

MISYON NG PILIPINAS SA MGA
NAGKAKAISANG BANSA



PHILIPPINE MISSION TO THE
UNITED NATIONS

556 FIFTH AVENUE
NEW YORK, N.Y. 10036
TEL NO. (212) 764-1300

No. 000222 - 2020

The Permanent Mission of the Republic of the Philippines to the United Nations presents its compliments to the Office of the United Nations High Commissioner for Human Rights, and has the honor to transmit the attached inputs of the Government of the Republic of the Philippines to the report of the Secretary-General and the Human Rights Council in connection to the resolution A/RES/74/148 on the Protection of Migrants.

The Permanent Mission of the Republic of the Philippines avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

18 March 2020, New York



The Office of the United Nations High Commissioner for Human Rights (OHCHR)

1211 Geneva 10, Switzerland

Email: registry@ohchr.org

Copy: cherrandez@ohchr.org, pbotta@ohchr.org

GOVERNMENT OF THE PHILIPPINES

Inputs for the Secretary-General's Report on General Assembly Resolution A/RES/74/148 on the Protection of Migrants

- **On actions taken to advance the protection of persons, especially migrants, in vulnerable situations**

Deployment of Filipino migrant workers only to destinations where their rights are guaranteed to be protected

As mandated by Republic Act No. 8042, or the Migrant Workers and Overseas Filipinos Act of 1995, as amended by R.A. 10022, the State shall allow the deployment of 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 of the rights of overseas Filipino workers:

- (a) It has existing labor and social laws protecting the rights of workers, including migrant workers;
- (b) It is a signatory to and/or a ratifier of multilateral conventions, declarations or resolutions relating to the protection of workers, including migrant workers; and
- (c) It has concluded a bilateral agreement or arrangement with the government on the protection of the rights of overseas Filipino Workers:

Provided, That the receiving country is taking positive, concrete measures to protect the rights of migrant workers in furtherance of any of the guarantees under subparagraphs (a), (b) and (c) hereof.

In the absence of a clear showing that any of the aforementioned guarantees exists in the country of destination of the migrant workers, no permit for deployment shall be issued by the Philippine Overseas Employment Administration (POEA)

The Department of Foreign Affairs (DFA) maintains a list of compliant countries/territories in the protection of the rights of OFWs pursuant to Republic Act 8042, as amended. The compliant or positive list of countries has been endorsed to the POEA Governing Board for proper dissemination to recruitment agencies.

Establishment of the Philippine Overseas Labor Office

The Philippine Overseas Labor Office (POLO) undertakes activities facilitating workers' employment and promoting the welfare of Filipino workers. The POLO is directly under the Office of the Secretary of Department of Labor and Employment's (DOLE). It acts as

the operating arm of DOLE for the administration and enforcement of its policies and programs applicable to the Overseas Filipino Workers (OFWs). This is in line with the mandate of Republic Act No. 8042, as amended:

- a. Ensure the promotion and protection of the welfare and interests of OFWs and assist them in all problems arising out of employer-employee relationships
- b. Coordinate the DOLE's employment promotion mandate, consistent with the principles of the Act
- c. Verify employment contracts and other employment-related documents
- d. Monitor and report to the Secretary of Labor and Employment on situations and policy developments in the receiving country that may affect OFWs in particular and Philippine labor policies, in general
- e. Supervise and coordinate the operations of the Migrant Workers and Other Overseas Filipinos Resource Center
- f. Such other functions and responsibilities as may be assigned by the Secretary of Labor and Employment

In the performance of its services, the POLOs work in partnership with relevant Philippine government agencies, host government, Filipino communities, and non-government organizations (NGOs) that monitor and assist the overseas workforce.

A POLO is headed by a Labor Attaché who supervises the labor corps personnel at post and manages the operations of the Migrant Workers and Other Overseas Filipinos Resource Center (MWOFRFC).

Establishment of the Migrant Workers and other Overseas Filipino Resource Center (MWOFRFC)

As mandated by R.A. 8042, as amended, Migrant Workers and other Overseas Filipino Resource Center (MWOFRFCs), or Centers, are established in countries with large concentrations of migrant Filipinos. MWOFRFCs serve as central hubs of welfare and assistance. These Centers are also used as temporary shelters for overseas Filipinos in distress as well as areas for developmental activities.

The DFA, through its Foreign Service Posts, continues to negotiate with host countries in providing adequate separate shelters for both female and male distressed Overseas Filipinos (OFs) in countries with huge OFs presence. On a case-by-case basis, the DFA approves requests for funding to cover payment for temporary shelter/ accommodation for these distressed OFs, which includes victims of trafficking-in-persons.

Enactment of Philippines law protecting domestic workers

The Philippines has promulgated a domestic workers law, namely the Act Instituting Policies for the Protection and Welfare of Domestic Workers (Republic Act 10361), which is also called the Domestic Workers Act.

The Act provides for the protection of domestic workers against abuse, debt bondage, and worst forms of child labor. It sets minimum standards for wages, hours and days of rest, and other benefits for domestic workers. Furthermore, it extends social security and public health insurance to the sector, and provides for mechanisms for quick response to abuses and accessible means to redress grievances. The new law improves on the provisions of the Labor Code of the Philippines on Household Helpers and other related social legislation. The law derived guidance from the Domestic Workers Convention, 2011 (No. 189)

Overseas Preparedness and Response Team (OPRT) and the Department of Foreign Affairs (DFA) Crisis Management Committee

The Overseas Preparedness and Response Team (OPRT) was created by Executive Order no. 34 in 2011 by the President of the Philippines. The functions, duties, and responsibilities of the OPRT include to: anticipate strategies and programs, formulate policies and focus on appropriate responses to natural disasters, civil unrest, armed conflicts, and other similar crises in foreign countries affecting overseas Filipinos; review, update, and formulate contingency plans; establish a pool of crisis management experts, technical experts, and trained personnel from the OPRT member-agencies to form rapid reaction teams; authorize the deployment of rapid reaction teams to crisis-hit areas with a significant concentration of Filipinos; authorize the dispatch of additional personnel to reinforce Philippine Embassies and Consulates General; and establish a monitoring mechanism that regularly gathers and updates information on the identities and locations of overseas Filipinos particularly in crisis-prone regions.¹

The DFA created the Crisis Management Committee (CMC) by virtue of Department Order (D.O.) No. 11-12. The CMC is headed by the DFA's Office of the Undersecretary for Migrant Workers' Affairs (DFA-OUMWA), and coordinates with the OPRT in addressing crisis situations.

In accordance with E.O. 34 and D.O. 11-12, DFA-OUMWA consolidates all contingency plans of Foreign Service Posts (FSPs), which it updates every six (6) months. The DFA also issues the advisories containing crisis alert levels and recommending actions to get overseas Filipinos out of harm's way. The alert levels are:

- Phase I: Alert Level 1 – Precautionary Stage
- Phase II: Alert Level 2 – Restriction
- Phase III: Alert Level 3 – Relocation
- Phase IV: Alert Level 4 – Evacuation

¹ <https://micicinitiative.iom.int/micicinitiative/overseas-preparedness-and-response-team-oprt>

An onsite Crisis Management Team (CMT) is activated during times of crisis in areas of conflict. The CMT is headed by the Head of Post, and consists of the Monitoring Team, Call Center Team, Rescue Team, Administrative Team, and Logistics Team. The DFA also sends its Rapid Response Teams (RRTs) to join the CMT. All RRTs, including those from other government agencies, are under the control and supervision of the Head of Post with respect to the One-Country-Team Approach.

Deployment of Rapid Response Teams (RRT)

The DFA has been sending RRTs to places abroad where a crisis situation arises. In January of this year, in light of the tension in the Middle East brought by the US-Iran conflict, it sent two (2) RRTs to augment the manpower of the Philippine Embassy in Baghdad, Iraq and one (1) RRT to aid the Philippine Embassy in Tripoli, Libya in assisting the repatriation of Filipinos. These RRTs have already returned to the Philippines as of this writing. For March, two (2) RRTs will be sent to Iraq and another one (1) RRT to Libya to replace the previously sent teams.

In February 2020, in response to the outbreak of COVID-19 which originated in Wuhan City in Hubei, China and claimed the lives of at least 1,000 people, the DFA facilitated and coordinated with the Philippine Consulate General in Shanghai in repatriating OFs from Wuhan and other nearby cities in Hubei province. After a week-long preparation getting together all OFs in the area, the three-member DFA Team together with the Department of Health (DOH) Team travelled to Wuhan to pick up 30 repatriates. The chartered flight carrying the teams and the repatriates returned to the Philippines on 09 February 2020. They were put under the mandatory 14-day quarantine period, which was concluded last 23 February.

Measures to combatting trafficking-in-persons in its international aspect

The Philippines is strengthening its measures in addressing the problem of trafficking-in-persons. During the high-level week of the 74th United Nations General Assembly in September 2019, the Philippines signed with the United Arab Emirates (UAE) the Memorandum of Understanding (MOU) on Trafficking. This MOU will serve as a framework for cooperation on trafficking issues between the Philippines and UAE. The MOU on trafficking with UAE is the first trafficking agreement between the Philippines and a Gulf Member State.

At the sidelines of the high-level week, the Philippines conducted a side-event entitled “Combatting Human Trafficking in Migration Contexts: Best Practices, Challenges and the Global Compact for Migration.” This side event was jointly organized by the Philippines, Bahrain and Nigeria. It served as a platform for countries to share its experiences, best practices, and concerns on trafficking-in-persons.

Since last year, DFA has been in the process of pursuing a trafficking case in cooperation with the Kingdom of Bahrain's Labor Market Regulatory Authority. The victims were two Filipino women and the perpetrators of trafficking were also overseas Filipino workers. The Kingdom of Bahrain, being the location of the crime, acknowledged the gravity of the case and committed to strive for justice for the two trafficked Filipino women. This international cooperation in combating trafficking is the first of its kind for the Philippines. The case is currently ongoing, and the Philippines remains determined that justice will be served.

Abolishing the Kafala System

The Philippines has been vocal in its goal to abolish the Kafala system. Under the Kafala system, a prospective migrant worker must be sponsored by the employer, called a Kafeel, to enter the country and work. A substantial amount of money is paid by the Kafeel to gain control of the worker. This system allows the Kafeels to take advantage of their control, which eventually leads to labor contract violations and abuses. Slavery and slavery-like conditions persist in this system since Kafeels view migrant workers as properties rather than as employees. Most victims of this kind of abuse are household service workers (HSWs) who are women. (See Challenges and best practices in identifying missing migrants and ensuring access to information and justice to their families)

Adoption of the Global Compact for Safe, Orderly and Regular Migration (GCM)

The Philippines has been continuously advocating for the implementation of the Global Compact for Safe, Orderly and Regular Migration (GCM), the first multilateral, inter-governmentally negotiated, non-binding instrument that addresses the issue of migration in a holistic and comprehensive manner. It actively participated in its preparatory and negotiation stages since 2016 and eventually joined the 152 States that adopted the GCM in Marrakech, favorably voting for its adoption by the UN General Assembly [A/RES/73/195] in December 2018.

The instrument is imbedded in two key principles: (1) Upholding of the human rights of all migrants, both documented and undocumented; and (2) Affirming the positive contribution of migrants to sustainable development of their states of origin, transit, and destination.

The Philippines, through partnership among various government agencies and civil society organizations (CSOs), has started the work of mainstreaming the GCM objectives within the respective mandates of the government, bearing in mind a whole of government and whole of society approach. (See Advances in the protection of the human rights of migrants through the implementation of the Global Compact for Migration)

- **On challenges and best practices in identifying missing migrants and ensuring access to information and justice to their families.**

Developments in abolishing the Kafala System

Most victims of this abusive systems are Household Service Workers (HSWs) who are women. With the adoption of GCM by States, including all Gulf countries which practice Kafala system, substantial reforms have been developed to eradicate Kafala. It should be noted that the GCM directly addressed the Kafala system in Objective 6, paragraph 22 (g) and (h) on changing employers and opportunities for decent work and non-confiscation of contract and travel documents.

Bilateral agreement with Kuwait

With the rising number of abuses against Filipino HSWs in Kuwait, recently put in the spotlight by the murder of Joanna Demafelis in February 2018, negotiations between the Philippines and Kuwait were conducted to adopt an agreement that aims to intensify the protection of the rights of the HSWs. This signifies that the receiving countries value the contribution of Overseas Filipino Workers (OFWs) to their economies and are ready to consider and implement changes providing for more protective mechanisms for the rights and welfare of these workers in order to keep them in the country.

The agreement provides that ethical recruitment policies should be exercised at all times. Any recruitment to obtain work shall also be governed by a standard contract, should have reduced costs, and should impose humane treatment to workers.

Flexible visa (“flexi-visa”) scheme of the Kingdom of Bahrain

Pursuing an innovative pathway to regularization, the Philippines worked with the Kingdom of Bahrain in the development and issuance by the latter of a “flexible visa,” a work and residency permit valid for two years and renewable indefinitely. The introduction of this “flexi-visa” effectively regularized approximately 1,000 Filipino migrant workers, mostly household service workers, whose status was in question. This visa includes a medical insurance and a return ticket. This was first made available to low-skilled, skilled, and professional migrants.

Through quiet and good-faith negotiations by the DFA with Bahraini counterparts, undocumented HSWs and even those who have absconded from their work contracts were included in the program in November 2018.

To assist undocumented HSWs to avail themselves of the program, the DFA waived the passport fees and expedited their issuance. The DFA also provided financial assistance to Filipino first-time applicants of the flexi-visa to allow them to save money from the first month of their regular work.

Also in 2018, the Philippines, through the Department of Foreign Affairs, and the Kingdom of Bahrain, through the Labor Market Regulatory Authority, signed an agreement to develop a standard contract to reflect both countries’ efforts to lower recruitment costs, uphold fair and ethical recruitment policies, and safeguard conditions that ensure decent work and protect migrant workers against exploitation and abuse.

Negotiations with Qatar

The government of Qatar has started introducing reforms to the Kafala system. These include the abolition of exit visas for migrant workers. To take advantage of this welcome development, the Philippines, through the DFA, held a series of Joint Committee Meetings with Qatar's Ministry of Labor Administrative Development, Labor and Social Affairs (MADLSA) for the better protection of Overseas Filipino Workers (OFWs) in Qatar. The Philippines is currently negotiating for the possible inclusion of domestic workers in its policy of non-requirement of the exit visa for departing migrant workers.

United Nations' General Assembly resolutions on Violence against Women

Since 1996, the Philippines has taken the lead in tabling the General Assembly Resolution "Violence against women migrant workers", the latest iteration of which was A/RES/72/149. The resolution calls upon Member States to incorporate a human rights, gender-sensitive and people-centered perspective in legislation, policies and programs on international migration, labor and employment for the prevention of and protection of migrant women against violence and discrimination, exploitation and abuse.

The Philippines also facilitated the resolution A/RES/73/146 entitled "Trafficking against women and girls," which highlights the need to protect and assist all victims of trafficking, with full respect for their human rights. In particular, it calls upon Government to intensify efforts to prevent and address, with a view to eliminating, the demand that fosters the trafficking of women and girls for all forms of exploitation and in this regard to put in place or to enhance preventive measures, including legislative and punitive measures to deter exploiters of trafficked persons, as well as ensure their accountability.

- **On acknowledging the cultural and economic contributions made by migrants to their communities of origin and destination and the need to identify appropriate means of maximizing development benefits, to respond to the challenges that migration poses to countries of origin, transit and destination, to promote dignified, human treatment with applicable protections and access to basic service, and to strengthen mechanisms for international cooperation**

Philippine Development Plan 2017-2022

The Philippine Development Plan (PDP) for 2017-2022 (<http://pdp.neda.gov.ph/>) is the first medium-term plan to be anchored on the 0-10 point Socioeconomic Agenda, and is geared towards the *Ambisyon Natin 2040* or the long-term vision for the Philippines that articulates the Filipino people's collective vision of inclusive growth, a high-trust and resilient society, and a globally-competitive knowledge economy. The PDP 2017-2022 gives deliberate attention to the special circumstances of overseas Filipinos and their families. International migration and development (IMD) issues were mainstreamed in 9 out of the 15 main chapters of the PDP. Specifically, these are the chapters dealing with governance, justice, culture, industry and services, human capital development, reducing vulnerabilities, science and technology, financial inclusion, and security and safety. This

reflects the cross-cutting nature of migration, and the need for a whole-of-government approach. Since 2016, the PDP 2017-2022 uses a framework focused on protecting the rights and improving the well-being of Filipinos, whether here or abroad; strengthening their engagement in governance; and facilitating their participation in the country's development and reintegration. During the midterm update of the PDP, and in line with the adoption of the Global Compact for Safe, Orderly, and Regular Migration, enhancements were made to the framework to cover all dimensions of migration to include both Filipino migrants and foreign nationals in the Philippines.

- **On advances in the protection of the human rights of migrants through the implementation of the Global Compact for Migration**

Mainstreaming the GCM into the Philippine Development Plan

The Philippines sees the GCM as a sustainable development human rights framework agreement. Its objectives are embedded in the country's development plan, both at the national level and local level, particularly in local government units. The PDP 2017-2022 gives deliberate attention to the special circumstances of overseas Filipinos and their families. International migration and development (IMD) issues were mainstreamed in 9 out of the 15 main chapters of the PDP. This reflects the cross-cutting nature of migration, and the need for a whole-of-government approach. More importantly, it reflects the commitment of the Philippines in pursuing economic, social, and cultural rights of the Filipino people, including those of Filipino migrants.

The Sub-Committee on International Migration and Development (SC-IMD), which is co-chaired by the DFA, along with the National Economic and Development Authority (NEDA), spearheaded the crafting of the Philippines' National Implementation Plan of the GCM (GCM-NIP) vis-à-vis the PDP. SC-IMD convened a series of consultations among various government agencies and civil society organizations with migration-related programs, aiming to create a plan that will serve as a framework for the GCM-NIP that is guided by the 23 Objectives of the GCM and covers all dimensions of migration, both in the aspect of a sending and receiving country.

Inter-agency consultation and Multi-Stakeholders' Workshops were conducted for the drafting of the GCM-NIP. Upon the development of the framework in July 2019, the Planning Committee on International Migration and Development (PC-IMD) was created to craft a new chapter on migration for the midterm update of the PDP, utilizing the framework established from the series of consultations.

In December 2019, the final draft, entitled Chapter 21: Ensuring Safe, Orderly and Regular Migration, was presented to the public through an online platform for comments and inputs. The new Chapter provides coherence to the ongoing initiatives and programs, and can help government agencies and civil society organizations to achieve targets to improve the overall migration governance in the country. The final draft of Chapter 21 can be accessed at <http://pdp.neda.gov.ph/wp-content/uploads/2019/11/Draft-Write-up-PDP-Chapter-21.pdf>.

- **On recognizing women migrant workers as important contributors to social and economic development in countries of origin and destination, and underlining the value and dignity of their labor, including the labor of domestic workers**

Magna Carta of Women

Republic Act No. 9710 or the Magna Carta of Women (MCW) is a comprehensive women's human rights law that seeks to eliminate discrimination through the recognition, protection, fulfilment and promotion of the rights of Filipino women, including women migrants, especially those belonging in the marginalized sectors of the society. It provides a framework of rights for women based directly on international law.

The MCW provides the basis for the Philippine government's commitment to the Convention on the Elimination of All Forms of Discrimination against Women's (CEDAW). *It is considered the local translation of the provisions of the CEDAW, particularly in defining gender discrimination, state obligations, substantive equality, and temporary special measures.* It also recognizes human rights guaranteed by the international Covenant on Economic, Social and Cultural Rights (ICESCR).

Under Section 22 (c) of RA 9710 on the right to decent work, the State shall *“exert all efforts to address the causes of out-migration by developing local employment and other economic opportunities for women and by introducing measures to curb violence and forced and involuntary displacement of local women. The State shall ensure the protection and promotion of the rights and welfare of migrant women regardless of their work status, and protect them against discrimination in wages, conditions of work, and employment opportunities in host countries.”*

- **On curbing attempts of criminals to take advantage of migratory flows and circumvent restrictive immigration policies and border controls, forcing migrants to become vulnerable to abuses and exploitation such as smuggling and human trafficking**

Anti-Mail Order Spouse Act

Republic Act No. 10906 or An Act Providing Stronger Measures Against Unlawful Practices, Businesses, and Schemes of Matching and Offering Filipinos to Foreign Nationals for Purposes of Marriage of Common Law Partnership, Repealing for the Purpose Republic Act No. 6955, Also Referred to as the "Anti-Mail Order Bride Law", reiterates the State's policy *“to protect and guarantee the individual rights of the Filipino people. Towards this end, the State shall prevent the exploitation of Filipinos, and protect them from unlawful practices, businesses, and schemes which offer Filipinos for marriage*

to unscrupulous foreign nationals and expose them to abuse, exploitation, prostitution, and violent situations.”

The law mandates the Department of Foreign Affairs (DFA), Department of Social Welfare and Development (DSWD), Department of Justice (DOJ), Philippine Commission on Women (PCW), and the Commission on Filipinos Overseas (CFO) to undertake the following:

- Provide Filipino victims overseas with free legal assistance and counsel to pursue legal action against offenders, and represent their interests in any criminal investigation or prosecution;
- Implement preventive, protective, and rehabilitative programs for victims;
- Provide case management service and develop a system for accreditation among nongovernment organizations (NGOs) for purposes of establishing centers and programs for intervention in various levels of the community;
- Provide free temporary shelters and other services to Filipino victims psychological support and counseling; twenty-four (24)-hour call center for crisis calls and technology-based counseling and referral system; assistance in coordination with local law enforcement entities;
- Advocate for the inclusion of the issue of mail-order marriages and other similar schemes in both local and international advocacy for women issues;
- Conduct pre-departure counseling services for Filipinos who have contracted marriages with partners from other countries with different cultures, faiths, and religious beliefs;
- Collect and analyze pertinent data, statistics, and conduct case studies and research on mail-order spouses; and
- Conduct of information campaigns against unlawful acts under this Act and other similar schemes in coordination with LGUs, the Philippine Information Agency, and NGOs.

Anti-Trafficking in Persons Act

Republic Act No. 10364 or the Expanded Anti-Trafficking in Persons Act reinforces the State’s policy to eliminate all forms of human trafficking, and establishes the necessary institutional mechanisms to protect and support trafficked persons by ensuring their recovery, rehabilitation and reintegration into the mainstream of society, while also stipulating appropriate penalties for violations.

Under Section 4 of Republic Act No. 10364, it is considered unlawful for any person, natural or juridical, to among others, *“recruit, obtain, hire, provide, offer, transport, transfer, maintain, harbor, or receive a person by any means, including those done under the pretext of domestic or overseas employment or training or apprenticeship, for the purpose of prostitution, pornography, or sexual exploitation”*.

The law mandates the Department of Foreign Affairs (DFA) to “*provide Filipino victims of trafficking overseas with free legal assistance and counsel to pursue legal action against his or her traffickers, represent his or her interests in any criminal investigation or prosecution, and assist in the application for social benefits and/or regular immigration status as may be allowed or provided for by the host country. The DFA shall repatriate trafficked Filipinos with the consent of the victims*”.

The DFA, through its Foreign Service Posts, encourages victims of trafficking in persons to assist in the investigation and prosecution of trafficking abroad by providing them with free legal advice, counselling, shelter, financial assistance, translation services, and legal assistance. The DFA endorses statements of human trafficking victims to Philippines’ Inter-Agency Council Against Trafficking (IACAT) to aid the investigation and prosecution of human traffickers in the Philippines.

The Department of Labor and Employment (DOLE) is called on to “*ensure the strict implementation and compliance with the rules and guidelines relative to the employment of persons locally and overseas. It shall likewise monitor, document and report cases of trafficking in persons involving employers and labor recruiters.*”

The Philippine Overseas Employment Administration (POEA) and the Overseas Workers Welfare Administration (OWWA) are tasked to strengthen the implementation of the Pre-Employment Orientation Seminars (PEOS) and the Pre-Departure Orientation Seminars (PDOS) for Filipino migrants intending to work abroad.

The Commission on Filipinos Overseas (CFO) is mandated to conduct pre-departure counseling services for Filipinos in intermarriages, and to develop a system for accreditation of NGOs that may be mobilized for purposes of conducting pre-departure counseling services for Filipinos in intermarriages.

The Philippines’ Inter-Agency Council Against Trafficking (IACAT) is also established under the law (Republic Act No. 9208 as amended by Republic Act No. 10364) composed of national government agencies and civil society representatives tasked to formulate a comprehensive and integrated program to prevent and suppress the trafficking in persons.

1343 Actionline against Trafficking

In March 2011, the Commission on Filipinos Overseas (CFO) as member of the Inter-Agency Council Against Trafficking (IACAT) established the 1343 Actionline Against Trafficking. The 1343 Actionline is a 24/7 hotline facility dedicated to respond to emergency calls from victims of human trafficking, their families or the public. The hotline is complemented by global toll-free international actionlines that can be accessed by Filipinos overseas. Further information about the 1343 Actionline may be accessed through its website at <https://www.1343actionline.ph/>.

- **On cooperation among States, civil society and other relevant stakeholders to undertake information campaigns aimed at clarifying opportunities, limitations, laws, risks and rights in the event of migration to enable everyone to make informed decisions, and to prevent utilizing irregular or dangerous means to cross international borders**

To complement efforts of the national government to curb human trafficking and to enable potential Filipino migrants to make informed decisions, the Commission on Filipinos Overseas (CFO) implements a nationwide information campaign on international migration and trafficking in persons. The Community Education Program (CEP) aims to raise the public's awareness about the realities of migration and convey the various initiatives of the government to eliminate all forms of exploitation especially among migrants.

Most Philippine Foreign Service Posts conduct Post-Arrival Orientation Seminars to Overseas Filipinos within their jurisdiction. Some of the topics include laws and regulations of the host country, labor laws, anti-trafficking in persons laws, and the Anti-Violence Against Women and their Children Act.

- **On promoting faster, safer and cheaper remittances, with the aim of reducing the average transaction cost to less than 3 percent of the amount transferred by 2030, by further developing existing conducive policy and regulatory environments that enable competition, regulation and innovation on the remittance market and by providing gender-responsive programs and instruments that enhance the financial inclusion of migrants and their families**

National Strategy for Financial Inclusion

Financial inclusion or an inclusive financial system is defined as a state wherein there is effective access to a wide range of financial products and services by all. Financial inclusion is important for every household and business as access to basic financial services such as savings, payments, credit and investments makes a substantially positive difference in people's lives. It is likewise considered as an important element that can contribute to broad-based development and inclusive growth.

The National Strategy for Financial Inclusion (NSFI), developed through a consultative process, serves as guidepost for public and private sector stakeholders to systematically accelerate financial inclusion in the Philippines. It aims to optimize collective efforts toward financial inclusion in the Philippines by raising awareness, appreciation and understanding of financial inclusion, and enabling coordination among various stakeholders. The Financial Inclusion Steering Committee (FISC) is the governing body that provides strategic direction, guidance and oversight in the implementation of the NSFI.

Filipino migrants also stand to benefit from the national financial inclusion strategy as it is estimated that 38% of Filipino adults receive remittance from a family member abroad. (Source: Bangko Sentral ng Pilipinas, www.bsp.gov.ph)

Under section 4 of Republic Act No. 8042, as amended, states that “all fees for services being charged by any government agency on migrant workers prevailing at the time of the effectivity of this Rule shall not be increased. All other services rendered by the DOLE and other government agencies in connection with the recruitment and placement of and assistance to migrant workers shall be rendered free. The administrative cost thereof shall not be borne by the worker”. Also in the same section, it was mandated that the “the remittances of all OFWs, upon showing of the Overseas Employment Certificate (OEC) or valid OWWA Membership Certificate by the OFW beneficiary or recipient, shall be exempt from the payment of documentary stamp tax (DST) as imposed under Section 181 of the National Internal Revenue Code, as amended”.

- **On allowing migrants to integrate fully into host countries, facilitate to promote fair labor conditions and to ensure that all women, including care workers, are legally protected against violence and exploitation**

Pre-Departure Registration and Orientation

All Filipinos leaving the country are required to undergo pre-departure registration and orientation with the Commission on Filipinos Overseas (CFO) for immigrants and with the Overseas Workers Welfare Administration (OWWA) for workers.

Overseas Filipino Workers (OFWs) must attend the Pre-Departure Orientation Seminar (PDOS) by the OWWA before they can be given the documentary clearance to leave the Philippines. The PDOS is facilitated by personnel with first-hand experience of the destination countries. The PDOS is a tool to minimize the risk to workers, especially those who are leaving the Philippines for the first time to work abroad, by giving them the tools to be successful during their employment abroad. Each country has its own rules and regulations governing foreign workers, and PDOS makes sure that workers leave the Philippines armed with the basic knowledge to succeed in their new work environments.

Topics discussed during PDOS include a basic overview of labor laws in their country of destination, knowing their rights as foreign workers, understanding local culture and customs, best financial practices to make the most out of their employment overseas and how to request for assistance from Philippine Embassies and Consulates when they need to do so. It also provides them information on how to access to programs and services provided by the Philippine Government before, during and after their work overseas.

Meanwhile, part of the requirements for Filipino emigrants is attending a country-specific pre-departure orientation seminar conducted by the CFO to learn about their country of destination and understand possible issues they will encounter when they settle in the host country. The CFO also provides peer counseling sessions to youth migrants aged

13-19 years old. Filipino spouses and partners of foreign nationals are required to undergo counseling. CFO's Guidance and Counseling Program not only provides information about countries of destination but also allows an opportunity for clients to express and prepare for the psycho-social challenges of being in an intercultural marriage. CFO also assists Filipinos who leave as au pairs to Europe by conducting the Country Familiarization Seminar where they are oriented about policies of the host countries, settlement concerns, and their rights and obligations as cultural exchange participants, among others.

- **On providing migrant children access to education and, while taking into account the best interests of the child as a primary consideration, to foster the successful integration of migrant children into the educational system, and the removal of barriers to their education in host countries and countries of origin, including on integration, return and family reunification;**

Philippine Schools Overseas

To ensure that Filipinos abroad remain rooted in their Filipino culture, there are 40 Philippine Schools Overseas operating in 11 countries where about 36,000 students are enrolled, majority of whom are children of overseas Filipino workers (OFWs). The schools are found in Bahrain, China, East Timor, Greece, Kingdom of Saudi Arabia, Kuwait, Jordan, Oman, United Arab Emirates, Libya, and Qatar. These schools are administered by the Commission on Filipinos Overseas (CFO) and accredited by the Department of Education (DepEd). For more information about Philippine Schools Overseas, please visit <https://www.cfo-pso.org.ph/>.

Reintegration services for Overseas Filipino Workers (OFWs)

The Department of Labor's (DOLE) Reintegration Services is a package of interventions and mechanisms developed and implemented by social partners to facilitate the productive return of Overseas Filipino Workers (OFWs) to their families and communities upon their completion of overseas employment. It provides the OFWs and their families with opportunities for accessing projects and services that would help them mitigate the social cost of migration and cushion the impact of forced repatriation due to unexpected events. It also aims to maximize the gains of overseas employment through local employment/re-employment or business/enterprise development facilitation.

Services include programs such as:

- Psycho-social component which consists of capacity-building through assistance in community organizing and maintaining OFW Family Circles (OFCs), and services like psycho-social counseling, stress debriefing, values formation and financial literacy;
- Livelihood component through:

- Balik-Pinas, Balik-Hanapbuhay Program, a non-cash livelihood support/assistance intended to provide immediate relief to returning member OFWs, active or non-active, who are displaced from their jobs due to war/political conflicts in host countries or policy reforms controls and changes by the host government or are victims of illegal recruitment and/or human trafficking or other distressful situations.
- Balik-Pinay, Balik-Hanapbuhay Program, the provision of livelihood skills training and distribution of starter kits to enable women OFW returnees to start and to operate livelihood undertaking for self-employment. Priority is given to women OFWs who are displaced by the hostilities and conflicts in their host country, or victims of illegal recruitment and trafficking and other distressed and displaced women household service workers.
- Financial Awareness Seminar (FAS) and Small Business Management Training (SBMT) intended to assist OFWs and their families with financial literacy relative to their overseas employment and to encourage them in putting up a small business enterprise for self-employment.
- Livelihood Development Assistance Program (LDAP), which provides grants for livelihood assistance to undocumented returning OFWs thru livelihood starter kits.
- Education and Livelihood Assistance Program (ELAP), which provides scholarship for the dependents of OFWs who were active members of the Overseas Workers Welfare Administration (OWWS) at the time of death. Only one child, usually the eldest child of the member-OFW, is given the scholarship grant (P5,000 for elementary, P8,000 for high school and P10,000 for college). The surviving spouse, if the OFW member was married or the mother/father if the OFW was single, will also receive a livelihood assistance of P15,000.00. (Source: <https://www.dole.gov.ph/reintegration-services-for-overseas-filipino-workers/>)
- **On stressing the importance of international, regional and bilateral cooperation granting priority to the protection of the human rights of migrants**

Social Security Agreement with host countries

The Philippines, through the Social Security System (SSS), establishes social security agreements with host countries of Filipino migrants. Provisions of these international treaties are compliant with the standards set under 1982 ILO Convention No. 157 on the Maintenance of Social Security Rights with respect to persons working or residing outside their own country. The salient provisions of these agreements include:

1. Equality of treatment, which entitles a covered worker to social security benefits under the same conditions as nationals of the host country;
2. Export of benefits, which allows a covered worker to continue receiving his social security benefits wherever he decides to reside, whether in the Philippines, the host country or even in a third country;
3. Totalization of insurance periods, which provides for combining creditable periods of covered workers under the social security schemes of the Philippines and the host country, to determine eligibility to benefits and manner of calculation of benefit payment (usually on a proportional-sharing basis); and
4. Mutual administrative assistance, which facilitates coordination between social security institution/s of the Philippines and the host country, through their designated liaison offices, to extend assistance to covered workers and handle matters pertaining to implementation of the agreement.

To date, the Philippines has established social security agreements with Austria, Belgium, Canada, Denmark, France, Germany, Japan, Luxembourg, Netherlands, Portugal, Quebec, Spain, Sweden, Switzerland, United Kingdom and Northern Ireland. (Source: Social Security System www.sss.gov.ph)

- **On public policies aimed at promoting and respecting human rights, including those of migrants**

Overseas Voting Law

Republic Act No. 9189 as amended by Republic Act No. 10590 provides for a system of overseas absentee voting by qualified Filipino citizens abroad. Under Section 4 (Coverage) of the law, *“all citizens of the Philippines abroad, who are not otherwise disqualified by law, at least eighteen (18) years of age on the day of elections, may vote for president, vice-president, senators and party-list representatives.”*

Citizenship Retention and Reacquisition

Republic Act No. 9225, otherwise known as the Citizenship Retention and Re-acquisition Act of 2003, declares that natural born Filipinos who were naturalized in other countries could reacquire or retain their Philippine citizenship after undergoing the procedure provided for under the law. Philippine citizenship is reacquired by taking the Philippine oath of allegiance before a duly authorized Philippine official. This does not require one to renounce his allegiance to any other country. Those who retain or re-acquire Philippine citizenship under this Act shall enjoy full civil and political rights and be subject to all attendant liabilities and responsibilities under existing laws of the Philippines, except for certain conditions when exercising the right to vote, seek elective public office, appointment to any public office, or practicing their profession in the Philippines.

- **On coordinating international efforts to provide assistance and support to migrants in vulnerable situations, and facilitate their voluntary and safe**

return to their countries of origin or procedures for determining the need for international protection

Migrants in Countries in Crisis (MICIC)

The Migrants in Countries in Crisis (MICIC) Initiative was established following the 2nd UN High-Level Dialogue on International Migration and Development (October 2013, New York). It is designed to further enhance the ability of states and other relevant stakeholders to prepare, respond and protect the rights and dignity of migrants caught in countries experiencing acute crisis. Through a process of broad and inclusive consultations, this state-led initiative specifically aims to produce a set of voluntary, non-binding guidelines which will define their roles and responsibilities as well as identify effective practices and measures that can be taken to assist migrants. The MICIC Initiative is co-chaired by the Philippines and the United States, and supported by a Working Group comprised of Australia, Bangladesh, Costa Rica, Ethiopia, the European Commission, IOM, UNHCR, ICMPD, Georgetown University's Institute for the Study of International Migration, and the Office of the Special Representative of the UN Secretary General for International Migration.