Pambansa Blg. 79 is mandated to conduct programs for Filipino immigrants. This limitation prevents the CFO from directly implementing support programs for Filipino OCWs.</p>	<p>Redefine CFO clientele to cover all Filipinos overseas by incorporating in the Magna Carta For Overseas Filipinos.</p> <p>Issuance of an Executive Order (EO) to amend EO 938 so that the CFO may deploy attaches and counselors in critical posts. The CFO is allowed to deploy only in US, Canada, and Australia per EO 938.</p>

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Employment and settlement abroad (continued)					
				The attrition law and the ongoing ban on the hiring of personnel prevents the DFA, CFO, and other agencies from immediately upgrading its corps of personnel.	A COMELEC exemption should be acquired to allow for immediate hiring. The CSC should also issue a corresponding authority to hire/fill up vacant positions at the DFA and CFO to enable the hiring of additional personnel and filling up of its vacant positions.
				2. Limited Funds to support on-site programs	For CY 1995, additional funding should be sourced from the contingency fund to finance the consular activities of the posts.
					The Passport Fund should be used to support the projects being initiated by the posts for the Filipinos overseas.

COMELEC - Commission on Elections
 CSC - Civil Service Commission

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Employment and settlement abroad (continued)					
				3. Insufficient Materials and Equipment	<p>OWWA should appropriate funds to finance a set of consular projects or activities inasmuch as the OWWA Fund is sustained through the contributions of the workers.</p> <p>To enable the establishment of electronic linkages between/among the posts and the home office, computer equipment should be provided to all the posts. This measure should be supported by the establishment of computerized databases, as well as subscriptions to international electronic networking facilities to harness information and communication exchanges.</p>

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Employment and settlement abroad (continued)					
	Establishment and Operation of a 24-hour Public Assistance and Information Center	DFA (establishment to be guided by the CFO)	This will afford the public with a 24-hour service on matters pertaining to assistance-to-nationals (ATN). This operation will allow for a continuous follow-up and action on urgent and critical cases affecting Filipino nationals abroad.	The primary unit in-charge of assistance-to-nationals at the DFA Consular Affairs Division or CAD, has limited equipment and computers thereby limiting its ability to effectively monitor assistance-to-nationals cases. Resources and facilities are yet to be acquired. The center will have to be supported by adequate communication and operational facilities.	The home office, particularly the Consular Assistance Division of the DFA should be provided with the necessary computers and communication equipment to enable the establishment of an effective monitoring and tracking system for assistance-to-nationals cases. Additional funds should also be provided for its operations. This effort should be complemented by corollary 24 hour operations at the other agencies of government, particularly those that implement programs and services for overseas Filipino nationals.

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Employment and settlement abroad (continued)					
		CFO shall initially provide guidance in the establishment of the mechanism.	The 24-hour center will institute the necessary feedback and feedforward mechanisms to facilitate information exchange and transparency in the action of government on specific ATN cases.	To be set up.	Logistical support will be necessary.
3 a. Inadequate crisis centers	The OWWA has set up Filipino Workers Development Centers which also serve as run away centers.	OWWA DFA	Some of the Filipino Development Centers have been put up and are being tolerated by the host governments to assist migrants.	Many countries do not allow the establishment of Filipino centers.	The proposed Magna Carta for Overseas Filipinos should contain a provision on the establishment of Filipino Migrant Resource Centers Abroad. This shall be undertaken in coordination with the host governments.
3 b. Inadequate funds for legal assistance	OWWA provides funds for legal assistance.	OWWA	Legal assistance fund is provided by OWWA.	Limited funding is available.	A Legal Fund should be put up in every post. This fund may be sourced from the contributions of OCWs. The proposed Magna Carta for Overseas Filipinos should contain a provision on this matter.

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Employment and settlement abroad (continued)					
3 c. Increasing labor and consular-related cases	The DFA is responsible for addressing the consular-related problems of OCWs, while the DOLE is responsible for their labor-related problems.	DOLE DFA	Country Team Approach serves to integrate DFA and DOLE policies for OCWs.	The ability to service the needs of the community depends to a large extent on the ability of DFA and DOLE representatives to work closely and coordinate their efforts.	<p>The DFA should establish linkages with legal defense groups abroad for possible pro bono arrangements in the handling of cases involving Filipino OCWs.</p> <p>There should be strict adherence to country team approach. This concept should extend to establishing cooperation among the various members of the assistance-to-nationals (ATN) team in every post.</p> <p>The country team approach in the post shall be supported by the Assistance-to-Nationals Task Force which has been created by virtue of AO 182.</p>

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Employment and settlement abroad (continued)					
<p>Task Force Kalinangan has been created by virtue of DFA Order No. 16-95 to address the past defects in the documentation and monitoring of ATN cases. The Task Force will also compile all pending critical cases for immediate action/ resolution and feedback to the concerned parties.</p>	<p>DFA CFO</p>	<p>The CFO is able to provide the necessary technology to effect the immediate documentation/ computerization of ATN cases.</p> <p>A new perspective is offered by the CFO on policy matters and action planning for the ATN program.</p>	<p>The Task Force is a temporary unit of personnel and officers who will provide immediate intervention or policy recommendations to address the gaps in the ATN program.</p> <p>Additional logistical support will have to be sourced to effect the transition of this arrangement toward an institutional and permanent mechanism.</p>	<p>Additional logistical support will have to be made available to effect a smooth transition of the Task Force into a permanent mechanism that is organic to the DFA. The CFO, on the other hand, shall continue its policy advocacy and formulation tasks. It can also serve as a central coordinating mechanism which would ensure complementation in the policy and program initiatives of the various government agencies. Appropriate amendments to the CFO mandate are in order.</p>	

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Employment and settlement abroad (continued)					
	<p>In the Immediate and Medium-Term, the DFA shall negotiate the establishment of Joint Commissions on Migrant Workers with the Governments of Saudi Arabia, Kuwait, UAE, Qatar, Bahrain, Oman, Yemen, Egypt, and Lebanon.</p>			<p>Many of the countries do not extend appropriate protection to foreign labor, particularly those in the nonskilled category.</p>	<p>The DFA shall be working out bilateral and multilateral agreements to address the labor and social problems affecting Filipino OCWs.</p>
	<p>Pursuit of Asia-Pacific Bilateral Agenda by the DFA in addressing OCWs concerns:</p>				
	<p>1. China: Post 1997 OCW status in Hong Kong</p>		<p>Establish definitive program of action.</p>		
	<p>2. Japan: Increase outreach to Filipino community with Dev't. and Trng. Centers</p>		<p>Establish networks.</p>		
	<p>3. Korea: Intensify Technical Skills Trng. for Filipino workers and trainees</p>		<p>This will complement the traineeship agreement between RP & Korea.</p>		

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Employment and settlement abroad (continued)					
	4. Malaysia: Implement 2nd JCBC Meeting results		Provide safety mechanisms for Filipinos.		
	5. Singapore: Strengthen Protective Mechanisms		Address visible problems.		
	Pursuit of US Bilateral Agenda (CNMI)	DFA			
	1. Resolve labor exploitation problems		Address labor problems.		
	a. Convene Tripartite RP-CNMI Meeting (May 1995)				
	b. Send fact-finding Mission from Philemb, WDC or Philcongen, Honolulu				

- JCBC – Joint Commercial Business Council
- CNMI – Commonwealth of Northern Marianas Islands
- Philemb – Philippine Embassy
- WDC – Washington, D.C.
- Philcongen – Philippine consulate general

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Employment and settlement abroad (continued)					
	Utilization of Intra-ASEAN Fora to address Fil. OCW concerns	DFA	The prevailing spirit of unity and cooperation within the ASEAN will be harnessed to address specific Philippine interests, particularly in the pursuit of an agenda to promote Filipino migrant welfare.		
	1. ASEAN Committee on Social Development				
	2. ASEAN Secretariat				
	3. ASEAN Labor Ministers Meeting				
	4. ASEAN Economic Ministers Meeting (SEOM)				
	5. ASEAN Ministerial Meeting (SOM)				
	6. ASEAN Summit				
	7. ASEAN Interparliamentary Organization				
	8. ASEAN Regional Forum				

ASEAN - Association of Southeast Asian Nations

SEOM - Senior Economic Officials Meeting

SOM - Senior Officials Meeting

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Employment and settlement abroad (continued)					
	<p>Utilization of APEC as Forum</p> <ol style="list-style-type: none"> 1. 1995 APEC Meetings and Osaka Leaders Meeting 2. APEC HRD Working Group 3. APEC Center for SME Technology Transfer and Training 		<p>The human resource development (HRD) agenda of APEC serve as a complementary initiative to Philippine interests, particularly in advocating for greater multilateral/international cooperation in addressing the problems of international migration.</p>		

- APEC – Asia Pacific Economic Cooperation
 SME – Small and Medium Enterprise

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Employment and settlement abroad (continued)					
	<p>RP to Pursue "Protection of Human Resources" as 1996 APEC Focus (Subic Leaders Meeting)</p>				
	<p>RP to Push For Accession to International Convention for the Protection of the Rights of All Migrant Workers and the Members of Their Families.</p>			<p>Many countries have not signed and ratified the convention.</p>	
	<p>RP to Push For Resolutions and other initiatives to increase international awareness of the problems of migrant workers, especially of the vulnerable groups such as women.</p>		<p>The utilization of international fora in advocating for migrant rights can generate policy and program initiatives on the part of receiving and sending states.</p>		
	<p>RP to use other global platforms which include the following:</p>		<p>The Philippine leadership in some of these global fora/groups can be beneficial in the country's advocacy program and initiatives to promote migrant welfare.</p>		
	<ol style="list-style-type: none"> 1. Non-Aligned Movement Ministerial Summit 2. G-77 (RP Chairman) 3. Beijing World Conference on Women 				

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Employment and settlement abroad (continued)					
	<ul style="list-style-type: none"> 4. ECOSOC 5. Asia-Pacific Regional Group 6. UN Human Rights Commission 7. UN Commission on the Status of Women 8. International Parliamentary Union 				
3 d. Victims of crimes and violence	<p>Assistance is to be extended to every Filipino national by the Philippine Embassy or Consulate as provided for in the Foreign Service Act.</p> <p>OWWA Filipino Development Centers have been put up overseas as assistance centers.</p>	<p>DFA DOLE</p> <p>OWWA</p>	<p>Redeployment of personnel will be undertaken within the year to support the manpower and specialization requirements of the posts.</p>	<p>Inadequate resources.</p> <p>Inadequate training on the part of the foreign service officer to address the particular needs of the victims.</p>	<p>Approval of redeployment schedule and provision of additional funds for the posts.</p>

ECOSOC – Economic and Social Council

UN – United Nations

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Employment and settlement abroad (continued)					
A 24-hour Public Assistance and Information Center will be put up at the DFA to provide a continuing coordination center to the posts and assistance center to the public.	DFA CFO	The center will be established by the second quarter to provide a 24-hour link between the posts and the home office. This center will be linked up with the other line agencies in charge of providing assistance to Filipino nationals abroad.	Resources are yet to be allocated for the purchase of equipment and facilities.	Provision of additional resources to support the establishment of the center. In order for the center to be effective and responsive, it should be provided with communication and transportation facilities. Mobility should be ensured in the operations of the center.	
Repatriation program for OCWs	OWWA	Funds are available at the OWWA.	Undocumented workers are not covered by the repatriation fund.	Regularization programs for undocumented Filipinos abroad should be pursued with various host governments. A speedy return program/ arrangement should be pursued with host governments for the repatriation of Filipino OCWs.	

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Employment and settlement abroad (continued)					
	Stress Debriefing Programs and Counselling Programs for Victims	DSWD CFO	Specialists are on-hand to provide the needed counselling services for repatriated victims.	The service providers/ counselors should be present on-site to immediately provide the service.	Deployment of social workers and counselors abroad / in critical areas and in posts with heavy consular workload.
	Community Reintegration Services	DSWD DOLE	Employment and livelihood opportunities are offered by the DSWD and DOLE.	Inadequate funding for livelihood projects.	Provision should be incorporated in the Magna Carta for Overseas Filipinos re the provision of reintegration services (retraining and employment) for repatriates.
			Retraining programs are also provided by the DOLE and DSWD. The private sector supports the program.	Limited opportunities to absorb trained personnel.	Government and private sector should come up with a joint program that would establish updated listings of employment opportunities as well as plan specific manpower needs of sectors.

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
REINTEGRATION					
Sociocultural and economic reintegration	Kabuhayan 2000 Program	DOLE, DFA CFO, OWWA, private sector, and other agencies	Provides training program and capital assistance among OCW prospective entrepreneurs.	Unable to generate enough interest among the Filipino migrant communities.	<p>Full-scale launching and follow-up activities should be done in major OCW destination areas.</p> <p>Program should also be launched locally to generate interest among local groups.</p> <p>Private sector participation should be enhanced through tax incentives.</p> <p>Loaning programs, using OWWA funds, should be carried out through the agencies of government to lessen interest rates instead of passing it on to the banks.</p>

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Sociocultural and economic reintegration (continued)					
	Business For Expatriates/ Exports Through Expats	DFA CFO	Promotes entrepreneurship among Filipinos overseas. A survey has been administered among Filipino groups, and the results indicate a growing interest among the Filipino migrant communities.	Absence of appropriate business infrastructure and administrative facilities for small & medium scale businessmen.	Include a provision in the Magna Carta for Overseas Filipinos which will define the administrative and business infrastructure facilities for this purpose.
	Skills upgrading and training program	OWWA DSWD DOLE	Training facilities are available at the various provincial centers.	Limited employment opportunities to absorb trainees.	Tax incentives should be provided to businessmen who will offer jobs to the newly trained and reintegrated workers Institutionalization of a placement program for returnees
	Transfer of Knowledge Through Expatriate Nationals	DFA	Funds are provided by UNDP.	Limited funding available.	Explore other funding sources.

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Sociocultural and economic reintegration (continued)					
	Balik-Scientist Program	DOST	This program allows for the transfer of knowledge and expertise by Filipino professional expatriates into the country.		All technology transfer programs by expatriate nationals should be coordinated to prevent overlapping and saturation of technology transfer in limited fields.
	Establishment of Science and Technology Advisory Councils (STACs)	DFA CFO	Filipino expatriates abroad are encouraged to organize themselves in the STACs so that they can systematically present policy proposals to promote science and technology initiatives in the Philippines.	Additional institutional support should be made available by the Phil. Government to the STACs to sustain their interest in the program. Funding for this purpose is not provided in the CFO budget.	Appropriation for this program should be integrated in the CFO budget to sustain this initiative.
	Exchange Visitor's Program or EVP. (Policies to ensure return of Filipino participants to the EVP are currently being put in place.)	CFO DOH	Technology transfer is facilitated and systematically addressed through the EVP program (under a joint agreement between the Philippines and US Governments).	Policies administered by the previous EVP Committee did not implement a strict return and reintegration policy.	Administrative Order, reconstituting the EVP Committee to include the DOST and PRC will have to be issued.

DOST – Department of Science and Technology

PRC – Professional Regulation Commission

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Sociocultural and economic reintegration (continued)					
Establishment and Operation of Philippine Schools abroad	CFO DFA DECS DOLE	The program allows for the establishment of Philippine community schools abroad to provide the necessary academic preparation for the children of Filipino OCWs for their eventual return and reintegration in the Philippine Educational System. There are at present 11 Philippine community schools abroad, based mostly in the Middle East.	Many of the countries do not allow, but only tolerate the operation of these schools. These schools are also currently undergoing transition from a Philippine Embassy/Consulate operated entity into that of a Filipino community operated entity.	Program currently covers only the US. Promotion of the program will have to be strengthened.	The National Commission for Culture and Arts will have to support this program and other cultural reintegration programs for them to be operationally viable.
Lakbay-Aral Program	CFO	A three-week study visit program for second and third generation children of Filipino immigrants to orient them on their historical roots and heritage.			

DECS - Department of Education, Culture and Sports

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Sociocultural and economic reintegration (continued)					
	Family & Community Assimilation Counseling	DSWD	Proposed	No funds	For institutionalization through local government support.
	Retirement Program	PRA	Resettlement program for Filipino expatriates who want to retire in the Philippines.	Limited availment by overseas Filipinos since marketing is aimed at foreign groups. Foreign participants pay processing fees and bond, unlike the Filipino retirees. Privileges attached to the program have been criticized in the past due to its propensity for abuse by scrupulous groups.	Policies governing the program should be reviewed. A more aggressive marketing program for Filipino expatriates should be pursued.
COMPLEMENTARY INITIATIVES					
1. Support services to families of OCWs	Services for solo parents	DSWD	Counseling services for solo parents to help them resolve conflicts and psychological effects brought about by their separation from an OCW family member.	Closer coordination with DOLE initiatives required.	A Memorandum of Agreement (MOA) should be developed. The program should be extended to other members of the family.

PRA - Philippine Retirement Authority

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Complementary Initiatives (continued)					
Support services (continued)	Educational support program	OWWA	Educational scholarships for dependents of OCWs.	Needs more extensive marketing of service/program.	The information re this program should be well-explained during the pre-departure briefing seminars for OCWs.
2. Institutional reforms	Strengthening of the Consular Assistance Division (CAD) of the DFA.	DFA		Lacks manpower and equipment.	Upgrading CAD of DFA into an Office for Assistance-to-Nationals to be headed by an assistant secretary.
	Reform in CFO Mandate	CFO	<p>CFO is currently providing a new policy perspective in addressing Filipino migrant needs and problems.</p> <p>CFO currently serves as secretariat to the Assistance-to-Nationals Task Force by virtue of AO 182. This role, however, needs to be further qualified and supported by a redefinition of the CFO mandate.</p>	CFO is mandated by law to cater only to Filipino immigrants (Batas Pambansa Blg. 79).	<p>Include a provision in the Magna Carta for Overseas Filipinos which will redefine the clientele of the CFO and which will expand its role as a coordinating body for policies and programs affecting Filipinos overseas.</p> <p>Issuance of an Executive Order (EO) to amend EO 728, redefining the administrative structure of the CFO.</p>

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Complementary Initiatives (continued)					
3. Retooling of the Foreign Service Corps	Programs of the Foreign Service Institute (FSI)	FSI, DFA	A distinct training arm provides the necessary reorientation and retooling of DFA personnel.	The curriculum needs to be redesigned to cover the more urgent and priority concern of the foreign service officers, particularly in terms of addressing the needs of Filipino OCWs.	<p>The training program needs to be reoriented toward addressing the needs/problems of OCWs. The overall program should also include immersion program for the Foreign Service Officers (FSOs) and adoption of the grassroots diplomacy as a means to acquire a better appreciation of the needs of the "common tao".</p> <p>An on-the-job training program should be included in the training of FSOs at the Consular Assistance Division to expose the trainees to the prevailing needs and concerns of Filipino OCWs.</p>

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Complementary Initiatives (continued)					
Retooling of the Foreign Service (continued)	The DFA is currently undertaking an exchange and integration program with the DOLE and DTI.				Exchange programs among the various agencies should be developed to promote understanding and appreciation of various agency needs and concerns. NGOs should be encouraged to participate in the training programs for foreign service personnel.
	Recruitment and Selection Program	DFA DOLE	Attempt to professionalize the service.	Examinations have been designed to measure the over-all aptitude of the applicant for diplomacy work, and less on the capability to handle consular work.	The battery of examinations should be redesigned to put more emphasis on gauging the applicants' ability, attitude, and aptitude for consular work.
	Performance Evaluation	DFA DOLE	System is prescribed by the Foreign Service Code.		A Performance Contract Scheme should be established and strictly implemented to provide measurable targets that will serve as basis for personnel action.

DTI - Department of Trade and Industry

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Complementary Initiatives (continued)					
4. Development of administrative tools	Standardized monitoring forms	DFA DOLE		non-existent	All agencies concerned with providing assistance-to-nationals services should develop standardized monitoring and reporting forms as part of the computerization efforts.
5. Implementation of a tracking and monitoring system for assistance-to-nationals cases	Provided by DFA FSC No. 187-94 and No. 145-94	DFA	The system should be able to provide periodic listings of resolved and unresolved cases. The system should facilitate feedback to concerned clients.	Lack of equipment to fully institutionalize the system. The program was developed in 1994 but absence of funds to purchase computers derailed program implementation.	Provision of capital outlay to support the program.
6. Establishment of a multi-sectoral forum on migration	The DOLE and DFA will be cooperating on the conduct of an international conference on migration in the Philippines.	DFA DOLE	This will promote inter- and intraregional cooperation as well as cooperation among countries in addressing migration concerns.	As a UN initiative, this undertaking might take long to materialize.	The Philippines should be prepared to undertake this program as a country initiative for 1996. A multisectoral fora on migration concerns should be put in place to provide a venue for cooperation among various sectors in addressing migration concerns.

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Complementary Initiatives (continued)					
7. Need for an integrated program and policy framework for overseas Filipinos	Assistance-to-Nationals Task Force has been recently created by virtue of AO 182 to develop and implement an integrated program of government for overseas Filipinos.	DFA, DOLE, DOJ, DOH, DSWD, POEA, OWWA, CFO, NBI, NCRFW, CHR and private sector	This will consolidate and ensure complementation of various agency initiatives.		Passage of the Magna Carta for Overseas Filipinos that would integrate and institutionalize an overall protection and reintegration program for overseas Filipinos. The proposed Magna Carta will also provide the specific institutional and program framework that would define the developmental role of Filipinos overseas in the country's development initiatives.
8. Establishing the appropriate incentives and institutional mechanisms to	Lingkod Sa Kapwa Filipino Program	CFO	Harness potentials of overseas Filipinos as partners in the country's development efforts.	Absence of donation facility for material donations.	Institutionalization of necessary mechanisms to facilitate the transfer of goods and services.

NCRFW - National Commission on the Role of Filipino Women

CHR - Commission on Human Rights

SAFETY NETS AND PROTECTIVE MEASURES (continued)

AREA OF CONCERN	CURRENT RESPONSE	AGENCY RESPONSIBLE	STRENGTHS	WEAKNESSES	RECOMMENDATIONS (Policy/Strategy/Program)
Complementary Initiatives (continued)					
<p>promote participation of overseas Filipinos in development cooperation</p>				<p>Donations are subject to value added tax (VAT).</p>	<p>Establishment of a centralized data base management and standardized monitoring mechanism for donations from overseas Filipinos.</p>
<p>9. Continuing policy review and development</p>	<p>CFO and the DFA jointly pursue this effort to provide the necessary policy environment for the establishment of a comprehensive program for overseas Filipinos.</p>	<p>DFA CFO</p>	<p>A continuing review mechanism will ensure relevance of programs.</p>	<p>The CFO is technically not mandated to address the policy requirements of the Filipino OCWs. It is nonetheless performing the task in response to the urgent needs of the Filipino OCW community.</p>	<p>The CFO mandate and clientele need to be redefined in response to the prevailing needs of the Filipino migrant community. The existence of a coordinative mechanism and policy review unit cannot be underemphasized, given the global and complex problems resulting from migration.</p>
					<p>As an independent unit, the CFO will be able to respond to the task of establishing the necessary policy environment to address the over-all needs and interests of the overseas Filipino community.</p>

EXECUTIVE ORDER NO. 231

**CREATING THE PRESIDENTIAL FACT-FINDING
AND POLICY ADVISORY COMMISSION
ON THE PROTECTION OF OVERSEAS WORKERS**

WHEREAS, recent events have evoked the nation's serious concern for and recognition of overseas Filipinos;

WHEREAS, it is the policy of the Philippine Government to be firmly committed to the protection of overseas Filipinos;

WHEREAS, certain claims and assertions as well as accusations have been made against some officials of the Philippine Government in connection with its efforts to protect overseas Filipinos;

WHEREAS, there is a need to determine with utmost certainty the circumstances surrounding recent events involving the policies and actions of government in relation to the protection of overseas Filipinos; and

WHEREAS, much can be learned from instances in which such policies and actions of government have succeeded and from those which did not lead to the desired results.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. *The Presidential Commission.* - There is hereby created a Presidential Fact-Finding and Policy Advisory Commission on the Protection of Overseas Filipinos, hereinafter referred to as the Commission. The Commission shall immediately begin its work once it is constituted and shall accomplish its objectives within three (3) months thereof, after which, unless otherwise ordered by the President, the Commission shall be dissolved.

Section 2. *Composition.* - The Commission shall be composed of a Chairman and six (6) members to be appointed by the President, as follows:

Executive Order No. 231 (continued)

- 2.1. A retired Justice of the Supreme Court as Chairman;
- 2.2. Two (2) members to represent overseas contract workers and organized labor, respectively;
- 2.3. One (1) member to represent employers;
- 2.4. One (1) member to represent the Department of Social Welfare and Development;
- 2.5. One (1) member to represent the National Commission on the Role of Filipino Women; and
- 2.6. One (1) member to represent the public-at-large.

Section 3. *Objectives.* - The Commission shall have the following objectives:

- 3.1. Determine particular and general facts and circumstances involving the policies and actions of the Philippine Government and its agents or officials in relation to the protection of overseas Filipinos, particularly cases involving the criminal conviction of overseas Filipinos, including the case of Mrs. Flor Contemplacion; and
- 3.2. Make recommendations with a view to improving the protection afforded by the Philippine Government to overseas Filipinos, consonant with international conventions and standards.

Section 4. *Mandate.* - The Commission, taking into consideration its objectives, shall have the following mandate:

- 4.1. Inquire into, examine and probe individual cases involving the protection of overseas Filipinos;
- 4.2. Seek the views and opinions of and coordinate with the different sectors of Philippine society, including people's organizations, cooperatives, media, and other non-government organizations;

Executive Order No. 231 (continued)

- 4.3. Identify instances which may require the filing of administrative and other charges against Philippine Government officials and private individuals, and recommend the filing of criminal or administrative charges as the case may be;
- 4.4. Formulate recommendations, to include legislative measures, for the improvement of the protection of overseas Filipinos by the Philippine Government; and
- 4.5. Submit a report on the Mrs. Flor Contemplacion case to the President within fifteen (15) days from the constitution of the Commission.

Section 5. *Powers and Functions.* - The Commission, in view of its objectives and in the discharge of its mandate, is hereby empowered to:

- 5.1. Call on any department, instrumentality or agency of the government for assistance and cooperation;
- 5.2. In accordance with existing laws, regulations and procedures, issue compulsory processes to private individuals, groups or organizations as well as government officials;
- 5.3. Through appropriate diplomatic channels and with due regard to diplomatic considerations, request for the cooperation of foreign governments; and
- 5.4. Promulgate its own administrative and procedural rules and regulations to govern its actions and operations.

Section 6. *Secretariat.* - The Commission shall be assisted by a Secretariat that shall provide administrative and office support to the Commission to be composed of persons appointed by the Chairman.

Section 7. *Technical Panel.* - There is hereby constituted a Technical Panel composed of recognized and responsible experts to be appointed by the Chairman in the fields of law, labor, social welfare, and other relevant fields to

Executive Order No. 231 (continued)

provide technical assistance and advice to the Commission. In order to provide an effective line of communication and coordination with the appropriate department agencies and instrumentalities of the Philippine Government, officials from the Department of Foreign Affairs, Labor and Employment, Justice, Social Welfare and Development, Health, the Overseas Workers Welfare Administration and the Philippine Overseas Employment Administration may be invited to serve as members of the Technical Panel.

Section 8. *Office.* - In coordination with agencies of the Philippine Government, including government-owned or controlled corporations, the Commission shall be provided with appropriate office space.

Section 9. *Funding.* - Without prejudice to the provision of additional funds, the initial amount of Five Million Pesos (P5,000,000.00) from the President's Contingent Fund is hereby provided for the operations of the Commission.

Section 10. *Effectivity.* - This Executive Order shall take effect immediately.

DONE in the City of Manila, this 20th day of March in the year of Our Lord, Nineteen Hundred and Ninety-Five.

By the President:

(Sgd.) FIDEL V. RAMOS

(Sgd.) LEONARDO A. QUISUMBING
Senior Deputy Executive Secretary

MEMORANDUM ORDER NO. 271

**DESIGNATING THE CHAIRMAN AND MEMBERS
OF THE PRESIDENTIAL FACT-FINDING
AND POLICY ADVISORY COMMISSION
ON THE PROTECTION OF OVERSEAS FILIPINOS.**

Pursuant to Executive Order No. 231 dated March 20, 1995, the following are hereby designated to constitute the Presidential Fact-Finding and Policy Advisory Commission on the Protection of Overseas Filipinos:

Hon. EMILIO A. GANCAYCO - Chairman

Mr. ISIDRO Q. ALIGADA - Member (OCWs)
Mr. CIPRIANO C. MALONZO - Member (Organized Labor)
Mr. RENE E. CRISTOBAL - Member (Employers)
Ms. MILAGROS I. LLANES - Member (DSWD)
Ms. TERESITA S. CASTILLO - Member (NCRFW)
Atty. HESQUIO R. MALLILLIN - Member (Public-at-Large)

The Commission is enjoined to immediately convene and perform its tasks as defined under the above-cited Executive Order.

As far as practicable, the Commission shall be guided by the following timetable:

- 1) Within fifteen (15) days from its assumption of office, submit a report on the Flor Contemplacion-Delia Maga Case;
- 2) Within thirty (30) days, submit recommendations on safety nets and other protective measures to prevent or remedy abuses against overseas workers, and other Filipino nationals abroad.
- 3) Within sixty (60) days, submit a comprehensive progress report, including policy recommendations, as well as identification of factual instances that may require filing of administrative and other charges against government officials or private individuals and/or recommendations for the filing of administrative or criminal cases as the case may be.

Memorandum Order No. 271 (continued)

4) Within sixty (60) days and after appropriate public hearings, submit proposed legislative and other measures including proposed bilateral and multilateral agreements to enhance job opportunities, selectivity of employment and protection of overseas workers consistent with international standards.

5) Within ninety (90) days, submit a final report on the work of the Commission.

6) From time to time during the Commission's term, submit such other recommendations, suggestions, studies and proposals that may properly serve as guidelines for the Executive Department, particularly the Departments of Foreign Affairs, Labor and Employment, and Social Welfare and Development to improve their performance, effectivity and responsiveness on the matter of deployment, support to and protection of all Filipino nationals abroad, particularly overseas workers.

Done in the City of Manila, this 21st day of March, in the year of Our Lord Nineteen Hundred and Ninety-Five.

By the President:

(Sgd.) FIDEL V. RAMOS

(Sgd.) TEOFISTO T. GUINGONA, JR.
Executive Secretary

FULL DISCLOSURE POLICY A Philosophical Orientation

By: RICARDO R. CASCO
Philippine Overseas Employment Administration

The overseas employment program took new shape ever since the President called for the translation of the vision of Philippines 2000 in all programs of the Cabinet. In response, the Department of Labor and Employment (DOLE) in coordination with International Labor Organization (ILO) Consultant Alcestis Mangahas articulated in 1992 the national vision for the management of overseas worker migration.

In the articulation of such a vision, the empowerment of the worker populace in making well-informed decisions for which they will be held primarily responsible has been recognized. This recognition has since transformed the paradigm of the overseas employment program into one that highlights the need to create an environment of transparency and responsibility-sharing.

In the visioning exercises of the DOLE-OE [Overseas Employment] Cluster and the POEA in 1993-95, the transparency objective has been considered "the" anchor of all prescribed policy shifts and programs. The transparency objective has become more important because of major changes in the global environment as imposed by the free market forces.

In a recent television appearance of the Secretary, the industry has publicly succeeded in engaging the former's commitment to lead in the implementation of a full disclosure policy in the overseas employment program, in line with policy reforms needed to promote the welfare of Filipino migrant workers.

THE PRESSURE FORCES TOWARD FULL DISCLOSURE

Full disclosure or transparency is a basic principle of public service or public policy. Yet the actors in the management of Filipino worker migration seemed to have missed the principle all along.

*Full Disclosure Policy (continued)***The Irreversible Market Forces**

The interest in full disclosure emanates from a number of pressure forces. One of these is the realization that the market is a determinant factor in shaping government regulations. Many regulations in the past have attempted to twist market behavior rather than guide participants in maximizing the rewards and managing the risks inherent in the market. The global labor market is basically demand-determined. While we may seek to influence the quality of demand and put a price tag on our services, our more than two decades of experience reveal that our efforts are largely illusionary.

The Need to Empower the Citizenry

The second factor is that in spite of the complex legal framework and procedures of the Philippine overseas employment program, the industry and the worker populace have not become empowered citizens. One rule necessitated another... and another... and another. The Philippine public has always easily pointed their fingers to government as responsible for the failure of regulations to serve and promote the interest and well-being of the citizenry.

The Need for a Market-Friendly Bureaucracy

The desperation of the industry to engage government in a more market-friendly bureaucracy and of the government to see that its client recruiters and workers can self-govern is another pressure point in the full disclosure outcry. The government's imposition of its rules and standards of yesteryears have only lead to phony transactions, widespread cheating and paper compliances whose offenders government has been unable to sanction. These misdirections have resulted in an array of contract substitution cases that are too many for dwindling resources and stagnant laws to handle.

THE LEGAL TRAP AND IRRELEVANT STANDARDS

Implementing the paradigm shift is more difficult than accepting its rational because of the stronghold of existing laws. In the absence of a district code governing overseas worker migration, existing labor standards are based on the Philippine Labor Code.

Full Disclosure Policy (continued)

Unfortunately, the imposition of standards based on the Labor Code or on processes that do not consider host country legislations and confirmed market averages only encourages paper compliance, making the government a virtual collaborator of deceit. The joint and solidary liability of the recruitment agencies with their principals has become more onerous and burdensome to the former. While the JSL provision imposed on recruitment agencies seeks to enforce the gaps between standards imposed by POEA and "market givens," the irreconcilability of laws of the Philippines and countries playing host to our migrant workers becomes the burden of manpower recruiters.

Many standards likewise are not subject to regular review and revisions as well as bilateral negotiations. The irrelevant standards then become the government's guideline in the accreditation of foreign principals. Such bureaucratic process then becomes a useless exercise as it drives to conceal market realities from the public. In the end, the application of unrealistic standards becomes the anti-thesis of a full disclosure objective. More concretely, the mounting cases of salary underpayment and the contract substitution filed by complainant workers on the strength of employment contracts approved at POEA are the ultimate effects of such an application.

THE MALAYSIA EXPERIENCE

In mid-1994, the DOLE/POEA promulgated a policy experiment declaring the application of a full disclosure policy for factory workers in Malaysia. Our choice of Malaysia was based on having recently concluded some bilateral understanding between our Labor and Foreign Affairs Ministries. The bilateral meetings have affirmed the real employment conditions of factory workers in Malaysia and the commitment of their government to institute their own inspection and monitoring mechanics to ensure that employers comply with host country regulations.

Cultural Unpreparedness

While it was highly welcomed by those who acceded to this "seeming liberalization," its implementation revealed cultural unpreparedness for policy milestones on the part of government and industry.

Full Disclosure Policy (continued)

For one, many in the industry were not aware of the milestone. They needed to be informed perhaps in a classroom orientation which the POEA did not attempt to provide. Some considered it a welcome surprise and while they were ready to prepare the "new" documents required, they continued to submit the "old" requirements to ensure the easy approval of their application for accreditation. Naturally, the bureaucrat had to verify which documents are real, thereby even prolonging the checking and evaluation process.

Prolonged Leadtime

In many cases, the experiment involved other prerequisite processes before a Malaysian factory entity can be accredited. These include the conduct of employer-specific orientation seminars for the chosen workers, direct verification with employers, and consultative meetings with each recruitment agency concerned. The responses to POEA clarifications with the agencies and their principals came on a piecemeal basis. These processes lengthened the lead accreditation time to three months. In some instances, workers have complained about delayed deployment and attempts of employers to cancel their tie-ups with the agencies.

The initial results of the experiment revealed the need to restructure all forms and structures according to market-specific needs. Furthermore, it also showed that the orientation and information dissemination processes cannot be limited to memo circulars.

Positive Policy-Sensitiveness of a Few

With the full disclosure policy for factory work in Malaysia in place, the few better-performing, nonfee charging agencies invoked the principle in their accreditation transactions at the POEA. Virtually, they have sought to apply the same for other markets and while there is yet no official legal sanction to disregard irrelevant POEA standards, the honesty of some agencies cannot be disregarded. Operational dilemmas have become more pronounced for the structural bureaucracy.

*Full Disclosure Policy (continued)***THE NATURE AND SCOPE OF A FULL DISCLOSURE POLICY**

There is now the clamor for the universal application of this basic principle. After all, full disclosure only calls for the policy norm that: honesty is the best policy. To promote a culture of adequate information to the public is to stimulate a universal environment conducive to it. The potential worker does not only deserve to know the rewards and risks of working in Malaysia but the options open to him.

Full disclosure, being a basic principle, therefore cannot be "partial" in implementation. Should we fully open up to market realities and accept the very low wages and the passing on of mobilization costs to the workers? — is a question always asked. Full disclosure is not a matter of recognizing and accepting one provision of the employment contract and rejecting the others. It is laying the cards on the table and when one takes a decision, he is primarily responsible for that decision.

In fact, shouldn't the worker himself fully disclose his true credentials and capabilities? Full disclosure is not a sectoral principle. It should strengthen the "meeting of the minds" between and among the contracting parties in an employment or recruitment contract.

Information that helps in understanding the contractual rights, obligations and relationships of the parties in an employment and recruitment contracts is among the most taken-for-granted subjects that the full disclosure policy should stimulate, beyond wages, benefits and recruitment costs. A clear understanding of job expectations and qualifications criteria as well as the nature of the project or profile of the employer are equally important.

Full disclosure likewise does not preclude the Department of Labor and Employment's prerogative to maintain and impose standards provided that such standards are reflective of host country legislations, bilateral understanding or duly verified market averages.

*Full Disclosure Policy (continued)***COMPONENT STRATEGIES TO FULL DISCLOSURE****Standards Revision**

The revision of standards of employment contracts, wages, and placement fees is one of the first steps to the meaningful application of the full disclosure principle. Such standards should make reference to host country legislations, bilateral understanding and/or duly verified market averages. Otherwise, a standards-free policy should be adopted.

The process of standards formulation, however, takes considerable lead time. Research effort to derive market averages itself needs to be qualified. While much of the wage approvals of POEA have been at least 20-30 percent of its 1982-drawn wage standards, these registered rates are believed to be still unrealistic when one delves into the contract substitution cases at POEA's Adjudication Office. Cases tagged as contract substitution emanates from complaints about nonpayment or underpayment of wages.

While constant inventory of a host country legislation may be done by Philippine overseas labor offices and diplomatic missions abroad, bilateral negotiations have taken more time and sustained efforts. In the interim, therefore, it has been necessary to launch other intervention mechanisms to promote approximate compliance to POEA's age-old standards. Direct mailers to employers have been floated by POEA to highlight the advantages of working with higher-wage manpower from the Philippines.

Information and Education

Information and education is another key element for the success of full disclosure. A strategic public information plan and outreach program should enable the public to understand the parameters in the formulation of their decision to migrate for overseas work.

POEA's Pre-Employment Orientation Seminar (PEOS) is among DOLE's worker empowerment programs that needs concrete structures for it to be mandatory and for other sectors, including nongovernment organizations (NGOs) and local government units (LGUs) to participate in its implementation. A certification system may be instituted. Providing an orientation on the global labor market in the high school curriculum or in career guidance seminars for graduating students can reinforce social awareness on the worker migration phenomenon.

Full Disclosure Policy (continued)**Adjustments in the Bureaucracy's Structure**

An adjustment of administrative forms and procedures is inevitable in the observance of full disclosure. Adjudication accreditation rules will involve major amendments.

IMPLICATIONS OF FULL DISCLOSURE**Surfacing of Market Downtrends**

Wages that shall be presented under a full disclosure environment will be on a downtrend especially in the traditional markets as this has been the reality since the boom in the Middle East infrastructure development tapered off. Under the POEA rules, previously approved salary rates should be maintained for the same employer, even during the transfer of the employers' accreditation with other agencies. The "no diminution of wages and terms and conditions rule" during cases of transfer of accreditation shall become superfluous.

Shift in Functional Focus

The policy on the accreditation of foreign principals shall eventually become more of a registration process under the premise that negotiated contracts will be honored. The government's check and balance policy will have to shift to the information process.

Competition Between and Among Recruiters and Employers

Worker applicants will hop from one recruitment agency to another in search of better paying jobs at lower recruitment costs. Agencies will compete in terms of lower placement fees, better employers and higher wages.

Employers will increasingly find it difficult to hire the best workers at substandard wages and benefits. Their agencies will face greater challenge in sourcing applicants and will likely engage in more provincial recruitment in the light of a multisectoral outreach program on full disclosure policy.

*Full Disclosure Policy (continued)***Less Legal Suits and Simpler Mobilization Process**

Full disclosure hopes to contain the vulnerability of the worker public and if it succeeds, there will be less legal suits on recruitment violation, contractual claims or illegal recruitment. The worker documentation and mobilization process at POEA will be simplified but the workers information program will have to be intensified tenfold.

Less Vulnerability to NGO Attacks

There will be a need for a new set-up in the accreditation of NGOs that will be the government's strategic ally to help check and balance the recruitment industry in the observance of full disclosure. If the NGOs play a substantial role in full disclosure advocacy, the government will be less vulnerable to their undue criticisms.

The political will to accept market realities for the ultimate good will be challenged by ideological groups who are against the liberalization of labor standards. However, the political will will be bolstered if their advocacy is shared and understood by a multisectoral community.

KEY TRANSITION ISSUES

(Toward Building Greater Organizational Readiness for the Change)

**By: Task Group No. 1
SCOPING THE CHANGE**

I. Definition of the Scope of Change

THE ADOPTION OF A FULL DISCLOSURE POLICY over what prevails as INTERVENTION THROUGH LABOR STANDARDS should shape the course of Filipino worker migration.

FULL DISCLOSURE provides that Government (as stirred by the DOLE OE Cluster) shall stimulate a sincerely well-informed populace in order that the workers will be empowered to make responsible decisions regarding whether to migrate for work or stay to work in the home country. The content of such disclosure shall not pertain to government restrictions or regulations but more important, to market realities and risks.

Right now, government intervention comes more heavily in terms of labor standards. The legal framework in the Philippines of Filipino worker migration imposes standard terms and conditions in the employment contract as well as in wages. Historically, the instruments that have been used to comply with such legal framework have become more of paper conveniences. Market realities, host countries' own laws and real compromises between employers and workers have been the stronger forces in determining the whole terms of employment. The strict imposition of standards intervention has only made the Government appear like a "collaborator of deceit," trying to battle through all odds as if the standards can be met. In the process, the design of service mechanisms such as the grievance machinery and adjudication process only further proves inconsiderate of the root market forces.

II. CHARACTERISTICS OF THE CHANGE

The proposed change is pervasive and wide as it is a "root cause or advocacy" to empower people through the right information. It is as deep as a philosophical foundation of policy — why worker migration as a phenomenon is not within the national capacity to define its boundaries.

Key Transition Issues (continued)**WHO WILL BE AFFECTED?**

The hierarchy of the DOLE OE Cluster from its Governing Board bodies to the rank and file;

The hierarchy of the individual agencies and units of the OE Cluster;

Our diplomatic posts overseas;

The labor force and their respective families;

The local government units;

The foreign employers and recruitment agencies;

Foreign governments;

Our recruitment industry;

The media;

**WHAT POLICIES, SYSTEMS AND STRUCTURES
WILL BE MODIFIED?**

The legal framework in the management of worker migration (labor code application to OE; the liability of agencies and employers;)

The instruments in the effective observance of essential or special standards intervention (like employment contracts, recruitment agreements, etc.)

The organizations and service functions of POEA, OWWA, NMYC, BLE (& PESOs) and POLOs;

Worker education program (the training modules, the network of implementation, the timing and duration, etc.)

Grievance machineries, conciliation and adjudication processes;

The research or information gathering process;

The state of technology (computer on-line networks);

FULL DISCLOSURE POLICY

I. Scope

A. Placement fee

B. Wage

C. Employment terms and conditions

1. hours of work
2. job expectation
3. airfare
4. food and accomodation
5. taxes/other legal deduction
6. bonuses
7. leaves/holidays/day-offs
8. medical/life insurance
9. length of contract

D. Recruitment cost

1. trade test
2. medical exam
3. repatriation bond
4. others

E. Qualification criteria

F. Employer details

G. Contractual relations

*Full Disclosure Policy (continued)***II. Implementing Structures**

A. Rationalize wage, placement fee and other standards

B. Networking with host countries, POLOS, *etc.*

C. Mandatory pre-employment orientation

1. certification
2. local government units assistance
3. school curriculum
4. career guidance seminar

D. Strategic information plan

1. consultative meetings
2. sustained press releases
3. TV-radio network
4. presscon
5. brochures

E. Amend adjudication rules/structures/procedures

F. Change all administrative forms

G. Advertisement

H. Undertaking by agency, worker and employer

I. Reinforce PDOS

III. Checks and Balance

A. Periodic assessments

B. Monitoring of subsequent cases

Full Disclosure Policy (continued)

IV. Implications

- A. Wages and employment conditions will go down. Per rule, transfer of accreditation should not result in diminution of wages
- B. Applicants will hop from one agency to another
- C. Agencies will compete in terms of lower placement fee, better employers and higher wages
- D. Provincial recruitment will increase
- E. Lesser RV/adjudication cases
- F. Lesser industrial relations cases
- G. Agencies pay real taxes
- H. Simpler accreditation/ECPB operation
- I. Lesser vulnerability to NGO attacks in the medium-long term some resistance initially re liberalization of labor standards

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER No. 182

**ESTABLISHING AN ASSISTANCE-TO-NATIONALS TASK FORCE
AND PROVIDING FUNCTIONAL GUIDELINES THEREFOR**

WHEREAS, recent Philippine migration realities require a more comprehensive program of action to address attendant issues and concerns;

WHEREAS, the Philippine Government is firmly committed to promoting the well-being and protecting the interests of overseas Filipinos;

WHEREAS, existing problems and difficulties confronting Filipino migrants require more pronounced and integrated assistance from various agencies of government as embodied in the “country-team” approach per Executive Order No. 74;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. CREATION OF AN ASSISTANCE-TO-NATIONALS TASK FORCE. An Assistance-To-Nationals Task Force is hereby created and shall consist of representatives from the following:

- | | |
|---|---------------|
| Department of Foreign Affairs | - Chairman |
| Department of Labor and Employment | - Co-Chairman |
| Department of Justice | - Member |
| Department of Health | - Member |
| Department of Social Welfare and Development | - Member |
| Philippine Overseas Employment Administration | - Member |
| Overseas Workers Welfare Administration | - Member |
| Commission on Filipinos Overseas | - Member |
| National Bureau of Investigation | - Member |

Administrative Order No. 182 (continued)

National Commission on the Role of Filipino Women	- Member
Commission on Human Rights	- Member
Private Sector - Four (4) to be designated	- Members

The government agencies enumerated herein shall designate permanent representatives to the Committee with a rank not lower than that of an Assistant Secretary.

The Task Force may call upon other agencies of the government to provide necessary support and assistance in its work.

SECTION 2. FUNCTIONS OF THE TASK FORCE. The Assistance-to-Nationals Task Force shall have the following functions:

1. Develop and implement an integrated program of government that will address the various concerns and problems resulting from migration;
2. Develop a mechanism to ensure effective coordination among various agencies of government to provide solutions to illegal recruitment and the exploitation of highly vulnerable groups of migrants;
3. Develop and implement a continuing information and community education program to ensure the effective dissemination of information related to migration;
4. Establish policies for the effective data base management on migration statistics and assistance-to-nationals cases;
5. Review and develop policies to promote the welfare and interests of Filipino migrants;
6. Coordinate with the private sector and international organizations through the appropriate agencies of the government with the view of establishing a support network for Filipino nationals.

SECTION 3. FREQUENCY OF MEETINGS. The Assistance-To-Nationals Committee shall meet at least twice a month or as often as necessary to discuss various concerns affecting Filipinos abroad and to develop and implement interventions to address them.

Administrative Order No. 182 (continued)

SECTION 4. SUPPORT STRUCTURES AND FUNDING.

The various heads of agencies represented in the Assistance-To-Nationals Task Force shall ensure the establishment or designation of local units within their respective agencies to ensure a continuing support mechanism for the Assistance-To-Nationals Task Force. The designated local units shall ensure that internal resources are available within their respective agencies to effectively carry out the tasks provided for in this order. The Commission on Filipinos Overseas shall provide Secretariat support to this Committee. The initial amount of Five Million Pesos (P5,000,000) from the President's Contingent Fund is hereby released and authorized to be expended to carry out the functions of the Task Force.

SECTION 5. EFFECTIVITY. This Administrative Order shall take effect immediately.

Done in the City of Manila, this 6th day of April in the year of our Lord, nineteen hundred and ninety-five.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) TEOFISTO GUINGONA, JR.
Executive Secretary

Appendix I

ASSISTANCE-TO-NATIONALS TASK FORCE

- Information Management TWG Work Plan
- Communication and Advocacy TWG Work Plan
- Crisis Management and Security TWG Work Plan
- Action Items for May 1995
- Policy, Program and Research TWG Work Plan
- Strategic Planning TWG Work Plan



**ASSISTANCE-TO-NATIONALS TASK FORCE
INFORMATION MANAGEMENT TWG WORK PLAN**

ACTIVITIES	TIME FRAME
A. REVIEW AND ASSESSMENT OF REGISTRATION AND DOCUMENTATION SYSTEM	MAY-SEPT
B. DATA NEEDS IDENTIFICATION	MAY
C. DATA GAP EVALUATION	JULY-AUG
D. SYSTEM DEVELOPMENT	SEPT-MAR '96
E. ELECTRONIC LINKAGE STUDY	SEPT-DEC

**ASSISTANCE-TO-NATIONALS TASK FORCE
COMMUNICATION AND ADVOCACY TWG WORK PLAN**

ACTIVITIES	TIME FRAME
A. INVENTORY OF EXISTING INFORMATION PROGRAMS OF GOs AND NGOs	MAY
B. ESTABLISHMENT OF THE MiGRANT ADVISORY AND INFORMATION NETWORK (MAIN) DESKS	MAY
C. DEVELOPMENT OF COMMUNICATIONS PLAN	MAY
D. PLAN IMPLEMENTATION	MAY-DEC
E. INFORMATION MATERIALS DEVELOPMENT	JUNE-JULY
F. POLICY ADVOCACY	MAY-DEC

**ASSISTANCE-TO-NATIONALS TASK FORCE
CRISIS MANAGEMENT AND SECURITY TWG WORK PLAN**

ACTIVITIES	TIME FRAME
A. NEEDS ASSESSMENT AND INVENTORY OF EXISTING PROGRAMS/SERVICES FOR OVERSEAS FILIPINOS	MAY-JUNE
B. FORMULATION OF COORDINATIVE MECHANISM FOR CRISIS INTERVENTION	JUNE-DEC
C. FINALIZATION OF CRISIS MANAGEMENT AND SECURITY MANUAL	JUNE-AUG
D. OTHER ACTIVITIES	JUNE-DEC
1. DATABASE LINKAGE 2. STANDARDIZATION OF FORMS 3. COORDINATION W/ OVERSEAS POSTS	

**ASSISTANCE-TO-NATIONALS TASK FORCE
ACTION ITEMS FOR MAY 1995**

- 1. DATA NEEDS IDENTIFICATION**
 - A. INVENTORY OF EXISTING DATABASE FACILITIES AND AVAILABLE INFORMATION ON OVERSEAS FILIPINOS**
 - B. IDENTIFICATION OF INFORMATION AND REPORTORIAL REQUIREMENTS OF AGENCIES**
- 2. REVIEW OF DOCUMENTATION PROCESS**
- 3. NEEDS ASSESSMENT AND INVENTORY OF EXISTING PROGRAMS FOR OVERSEAS FILIPINOS**
- 4. REVIEW OF OPERATIONAL MECHANISMS OF PROGRAMS FOR OVERSEAS FILIPINOS**
- 5. REVIEW OF THE OVERSEAS EMPLOYMENT PROGRAM (O.E.P.)**

ASSISTANCE-TO-NATIONALS TASK FORCE POLICY, PROGRAM AND RESEARCH TWG WORK PLAN

ACTIVITIES	TIME FRAME
A. REVIEW AND RE-EVALUATION OF O.E.P.	MAY
B. REVIEW OF MAGNA CARTA	MAY
C. REVIEW AND CODIFICATION OF GUIDELINES AFFECTING OVERSEAS FILIPINOS 1. ATN PROCEDURES 2. LEGAL ASSISTANCE FUND 3. REPATRIATION FUND	MAY-JUNE
D. REVIEW OF EXISTING STRUCTURES AND MECHANISMS FOR SERVICE DELIVERY	JUNE-JULY
E. MOBILIZATION OF OVERSEAS FILIPINOS AS ECONOMIC AND CHANGE AGENTS	JUNE
F. REVIEW OF REINTEGRATION PROGRAMS	JUNE-JULY
G. REVIEW OF RECRUITMENT, TESTING, TRAINING AND AUDIT OF SERVICE PERSONNEL	JULY-AUG

ASSISTANCE-TO-NATIONALS TASK FORCE STRATEGIC PLANNING TWG WORK PLAN

ACTIVITIES	TIME FRAME
A. REVIEW OF OPERATIONAL MECHANISMS OF PROGRAMS FOR OVERSEAS FILIPINOS	MAY-JUNE
B. DEVELOPMENT OF SAFETY NETS AND SUPPORT/OPERATIONAL MECHANISMS FOR PROGRAM IMPLEMENTATION	JUNE
C. REVIEW OF THE O.E.P.	MAY
D. FORMULATION OF AN ACCOMPANYING PLAN FOR THE O.E.P.	JUNE-JULY
E. REVIEW OF LEGISLATIVE PROPOSALS TO ADDRESS FILIPINO OVERSEAS PROBLEMS AND CONCERNS	MAY
F. DEVELOP GUIDELINES AND NECESSARY MECHANISMS TO IMPLEMENT PROVISIONS OF THE MAGNA CARTA FOR OVERSEAS FILIPINOS	JUNE-JULY

Appendix J

RECOMMENDATIONS ON THE PROPOSED MAGNA CARTA ON OVERSEAS FILIPINOS

- Declaration of Policies
- Definition of Terms
- Protection of Rights
- Report to Congress
- Powers, Duties, and Functions of Government Agencies in the Protection of Filipino Nationals Abroad
- Institutionalization of the Country-Team Approach
- Establishment of Overseas Filipino Resource Centers
- Operations of the Center
- Establishment of a Shared Government Information System for Migration
- Establishment of Replacement and Monitoring Center
- Overseas Representation in Congress
- Ownership of Land
- Practice of Overseas Filipino Professionals in the Philippines
- Appropriations
- Implementing Guidelines
- Absentee Voting
- Registration

RECOMMENDATIONS ON THE PROPOSED MAGNA CARTA ON OVERSEAS FILIPINOS

TITLES & SECTIONS	HOUSE BILL NO. 14314	SENATE BILL NO. 2070	RFCOMMENDATIONS
<p>Section 1. Short Title.</p> <p>Author</p> <p>Title I- General Provisions</p> <p><i>Section 2 - Declaration of Policies</i></p>	<p>This Act shall be known as "Magna Carta of Overseas Filipinos."</p> <p>Congressman Jose de Venecia, Jr.</p> <p>The State recognizes the crucial role and important contributions of overseas Filipinos in the task of nation-building and national development.</p> <p>It is the declared policy of the State to promote the welfare and protect the rights of all overseas Filipinos. The state shall also encourage their active participation in its economic and social life through the granting of appropriate incentives to them.</p> <p>To promote the welfare of overseas Filipinos, in particular the overseas Filipino worker, the State shall make a periodic review of the Government's overseas employment program (OEP) with the end in view of balancing economic demands and the protection of its nationals. In the pursuit of this policy, and when the national interest so requires, the State defends and upholds the national dignity.</p> <p>To further promote the welfare of overseas Filipino workers, the State shall consistently pursue policies and programs that provide adequate economic opportunities, particularly the generation of jobs, and the provision of livelihood opportunities for returning overseas Filipino workers.</p>	<p>This Act shall be known as the Magna Carta for Overseas Filipino Workers (herein after called "Workers")</p> <p>Senator Alberto G. Romulo</p> <p>The State shall promote the well-being and protect the human rights of every Filipino Overseas Worker.</p>	<p>The Magna Carta should cover all Filipinos abroad. Proposed title is "Magna Carta of Overseas Filipinos." (DFA, CHR, CFO, DSWD)</p> <p>The Declaration of Policies should reflect Government's concern over the rights and well-being of ALL Filipinos Overseas.</p> <p>The specific policy declarations however, may reflect the prioritization of Overseas Contract Workers problems as necessitating immediate and effective reforms and programs. (DFA, DSWD, CFO, POEA)</p> <p>The Declaration of Policy should appropriately reflect the Government's recognition of the contributions and potential of overseas Filipinos as partners in nation-building. Thus, the Senate version should incorporate this. (CFO)</p> <p>The Declaration of Policy should clearly define the policy governing the employment of Filipinos in other countries. Thus, it should clearly state that as a matter of policy, the Government shall not actively promote overseas employment. (DFA, DSWD, CFO)</p>

DFA - Department of Foreign Affairs
 CFO - Commission on Filipinos Overseas
 POEA - Philippine Overseas Employment Administration

CHR - Commission on Human Rights
 DSWD - Department of Social Welfare and Development

TITLES & SECTIONS	HOUSE BILL NO. 14314	SENATE BILL NO. 2070	RECOMMENDATIONS
<p><i>Definition of Terms</i> (continued)</p> <p>Title II - Protection of Rights</p> <p><i>Sec. 4. Policy on the Deployment of Overseas Filipino Worker.</i></p>	<p>(f) "Philippine Authorities" - refers to offices of the various government agencies and entities concerned and responsible in the promotion of the welfare of overseas Filipinos as well as in implementing the provisions of this Act.</p> <p>(g) "Filipino Expatriates" - includes former Filipino who have been naturalized in foreign lands.</p> <p>- It is the policy of the State to deploy overseas Filipino workers only in countries where the rights of Filipino migrant workers are protected. The government recognizes any of the following as a guarantee on the part of the receiving country for the protection and the rights of overseas Filipinos workers.</p> <p>(a) The country has existing labor and social security laws protecting the rights of migrant workers;</p> <p>(b) It is a signatory to multilateral conventions, declarations or resolutions relating to the protection of migrant labor workers;</p> <p>(c) It has concluded a bilateral agreement or arrangement with the Government protecting the rights of overseas Filipino workers; and</p> <p>(d) It is taking positive, concrete measures to protect the rights of migrant workers.</p>	<p>Chapter III - Protection of Rights and Benefits</p> <p>Sec. 5. Deployment of Overseas Filipino Workers - The government shall allow the deployment of Filipino Overseas Workers only in countries where the rights of Filipino migrant workers are protected as embodied in a bilateral agreement or arrangement with the Philippine government. Any of the following may be considered by the government as a further protection of the rights of Filipino Overseas Workers on the part of the receiving country:</p> <p>(a) The country has existing labor and social security laws protecting the rights of migrant workers;</p> <p>(b) It is a signatory to multilateral conventions, declarations or resolutions relating to the protection of migrant workers; and</p>	<p>Filipinos overseas should be used in place of Filipino expatriates. (CFO)</p> <p>Policy statement alluding to existence of Deployment Policy should be reshaped to clearly indicate Government's current policy on the matter. It is proposed that the phrase "Policy of the State to deploy overseas Filipino workers" be reshaped into "The State shall allow the deployment of Filipino workers overseas." (DSWD)</p> <p>The Senate version may adopt the phrase "employment of Filipinos overseas" in place of "deployment of overseas Filipino workers." (DEA, CFO)</p>

TITLES & SECTIONS	HOUSE BILL NO. 14314	SENATE BILL NO. 2070	RECOMMENDATIONS
Protection of Rights (continued)	<p>In the pursuit of the above policy, the government shall undertake the necessary initiatives such as promoting acceptance or adherence of countries hosting overseas Filipino workers to multilateral conventions, declarations or resolutions pertaining to the protection of migrant workers' rights and initiating the conduct of bilateral negotiations with the end in view of concluding bilateral agreements or arrangements which protect overseas Filipino workers' rights.</p>	<p>(c) It is taking positive, concrete measures to protect the rights of migrant workers.</p> <p>The government shall undertake the necessary initiatives to promote the acceptance or adherence of receiving countries to multilateral conventions, declarations or resolutions pertaining to the protection of migrant worker rights.</p> <p>Sec. 7. Benefits- The State shall provide the following benefits and services to Filipino Overseas Workers and their families:</p> <p>(a) Educational Benefits - The government shall provide financial assistance to any deserving child of a Worker who desires to study. Such assistance may be in the form of scholarship grants, student loan programs, subsidies, and other incentives in both public and private schools.</p> <p>(b) Housing program for all qualified Workers.</p> <p>(c) Health Services - The National government shall provide an integrated health service for Workers which shall include, but not limited to the following: hospitalization, medical care and treatment.</p> <p>(d) Legal Services - The Filipino Overseas Workers Center shall ensure that Workers are provided with the</p>	<p>The benefits outlined in the Senate version should cover only overseas contract workers registered with the concerned government agencies. (CHR, OWWA, CFO)</p> <p>This particular line provision may be cancelled due to a proposal to include a provision in the bill that would establish</p>

TITLES & SECTIONS	HOUSE BILL NO. 14314	SENATE BILL NO. 2070	RECOMMENDATIONS
<p>Protection of Rights (continued)</p> <p><i>Sec. 5. Report to Congress</i></p>	<p>In order to inform the Philippine Congress on the implementation of the policy enunciated in Sec. 4 hereof, the Department of Foreign Affairs and the Department of Labor and Employment shall submit to the said body a semi-annual report of Philippine foreign posts located in countries hosting Filipino overseas contract workers. The report shall include, but not be limited, to the following information:</p> <p>(a) Working conditions of Filipino overseas workers;</p> <p>(b) Problems encountered by Filipino overseas contract workers including violations of their rights;</p> <p>(c) Initiatives/actions taken by the Philippine foreign posts to address the problems of overseas Filipino workers;</p>	<p>necessary counseling and legal services; and</p> <p>(c) Credit Facilities - The Overseas Workers Welfare Administration (OWWA) shall grant short and medium-term loans such as salary, educational, calamity and emergency loans.</p> <p>The National Government shall allocate funds necessary for the effective implementation of above-mentioned benefits.</p> <p>Chapter VI. Report to Congress</p> <p>Sec. 16. Report - In order to update Congress on the situation of Filipino Overseas Workers in foreign countries, the Department of Foreign Affairs and the Department of Labor and Employment shall submit a quarterly report on the following:</p> <p>(a) Working conditions of Filipino overseas workers;</p> <p>(b) Problems encountered by Filipino overseas contract workers including violations of their rights;</p> <p>(c) Initiatives/actions taken by the Philippine foreign posts to address the problems of overseas Filipino workers;</p> <p>(d) Changes in labor laws and policies of host countries; and</p>	<p>a Legal Assistance Fund and provide funding sources therefor. (CFO, DEA)</p> <p>It is recommended that quarterly reporting be adopted as provided for in the Senate version. (DSWD)</p>

TITLES & SECTIONS	HOUSE BILL NO. 14314	SENATE BILL NO. 2070	RECOMMENDATIONS
<p><i>Report to Congress</i> (continued)</p> <p><i>Sec. 6. Termination or Ban on Deployment</i></p> <p><i>Sec. 7. Powers, Duties, and Functions of Government Agencies in the Protection of Filipino Nationals Abroad</i></p>	<p>(d) Changes in labor laws and policies of host countries; and</p> <p>(e) Status of negotiations on bilateral labor agreements between the Philippines and the host country, if any</p> <p>Notwithstanding the provisions of Sec. 4 hereof, the government, in pursuit of the national interest or when public safety or public welfare so requires, may, at any time, terminate or impose a ban on the deployment of overseas Filipino workers.</p> <p>The following government agencies shall perform the following to promote the welfare and protect the rights of overseas Filipinos:</p> <p>(a) Department of Foreign Affairs - The Department, through its home office or foreign posts, shall take appropriate action or make representations with the foreign authority concerned whenever necessary to protect the rights of overseas Filipinos and extend immediate assistance including the repatriation of distressed or beleaguered overseas Filipino.</p> <p>(b) Department of Labor and Employment - The Department shall see to it that labor and social welfare laws in the foreign country are fairly applied</p>	<p>(e) Status of negotiations on bilateral labor agreements between the Philippines and the host country.</p> <p>Sec. 17. Failure to Report - Any officer of the government who fails to report as stated in the preceding section shall be subject to administrative penalty.</p> <p>Sec. 6. Ban on Deployment - The government when the national interest, public safety or public welfare so requires, may at any time, terminate or impose a ban on deployment of Filipino Overseas Workers.</p>	<p>The Senate version may include a provision on efforts of various agencies of Government that are aimed at integrating the overall program of Government for overseas Filipinos. This provision will identify the specific agencies of Government that will be responsible for programs and services aimed at addressing the various problems of Filipino migrants at various stages of migration. This is essential in that it will highlight the following:</p> <ol style="list-style-type: none"> 1. The Government recognizes the need to address the problems of Filipino migrants at various stages of migration (pre-departure, on-site, return)

TITLES & SECTIONS	HOUSE BILL NO. 14314	SENATE BILL NO. 2070	RECOMMENDATIONS
<p><i>Powers, Duties, and Functions</i> (continued)</p>	<p>to overseas Filipinos including the grant of legal assistance and the referral to proper medical centers or hospitals of those Filipino needing medical or hospitalization services.</p> <p>(b.1) Philippine Overseas Employment Administration (POEA) - The Administration shall regulate private sector participation in the recruitment and overseas placement of workers by setting up a licensing and registration system. It shall also formulate and implement, in coordination with appropriate entities concerned, when necessary, a system for promoting, and monitoring the overseas employment of Filipino workers taking into consideration their welfare and the domestic manpower requirements as well as exercise original and exclusive jurisdiction to hear and decide all claims arising out of an employer-employee relationship or by virtue of any law or contract involving Filipino workers for overseas employment including disciplinary cases.</p> <p>(b.2) Overseas Worker Welfare Administration - The Welfare Officer or in his absence, the Coordinating Officer shall provide the overseas Filipino worker and his family all the assistance they may need in the enforcement of contractual obligations by agencies or entities and/or by their principals. In the performance of his function, he shall make representation and may call on the agencies or entities concerned to</p>		<ol style="list-style-type: none"> 2. The preventive approaches to the problem will be given emphasis side by side with the on-site services as provided for and highlighted in the two versions of the bill. 3. The complementation and integration of programs and services of various agencies will be given due emphasis, thus providing an appropriate response to the most often-cited problem concerning coordination of Government agency program. (CFO) <p>It is recommended that the role of POEA relative to the exercise of original and exclusive jurisdiction to hear and decide all claims out of an employer-employee relationship be qualified and strengthened through upgrading of POEA Adjudication office lawyers to the category of labor Arbiters of NLRC. Specifically, these lawyers should be clothed with quasi-judicial authority in the exercise of their powers. (POEA)</p> <p>Since there is no provision as to where funds will come from for the repatriation, and there is no distinction between OWWA contributors and non-contributors, it seems that OWWA funds would be used for repatriation of both OWWA contributors and non-contributors. This will deplete OWWA funds considering that non-contribution</p>

TITLES & SECTIONS	HOUSE BILL NO. 14314	SENATE BILL NO. 2070	RECOMMENDATIONS
<p><i>Resource Centers</i> (continued)</p>	<p>(c) Training and skills upgrading;</p> <p>(d) Information and education services or programs;</p> <p>(e) Welfare assistance;</p> <p>(f) Orientation programs for returning migrants; and</p> <p>(g) Monitoring of daily situations, circumstances and activities affecting overseas Filipinos.</p> <p>The establishment and operations of the Center shall be a joint undertaking of the various Philippine Government agencies. It shall have a counterpart 24-hour information and assistance center at the Department of Foreign Affairs (DFA) to ensure the continuous network and coordinative mechanism at the home office.</p>	<p>(b) Counseling and legal services;</p> <p>(c) Training and skills upgrading;</p> <p>(d) Information and education services or programs;</p> <p>(e) Welfare assistance;</p> <p>(f) Orientation programs for returning migrants; and</p> <p>(g) Assistance to various government agencies in the Philippines in the implementation of laws, rules and regulations like in the case of absentee voting;</p> <p>(h) Monitoring of daily situations, circumstances and activities affecting Filipino overseas workers.</p> <p>The establishment and operations of the Center shall be a joint undertaking of the various Philippine Government agencies. It shall have a counterpart 24-hour information and assistance center at the Department of Foreign Affairs to ensure the continuous network and coordinative mechanism at the home office.</p>	<p>areas where there are rampant abuses of overseas workers rights. Consideration should also be given to funding limitations, due to the fact that these centers are intended to service both documented and undocumented workers. (OWWA)</p> <p>It is proposed that periodic visits to work sites with considerable concentration of Filipino workers be provided for in the bill. (CHR)</p> <p>Both versions should provide for a 24-hour information and assistance center at the DFA and other appropriate agencies of the Government. (DFA, CFO)</p>

TITLES & SECTIONS	HOUSE BILL NO. 14314	SENATE BILL NO. 2070	RECOMMENDATIONS
<p><i>Sec. 10. Operations of the Center</i></p>	<p>The Overseas Filipino Resource Center shall be under the administrative jurisdiction of the Philippine Embassy and may be housed within the Philippine Embassy or Consulate premises. It may also be established in areas where there are vast concentration of overseas Filipinos, in accordance with the prescribed policies of the host country. It shall be staffed by the service attaches or officers who represent other Philippine government agencies abroad. The assistance of volunteer groups may be enlisted if necessary.</p> <p>The Commission on Filipinos Overseas may designate service attaches or representatives to areas where overseas Filipino Resource Centers may be established or where there are major concentration of Filipino migrants, other than those provided in Executive Order No. 938.</p>	<p>The Overseas Filipino Resource Center shall be under the administrative jurisdiction of the Philippine Embassy and may be housed within the Philippine Embassy or Consulate premises. It may also be established in areas as may be deemed necessary by the Department of Foreign Affairs and in accordance with the policies of the host country. It shall be staffed by the service attaches or officers who represent other Philippine government agencies abroad. The assistance of volunteer groups may be enlisted.</p>	<p>The Senate version may be amended to indicate that the Filipino overseas resource center will be staffed by attaches and other personnel to be hired for this purpose. This amendment should clarify that the centers do not necessarily have to be exclusively manned by service attaches. (DFA, CFO)</p>

TITLES & SECTIONS	HOUSE BILL NO. 14314	SENATE BILL NO. 2070	RECOMMENDATIONS
<p><i>Sec. 11. Establishment of a Shared Government Information System for Migration</i></p>	<p>An interagency committee composed of the Commission on Filipinos Overseas, Department of Labor and Employment, Philippine Overseas Employment Administration, Overseas Workers Welfare Administration, Department of Tourism, Bureau of Immigration, National Statistical Office, and the National Bureau of Investigation shall be established with the aim of implementing a shared government information system for migration. The interagency committee shall initially make available to itself, the information contained in existing data bases/files. The second phase shall involve linking of computer facilities in order to allow free-flow data exchanges and sharing among concerned agencies.</p> <p>The interagency committee shall convene to identify existing data bases which shall be declassified and shared among member agencies. These shared databases shall initially include, but not be limited to the following information:</p> <p>(a) Masterlists of Filipino migrants/overseas contract workers/tourists by country/state of destination;</p> <p>(b) Masterlists of departing/arriving Filipinos;</p> <p>(c) Statistical profile on Filipino migrants/overseas Filipino workers/tourists;</p>		<p>This particular provision in the House version should be incorporated in the Senate version to provide for a shared Government information system for migration and database linkages. This is essential in the Government's program governing the registration and documentation of undocumented Filipinos.</p> <p>The participation of appropriate Government agencies, including the Bureau of Immigration shall be guaranteed in this provision. Funding for this purpose should also be provided in the bill. The adoption of a gender responsive database shall form part of this initiative. (CFO, NCRFW)</p>

TITLES & SECTIONS	HOUSE BILL NO. 14314	SENATE BILL NO. 2070	RECOMMENDATIONS
<p><i>Functions</i> (continued)</p> <p>Title IV- Overseas Representation in Congress</p> <p><i>Sec. 14. Number of Representatives</i></p>	<p>sector and concerned government agencies;</p> <p>(b) Coordinate with appropriate private and government agencies in the promotion, development, re-placement and the full utilization of their potentials;</p> <p>(c) Institute, in cooperation with other government agencies concerned, a computer-based information system on skilled overseas Filipino workers which shall be accessible to all local recruitment agencies and employers, both public and private; and</p> <p>(d) Provide a periodic study and assessment of job opportunities for returning overseas Filipino workers.</p> <p>Pursuant to Section 5 (2), Article VI of the Constitution and in line with the objective of empowering overseas Filipinos to participate in the policy-making process to address Filipino migrant concerns, two (2) sectoral representatives of overseas Filipinos in the House of Representatives shall be appointed by the President to promote Filipino migrant interests and concerns.</p>		<p>The request for Congressional Representation for overseas Filipinos has long been presented. If absentee voting privileges should be provided to overseas Filipinos, Representation in Congress for this sector may be a complementary initiative. The President has previously appointed a labor sector representative in Congress who was actually representing the interests of overseas Filipinos. (CFO)</p>

TITLES & SECTIONS	HOUSE BILL NO. 14314	SENATE BILL NO. 2070	RECOMMENDATIONS
<i>Sec. 17. Additional Limitations</i>	<p>A transferee may acquire not more than (2) two lots located in different municipalities or cities anywhere in the Philippines: Provided, That the total area thereof shall not exceed the limits provided for in Section 16 of this Title. A transferee who has already acquired urban land shall be disqualified from acquiring rural land, and vice versa.</p>		<p>This provision will likewise provide for efforts on the part of Government to enlist the participation of overseas Filipinos in various business, scientific and technical undertakings in the Philippines to promote information exchange, technology transfer, and resource generation for priority development areas in the Philippines. (CFO, DFA)</p> <p>Programs and services for the families of Filipino overseas workers will also be guaranteed under this provision. (CFO)</p>
<i>Sec. 18. Documentary Requirements</i>	<p>In addition to the requirements provided for in other laws for the registration of titles to land, no private land shall be transferred under this Act, unless the transferee shall submit to the Register of Deeds of the province or city where the property is located, the following documents:</p> <p>(a) Sworn statements showing the date and place of birth;</p> <p>(b) Names and addresses of his parents, of his spouse and children, if any;</p> <p>(c) This area, the location and the mode of acquisition of his land holdings in the Philippines, if any;</p> <p>(d) The date he lost his Philippine citizenship, the country to which he is presently a citizen, including documentations; and</p> <p>(e) Other information as may be required by law.</p>		

TITLES & SECTIONS	HOUSE BILL NO. 14314	SENATE BILL NO. 2070	RECOMMENDATIONS
<p><i>Sec. 19. Modes of Acquisition</i></p> <p>Title VI - Transfer of Science and Technology and the Practice of Professions in the Philippines by Overseas Filipino Professionals</p> <p><i>Sec. 20 Policy Declaration</i></p> <p><i>Sec. 21. Incentives</i></p>	<p>Transfer as a mode of acquisition of private land under this Title refers to either voluntary or involuntary sale, devise, or donation. Involuntary sales shall include sales tax delinquency, foreclosures and executions of judgement.</p> <p>Science and technology is essential in national development and progress. In pursuance of this objective, the government shall enlist the participation of overseas Filipinos, particularly high-level scientists, technologists and other professionals in various technical fields, and shall provide proper incentives and programs so as to secure their services in priority development areas of the public and private sectors, with the view of promoting information exchange and contributing to the modernization and industrialization of the country.</p> <p>Given the significance of upgrading technologies and the productivity of the people in pursuit of national economic development, the government shall develop and provide adequate incentives to Filipino expatriates whose expertise and training can play a vital role in the industrialization efforts of the country.</p>		

TITLES & SECTIONS	HOUSE BILL NO. 14314	SENATE BILL NO. 2070	RECOMMENDATIONS
<i>Sec. 22. Implementation</i>	The Department of Science and Technology and the Department of Foreign Affairs shall develop and implement appropriate measures to ensure attainment of the objectives of this Title, to include the Balik Scientists Program under Executive Order No. 130, as certified by the Department of Science and Technology.		
<i>Sec. 23. Practice of Overseas Filipino Professionals in the Philippines</i>	The Professional Regulation Commission may, upon the recommendation of the concerned Professional Regulatory Board, authorize the registration without examination, and the issuance of a certificate of registration and a professional license to any Filipino whether or not he lost his citizenship when he was overseas, who has been in the practice of his profession in a foreign country or state, subject to the provisions of this Title.		The proposed section on the programs and services for Filipinos overseas will provide the policy framework for the establishment of guidelines which will allow the practice of professions by Filipino expatriates in the country. The participation of the Professional Regulatory Commission therefore, is essential and should be provided for in the proposed bill. (CFO)
<i>Sec. 24. Qualifications</i>	<p>For the registration without the examination and the issuance of a certificate of registration and a professional license under this Title, the applicant must submit proofs that:</p> <p>(a) He is a Filipino, as shown by his birth certificate or his certificate of naturalization as a Filipino or other documentation as required, whether or not he has lost his Philippine citizenship when he went overseas;</p> <p>(b) He is at least twenty-seven (27) years old;</p>		

TITLES & SECTIONS	HOUSE BILL NO. 14314	SENATE BILL NO. 2070	RECOMMENDATIONS
<p><i>Qualifications</i> (continued)</p> <p><i>Sec. 25. Requirements</i></p> <p>Title VII - General Provisions</p> <p><i>Sec. 26. Appropriations</i></p>	<p>(c) He is registered and a holder of a valid certificate of registration and/or valid professional license to practice his profession issued by the government body concerned in foreign country or state whose requirements for registration or licensing are substantially the same as those required and contemplated by the Philippine laws;</p> <p>(d) He has been in the practice of his profession in the country or state mentioned in paragraph (c) of this Section for five (5) years immediately preceding his application; and</p> <p>(e) He is a person of good moral character or values; and he has not been convicted of any crime nor sanctioned administratively by the body that regulates the practice of his profession.</p> <p>The applicant shall file an application under oath stating that his personal circumstances, his intention to practice in the Philippines and the office address that he will be using, and his undertaking to abide in all regulations pertaining to the practice of the profession in the Philippines.</p> <p>The amount necessary to carry out the provisions in this Act shall be included in the General Appropriations Act of the year following its enactment into law and thereafter.</p>	<p>Chapter V- Sources of Funds and Appropriations. Sec. 15. - For the implementation of this Act, the following funds are hereby transferred to the Department of Labor and Employment:</p>	<p>A new provision on the establishment of a Legal Assistance Fund is recommended for incorporation in the proposed bill. This will define the parameters for the establishment, use, and coverage of the Legal Assistance Fund. The incorporation of this provision will also guarantee a sustained program and funding source for legal assistance.</p>

TITLES & SECTIONS	HOUSE BILL NO. 14314	SENATE BILL NO. 2070	RECOMMENDATIONS
<i>Appropriations</i> (continued)		<p>a) Five Percent (5%) to be taken from the thirty-five percent (35%) allocated to the Armed Forces of the Philippines (AFP) modernization program as provided in Republic Act No. 7917;</p> <p>b) Fifty Percent (50%) of the funds in the Overseas Workers' Investment Fund (OWIF) under Republic Act. No. 7111;</p> <p>c) For the initial implementation of this Act, appropriation shall be taken from available savings and funds of the National Government. Thereafter, the amount necessary to carry out the provisions of this Act shall be included in the annual general appropriations act of the Department of Labor and Employment.</p>	<p>The Senate version on the sources of funds and appropriations should be amended to indicate the provision of yearly appropriations to the Department of Foreign Affairs, Department of Labor and Employment and other concerned agencies.</p>
<i>Sec. 27. Implementing Guidelines</i>	<p>All concerned departments and agencies, particularly the Department of Labor and Employment (DOLE) and its attached agencies, Department of Social Welfare and Development, Department of Science and Technology, National Economic and Development Authority, Department of Justice, Bureau of Immigration and Deportation, Department of Trade and Industry, Commission on Filipinos Overseas (CFO), and the Professional Regulation Commission shall within (90) days upon the effectivity of this Act, promulgate the necessary guidelines to put into effect the various purposes and provisions for the full implementation of this Act.</p>	<p>Chapter X- Miscellaneous Provisions</p> <p>Sec. 18. Implementing Rules and Regulations - The Department of Foreign Affairs (DFA) in coordination with the Department of Labor and Employment (DOLE), the Philippine Overseas Employment Administration (POEA), the Overseas Workers Welfare Administration (OWWA) shall make the rules and regulations necessary for the proper implementation of this Act.</p> <p>The Commission on Elections in coordination with the Department of Foreign Affairs, the Department of Labor and Employment, the Philippine</p>	<p>The Senate version should be amended to indicate that the DFA in coordination with DOLE, OWWA and CFO, shall make the rules and regulations, for the implementation of this act. (DFA, CFO)</p>

TITLES & SECTIONS	HOUSE BILL NO. 14314	SENATE BILL NO. 2070	RECOMMENDATIONS
<p><i>Implementing Guidelines</i> (continued)</p> <p><i>Sec. 28. Repealing Clause</i></p> <p><i>Sec. 29. Effectivity</i></p>	<p>All laws which are inconsistent and contrary to the provisions of this Act are hereby repealed.</p> <p>This Act shall take effect upon its approval.</p> <p>Approved.</p>	<p>Overseas Employment Administration, the Overseas Workers Welfare Administration, shall make the necessary rules and regulations with regard to absentee voting.</p> <p>Sec. 19. Repealing Clause - All laws, Presidential Decrees, Executive Orders, and rules and regulations, or parts thereof, inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.</p> <p>Sec. 20. Separability Clause - If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.</p> <p>Sec. 21. Effectivity - This Act shall take effect after its complete publication in at least two (2) national newspapers of general consumption.</p> <p>Approved.</p>	

TITLES & SECTIONS	HOUSE BILL NO. 14314	SENATE BILL NO. 2070	RECOMMENDATIONS
<p><i>Registration</i> (continued)</p>		<p>Labor and Employment in the case of Filipino overseas worker employed by a private employer abroad or by a foreign government. The duly designated proper registration officer upon being satisfied that the applicant is a qualified absentee voter shall furnish the applicant with the Absentee Voters Affidavit to be accomplished in triplicate.</p> <p>(b) Registration by mail shall be effected by the applicant sending to the Diplomatic or Consular office in the country where he is located or if no such office is established in that country, them to the Commission on Elections (COMELEC) in Manila in written application under oath containing the information appearing in the Absentee Voters Affidavit as follows:</p> <ol style="list-style-type: none"> 1. Complete name, age and other personal circumstances as shown in his passport; 2. Date of last departure from the Philippines; 3. Periods of specific residence in the Philippines; 4. Date of arrival in the country of destination; 5. Length of Stay in the country of destination; 	

TITLES & SECTIONS	HOUSE BILL NO. 14314	SENATE BILL NO. 2070	RECOMMENDATIONS
<p><i>Registration</i> (continued)</p>		<p>6. Expected date of return to the Philippines;</p> <p>7. Status of admission of applicant in the country of destination as shown in the passport;</p> <p>8. Registry number of contact of employment as shown in the face of the contract, duration of the contract and other related data; He shall mail the application letter to the COMELEC office in Manila together with a photocopy of the required documents under paragraph (a) of this Section.</p> <p>Sec. 13. Approval and Disapproval of Application - The personal registration and the written applications sent by mail to the diplomatic or consular offices shall be approved or disapproved five (5) days from receipt thereof. In case of disapproval of any application by the diplomatic or consular office, the voter may appeal to the COMELEC office in Manila from such disapproval. The COMELEC shall act within five (5) days from receipt of such appeal and shall notify the voter of its decision within five (5) days from the election.</p> <p>Application mailed directly to the COMELEC by absentee voters located in countries without Philippine diplomatic or consular offices shall be acted upon within ten (10) days from receipt of application. In case of</p>	

Appendix K

EXISTING AND PROPOSED LABOR AGREEMENTS

- Existing Labor Agreements as of 31 December 1990
 - Agreement on Manpower between the Philippines and Jordan
 - Memorandum of Agreement Relating to Mobilization of Manpower between Iraq and the Philippines
 - Communique between MOLE Philippines and Ministry of Labor and Social Affairs of Qatar

- Proposed Agreements as of 31 December 1990
 - Asia: Brunei, Japan, Malaysia, and Singapore
 - Middle East: Kuwait, Libya, Kingdom of Saudi Arabia, and United Arab Emirates
 - US Trust Territories: Commonwealth of Northern Marianas Islands
 - Europe: Greece

- Memorandum of Agreement Relating to Mobilization of Manpower between the Republic of Iraq and the Republic of the Philippines, 25 November 1982, Manila.

- Memorandum of Understanding between the Minister of Labor and Employment of the Republic of the Philippines and the Minister of Labor of the Hashemite Kingdom of Jordan, 5 November 1981, Manila.

- Communique between the Ministry of Labor and Employment of the Republic of the Philippines and the Ministry of Labor and Social Affairs of the State of Qatar, 5 May 1981, Manila.

**EXISTING LABOR AGREEMENTS
AS OF 31 DECEMBER 1990**

Country/ Labor Agreement	Signatories/ Date Signed/ Expiry Date	Essential Features	Status/ Remark
<p>1. Agreement on Manpower between the Philippines and JORDAN</p>	<p>Franklin M. Drilon and Marwan Dudin/ 03 November 1988 (Arman)/ three years after its ratification, automatically renewable for another three years</p>	<p>a. promotion and strengthening of areas of cooperation in the field of labor, employment and manpower development</p> <p>b. exchange of information on relevant studies and researchers, technical expertise to enhance employment promotion and labor administration</p> <p>c. details, conditions and protocols concerning the employment and mobilization of Filipino workers in Jordan</p> <p>d. periodic review of the implementation of the agreement by a Joint Committee</p>	<p>a. The agreement has been endorsed by the office of the President to the Senate.</p> <p>The Senate Committee has forwarded the agreement to the Office of the President recommending renegotiation after it maintained the nonacceptability of Article 15 of the RP-Jordan bilateral labor agreement (BLA) which provides for the temporary implementation of the BLA after signing prior to Senate ratification.</p> <p>POEA is presently consulting with the DFA/ Philippine Embassy (Jordan) considering negative comments of the Philippine Senate on ratification of the BLA.</p>

POEA - Philippine Overseas Employment Administration
DFA - Department of Foreign Affairs

EXISTING LABOR AGREEMENTS (continued)

Country/ Labor Agreement	Signatories/ Date Signed/ Expiry Date	Essential Features	Status/ Remark
2. Memorandum of Agreement Relating to Mobilization of Manpower between IRAQ and the Philippines	Blas F. Ople and Bakr Mahmoud Rasoul/25 November 1982 (Manila)/ three years, automatically renewable for similar period thereafter	<p>a. promotion and strengthening of areas of cooperation in the field of labor, employment and manpower development</p> <p>b. exchange of technical expertise and relevant studies to enhance employment promotion and labor</p> <p>c. details, conditions and protocols concerning the employment and mobilization of Filipino workers in Iraq</p> <p>d. periodic review of the implementation of the agreement by a Joint Committee</p>	<p>a. The Memorandum of Understanding (MOU) as a whole covers the general protection of workers.</p> <p>b. The review of provisions of said agreement was undertaken through the Joint Commission meeting which was convened in Manila on 10-12 July 1990. The review took up proposed revisions from the Philippine panel on issues such as remittance, dispute settlement/ grievance machinery, immigration policy, among others.</p>

EXISTING LABOR AGREEMENTS (continued)

Country/ Labor Agreement	Signatories/ Date Signed/ Expiry Date	Essential Features	Status/ Remark
<p>3. Communique between MOLE Philippines and Ministry of Labor and Social Affairs of QATAR</p>	<p>Blas F Ople and Ali Ahmed Al-Ansari/05 May 1981 (Manila)/ not specified</p>	<p>a. recruitment of Filipino workers of different skills categories for the public and private sectors of Qatar</p> <p>b. enhancement of the welfare and protection of rights of Filipino workers in accordance with the labor laws of Qatar</p> <p>c. assurance of selection of only qualified Filipino workers to assist on Qatar's development</p> <p>d. conclusion at the shortest possible time of a bilateral labor agreement</p>	<p>a. the communique covers the general protection of workers</p> <p>b. Qatar's Ministry of Labor and Social Affairs agreed to upgrade the Communique to a Memorandum of Agreement (MOA) during the 1989 Technical Marketing Mission to the Middle East.</p> <p>A DOLE technical committee was created to study the proposed draft prepared by POEA. Proposed revisions are now being reviewed by POEA for inclusion in the draft.</p>

MOLE - Ministry of Labor and Employment
DOLE - Department of Labor and Employment

**PROPOSED AGREEMENTS
AS OF 31 DECEMBER 1990**

I. ASIA

BRUNEI	JAPAN	MALAYSIA	SINGAPORE
<p>a. Memorandum of Understanding (MOU) on Labor</p> <p>When the proposed MOU was presented to Brunei labor officials by a POEA mission in April 1985, the officials requested more time to consider the same in view of the fact that their government believed in free enterprise and did not wish to concentrate the recruitment of expatriate workers from a single foreign country.</p>	<p>Memorandum of Agreement (MOA) re: Mobilization of Manpower</p> <p>A draft bilateral labor agreement (BLA) was officially presented to the Japanese Ministry of Foreign Affairs during the Second RP-Japan Sub-ministerial meeting in Tokyo in November 1988. POEA followed up comments on said draft through letter sent to Japan Ministry of Foreign Affairs and during the meeting of POEA-Japanese Embassy Technical Committee in March 1989.</p>	<p>a. Memorandum of Agreement re: Supply of Workers</p> <p>The Draft RP-Malaysia MOA developed by POEA in 1987 has been endorsed to DFA in the middle of the same year but further action was held in abeyance by the latter because of the Sabah claim issue.</p> <p>POEA is presently revising the draft based on comments of Philippine Embassy (Malaysia) on the same.</p>	<p>a. Memorandum of Understanding (MOU) on Labor</p> <p>The Singapore government initially declined signing the agreement in August 1984 in view of their "phase-out" policy. However, per discussions of Ambassador Francisco Benedicto with former Singapore Labor Minister Lee Wock Suan, the Philippines was assured of inclusion in Singapore's list of traditional source countries exempted from said policy.</p>

ASIA (continued)

BRUNEI	JAPAN	MALAYSIA	SINGAPORE
<p>b.Memorandum of Agreement re: Mobilization of Manpower</p> <p>In view of the change in procedures on employment of Filipino workers adopted by the Brunei Labor Department and labor problems encountered by Filipino workers in Brunei a draft bill was developed by the POEA in 1987 for the purpose of mitigating said problems and harmonizing procedures for the deployment of Filipino workers in Brunei. Said draft has been endorsed to DFA.</p> <p>In 1988 the Brunei government informed DFA that they are not interested in forging a labor agreement with any country.</p> <p>To date, DFA has not received any feedback from the Brunei government regarding changes in their position on labor agreement.</p>	<p>During Secretary Franklin M. Drilon's goodwill visit to Japan in September 1989, he was advised that in entering into bilateral agreements (BLAs) with other countries, Japan will be considering development needs of other nations.</p> <p>Although the proposed BLA is one of the agenda which should have been taken up during the 3rd RP-Japan Sub-Ministerial Meeting held in May 1990 it was not pursued during the said meeting.</p>		<p>During the POEA fact finding mission in March 1988 following the ban in the deployment of domestic helper worldwide, the Singapore government expressed its disfavor over forging formal labor agreements with foreign governments.</p>

II. MIDDLE EAST

KUWAIT	LIBYA	KINGDOM OF SAUDI ARABIA	UNITED ARAB EMIRATES
<p>Memorandum of Understanding on Labor</p> <p>Kuwait Ministry of Labour and Social Affairs has feedback that Kuwait is not keen in signing labor agreement with any country, for at least the next five years.</p> <p>Importation of workers to their country is not restricted provided it does not interfere with the public interest. Further, non-Kuwaiti workers will receive all their rights in accordance with the laws and regulations</p>	<p>Memorandum of Understanding on Labor</p> <p>Libyan Ambassador Salem M. Adem during his courtesy call on Secretary Ruben Torres in May 1990 signified his interest to review the old agreement.</p> <p>A DOLE Joint Technical Committee was created to study same.</p> <p>Presently, POEA is preparing a proposed revised draft containing upgraded provisions for review of its concerned offices.</p>	<p>Memorandum of Understanding on Labor</p> <p>In January 1988, POEA transmitted a copy of draft MOU for the proposed BLA. Following conversations in Amman, Jordan in April 1988 between Saudi Arabian Deputy Minister of Labour and Employment Al Yahya and POEA Administrator Tomas Achacoso on the possibility of negotiating panels of the two government convening in September 1988 for bilateral</p>	<p>As recommended during the First Regional Consultation Meeting held in Abu Dhabi, United Arab Emirates (UAE) in 1987, invitations were extended by Secretary Drilon to high level officials of the UAE Ministry of Labor and Social Affairs and Ministry of Interior for subsequent technical meetings that may institutionalize bilateral labor discussions. UAE has expressed initial inclination to accept DOLE/POEA's invitation for discussions but no definite date</p>

II. MIDDLE EAST (continued)

KUWAIT	LIBYA	KINGDOM OF SAUDI ARABIA	UNITED ARAB EMIRATES
<p>between the employers and their workers and their social laws which provide adequate protection to expatriate workers.</p>		<p>labor discussions with a view to the conclusion of agreements, the Philippine government through the DFA has formally proposed in July 1988 the holding of formal meetings during the first week of September. However, the Saudi government has declined discussion on bilateral labor agreement.</p>	<p>for the visit has been scheduled to date.</p> <p>Comments of concerned POEA offices on the proposed revised draft is currently under review by the Marketing Branch, POEA.</p>

III. US TRUST TERRITORIES

Commonwealth of Northern Marianas Islands (CNMI)

Memorandum of Understanding on Labor

The proposal for the inclusion of a BLA with CNMI was one of the agenda of the POEA mission that visited said country in November 1990. The draft BLA is currently under study by the Chief of Labor of CNMI.

IV. EUROPE

Greece

a. Memorandum of Agreement (MOA) on Labor

The draft RP-Greece MOA developed by POEA in November 1989 was endorsed to Philippine Labor Attaché in Greece for his comments/review.

The Philippine Embassy in Greece has created a Technical Committee for BLA to study the POEA proposed draft. The revised draft incorporating comments of the Philippine Embassy was endorsed to the Department of Foreign Affairs for comments.

**MEMORANDUM OF AGREEMENT
RELATING TO MOBILIZATION OF MANPOWER
BETWEEN
THE REPUBLIC OF IRAQ
AND
THE REPUBLIC OF THE PHILIPPINES**

DESIRING TO FURTHER STRENGTHEN THE CORDIAL RELATIONS EXISTING BETWEEN THEIR COUNTRIES AND REALIZING THAT THE PROTECTION AND PROMOTION OF THE EMPLOYMENT AND WELL-BEING OF THEIR WORKERS WILL ENHANCE THE SOCIO-ECONOMIC DEVELOPMENT OF THEIR RESPECTIVE COUNTRIES, HON. BAKR MAHMOUD RASOUL, MINISTER OF LABOUR AND SOCIAL AFFAIRS OF IRAQ, AND HON. BLAS F. OPLE, MINISTER OF LABOR AND EMPLOYMENT OF THE PHILIPPINES, ACTING ON BEHALF OF THE GOVERNMENT OF THE REPUBLIC OF IRAQ AND THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES RESPECTIVELY, AGREE TO ESTABLISH THROUGH THIS AGREEMENT, THE FOLLOWING:

1.

BOTH PARTIES SHALL ENDEAVOR TO USE ALL APPROPRIATE MEANS TO PROMOTE AND STRENGTHEN AREAS OF COOPERATION IN THE FIELD OF LABOR, AND EMPLOYMENT AND MANPOWER DEVELOPMENT INCLUDING THE MOBILIZATION OF MANPOWER BETWEEN THEM IN ACCORDANCE WITH THE LAWS AND REGULATIONS EXISTING IN THEIR COUNTRIES.

2.

FOR THE PURPOSE OF FACILITATING THE IMPLEMENTATION OF THIS AGREEMENT, BOTH PARTIES SHALL DESIGNATE THE FOLLOWING EXECUTIVE AGENCIES:

FOR THE GOVERNMENT OF THE REPUBLIC OF IRAQ -
THE MINISTRY OF LABOR AND SOCIAL AFFAIRS

AND

FOR THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES -
THE MINISTRY OF LABOR AND EMPLOYMENT.

3.

BOTH PARTIES FURTHER AGREE TO EXCHANGE TECHNICAL EXPERTISE AND RELEVANT STUDIES THAT WOULD HELP ENHANCE EMPLOYMENT PROMOTION AND LABOR ADMINISTRATION IN THEIR RESPECTIVE COUNTRIES.

MOA BETWEEN IRAQ AND THE PHILIPPINES (continued)**4.**

REGARDING THE MOBILIZATION OF MANPOWER, THE PARTY WHO DESIRES TO EMPLOY THE WORKERS SHALL SUBMIT TO THE OTHER PARTY THE NUMBER AND THE TYPE OF MANPOWER NEEDED, THEIR JOB DESCRIPTIONS AND TERMS OF EMPLOYMENT SPECIFYING THE FOLLOWING: (A) DURATION OF CONTRACT; (B) WAGES, ALLOWANCES; (C) WORKING AND LIVING CONDITIONS; (D) ACCOMODATIONS; (E) WELFARE AND OTHER BENEFITS IN CASE THE EMPLOYER CANNOT PROVIDE ACCOMODATION, HE MUST PAY THE WORKER A MONTHLY SUM OF NO LESS THAN THE MINIMUM SET BY THE RECEIVING GOVERNMENT.

5.

THE SENDING COUNTRY SHALL ENSURE THAT ALL WORKERS SHALL BE PROVIDED WITH THE FOLLOWING:

- A. APPROPRIATE MEDICAL EXAMINATION CERTIFICATES RECOGNIZED BY COMPETENT AUTHORITIES.
- B. SKILLS CERTIFICATE ENDORSED BY THE SENDING GOVERNMENT, BEARING IN MIND THAT THE PARTY EMPLOYING THE WORKERS HAS THE RIGHT TO PARTICIPATE IN THE FINAL SELECTION OF WORKERS.
- C. OTHER SPECIAL DOCUMENTS INCLUDING A PASSPORT VALID FOR A PERIOD OF NOT LESS THAN THREE (3) MONTHS FROM THE DATE OF DEPARTURE.

6.

INDIVIDUAL EMPLOYMENT CONTRACTS BETWEEN THE ADMINISTRATOR/EMPLOYER IN THE RECEIVING COUNTRY AND THE WORKERS SHALL BE SIGNED IN ARABIC AND ENGLISH, COPIES OF WHICH SHALL BE FURNISHED TO THE FOLLOWING: THE ADMINISTRATOR/EMPLOYER, THE WORKER AND BOTH MINISTRIES. THE EMPLOYMENT CONTRACT SHALL CONTAIN THE RIGHTS, PRIVILEGES, TERMS AND CONDITIONS OF EMPLOYMENT FOR BOTH PARTIES.

7.

THE PARTY SENDING THE WORKERS SHALL FACILITATE THEIR DEPLOYMENT, THE RECEIVING PARTY SHALL BEAR THE COST OF INTERNATIONAL ROUND-TRIP AIR FARE OF WORKERS, EXCEPT WHEN (A) THE WORKER FAILS TO ASSUME EMPLOYMENT, OR (B) THE WORKER ABANDONS WORK DURING THE PERIOD OF THE EMPLOYMENT CONTRACT FOR ANY REASON OTHER THAN SICKNESS WHICH SHALL BE DULY CERTIFIED BY COMPETENT HEALTH AUTHORITIES AT WORKSITE.

MOA BETWEEN IRAQ AND THE PHILIPPINES (continued)

8.

WORKERS SHALL ENJOY THE RIGHTS, DUTIES AND PRIVILEGES ACCORDED THE NATIONAL WORKERS OF THE RECEIVING COUNTRY. IN THE SAME RESPECT, THEY SHALL ADHERE TO RESPECT THE LAWS AND REGULATIONS OF THE RECEIVING COUNTRY DURING THE PERIOD OF EMPLOYMENT.

9.

THE CONTRACTS OF EMPLOYMENT MAY BE RENEWED UPON MUTUAL AGREEMENT BETWEEN THE WORKERS AND HIS EMPLOYER. SUCH RENEWAL SHALL INDICATE THE BEGINNING AND THE EXPIRATION OF THE NEW CONTRACT.

10.

THE INDIVIDUAL CONTRACT CAN BE TERMINATED BY THE EMPLOYER WHO SHALL BEAR THE COST OF THE WORKER'S RETURN TO HIS COUNTRY IN THE FOLLOWING CASES:

- A. IF AFTER THREE MONTHS, THE WORKER IS FOUND NOT FIT FOR THE WORK FOR WHICH HE WAS EMPLOYED.
- B. IF HE IS CONTINUOUSLY SICK FOR A PERIOD OF MORE THAN FOUR MONTHS.

11.

CONFLICTS ARISING FROM EMPLOYMENT SHALL BE SETTLED CORDIALLY THROUGH THE COMPETENT AUTHORITIES IN THE RECEIVING COUNTRY.

12.

WORKERS EMPLOYED UNDER THIS AGREEMENT SHALL BE ALLOWED TO REMIT TO THEIR COUNTRY A PORTION OF THEIR EARNINGS THROUGH THE NORMAL BANKING CHANNELS AND IN ACCORDANCE WITH THE FOREIGN EXCHANGE RULES AND REGULATIONS OF THE RECEIVING COUNTRY.

13.

A JOINT COMMITTEE TO MEET ALTERNATELY IN THE CAPITAL OF EACH COUNTRY ON A REGULAR BASIS SHALL BE FORMED TO MAKE A PERIODIC REVIEW OF THE IMPLEMENTATION OF THIS AGREEMENT; TO RESOLVE PROBLEMS AND DIFFICULTIES; AND TO PROPOSE WAYS AND MEANS TO IMPROVE THE IMPLEMENTATION OF THIS AGREEMENT.

MOA BETWEEN IRAQ AND THE PHILIPPINES (continued)**14.**

THIS AGREEMENT SHALL COME INTO FORCE ACCORDING TO THE PROCEDURES FOLLOWED IN EACH COUNTRY AND FROM THE DATE OF EXCHANGING OF NOTES THROUGH DIPLOMATIC CHANNELS. THIS SHALL REMAIN VALID FOR A PERIOD OF THREE (3) YEARS RENEWABLE AUTOMATICALLY FOR SIMILAR PERIODS UNLESS A WRITTEN NOTIFICATION IS GIVEN BY EITHER CONTRACTING PARTY THREE (3) MONTHS PRIOR TO ITS EXPIRY, EXPRESSING THE DESIRE TO TERMINATE THIS AGREEMENT.

THIS AGREEMENT MAY BE AMENDED AT ANY TIME BY MUTUAL CONSENT BY THE TWO CONTRACTING PARTIES, SUBJECT TO PROCEDURES MENTIONED IN THIS ARTICLE.

DONE AND SIGNED IN MANILA ON THE 25th DAY OF NOVEMBER NINETEEN HUNDRED AND EIGHTY-TWO IN TWO ORIGINAL COPIES IN ENGLISH AND ARABIC LANGUAGES, BOTH TEXT BEING EQUALLY AUTHENTIC.

FOR THE GOVERNMENT OF THE
REPUBLIC OF IRAQ

FOR THE GOVERNMENT OF THE
REPUBLIC OF THE PHILIPPINES

(SGD) BAKR MAHMOUD RASOUL
MINISTER
MINISTRY OF LABOR AND
SOCIAL AFFAIRS

(SGD) BLAS F. OPLE
MINISTER
MINISTRY OF LABOR AND
EMPLOYMENT

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE MINISTER OF LABOR AND EMPLOYMENT
OF THE REPUBLIC OF THE PHILIPPINES
AND
THE MINISTER OF LABOR
OF THE HASHEMITE KINGDOM OF JORDAN**

IN CONSIDERATION OF THE CORDIAL RELATIONS EXISTING BETWEEN THE GOVERNMENT OF THEIR TWO COUNTRIES, AND IN ORDER TO ESTABLISH THE PREMISES FOR THE PROTECTION AND PROMOTION OF THE EMPLOYMENT AND THE WELL-BEING OF THEIR WORKERS WORKING IN EITHER COUNTRY, MINISTER BLAS F. OPLE, MINISTER OF LABOR AND EMPLOYMENT OF THE REPUBLIC OF THE PHILIPPINES, AND MINISTER JAWAD ANANI, MINISTER OF LABOR OF THE HASHEMITE KINGDOM OF JORDAN, AGREE TO ESTABLISH THROUGH THIS MEMORANDUM OF UNDERSTANDING THE FOLLOWING AGREEMENTS:

1.

THE TWO MINISTERS THROUGH THEIR RESPECTIVE LABOR MINISTRIES SHALL ENDEAVOR TO USE ALL APPROPRIATE MEANS TO PROMOTE AND STRENGTHEN AREAS OF COOPERATION IN THE FIELD OF LABOR, EMPLOYMENT AND MANPOWER DEVELOPMENT.

2.

THE MINISTER OF LABOR OF JORDAN EXPRESSES THE FIRM INTENT OF HIS GOVERNMENT TO HIRE WHENEVER APPROPRIATE FILIPINO WORKERS FOR EMPLOYMENT WITH THE PUBLIC AND PRIVATE SECTORS IN JORDAN, AND THE MINISTER OF LABOR AND EMPLOYMENT OF THE PHILIPPINES ALSO EXPRESSES THE FIRM INTENT OF HIS GOVERNMENT TO PROVIDE SUCH MANPOWER NEED. FURTHER, THE TWO MINISTERS SHALL EXERT EFFORTS TO FACILITATE THE MOVEMENT OF FILIPINO LABOR REQUIRED FOR THE EXECUTION OF PROJECTS UNDERTAKEN IN JORDAN BY FILIPINO COMPANIES.

3.

IN PURSUANCE OF THIS MEMORANDUM, THE MINISTER OF LABOR AND EMPLOYMENT OF THE PHILIPPINES, MAKES AVAILABLE THE OFFICES AND FACILITIES OF THREE AGENCIES, NAMELY, THE OVERSEAS EMPLOYMENT DEVELOPMENT BOARD, CONCERNING HIRINGS FOR THE PUBLIC SECTOR; THE BUREAU OF EMPLOYMENT SERVICES, CONCERNING HIRINGS FOR THE PRIVATE SECTOR; AND THE NATIONAL SEAMEN BOARD, CONCERNING HIRINGS OF FILIPINO SEAFARERS; IN PROVIDING RECRUITMENT,

MOU BETWEEN THE PHILIPPINES AND JORDAN (continued)

SELECTION AND DOCUMENTATION SERVICES, AND IN ENSURING PROPER SELECTION OF QUALIFIED FILIPINO WORKERS.

4.

THE TWO MINISTERS EXPRESS ALSO THEIR FIRM INTENT TO EXERT EVERY EFFORT TO ENHANCE THE WELFARE AND WELL-BEING OF THEIR RESPECTIVE WORKERS IN EITHER COUNTRY, AND TO PROTECT THEIR RIGHTS IN ACCORDANCE WITH THE BEST POSSIBLE TREATMENT BY THEIR GOVERNMENTS WITHIN AND UNDER THEIR RESPECTIVE LAWS.

5.

THE TWO MINISTERS SHALL MAKE PERIODIC REVIEW ON THE IMPLEMENTATION OF THIS MEMORANDUM OF UNDERSTANDING AND TO FURNISH EACH OTHER OF SAID REVIEW, IN ORDER TO DETERMINE WAYS AND MEANS TO IMPROVE IMPLEMENTATION THEREOF, AS WELL AS SOLVE AMICABLY WHATEVER PROBLEMS THAT MAY ARISE IN THE PROCESS.

6.

THE TWO MINISTERS HEREBY FURTHER AGREE TO EXCHANGE INFORMATION ON RELEVANT STUDIES AND RESEARCHES, TECHNICAL EXPERTISE AND OTHER MATTERS THAT WOULD HELP ENHANCE EMPLOYMENT PROMOTION AND LABOR ADMINISTRATION IN THEIR RESPECTIVE COUNTRIES.

7.

IN CONSIDERATION OF THIS MEMORANDUM OF UNDERSTANDING, BOTH MINISTERS AGREE TO RECOMMEND TO THEIR RESPECTIVE GOVERNMENTS THE CONCLUSION WITHIN THE SHORTEST POSSIBLE TIME OF A BILATERAL LABOR AGREEMENT THAT SHALL EMBODY APPROPRIATE PROTOCOLS AND PROCEDURES REGARDING THE EMPLOYMENT OF THEIR NATIONALS IN EITHER COUNTRY, IN PARTICULAR, AND ON MANPOWER DEVELOPMENT AND LABOR ADMINISTRATION, IN GENERAL.

8.

THIS MEMORANDUM OF UNDERSTANDING IS FORMALIZED BETWEEN OURSELVES THIS 5th DAY OF NOVEMBER 1981 IN THE CITY OF MANILA.

(SGD) BLAS F. OPLE
MINISTER
MINISTRY OF LABOR AND
EMPLOYMENT OF THE
REPUBLIC OF THE PHILIPPINES

(SGD) JAWAD ANANI
MINISTER
MINISTRY OF LABOR
OF THE HASHEMITE KINGDOM
OF JORDAN

**COMMUNIQUE
BETWEEN THE MINISTRY OF
LABOR AND EMPLOYMENT OF
THE REPUBLIC OF THE PHILIPPINES AND
THE MINISTRY OF LABOR AND SOCIAL AFFAIRS OF
THE STATE OF QATAR**

IN CONSIDERATION OF THE MUTUAL CONCERNS AND THE CORDIAL RELATIONS OF THE TWO COUNTRIES AND, ON THE OCCASION OF THE VISIT TO MANILA OF MINISTER ALI AHMED AL-ANSARI, MINISTER OF LABOR AND SOCIAL AFFAIRS OF THE STATE OF QATAR, ON 23 APRIL TO 5 MAY, 1981, MINISTER BLAS F. OPLE, MINISTER OF LABOR AND EMPLOYMENT OF THE REPUBLIC OF THE PHILIPPINES CONFERRED WITH THE MINISTER OF LABOR AND SOCIAL AFFAIRS OF THE STATE OF QATAR AND DISCUSSED MATTERS RELATING TO THE ORGANIZATION OF EMPLOYMENT OF FILIPINO WORKERS IN THE STATE OF QATAR AND AGREED ON THE PURPOSES AND OBJECTIVES SET FORTH HEREUNDER:

1. THE MINISTER OF LABOR AND SOCIAL AFFAIRS OF THE STATE OF QATAR EXPRESSED THE FIRM INTENT OF THE GOVERNMENT OF QATAR TO RECRUIT FILIPINO WORKERS OF DIFFERENT SKILLS CATEGORIES FOR BOTH THE PUBLIC AND PRIVATE SECTORS IN QATAR.

2. THE MINISTER OF LABOR AND EMPLOYMENT OF THE REPUBLIC OF THE PHILIPPINES EXPRESSED THE FIRM INTENT OF THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES TO PROVIDE THE MANPOWER NEEDS OF THE STATE OF QATAR, THROUGH THE OVERSEAS EMPLOYMENT DEVELOPMENT BOARD (OEDB) IN THE CASE OF HIRINGS OF THE PUBLIC SERVICE, AND THROUGH THE BUREAU OF EMPLOYMENT SERVICES (BES) IN THE CASE OF HIRINGS OF THE PRIVATE ENTITIES, AND, FOR THIS PURPOSE, THE MINISTRY MAKES AVAILABLE THE OFFICES AND FACILITIES OF THESE TWO AGENCIES IN PROVIDING THE NEEDED SERVICES RELATIVE TO RECRUITMENT, SELECTION, AND DOCUMENTATION OF SELECTED WORKERS.

3. THE MINISTRY OF LABOR AND SOCIAL AFFAIRS OF THE STATE OF QATAR WILL EXERT ALL POSSIBLE EFFORTS TO ENHANCE THE WELFARE, AND PROTECT THE RIGHTS, OF FILIPINO WORKERS IN ACCORDANCE WITH THE BEST POSSIBLE TREATMENT ALREADY EXTENDED TO FOREIGN WORKERS IN THE STATE OF QATAR AND IN ACCORDANCE FURTHER WITH THE LABOR LAWS OF THE STATE OF QATAR. ON THE OTHER HAND, THE MINISTRY OF LABOR AND EMPLOYMENT OF THE REPUBLIC OF THE PHILIPPINES WILL LIKEWISE EXERT ALL EFFORTS TO ASSURE THE SELECTION OF QUALIFIED FILIPINO WORKERS AS A MEANS OF ASSISTING THE STATE OF QATAR IN HER DEVELOPMENT.

**COMMUNIQUE BETWEEN
THE PHILIPPINES AND QATAR (continued)**

4. IN CONSIDERATION OF THESE PURPOSES AND OBJECTIVES, BOTH MINISTERS AGREED TO RECOMMEND TO THEIR RESPECTIVE GOVERNMENTS THE CONCLUSION WITHIN THE SHORTEST POSSIBLE TIME OF A BILATERAL MANPOWER OR LABOR AGREEMENT THAT SHALL EMBODY DETAILS, CONDITIONS AND PROTOCOLS CONCERNING THE EMPLOYMENT OF FILIPINO WORKERS IN THE STATE OF QATAR.

SIGNED THIS 5TH DAY OF MAY 1981 IN THE CITY OF MANILA, PHILIPPINES.

(SGD) BLAS F. OPLE
MINISTER
MINISTRY OF LABOR AND
EMPLOYMENT OF THE
REPUBLIC OF THE PHILIPPINES

(SGD) ALI AHMED AL-ANSARI
MINISTER
MINISTRY OF LABOR AND
SOCIAL AFFAIRS OF THE
STATE OF QATAR

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