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PREFACE

Over the past 10 years, the *Center for Migrant Advocacy – Philippines (CMA-Phil)* has been organizing public discussions on facets of Philippine labor migration as a part of its information and policy advocacy functions. Between 2004 and 2008 CMA conducted with the support of the *Friedrich-Ebert-Stiftung (FES)*, the *Dr. Alfredo J. Ganapin Advocacy Forum Series*, 19 well-attended forums that covered issues as diverse as the government migration policies and their implementation, as well as particular problems of different OFW sectors.¹

This year, CMA-Phil attempted to bring these different well-discussed issues together, as well as subject them to deeper scrutiny within the perspective of “the political economy of Philippine labor migration.” In three round-table discussions (RTDs), jointly sponsored by the *Working Group on Migration* of the Political Science Department, Ateneo de Manila University (WGM-ADMU), participants from different migration stakeholders (labor groups, academe, CSOs, government, recruiters, etc) revisited the main issues grouped into the categories of (a) migrant workers’ protection, (b) migration and development, and (c) building the domestic economy.

Adopting a more holistic and inter-disciplinary “political economy” approach, the RTDs sought to not only understand the political, economic and social processes but also the global, national and local environments that affect and determine migration, so as to better appreciate the continuities and changes of the Philippine experience, and craft more effective and realistic policies and strategies to guide its future.

The present monograph, entitled *Migration and Development: Protecting the OFWs and Changing the Migration Status Quo for Development*, documents the proceedings and results of the three RTDs. It is being offered to the wider public, especially to the migrant workers’ groups and advocates, as well as to government policy-makers and implementing agents. It is hoped that the document will invite further, broader and bolder discussion of the matters herein suggested.

Of the many interesting points that surfaced in the RTDs, the following bear deeper consideration and, hopefully, eventual resolution:

(1) Emphasis on structural reforms: uncovering and addressing the structural roots

¹ The summary and recommendations of these forums were published in CMA-Phil & FES, *The Philippines: A Global Model on Labor Migration*, 2009.

and conditions of forced labor migration and of its more onerous social costs.

(2) Aligning government practices with policy as defined by P-Noy's "social contract with the people (item # 10)" to be "a government that creates jobs at home so that working abroad will be a choice rather than a necessity;" and ensuring that this alignment is reflected and worked out in the national development plans (e.gr. PDP 2011-1016).

(3) Expanding the definition of migrant protection to include social protection and social welfare, and locating it within a more gendered perspective by considering the feminization of migrant labor.

(4) Encouraging and harnessing the OFWs' contribution to the country's development, and providing and enabling their participation in local economic ventures.

(5) Expanding the role and activities of local governments in the different aspects of migrant concerns, especially in information dissemination, distress response, care of migrant families, migrant participation in local development, and so on.

(6) Closely integrating the families left behind by the migrants into the total migration policies and plans of both government and civil society.

Lastly, we wish to thank our project partners from the WGM-ADMU: Lydia N. Yu Jose, PhD, Maria Elissa Jayme Lao, DPA and Carmel V. Abao, MA, and all those who participated in the three RTDs – those from the different government agencies, the CSOs, the friends and advocates of OFWs, especially the speakers, resource persons and discussants. The attendance was more than the organizers expected and the discussions were invariably rich.

Thanks too are due to the Ateneo de Manila University's Political Science Department, and their Chair, Dr. Alma Salvador and School of Social Sciences and their Dean, Dr. Filomeno V. Aguilar, Jr. for supporting our discussion and providing the venue for the meetings. Most of all, we express our continuing gratitude and appreciation to the FES not only for its funding assistance, but also for its consistent support for the cause of migrant rights and advocacy. Without their support, this project and publication (as well as many others that CMA-Phil had undertaken in the past) would not have seen light. And to all who in one way or another helped in the realization of this project: *Maraming salamat!*

Rene Nachura
CMA Board of Directors

LIST OF ACRONYMS

ADB	Asian Development Bank
ADMU	Ateneo de Manila University
AER	Action for Economic Reforms
APEC	Asia-Pacific Economic Cooperation
ASEAN	Association of Southeast Asian Nations
ATN	Assistance to Nationals
BIR	Bureau of Internal Revenue
BLA	Bilateral Labor Agreements
BPI	Bank of the Philippine Islands
BSP	Bangko Sentral ng Pilipinas
CAT	Committee Against Torture
CFO	Commission on Filipinos Overseas
CMA	Center for Migrant Advocacy
DA	Department of Agriculture
DBP	Development Bank of the Philippines
DEPED	Department of Education
DFA	Department of Foreign Affairs
DFA OUMWA	DFA Office of the Undersecretary for Migrant Workers Affairs
DILG	Department of Interior and Local Government
DOLE	Department of Labor and Employment
DSWD	Department of Social Welfare and Development
DTI	Department of Trade and Industry
ERCOF	Economic Resource Center for Overseas Filipinos
FES	Friedrich-Ebert-Stiftung
GDP	Gross Domestic Product

IMF	International Monetary Fund
ITR	Income Tax Return
LBP	Land Bank of the Philippines
LEARN	Labor Education and Research Network
LGBT	Lesbian, Gay, Bisexual and Transgender
LGU	Local Government Unit
MFA	Migrant Forum in Asia
MOA	Memorandum of Agreement
NEDA	National Economic and Development Authority
NGO	Non Government Organization
NRCO	National Reintegration Center for OFWs
NSO	National Statistics Office
OF	Overseas Filipinos
OFW	Overseas Filipino Workers
OR	Official Receipt
OWWA	Overseas Workers Welfare Administration
Pag-IBIG FUND	Pag-IBIG Home Development Mutual Fund
PDOS	Pre- Departure Orientation Seminar
PDP	Philippine Development Plan
PEOS	Pre - Employment Orientation Seminar
PESO	Public Employment Service Office
Philhealth	Philippine Health Insurance
POEA	Philippine Overseas Employment Administration
PRC	Professional Regulation Commission
RA 8042	Republic Act 8042 otherwise known as Migrant Workers and Overseas Filipinos Act of 1995
RA 10022	An Act Amending RA 8042, Migrant Workers Act
RTD	Round Table Discussion
SONA	State of the Nation Address

SSS	Social Security System
UDHR	Universal Declaration of Human Rights
UNICEF	United Nations Children's Fund
USD	United States Dollar
WAGI	Women and Gender Institute
WSFM	World Social Forum on Migration
WTO	World Trade Organization

EXECUTIVE SUMMARY

Filipino migration to foreign countries, either for study, to live there permanently, or to work temporarily, has been going on since at least the 1920s. Waves of migration have presented opportunities and problems both to the migrants, the migrants' families, the society, and the governments of sending and receiving countries. Earlier migration however, is not comparable to the migration phenomenon that the Philippine society is currently experiencing. As of 2010, 10 percent of the total Philippine population live and work abroad. As of 2011, 8.7 percent of the Philippine Gross National Product is from the Overseas Filipino Workers (OFW).

This monograph, focusing on the current state of OFWs and Overseas Filipinos (OFs), with more emphasis on the OFWs, aims to understand this phenomenon. OFs are differentiated from OFWs in this monograph to refer to Filipinos who are abroad to study, or who are overseas because they got married to foreigners, and other Filipinos who are not contract workers and are more or less permanent residents abroad. The migration phenomenon that is the focus of the monograph is that state of affairs that was given renewed vitality in the 1970s when the Philippine government adopted exportation of labor as a temporary solution to foreign currency deficit.

Proceeding from the assumption that the economic factors surrounding export of labor are largely a result of political decisions and that migrants are actors that impact or at least can impact on political decisions, the monograph uses the framework of political economy. Within this framework, the specific research problems of the monograph are situated in the interlocking global, international, and national socio-political environments. Within the national boundary, the monograph includes in its probing radar the local governments.

The monograph focuses on two themes: Protection of OFWs and the migration-national development nexus. The closely intertwined connection between migration and national development is divided into two sub-themes. One sub-theme is the place of remittances and "brain gain" in the national and personal economies. The other sub-theme revolves around the related questions of what to do in order to minimize dependence on remittances; how to maximize the skills and wealth that returning OFWs bring with them when they return; how to make the OFWs better workers and productive citizens with pride and dignity; and how to strategize in order to maximize the opportunities offered by international laws and regional organizations such as the ASEAN.

Participants from the migrant sector, civil society, government, the academe, and the private sector have tackled these broad themes in three roundtable discussions (RTDs). The first RTD focused on protection, the second on the migration-development nexus, focusing on the first sub-theme of remittances and brain-gain, and

the third on the second sub-theme consisting of various questions. This was only a division for convenience. In the end, it became obvious that these themes overlap and a discussion of one inevitably leads to the discussion of the other.

This executive summary presents the salient points of this monograph. All the data, information, observations, recommendations and other ideas summarized here are sourced from the pages of this monograph and the proceedings and documents of the three RTDs.

Part 1

Protections for OFWs

The issue of protections for OFWs and to a certain extent, OFs, touches on the migrants as well as their immediate and extended families. Most Filipinos who decide to work abroad are motivated by family concerns. Even if they are initially motivated by personal and individual reasons, eventually the family will get involved. For families who have migrant workers, work abroad is their major, if not the only means to improve their lot. Hard earned money abroad is sent to the families in the Philippines and is spent on food, housing, education, and other basic needs – sometimes even beyond basic needs. On the other hand, not all children who are able to graduate from schools, colleges or universities, thanks to these remittances, have the assurance of being employed here in the Philippines. The Philippines is not able to create enough jobs to absorb them. The result is that they too migrate. Migrant families create migrants and more migrant families.

On the other hand, some migrant families have to bear the psychological and social costs of not having the father or the mother at home. Children are usually left to the care of just one parent. When the mother is the one abroad, the psychological and social burden on the father seems to be heavier, especially in communities that still believe that the man should be the bread winner.

Nonetheless, migrant families are usually economically better off than those who do not have the means to work abroad because they are so poor. Migration has resulted in a distorted socio-economic condition in the country. There is still widespread poverty. The poorest among the poor do not even have the hope nor the capability to migrate. There is still no hope that one million jobs can be created for them or for the million or so students who graduate every year.

Protection is needed at all stages of migration, from pre-departure to life abroad, to return to the Philippines. Illegal recruiters, recruiters charging exorbitant fees, and human trafficking are just some of the risks faced by prospective migrants. On-site,

risks vary, including abusive and exploitative employers and unfamiliar cultural environments. Returning to the Philippines may be a usual return due to visa expiration, which would mean that the return is temporary. It may be due to forces beyond the control of the migrant, such as political instability, civil disorder, and war. It may also be a return for good, such as retirement or a simple decision to stay in the country. For the last two mentioned reasons for returning to the Philippines, the migrant worker faces the challenges of re-adjustment, like not having a job or facing the difficult decision of how to invest one's hard-earned savings.

Whether during, pre-departure, on-site, or return, risks faced by the migrant vary according to the gender and the kind of work that the migrant engages in. In the entertainment and domestic help sectors, female OFWs face the danger of sexual harassment more so than male workers, or workers in other sectors. The laborers in low-skilled category of employment, which comprise 76 percent of OFWs, are more vulnerable to unfair labor practices and changes in the local and global economy than the technicians and professionals. Turning to families left behind, the impact on a motherless or a fatherless family varies according to the ages of the children when they were left behind.

Protecting the OFWs and OFs is primarily the government's responsibility. The Philippine government has created several agencies that have this mandate. The Philippine Overseas Employment Agency (POEA) focuses mainly on the regulation of the recruitment and sending of OFWs to countries of destination. The Overseas Workers Welfare Administration (OWWA) is in charge of collecting contributions from OFWs. These contributions in turn get distributed to OFWs in need, such as those who have to come back *force majeure* due to civil or political strife in the country where they work. The mandate of TESDA is to give training to Filipinos for employment abroad. NRCO is in charge of the reintegration program. The Department of Foreign Affairs does not have a particular mandate regarding OFWs and OFs. Rather, as an extension of the Philippine government, it has the general mandate of representing and protecting OFWs and OFs.

Structures and Policies

The Philippines has sufficient government agencies with a mandate of protection for OFWs and OFs. There are even community-based efforts in a few local government units to ensure that the resources coming from the migrant workers are channeled into development programs. But there is room for improvement. To cite OWWA as just one example, improvement can occur through better transparency in auditing its funds. Another example is of embassies and consulates abroad. They need reform of personnel, budget, and capability so that they can better protect OFWs. They and the POEA may consider working together in order arrive at guidelines for selective and informed migration. For example, they may consider having a list of countries which

are safe for the migrants to go and work. They may also endeavor to have a list of desirable prospective employers.

Laws concerning the migrant workers have to be effectively implemented. On illegal recruitment, for example, only sixty-two illegal recruiters were convicted in the span of nine years, between 2003 to 2012. Dismissed cases numbered a total of 267 and archived cases totaled 269. Moreover, the few persons who were punished were the middlemen, not the top bosses. It seems that the law which aims to protect the migrant workers from illegal recruitment has no teeth.

On the other hand, some rules and regulations need to be revisited. One case in point is the rule that sea-based workers will not be compensated for accident or death if this is proven not work-related. Still another is the requirement for migrant workers to contribute to the OWWA funds, in effect putting on their shoulders the responsibility of providing welfare to migrants.

Protecting Migrants at Different Levels

Giving protection to OFWs and OFs is more effective if accomplished with international and regional organizations. In 2007 ASEAN issued the *Declaration on the Promotion and Protection of the Rights of Migrant Workers*. The Philippine government must advocate for the passage of an instrument of protection that connects to the *Declaration*. The instrument should include provisions like a set of standards for wages and protocols for women and all migrants so that they can have access to health care.

On a bilateral level, the Philippine government should sign agreements with destination countries to ensure labor standards and protection of the migrants. Local government units should create jobs and set up enterprises that would give the workers the option to stay in the country. Furthermore migrants' culture and way of thinking should be understood because it is at this personal level that they can be educated about self protection. Likewise, they should be given the means to understand the culture of the destination countries.

Empowering Migrant Workers

Although prevention is the best protection, empowerment is the best way for migrants to protect themselves and improve their condition. They should be given education and warned of possible dangers. For example, there should be a stronger information campaign about human trafficking, particularly in the rural areas. At the stage of recruitment, prospective migrants should already be equipped with the knowledge to

detect attempts at trafficking them. Migrants should know their rights and always push for their agenda through social movements. They should be treated as partners in national development rather than as mere clients. There should be a venue for them to participate in policy making and decisions about migration.

Specifically and most importantly, they must be provided with financial literacy. Since the migrants work very hard, their freedom to use their hard earned money should be respected; they should not be forced to shoulder the burden of national development. On the other hand, such freedom should be enjoyed based on educated and informed financial management. Perhaps the government, local government units, NGOs, or all of these parties in cooperation could pilot test programs on financial management. These programs would be about the wisest means of saving and spending.

Irreversible Migration

The above observations and recommendations clarify that, despite the efforts of the government to create domestic jobs, unemployment and under-employment are issues. The most effective way to stop the migration of Filipino workers is to give them jobs right here in the Philippines, but this means is still unreachable. It seems that the present state of migration is irreversible. Since migration cannot be stopped, the second best strategy is to empower migrants is to inform and educate migrants so that they can successfully reintegrate into the Philippine society upon return.

Part 2

Migration for Development?

There is no doubt that OFWs and OFs contribute to Philippine national development. This contribution is obvious in the remittances they send. What is less obvious but significant is the intellectual and social capital that they bring back to the country. As is discussed later, the real connection between migration and development is complex. There are questions about to what extent migration can contribute or should be made to contribute to development.

According to the Bangko Sentral ng Pilipinas, the volume of remittances has been increasing each year. From 1990 to 2003, remittances reached over sixty two billion dollars and since then, remittances have grown steadily. Remittances were not negatively affected by the 2008 global recession. In fact, remittances grew from sixteen billion dollars in 2008 to seventeen billion dollars in 2009 and have since been rising. Remittances are the second biggest source of financial flows, next to foreign

direct investment², although a poor second. As remittances are directly sent to families, they are less likely to make bureaucracies even fatter.

According to the World Bank, without the said remittances, headcount poverty in the country would have increased by 3 to 10 percent. Assuming that a lack of employment is a major cause of poverty, a few figures on this aspect may support this contention. In 2011, had the 2.2 million overseas Filipino workers stayed in the country, the total number of unemployed would have ballooned to five million and unemployment would have increased from 7.2 percent to 7.9 percent. Furthermore, in 2011, employment abroad captured 46 percent of the productive cohort of the 25-34 age range. In contrast, local employment captured only 28 percent of the same age cohort.

Remittances increase the demand for the goods and services which boost the domestic economy. The demand that they place on housing, for example, has boosted the real estate sector, particularly the construction of condominiums. The same thing can be said of other sectors such as telecommunications, retail trade and tourism.

The less obvious contribution of migrant workers regarding intellectual and social capital leads to brain gain. Workers abroad acquire skills and work experience that cannot otherwise be gained from local employment. If they bring back these skills to the Philippines, they will help in developing companies in the country.

OFWs and OFs contribute to national development through political participation. For example, through the advocacy of migrant groups, NGOs, and labor movements, the ILO Convention 189 was ratified. This convention recognizes domestic work as legitimate and respected work. Another example is the politicization of Filipino migrants in Europe, who are strong in organizing. They believe that they have defined their role in Philippine national development not only by sending remittances but also through political participation.

Complex Realities

Remittances from migrant labor directly benefit migrant families and indirectly contribute to the national economy. However, certain realities point to a need to re-examine their role in not only sustained national development but also a real turn-around of the Philippine economy. Remittances now comprise only about 10 percent of the GDP. Therefore, a reliance on them would not actually result in change and development. That 10 percent contribution, however, is not small, considering the fact that the Philippine job market is too small to provide employment. In 2007, there were only 142 firms that employed 2000 or more employees. The average size of Philippine

² source: NSCB

establishments, then numbering 784,000, was only seven employees. Therefore, while reliance on remittances will not contribute to a real turn-around of the economy, cutting it by stopping the migration of workers is not a viable solution.

Despite the fact that remittances contribute to the growth of the Philippine economy, the nature of this growth needs a close examination. In 2010, the Philippines posted a growth rate of 7.3 percent, a respectable rate even by international standards. But alongside this growth, 2.9 million Filipinos were unemployed while 6.8 million were under-employed or were employed but seeking additional work. Moreover, roughly nine million Filipinos were working abroad and not in the country. There has been growth in the country, but this growth has not been accompanied with job opportunities for Filipinos. The unemployment/ under-employment picture in the country has not been as encouraging as the growth figures. Since the 2008 recession, unemployment rates have been within the range of 7.3 to 7.7 percent while underemployment rates have remained within the range of 18.2 to 19.4 percent. All of these figures point to the fact that Philippine economic growth can be characterized as 'jobless growth'.

The impressive growth rate of the Philippines in recent years has been accompanied by a decline in particular sectors of the economy. Manufacturing, for example, has declined. In the 1970s the manufacturing sector contributed 25.72 percent of the GDP. It was down to 22.94 percent in 2000 – 2004. A Bangko Sentral ng Pilipinas report also reveals that there has been a decline in export growth, partly due to the appreciation of the Peso vis-à-vis the dollar.

Last but not least, remittances entering the Philippines are used for consumption rather than for productive investment. Such a pattern creates inflation.

Within this discussion, a striking fact that remains is that workers are separated from their families. This separation leads them to be more vulnerable to exploitation.

Even after accounting for the material and non-material contributions of migration to the national economy, there is still a disconnect between overseas employment and genuine economic development because even though a few thousand jobs are created abroad, the domestic economy does not significantly improve. In the end, it seems that the labor-receiving countries benefit more than the sending countries.

Nonetheless, the Philippines, a sending country, has shown resilience in the face of the global financial crisis of 2007. The 2010 figures show a growth of 7.2 percent in GNP and 7.3 percent in GDP, the highest growth rates in the past ten-year period. This supports the contention of Devash Kapur³ that remittances are relatively less vulnerable to financial crises and other external shocks than other financial sources, such as foreign direct investments.

³ 2004

Questions of Principle and Appropriateness

Should Philippine national development be placed on the shoulders of OFWs and OFs? Are remittances the engine of development? If so, what kind of development is this?

The question of how OFWs can contribute to the development of the country should not be confused to questions about the country's strategy for development. It would be wrong to adopt migration as a development strategy because that would define the Philippines as the world's supplier of migrant labor. It will deter the Philippines from pursuing real development.

The Philippine government is already showing signs of infection by its seeming dependence on remittances. Government officials have avoided hard questions of real reforms that may lead to politically unpopular decisions. They are no longer pushed to create stable jobs in the Philippines because remittances fill the gap of the income that could come from local industries. The government must adopt a strategy that is radically different from the one proposed by international economic organizations like the ADB.

OFWs already give their fair share. The task of rebuilding the economy is a big task that should not fall on their shoulders. Besides, it might not be that easy to transform them from consumers to investors. Moreover, remittances do not contribute to real economic growth – they only reduce poverty and poverty reduction does not necessarily mean development.

Responses and Recommendations

Among the government agencies involved in migration, it is the Commission for Filipinos Overseas (CFO) that has the agenda of pushing for migration and development as well as the strengthening of the Filipino communities abroad. The CFO aims to integrate migration into the development plans of the Philippines.

The CFO carries out its mandate through networking, particularly through programs such as its "Diaspora to Development" (D2D) program, CFO's flagship program. It has ten areas of engagement: (1) Alay Dunong Program (or Brain Gain Program), (2) Arts and Culture Exchange, (3) Balik-Turo and Education Exchanges, (4) Business Advisory Circle, (5) Diaspora Investment, (6) Diaspora Philanthropy, (7) Global Legal Assistance and Advocacy, (8) Medical Mission Coordination, (9) Return and Reintegration, (10) Tourism Initiatives. Through these areas of

engagement, the government is able to see the Filipino migrants through a lens other than that of remittances.

The POEA is not directly concerned with making the connection between migration and development. Its mandate is the management and regulation of migration and to go after violators of laws, rules and regulations. Nonetheless, it intends to streamline procedures that will enable OFWs to come home through easier procedures and processes. Concretely, the POEA is working on multiple exit clearances which will reduce the number of times that an OFW has to visit the POEA office whenever she is in the country for visits. It is also thinking of a more comprehensive government program for reintegration -- more comprehensive because it will be connected to the legitimate process of recruitment and employment.

The BSP, like the POEA, is not directly concerned with migration and development. The BSP's task is to compile data on overseas Filipino remittances. As the central bank of the Philippines, it is concerned with issues related to financial stability and payment systems. Regarding this, its role is to ensure that data and statistics on remittances are reliable. Thus, if remittances are said to be the primary fruit of migration, then, it is mandatory for the recording and analysis of these remittances to be accurate.

Turning to the individual level, Filipino migrants may be persuaded to come home and retire here and thereby boost the retirement industry. Malaysia and Thailand have seriously taken up the retirement industry. In the coming years the Philippines may go the way of Malaysia and Thailand. Filipinos abroad can also help to develop tourism in the Philippines and create, in their host countries, markets for Philippine products and tourist services. Women migrants who compose over 60 percent of all migrants should be given special attention not only because of their vulnerability but also because of their contribution. They are more regular in sending remittances than male migrants and their remittances are channeled to productive consumption such as health care and education. This is in contrast with male migrants who tend to spend on television and other non essentials. This may be an oversimplified generalization, but the point is to raise again the issue of giving migrants education towards financial literacy.

It is important to combine the share of OFWs for national development with efforts in the country of origin. With this kind of cooperation, the general lot of Filipinos can be improved and set the stage for a different kind of economic revival.

At the local level, small-scale projects are already being developed. In Calabarzon, Ilocos Sur, and Nueva Ecija, local government units are being engaged to integrate migration into local development plans. Even CMA which has focused on advocacy on national policies has, in the last four or five years, started to work with LGUs. The POEA is looking towards partnership with LGUs in profiling the demography of OFWs who have returned to the Philippines because it is the mayors who are in the

best position to know this.

Going beyond remittances and efforts by national and local levels to harness the material contributions of OFWs and OFs, the non-material contribution of migrants has to be addressed. The state's preoccupation with upgrading migrants' skills may not be as effective as mobilizing and politicizing them. No matter how long Filipinos have been away, the Philippines remains in their heart and its development is part of their aspiration; an aspiration that many migrants, like those in Europe, hope to realize through political participation.

Part 3

Developing the Domestic Economy along with Migration

Have I given up on our country?

No way! I firmly believe that we have in us what it takes to make this country and our economy great and it is only a matter of time before it happens. We can do it and it is not actually that difficult if we put our hearts and mind to it.
My only wish is to see it happen in my lifetime.

- Mike Bolos

The story of Mike Bolos, a Filipino migrant worker who has returned to the Philippines and tried to invest, is reproduced in full and verbatim in the section on RTD 3. His experience may be taken as representative of the present situation of OFWs:

- Abroad, they are able to save enough for investment and are able to gain skills which have the potential to be utilized in the Philippines
- They return with the aim of staying for good
- They try to invest or at least find job with competitive wage and social protection
- They are met with several bureaucratic hurdles and various kinds of irregular practices
- They find the wages not commensurate to the needs they have been accustomed to abroad and the social protections are not assuring enough.

It may be surmised that many give up and decide to become migrant workers again. It is also possible that many are like Bolos. They do not give up on the promises of their

homeland. They only wish that the promises would be realized sooner than later.

Discussions in RTD 3 picked up from the discussions in RTDs 1 and 2 (especially RTD 2). They tackled the conclusion that since migration of Filipino workers is unstoppable, and indeed, should not be stopped because the Philippines economy is still largely dependent on foreign remittances, the practical policy option for the Philippines is to create an environment that provides investment opportunities and job security. This environment would make migration an option rather than the only choice. RTD 3 discussions logically moved on to the questions of what are the possible investment areas and what kind of employment should be made available. Corollary to this is the question of what the national government agencies and the local government units have done and what needs to be done in terms of improving the investment and employment situation.

Regarding investment areas, sustainable agriculture, biomedical engineering industries and medical tourism were mentioned. The relatively high cost of business in the Philippines and the low productivity of the Filipino workers are only some of the hindrances to improving the investment climate in the Philippines, not only for the Filipinos, but especially for foreign investors. To improve the investment climate, it was stressed that there is a need for an integrated system. Cooperation and coordination among the private sector, local communities, and the national government is also a must for strategic investment areas to succeed.

Suggestions about the kind of employment that should be created in the Philippines were varied. Employment in medium-scale industries and the formal sector or at least, industries that are VATable (instead of employment in small scale industries) was suggested. However, the lack of job security in the formal sector, caused by contractualization, is a disincentive to employees as it exposes them to social and economic insecurities.

Several agencies of the national government have recognized the problems mentioned above and are exerting efforts to address them. POEA's efforts regarding reintegration of returnee OFWs occur to give them and their families orientation about preparing for eventual reintegration. TESDA, on the other hand, focuses on self-employment, rather than overseas employment, but it does not entirely close the door to the latter. The present preparation for the implementation of the K-12 education system has provided an opportunity for it to coordinate with the Department of Education to design curricular programs. These programs would produce graduates who are employable locally and internationally. DOLE, on the other hand, in cooperation with the Land Bank and DBP, has an investment scheme that will allow OFWs to borrow from Land Bank or DBP without collateral. A number of LGUs also have played a part in addressing the challenges of developing the domestic economy along with protecting and empowering the migrant workers. Migration information desks and streamlining procedures for business permits are the most visible of these efforts.

RTD 3 yielded a rich volume of arguments, counterarguments, suggestions and lists of efforts by sectors on local and national levels and also from the private sector.

At the end of the monograph is an attempt by CMA and the Working Group on Migration of the Ateneo de Manila to look again at the major challenges on RTD 3 topics and to come up with recommendations to address them.

Migration and Development: The Political Economy of Migration

Forty years of Philippine labor migration has produced a complex picture of processes, agencies, people, and other realities that characterize the daily exodus of about 4,000 Filipinos to various countries abroad, particularly to the Asia Pacific Region, Europe, the Americas and the Middle East. In 2011 alone, 1,318,727 were documented to have left the country for the following destinations:

Top Ten Countries of Destination (2011)

Destination	Total
1. Saudi Arabia	311,577
2. United Arab Emirates	225,724
3. Singapore	119,516
4. Hong Kong	108,575
5. Qatar	96,428
6. Kuwait	64,973
7. Taiwan	41,865
8. Italy	31,398
9. Bahrain	17,779
10. Malaysia	16,589
Other Destinations	284,403
Land based total	1,318,727
Sea-Based total	369, 104
Total Deployment	1,687,831

SOURCE: POEA

Estimates have currently pegged Filipinos working and living abroad at around 10 percent of the total population or 9.453 million Filipinos⁴. Remittances from overseas Filipinos have continued to grow. In 2011, around twenty billion pesos in remittances or about 8.7 percent of the GNP (Gross National Product) can be attributed to the migrant labor sector. A temporary program in the 1970s, migration of Filipinos overseas has grown to a billion peso industry affecting individuals, families, communities as well as local and national governments.

⁴ CFO 2010

The Philippine government categorizes Filipinos abroad as:

- permanent (have obtained legal residency abroad)
- temporary (those with fixed work contracts) and
- irregular or undocumented categories (without proper legal status abroad due to expired visa and other reasons). (see figure 1 below)

These categorizations are helpful but do not fully capture the complexity of the situation of many Filipinos working abroad. Examples are the dependents or relatives of legal and documented Filipinos who are also abroad.

Current data also shows that, although the number of Filipinos going abroad for work seems to be increasing, 70 percent of the total number of labor migrants are, in fact, rehires. This raises issues about the changing circumstances of supply and demand and whether labor migration will continue to be a “safety net” to the Philippine economy in the coming years. (see figure 2)

The gendered dimension of labor migration must also be noted with an 11: 10 ratio of females to male labor migrants. This, coupled with the strong demand in the service sector, particularly for domestic work or as clerks, and shop and market sales workers, underlies the need for continued focus on the protection of women migrant workers (see figure 3).

In terms of occupation, among temporary workers, 76 percent of migrant workers fall into the laborers and low skilled category and only about 10 percent are considered professionals and technicians. These percentages have bearing on the kind of rights and privileges that migrant workers receive from the country of destination, the level of protection afforded to them, as well as the impact of changes in the local or global economy, disasters and other possible vulnerabilities. (see figure 4)

The age profile of Filipino overseas workers (mid 20s to 30s) also requires a close examination, as savings, investment and retirement upon return of such a large number of OFWs will require sound policy and implementation from the Philippine government, the private sector, and civil society groups. (see figure 5)

While there is lesser dispute that Philippine migration is irreversible, there is much to be discussed regarding the costs, benefits, and implications of further migration on Filipino migrants, their families, communities and the Philippine society as a whole. The continuity of labor migration, after all, happens side by side with change and is underpinned by rapidly changing global, national and local environments. In the Philippines, lingering questions on the perennial state of economic underdevelopment, jobless growth, social inequities, and the inability of crucial sectors to link the migration phenomenon with sustainable development continues to influence the discourse on migration.

This project seeks to contribute to the discourse regarding continuities and changes underpinning the phenomenon of Philippine migration. The organizers of this project hope to achieve a deeper understanding of the global, national and local environments that impact on migration, and thereby, gain more ideas on how best to proceed with advocacy for the rights and welfare of Filipino migrant workers and their families in particular and for national development in general.

The international political economy framework is employed in this project for a number of reasons:

- (1) The organizers agree with the common observation that political and economic phenomena are not mutually exclusive and that, in fact, economic change may result in political change, and vice versa.
- (2) The political economy framework allows for the probing of state-society-market relations that is crucial in understanding the issues and problems of migrants as well as the challenges that confront the different stakeholders who continuously shape and are shaped by migration.
- (3) The political economy is concerned with “intersections” rather than separate “spheres” and thus suggests that in viewing major phenomena such as migration, the global, national, and local environments cannot and should not be treated as entirely separate entities.
- (4) Perhaps more importantly, the political economy framework is a form of critical theory and as such creates space for discourse on how to change the status quo and not just on how to understand it. This critical look is necessary for the generation of new ideas on what needs to be done in the immediate and longer-term future.

The political economy framework also suggests that change has to be understood dialectically and, therefore, ideas are, and can, always be contested. The political economy framework also suggests that change has to be understood dialectically and, therefore, ideas are, and can, always be contested.

The project consisted of three roundtable discussions (RTDs). The first one was on protection. It aimed to bring forth current issues from the point of view of various stakeholders, including the Philippine government. The second and third RTD focused on the social, economic and political landscape of migration and possible trajectories for the future. For each RTD, guide questions were given to the major participants. The aim of the guide questions was to ensure a focused discussion, without hindering the participants from freely expressing their opinions. Each RTD was attended by representatives of the major sectors: migrants, civil society, private sector, and government. The programmes and lists of participants of the three RTDs are appended to this monograph.

PART I

LABOR MIGRATION POLICY AND COMPETING NOTIONS OF PROTECTION

‘Protection of migrant workers’ was the theme of the first of the three RTDs. It was held on 22 July 2012 at the Social Sciences Building, Ateneo de Manila University.

At RTD 1, the question of protection was comprehensively probed, going beyond the seemingly congratulatory observation that the Philippines is regarded as a “model” country of origin. There is still room for improvement, particularly to go beyond assistance of Filipino workers while they are overseas.

A more comprehensive view of protection should include an assessment of

- (1) preparation for deployment
- (2) on site assistance (assistance while abroad)
- (3) reintegration policies and programs. How strong are government institutions in preparing the migrants for departure and eventual return? What are the new threats that need immediate attention, particularly in destinations where OFWs are?

Representative Walden Bello (AKBAYAN), current Chair of the House Committee on Overseas Workers Affairs, captures the intertwined situation of the migrants, efficacy or lack of it of government policies on migration, impact of migration on national development, and the future generation:

“Those who migrate are often among the most intrepid, the most nimble, and the most acute people in the lower and middle classes, the kind of people who would make excellent cadres and members of progressive movements for change. Along with the crisis of socialization of children owing to the absence of the mother, this is one of the most damaging legacies of the massive labor migration in the Philippines: that it has allowed its elites to ignore overdue structural reforms”. (Appendix 2)

Likewise, in his welcome remarks Dr. Filomeno V. Aguilar, Jr., Dean of the School of Social Sciences of the Ateneo de Manila University, stressed the important role of families in the migration cycle. He pointed out that family and kin are the reasons why many migrants decide to leave the country. He suggested that local migrants should be situated within cultures of relatedness, and not isolated as single individuals since they are embedded in various social networks.

Dr. Aguilar also stated that those in need of most protection are those who are tangentially related to a migrant network and are deeply bonded by the connection that

technology offers. Coequally, the ones that lack access to this technology are disconnected from social networks. “Pay mind to those who have fallen through the cracks,” he advised.

Such probing would deepen the understanding of protection in terms of needed social and economic policies that will best address the changing circumstances of our migrant workers abroad.

The guide questions for RTD 1 were:

1. How do you now define “protection of OFWs”? What do you think are the current vulnerabilities that OFWs face; what should they be “protected from”?
2. Based on your definition, do you think existing responses (i.e. policies/laws, institutions/structure, services/programs of state and non-state actors) are sufficient to protect OFWs? Why? Why not?
3. What else needs to be done (to protect OFWs)?

Social Protection as a Human Right

Dr. Sylvia Estrada-Claudio observed that migration is a family strategy to diversify income to minimize risk. It also answers things like the need for credit. Recall that this is structured so that the woman makes a greater sacrifice and creates greater vulnerability for themselves.

In both economic and social policies, there is the idea from classic economic theory that choices from the family are based on rational choice. In reality, many of the choices of migrant women are not rational for them because they are sacrificing themselves for their family.

Claudio recommended a comprehensive reevaluation of the risks and opportunities for women migrant workers. She stressed the need for policies and programs that address the gaps between policy and implementation and that maximize opportunities. Social protection and the social cost of migration

Dr. Caridad Sri Tharan of Miriam College addressed the structural and cultural vulnerabilities of migrants. She pointed out the need to re-educate society towards protecting its members. She lamented that the numerous forums and discussions of migration have not put enough emphasis on the social consequences of labor migration. Migration has brought us to a stage where there are distortions in the social

institutions. Studies show that at the micro-level, families have come out of poverty. They have been provided good housing and education to their children. At the same time there are still a lot of slave-like conditions. A lot of it is due to structural conditions. Until and unless we address the root cause of this distortion, she warned, it will always be there. “We don’t see how we are going to create one million jobs a year to absorb one million graduates. They do not have the option to remain and work in the country,” she added.

Ms. Aurora Javate -De Dios, Chair of Migration Studies at Miriam College, said that the resilience and empowerment of migrant is their primary source of protection. They are not passive victims, but are active participants in their situations. She spoke of vulnerabilities as varying. Certain groups of migrants such as seafarers face certain kinds of vulnerabilities. Women face physical and sexual vulnerabilities because of their gender, because they are foreigners, and are also engaged in low-class employment.

She stated that migration has reconfigured the gender and relationship structures in the family and there are costs that arise from this. For one, there is a disruption within the notion of a nuclear family, as kin and extended family become highly involved in child-rearing as parents leave, creating a new dimension of problems, challenges and concerns. When the women leave, the men pass on the responsibility of child-rearing to the next of kin. There is also the passing of the responsibility to the aging parents, who also need care, and this poses different dimensions to our elders and as well as the young.

When women leave and become breadwinners, they break the gender expectations of the family and the community. Ms. De Dios added that children (infant-15 years old) become traumatized because they are not consulted before the decision (to go abroad) is made.

She said that some men can handle the role of rearing children, but most men cannot as they perceive such a role as feminine and a challenge to their masculinity. Seafarers, for example, feel that their masculinity is challenged when they are left behind. She also said that there is no clear head count on abandoned families and this is something that should not be disregarded.

On the type of protection needed, Ms. De Dios said that migrants should be given financial literacy to enable them to create value for the money they earned through hard labor. She said they need protection from unwise investment in big houses. Some of them just end up one-day billionaires. She stated that management of remittances should be more systematic and integrated into local planning with clear directions.

She concluded her remarks with a recommendation that there should be social and economic mobility that does not completely rest on finding work abroad.

Social Protection: Areas of Concern

Ms. Joy Chavez of Focus on the Global South believes that Filipino workers should be given more dignity. She noted that more often than not, they go to informal work:

“So we are exporting the informality of the types of work they are getting into. There is a need to push for the formality of our working sector to provide them greater protection. This is an assertion of the dignity of work and the formality it deserves.”

On the portability of protection and rights, she said that the social security policy that ensures access to protection, rights and benefits should be enforced wherever the migrants go find themselves.

Also from Focus on the Global South, Ms. Aya Fabros, added that today’s migrants will continue to face precarious environments laden with wars, disasters, calamities etc. Furthermore, she stated that such hazards and abuses are present in each stage of migration. Alongside these hazards at each stage of the migration cycle are structural vulnerabilities that are being faced by migrants as non-citizens in the countries of destinations. Ms. Fabros believes that it is the government’s responsibility to protect these migrants because state power is not absolute as it cannot police and enforce its policies beyond its sovereign territory.

Ms. Josephine Bullo, Program Coordinator for Unlad Kabayan, said that trafficking and exploitation are vulnerabilities of migrants when access to protection by the Philippine government from destination countries becomes a challenge.

She explained that families should be included in the protection mechanisms and this protection should include financial literacy to enable them to manage resources better. For her, while efforts on reintegration are good, there should be a promotion of social enterprise among migrants so that they can see how they can contribute to the sustainability of their communities. With the declining economies of developed countries, she said that social enterprise will encourage the migrants to choose to stay as they see jobs, other opportunities, and development in their own communities.

Mr. Loreto Soriano, President and CEO of LBS e-Recruitment Solutions Corporation, presented his views as a member of the recruitment sector (and a former OFW himself) by saying that since there is a need to leave the country, the government must make leaving the country and working abroad safe and easy, instead of making it burdensome. This can be done by protecting the migrants from illegal recruiters. He said that workers should be protected from excessive fees; they should not be made to shoulder the costs of protecting themselves overseas. For example, the OWWA (Overseas Workers’ Welfare Administration) fund should not come from the OFWs themselves. He said that the government should shoulder and allocate funds for migrants, and not just rely on the contribution of OFWs to protect them overseas. He

said it should come from recruitment agencies, governments of host country and country of origin, and the employer.

Further, he said that that the worker should be seen as a partner and not a client of the government. They should have a voice on what to do with the remittance they send. They should be given the right to participate making decisions that concern them. Information about and access to benefits, including reintegration benefits, should be made available to them effectively and efficiently.

Social Protection and Policies

Fr. Edwin Corros, executive secretary of the CBCP-EMCI, commented on policy implementation: “the Philippines has well crafted policies, but they do not work.” He suggested a cultural approach as ‘exploring and understanding the issues and concerns of migrants relative to their cultural context’. He said that culture is one aspect in educating people. Also, he stated that the Philippines can look at the cultural norms and intricacies of the receiving countries, so as to best protect the migrants from possible abuses and dangers. He also concurred on the idea that creation of local jobs is the best protection, and that the families of migrants should be included in the policies and discourse of protection

Ms. Lorena Macabuag of Migrant Forum in Asia also spoke of the gap between policies and actual implementation as well as the role which families should play in defining protection policies. She also talked about the general policy (or lack thereof) regarding labor export, saying that “while there is an implied development agenda for the Philippines, migrants keep going out and there seems to be no political will to veer away from labor export. She said that migration as a national policy is not clear, and this is something that can create problems in terms of protecting migrants.”

Ms. Yuen Abana of Partido ng Manggagawa (Workers' Party) said that with globalization, the government is promoting a labor-export industry because of the lack of job opportunities at home. Currently, she said, there is no industrial development and no programs and structures supporting migrants. She observed that, the welfare of migrant workers is largely placed on the hands of recruitment and placement agencies. These private recruiters' main concern is to deploy migrants, and when help is offered, if any, it is on a per person basis. She said that social protection should be the responsibility of the state, and not of the private sector.

As for transparency and accountability, she said that there should be institutional reforms. The mechanisms of auditing the OWWA fund should be transparent. The embassies and consulates abroad should be reformed to be more oriented towards the protection of OFWs. There should be labor agreements with countries of destination to ensure labor standards and protection of the migrants.

Mr. Erwin Puhawan of the Kanlungan Center Foundation remarked that the laws have complied substantially with international instruments, but the problem is the implementation. On illegal recruitment, he said that from 2003 to 2012, there were only sixty two convictions, and most of them concerned the middlemen, not those at the top. Dismissed cases numbered 267, and archived cases 269. He called for a revisiting of these cases to show a commitment to ensuring that policies aim to protect migrants in a real way, as opposed to theoretically.

Regarding the connection between protection and development, Mr. Puhawan mentioned that there are local government units that have community-based efforts of providing protection to migrants by ensuring that the resources coming from them are put into development. He said that workers should always push for their own agenda through social movement. He agreed with the idea that it is up to the migrant workers to protect themselves.

Mr. Joselito Lord of the Blas F. Ople Policy Center, also stressing the role of the local government, said: “The best protection is prevention.” Mr. Lord said that there should be a stronger campaign to protect migrants from human trafficking, particularly in the rural areas. “They should be aware from the beginning stage – i.e. the attempt to traffic someone,” he said.

Mr. Loreto Soriano suggested the formulation of an exit strategy by the government so that migrants who choose to come home for good can have opportunities here at home. He said that given the amount of remittances that they bring in, there should be development and opportunities at home, especially in their local communities. He urged giving support to entrepreneurship and job creation for the benefit of the migrants who come home. He expressed support to the suggestion of Walden Bello, who, in the opening remarks, indicated a need to boost the agricultural and industrial sectors in order to provide employment to people.

On the particular rights of the seafarers, Mr. Roger Cordero of MARINO/ MMOA believes that the law should protect the migrants, but sometimes, the law works against the interest of the seafarers. For example, the rules and regulations governing sea-based workers have a clause that says that seafarers will not be compensated for accident or death if this is proven not work-related. They lobbied for the removal of the clause to no avail.

Government Views and Responses

Administrator Dimzon of OWWA stated that the protection of migrants and their families is held paramount by the institution. They ensure protection throughout the different stages of migration—i.e. pre-departure, on-site and return. She stated that migrants should be protected from rights violation and abuses, and their freedoms should be protected, in both the country of origin as well as in the country of destination. She also said that migrants create vulnerabilities for themselves. These vulnerabilities come in the form of money offered to them, loans that result in huge debts, and other circumstances that lead them to disregard their safety and/or health.

She stated that Philippine laws, state policies, programs, and structures are enough to protect the migrants from these vulnerabilities. She said that the Philippines has overseas employment programs, institutions, as well as legal and policy frameworks in place. As such, she argues that perhaps what is needed is to reform these policies and structures.

She added that:

“We should continue to push for bilateral and multilateral agreements, address seriously irregular migration brought about by human trafficking and illegal recruitment; selective deployment, not just in terms of countries of destination, but more so in terms of foreign employers. And so far as being selective of the foreign employers, this is truly a tall order for POEA and the labor attaches who have to verify carefully the employers who hire our workers”. The highlight of her message is empowerment.

Protection means empowering the migrant worker through education and information and by equipping her or him with the proper skills for the job. Education is the best protection because a well-informed individual or migrant worker is a better protected worker. We need to protect the migrant worker to help her/him optimize the gains and benefits of overseas employment and minimize the risk and social cost that impact on the families left behind and that he or she is able to achieve the objectives she/ he has set for herself/ himself and for her/ his family.

Deputy Administrator Liberty Casco of the POEA (Philippine Overseas Employment Administration) believes that “Protection should be a collaborative effort that comes from the national and international level, which includes national programs, recruiters, countries of destinations and the OFWs. The latter should be empowered to fight for their rights and to become responsible citizens so that they can take preventive measures to protect themselves”.

She concedes that migration is a complex phenomenon and protection measures should address the complexities of the phenomenon. For her, there are different needs

at different stages of the migration process, but beyond this, vulnerabilities differ with age, skills, and nature of their jobs. Female and unskilled labor is most vulnerable, and so are household workers who work closely with their employers, and of course, the entertainers.

Mr. Maynard Maleon of the Department of Foreign Affairs, Office of the Undersecretary for Migrant Workers Affairs (OUMWA) believes that the Philippines government has already done much by way of protection and most of the problems that migrant workers encounter are beyond government control. He said that there should be an emphasis on a mentality shift. He explained that migrants go to countries which are not safe and this increases their chances of being trafficked and illegally recruited. He said, “They know they are being trafficked. They know they will not end up in Europe. You cannot stretch the argument to say that it’s the government’s fault because of poverty. OFWs and relatives should protect themselves.”

He said that if warnings are not heeded, the next step of protecting the migrants becomes reactionary.

The Commission on Filipinos Overseas (CFO) whose mandate does not include temporary migrant workers also had something to say about protection. CFO Executive Director Mary Grace Tirona said that it is important for the Philippines to understand the cultural nuances of receiving countries so as to better protect migrant workers.

For her, the existing responses will never be enough, as the numbers of migrants keep growing and the challenges become more complex and ever changing. She stressed the need to come up with new techniques to cope with such challenges. A multi-stakeholder approach is something that the Philippines can look into as regards protection of migrants, she remarked.

Also from CFO, Ms. Ivy Miravalles reiterated the need for financial literacy. She remarked that “migrants should have protection from lack of financial education. By enabling them to plan properly, they will know how to manage their money to expand their options.”

The representative of the Office of Representative Walden Bello, Ms. Sabrina Gacad, had a slightly different opinion on the matter of financial literacy: “We need to be sensitive towards the migrant’s liberty to spend their hard earned money, since they are working so hard.” Ms. Gacad believes that there should be pilot testing programs on how to spend and save; programs that explore cooperation with local governments, or NGOs.

Also from the Office of AKBAYAN Representative Bello, Ms. Kit Melgar said that local employment is the best protection and that families must be integrated into the policies, programs and consultations pertinent to migrants. She said there should be

cohesion of government agencies in terms of giving protection to our OFWs. She points out that there should be a coordinating body for various initiatives. At the same time, she, along with the rest of the RTD participants, posed and asked if this would mean that export labor would be recognized as national policy.

Finally, Ms. Josephine Tobia of OWWA said that OWWA has thirty-six posts and has been trying to improve services for OFW communities. “There is a need to strictly implement RA 10022, wherein other agents can be asked to be vigilant about this, such as media and civil society.”

Ms. Tobia also clarified the nature of institutions mentioned throughout the RTD and their particular mandates, which hints at the complexity of the task of protecting migrant workers abroad. This is shown in the table below. She assured that these agencies do not close “ears nor doors” to recommendations, whichever form they take.

Mandates of Government Institutions Involved in Migration

Agency	Mandate
POEA	Regulatory
OWWA	Welfare Assistance
DFA	Foreign Affairs and Assistance to Nationals
TESDA	Training
NRCO	Reintegration Program

Synthesis

Figure 1

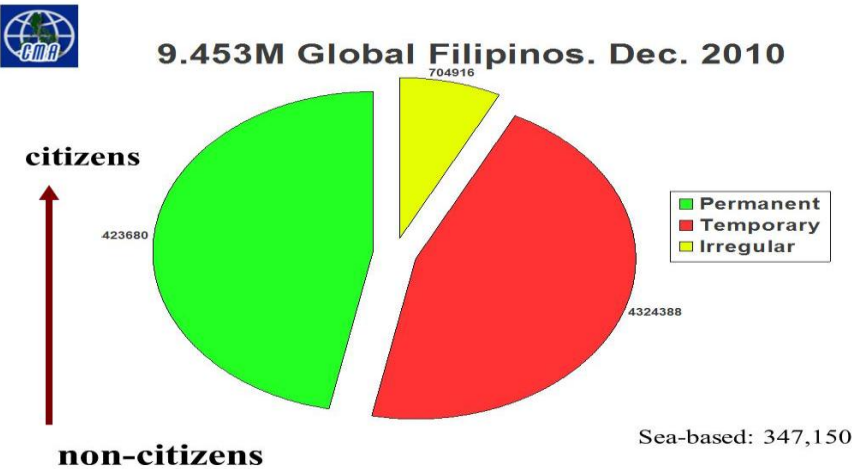
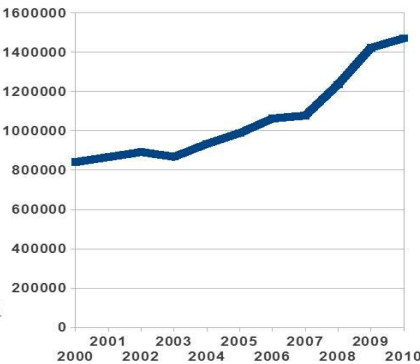


Figure 2



Total Deployment:

- 1975-1985: 2.3M
- 1986-1992: 3.9M
- 2010 Rehires: 70%
- ME: 61%
- 28% HSW (new hires)
- More women than men
- 4,029 OFs/day



Source: POEA

Figure 3



Deployment by Gender & Skills, New Hires, 2010

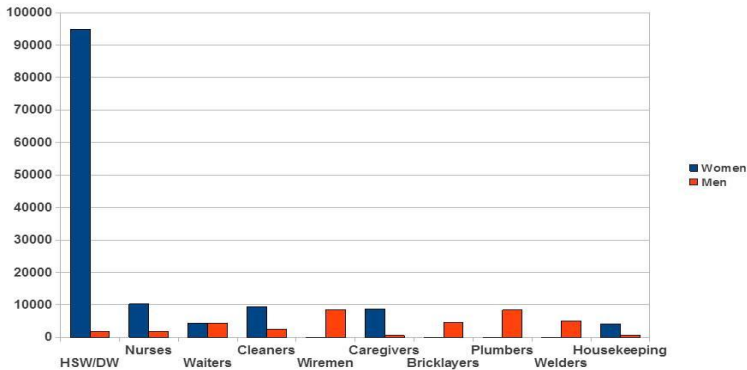


Figure 4



Occupations of Migrants (NSCB, May 2012)

76% --laborers and low skilled (trade & related works, service workers, shop & market sales workers, plant & machine operators & assemblers

10% - Professionals, technicians and associate professionals

Women migrants are predominantly working as domestic workers, clerks, service workers, shop & market sales workers

The Meaning of Protection

Many participants in the RTD affirmed that the idea that protection includes the migrants, their families, and their communities. They also affirmed that this idea has already been incorporated in international conventions such as the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. They stressed the need for social security and social protection, particularly upon the return of the migrants and in terms of financial literacy. This is also stated in the Universal Declaration of Human Rights and ILO Convention 102. This is especially true for female migrant workers who are vulnerable or precarious in both the Philippines and in the country of destination. In the RTD protection was understood to mean not just empowering migrant workers by giving them access to information and services throughout the migration cycle but, more importantly, addressing key structural issues that have kept the Philippine state in a continuous cycle of labor migration.

Existing Institutional Arrangements



The Philippines seems to have the full complement of agencies and policies to respond to migrant workers’ needs, but the growth of the sector requires more thought in terms of the actual effectiveness and efficiency of the now complex set of agencies and structures set up to initiate, facilitate, and coordinate labor migration. Among reforms that are sought are oversight bodies or increased coordination among relevant government departments and agencies, improvements in the delivery of existing services, with an eye on family welfare issues. One frequently mentioned reform

concerns the role that local governments should play, particularly after the passage of RA 10022. The protection of the growing migrant sector requires pro-active and timely action as well as adequate allocation of human and material resources, in the different stages of migration and by the different government agencies involved. Special focus must be given to onsite services, as the government must keep abreast of changing conditions in areas where there are high concentrations of Filipino migrant workers.

What Needs to be Done



The RTD also introduced new actors and new paradigms to navigating the contentious terrain that protection of Filipinos overseas requires. These include exploring the idea of universal citizenship and human rights, addressing interlocking local, national, transnational, and global constituencies, and a renewed interest in developing the domestic economy as a response to the challenges of migration.

Recommendations for Policy and Action



Many of the recommendations are towards strengthening social protection, but stakeholders and government officials also took the opportunity to project forward and look at broader issues of migration and development, the overall theme of the three RTDs. These proposals require a focus on long term planning to ensure enhanced protection and continued support for migrant workers and their families. There is a need to continue to push for bilateral and multilateral agreements that will protect the human and labor rights of migrants and their families, giving priority to countries of destination with high concentration of OFWs or with high concentration of OFWs in vulnerable and precarious occupations such as domestic workers and caregivers. Overall, there is a need to address the following categories:

- Participation of migrant and women groups in crafting social policies
- Governments of the Philippines and the destination countries should allocate adequate and timely material and financial resources to fulfill this mandate
- At the sub-regional level, the Philippine government must continue to take the lead in aggressively advocating that the ASEAN adopt as soon as possible a binding ASEAN instrument of protection for migrant workers in ASEAN which should include among others a set of standards for wages, protocols for women and migrant access to health care, regardless of migrant status. This is in line with the 2007 ASEAN Declaration on the Promotion and Protection of the Rights of Migrant Workers.
- For OWWA : mechanisms of transparency and audit
- Revisit the status of data on illegal recruitment
- Close monitoring/spot checking/ inspection of the offices of recruiters
- Improve on-site access to justice
- Transit destinations should also be engaged in the migration process to curb trafficking
- Use of more culturally sensitive approaches to protection of migrant workers
- Compliance in signed conventions, multilateral and bilateral agreements
- In the pending Magna Carta for seafarers bill, keep the clause for compensation in case of accident/death
- Address seriously irregular migration brought about by illegal recruitment and human trafficking through ways that promote legal migration (opening

more widely the options for legal and safe migration; support programs for victims and survivors)

- For DFA : orientation towards protection and enjoining OFW participation in matters that affect them Government should formulate an exit strategy so that migrants who choose to no longer work abroad can have opportunities available for them at home.
- Remittance system should be more systematic and integrated into local planning and directions.
- Improve opportunities at home in light of increasing remittances at the expense of a much weakened agricultural base
- Increase LGU and community based efforts in addressing the concerns of migrants and their families
- Develop, promote, undertake financial literacy programs and services to migrants; promote social enterprise among migrants to prepare them for eventual reintegration.
- Information about and access to benefits should be made available effectively
- Improve access to and develop better financial services for women migrants and women left behind so they can better manage their finances and other resources
- Increase spending on social services, particularly those targeted towards migrant workers and their families. Engage in multi-stakeholder campaigns to do so.

Programme

11.30 Arrival and Registration

12.00 Lunch and Paper Presentation

Hon. Walden Bello, Chair, House Committee on Overseas Workers' Affairs

1.00 Welcome remarks

Dr. Filomeno Aguilar, Dean, School of Social Sciences, ADMU

Ms. Anne-Helene Vasudevan, Programme Officer, Friedrich-Ebert-Stiftung (FES)

1.20 Introduction to the RTD

Ms. Ellene A. Sana, Executive Director of CMA

2.00 Round One – Initial Responses from the “Sectors”

2.40 Synthesis of Round 1

Dr. Melissa Lao, WGM- ADMU

3.00 Round 2 (Open Discussions to answer the guide questions)

3.30 (Snacks are served; RTD continues)

4.30 Final Synthesis and Closing Remarks

Ms. Carmel Abao, WGM-ADMU

RTD Facilitator: Ellene A. Sana, CMA

PART 2

MIGRATION FOR DEVELOPMENT

The link between migration and development, particularly migration *for development*, has been hailed by some quarters as the “new development mantra” (Kapur 2004). It is considered “new” because in the past, attention was focused on the effects of development *on* migration rather than the other way around. This new mantra argued that migration -- primarily through remittances -- could impact positively not just on migrant-dependent households but even on entire communities and nations. Non-migrants, thus, could also benefit from migration.

In the Philippine context, the “old” mantra focused on managing migration, including expanding state relations with developed, migrant-receiving countries for the purpose of securing safe entry of Filipinos into the foreign labor markets. The new mantra thus presents a level of controversy because since the 1970s when overseas deployment was first pursued by the Marcos administration, migration has always been viewed as a temporary measure to curb unemployment. To this day, state policy is categorical that “while recognizing the significant contribution of Filipino migrant workers to the national economy through their foreign exchange remittance, the State does not promote overseas employment as a means to sustain economic growth and achieve national development” (Section 2 of RA 8042).

In practice, however, the Philippine government has been actively assisting, if not promoting the deployment of Filipino workers abroad. Since the 1970s, the number of Filipinos deployed abroad has increased tremendously and this sharp increase is testament to the Philippine government’s active participation in the outmigration of Filipinos.

The new mantra, thus, represents a virtual, if not already an actual shift in state policy and raises some fundamental questions: *As a matter of state policy, should migration be considered as a development strategy rather than as a temporary measure to solve the country’s unemployment problem? In what specific ways and to what extent can migration contribute to Philippine development? What are the advantages and disadvantages of such a development strategy? Do the advantages outweigh the disadvantages? What are the requirements for such strategy to work?*

The foregoing questions were central to the roundtable discussion (RTD) held July 27, 2012 organized by the CMA, the WGM and the FES. Gathered during this RTD were representatives of various organizations concerned with these questions: migrant advocacy and development NGOs, recruitment agencies, international organizations such as the ADB, the academe, and, government agencies. Prior to the RTD, the following questions were fielded to the participants:

1. What is your analysis of the role of migration in Philippine development? Do you think it contributes or hampers Philippine development?
2. What are the motivations and incentives for migrants to contribute to development?
3. How does your sector contribute to Philippine development? What else can you sector do for Philippine development?
4. Do you have any other recommendations in this area (e.g. actors that should be involved, conditions that should be fulfilled, policies that should be undertaken or changed).

This section presents the exchange of responses of various stakeholders to the abovementioned questions during the FES-CMA-WGM ADMU-organized roundtable. It is divided into four major parts. The first part outlines important premises or starting points that were widely accepted by all stakeholders present in the RTD. The second part highlights the issues and concerns that needed to be subjected to further discussion and consensus building. The third part discusses the approaches, actions and recommendations of the various stakeholders. These are recommendations derived mainly from the RTD participants. This part also contains some ideas reached by CMA and WGM in the course of processing the results of RTD 2.

This section is heavily sourced from the minutes of the RTD 2. At least two scholars have also been thrown into the text, namely, Kapur, R (2004) for his paper “Remittances: The New Development Mantra”, found in *G24 Discussion Paper Series*, published by the United Nations Conference on Trade and Development, and de Haas (2008), for his paper “Migration and Development: A Theoretical Development”, found in *Working Papers, Paper No. 9*, and published by the *International Migration Institute, University of Oxford*. Facts and figures were also obtained from the official websites of pertinent Philippine government agencies such as the POEA, NEDA, BSP and NSO.

Starting Points: Broad Consensus

Migration, Remittances and Anti-Poverty

There is hardly any debate that migration contributes to alleviating poverty by way of remittances. According to Dr. Fernando Aldaba of the Ateneo de Manila Economics Department, remittances “do a lot for the family and the economy itself”. Income from remittances allows families to send children to better schools and have better health services. For Aldaba, these investments in human capital are very important for the economy. Moreover, Aldaba asserts, remittances increase the demand for certain goods and services that boost the domestic economy. Migrants, thus, can and do engage in productive investments. A lot of condominiums, for example, are being constructed because of the demand from OFWs. For Aldaba, such development looms well for the real estate sector and the same can be said of other sectors such as telecommunications, retail trade and tourism. The impact of “brain gain” is also important. According to Aldaba, “skills gained and work experience in developed markets will help companies in the country”.

In the words of Mr. Loreto Soriano of LBS-E Recruitment Solutions, “everybody accepts that OFWs go overseas for work to be able to provide a better living for their families. What people don’t realize is that progressively, OFW remittances have become the most important input of the Philippine economy”.

According to Ms. Joy Chavez of Focus on the Global South, “the significance of migration in Philippine economic life is unmistakable” and that there is ample evidence to defend this observation. In 2011, overseas Filipinos remitted US \$20 billion representing more than 9 percent of the country’s GDP. Moreover, Chavez cites the World Bank declaration that without said remittances, headcount poverty in the country would have increased by between 3 and 10 percentage points.

Remittances are positive contributions to Filipino families and the Philippine economy also because remittance flows have been steady despite external shocks such as global financial crises. The volume of remittances has been increasing each year (Bangko Sentral ng Pilipinas). From 1990 to 2003, remittances reached over sixty two billion dollars and since then, remittances have grown steadily. Table 1 below shows that remittances were not affected negatively by the 2008 global recession; remittances in fact grew from sixteen billion dollars in 2008 to seventeen billion dollars in 2009 and have since been rising. Moreover, Table 1 shows that remittances are the second biggest source of financial flows, next to foreign direct investment (NSCB). The proposition thus that remittances are a reliable financial source is true in the case of the Philippines.

Remittance versus FDI and ODA, year 2011, in USD Billion

<i>FDI</i>	256.1
<i>Remittances</i>	20.1
<i>ODA</i>	1.67

Source: <http://www.nscb.gov.ph/>

Moreover, according to Chavez, in 2011, had the 2.2 million overseas Filipino workers deployed stayed in the country, the total number of unemployed would have ballooned to five million and unemployment would have increased from 7.2 percent to 7.9 percent. The productive cohort of 25-34 age range accounted for 46 percent of the total number of OFWs in 2011. Domestically, for the same year, this age range captured merely 28 percent of total employment. Migration clearly contributes to development by way of providing much-needed jobs for Filipinos. The youth are also greatly benefited by migration.

Indeed, the benefits of remittances are visible in all migrant-sending countries. Devesh Kapur (2004) who coined the term “new development mantra” recognizes that remittances have several merits. Firstly, remittances have become an important source of external development finance. Remittances have not only increased in absolute terms, they have also risen relative to other sources of external funds. At a global scale, in 2001, “the total volume of remittances to developing countries ... was \$72.3 billion, nearly one and half times net official development aid or ODA in that year (\$ fifty-two billion) and almost half net private flows (FDI plus debt flows) of nearly \$153 billion. Secondly, Kapur asserts that remittances are the least vulnerable to external shocks such as financial crises or political turmoil. Kapur bolsters this proposition by citing the example of Ecuador that experienced a severe economic crisis in the 1990s resulting in massive outmigration. This outmigration and the remittances it brought to Ecuador was said to have saved the country from economic collapse. Thirdly, for Kapur, the most distinct character of remittances is that it is “unrequited”. Unlike private sector funds or ODA, these remittances do not impose claims and thus serve as valuable sources of “social insurance”. Fourthly, because remittances are directly channeled to receiving households, they are less likely to get in bureaucracies.

For Kapur, the effects of remittances on development are “complex” and depend on a number of factors such as “the characteristics of migrants, the households they leave behind, their motivations, and the overall economic environment”. Kapur argues that the direct benefits of remittances are most clear in terms of alleviating transient poverty; that is, remittances serve as income and social insurance for the beneficiaries of the remittances. Moreover, remittances finance consumption, land and housing purchases as well as capital investments and it is in this way that remittance are able to impact on longer-term economic development. Kapur has observed that in some

cases, such as the case of Hispanic immigrants in the United States financing public works and livelihood projects through hometown associations, migrants have pooled resources for more public (i.e. non-household) purposes.

Among scholars and development practitioners, Mexico is an oft-cited and celebrated case because of the practice of migrants – through hometown associations (HTAs) -- of donating to their communities-of-origin and not just to their families. The Mexican case is instructive because of Mexico's characteristic as a developing country with a long history of migration. Roughly 40 percent of Mexico's population remain poor -- forty-five million out of the 105 million population are considered poor and ten million are considered to be extremely poor (Merz2005). Migrant donations, thus, are seen as crucial financial resources that contribute to much-needed development in Mexico.

Migrant remittances to Mexico are substantial. Estimated at sixteen billion dollars annually, these remittances exceed flows of foreign direct investment and overseas development aid into the country (Merz 2005). They represent a “new pattern of philanthropic giving” whereby not just the rich countries contribute to the poor countries, rather, erstwhile poor community members contribute to their poor communities.

According to Burgess (2005), Mexican migrants living in the United States have a long history of investing in their home countries but these were done largely through individuals or informal groups. It was only in the late 1980s that these migrant groups evolved into philanthropic organizations. Since then, these organizations have proliferated and as of 2003, more than six hundred HTAs from thirty U.S cities have registered with the Mexican Foreign Relations Ministry. These HTAs are usually led and managed by around ten people that spearhead and organize fund-raising activities for various projects. The variety of projects in communities-of-origin includes education and health, infrastructure, church and cemetery renovation, recreation, town beautification, and economic investment. Project implementation is usually done with counterparts in the hometown -- relatives of migrants and local (state and municipal) government units.

To a very large measure, the proliferation of Mexican HTAs can be attributed to state intervention (Burgess 2005). In 1983, the Mexican government launched a program to provide incentives for the formation of HTAs, particularly at the state level. In the state of Zacatecas, this involved the state government matching every peso that HTA's would contribute to communities-of-origin. Called the Programa para los Zacatecanos Ausentes or Program for Absent Zacatecanos, this initiative produced only twenty-eight projects between 1986 and 1992 but served as the model for succeeding similar programs (Zamora 2005).

In 1995, the federal government established a national program called the Tres Por Uno or Two-for-One Program where every peso invested by an HTA was matched

with one peso from the federal government and one peso from the state government. Almost a decade later, in 2002, the government improved on this program and created the Tres Por Uno or Three-for-One Program where every peso from an HTA was matched at all levels of governments: federal government, state government and local government. Administered by the Ministry of Social Development or Sedesol, the program has since been enhanced with even more contributions from traditional philanthropic institutions and private sector entities (Burgess 2005).

The Mexican case shows that programs like Tres Por Uno have clear advantages: they contribute to economic development of communities-of-origin including the “underserved” parts of their communities as well as to the political development of these communities particularly in developing accountability mechanisms, reducing losses due to corruption and ensuring that governments cooperate with non-state actors (Burgess 2005; Zamora 2005).

Jobless Growth

Another point of broad consensus is that the Philippine economy is not large enough to absorb Filipino workers. According to Chavez, in the “past four decades that labor export has emerged, developed and evolved, so has the Philippine economy”. Said development, however, has been characterized by stagnation rather than growth. This fact is best revealed by the steady slowing down of Philippine manufacturing, which, according to Chavez, has stagnated from 25.72 percent of GDP in the 1970s down to 22.94 percent in 2000-2004. Moreover, industry growth dwindled to less than half of its 1970 performance of 7.9 percent, down to 3.2 percent in 2001-2006. Industry share in GDP growth likewise shrunk from 50 percent in the 1970s to 23 percent in 2001-2006.

According to Chavez, a recent BSP study shows that while increase in remittances may sound encouraging, it does, in fact, lead to “a decline in export growth and a significant appreciation of the nominal exchange rate. It also fuels consumption more than it energizes investment; and creates inflationary pressures”.

This decline in export growth has been confirmed by the National Statistics Office (NSO) which has reported that merchandise exports from the Philippines declined by 9.0 percent from US \$4.2 billion in August 2011 to US \$3.8 billion this August 2012 (NEDA 2012). According to NEDA, this was due to lower overseas sales of minerals (-62.4 percent), total agro-based products (-43.7 percent), manufactures (-1.3 percent), petroleum (-99.7 percent) and forest products (-49.8 percent). Still according to NEDA, from a sustained growth since January 2012, overseas sales of manufactured slightly fell by 1.3 percent in August 2012. This decline, NEDA explains, is reflective of the “steeper-than-expected downturn in global manufacturing as a result of declining levels of new businesses and excess capacity”.

GDP and GNP figures, meanwhile, reveal that the Philippine economy has been quite resilient despite the 2007 global recession, with the 2010 figures -- 7.2 percent GNP and 7.3 percent GDP -- posting the highest growth rates in the past ten-year period (NEDA).

The unemployment/underemployment picture in the country has not been as encouraging as the growth figures. Since the 2008 recession, unemployment rates have been within the range of 7.3 to 7.7 percent while underemployment rates have remained within the range of 18.2 to 19.4 percent.

All of these figures point to the fact that Philippine economic growth can be aptly characterized as “jobless growth”. Moreover, in 2010, the Philippines posted a growth rate of 7.3 percent, a respectable rate even by international standards. Alongside this growth, some 2.9 million Filipinos were unemployed while 6.8 million were underemployed or were employed but seeking additional work. Moreover, roughly nine million Filipinos were working abroad and not in the country. There has been growth in the country, but this growth has not been accompanied with job opportunities for Filipinos.

“Jobless growth” is a relatively new term, emerging only in the 1990s when a number of international organizations began using it (Islam 2010). The UNDP 1993 Human Development Report used the term to describe a “new phenomenon” found in both developing and developed countries where “even when outputs increase, increase in employment lags behind” (36). According to the report, in the period between 1960-1973, GDP growth in developing countries was somewhere between 4 to 5 percent but “employment grew only half as much” (Ibid). Informal employment -- non-regular and low-wage work - also became more prevalent than formal employment in these developing countries. Meanwhile, in the developed countries, between 1973 and 1987, industrial output grew at a “respectable rate” but employment figures declined. This report, which was part of the Chapter entitled “Peoples and Markets” argued that in the context of the end of the Cold War, the challenge was how to make markets more people-friendly, given that the free market mechanism provided the most efficient way to “unleash human creativity and entrepreneurial ability” but was geared towards more “impersonal matching” between buyers and sellers (Ibid 1). The report, thus, conceded that the market alone could not give due attention to concerns around employment or the lack thereof.

In 1996, the UNDP HDR Report again used the term jobless growth but did not specify to what extent employment had to lag behind growth to merit the term (Islam 2010). Also around this time, in 1995, the journal *Economic and National Weekly*, used the term as a title for its article regarding a 1994 UNCTAD report that revealed that while world trade rose by 9 percent and developed countries showed high growth levels, unemployment levels were very high and “showed no signs of declining” (*Economic and Political Weekly*).

The International Labor Organization (ILO) also uses the term “jobless growth” and has, in fact, done so in a more extensive manner in recent years. In the ILO World Employment Report of 2005, the ILO mentioned the term in the context of high unemployment rates in the United States since the 2001 recession – amidst and despite its economic recovery (Islam 11). In October 2006, ILO Director-General Juan Somavia declared that there was a “global jobs crisis” and that “despite four years of very respectable growth worldwide, we are not really eating into the global decent work deficit. We need to tackle head on this disconnect between economic and employment growth” (ILO Belarus). At the time, “global GDP grew by more than 4 percent” but global unemployment rate had remained unchanged for two years at 6.3 percent (Ibid). Somavia called for a “global response” to this situation of global jobless growth. Three years earlier, in 2003, the Governing Body of the ILO adopted a “Global Employment Agenda” (GEA) that sought an “integrated approach to employment policies” (Salazar-Xirinachs). This GEA served to crystallize an even earlier consensus of the UN General Assembly – in 2000 -- for the UN to craft a “coordinated employment agenda” and for the ILO to convene a world employment forum in the following year. By the year 2006, however, the facts remained discouraging: (i) for the industrial sector, gains in productivity stood at 72 percent while gains in employment was only 28 percent, and (ii) for the agricultural sector, gains in productivity stood at 60 percent while gains in employment was only 40 percent (Ibid). Only the services sector presented labor-intensive growth (Ibid).

The global jobs crisis was exacerbated by and the term jobless growth gained even more credence with the 2007 global recession. In 2008, the International Monetary Fund (IMF) and the ILO jointly reported that globally, around 210 million people were jobless, an increase of thirty million unemployed since 2007 (ILO-IMF). Moreover, the report revealed that three-fourths of these newly unemployed were located in developed countries, and that in the United States where the recession originated, 7.5 million workers lost their jobs (Ibid). Still more alarming was the state of “long-term unemployment” in the United States: “nearly one in every two unemployed people had been out of work for twenty-seven weeks or more” (Ibid).

Moreover, the picture of unemployment is not complete without linking it to the picture of poverty in the country. It is often thought that this link is direct (i.e. the poor are the unemployed) but in the Philippine case, according to the Philippine Human Development Report of 2002, the poor in the Philippines “cannot afford to be unemployed” and “must rest content with whatever jobs they can find or provide themselves” (Philippine HDR 2002). Thus, it is not only the lack of jobs that needs to be probed but also the “quality of jobs”. Some have called this “the hidden job crisis” because it is not always obvious based on employment-unemployment statistics or on growth statistics (Landingin 2009). As one writer puts it, “the government is reporting just a small number of jobs lost as the Philippine economy slows down, but the impact on workers’ lives is devastating” (Ibid).

The devastation is actually visible. Just in recent weeks, the coming home of three

more OFWs in boxes, after having been executed in China for drug trafficking, hogged the headlines of all major newspapers and broadcast media – for all to see. The return of OFWs from the troubled Middle East, as well as the resistance of some OFWs to come home despite the crisis, also made headlines. Even those who are working in the so-called “sunshine industry” of call centers have had their share of sob stories: because of graveyard shifts, “on average full time agents stay in a call center for a brief twenty-two months, while part-time agents stay for an even shorter ten months” (Pascual 2009a). Perhaps, what is not so visible is the public outrage over such situations. There are mass protests every now and then but these are staged largely by militant groups and do not necessarily signal the support of the general public.

Another writer has also said that the Philippines has become a “nation of casuals”, and rightly so (Pascual 2009b). The manufacturing and wholesale and retail industries employ the “biggest number of non-regulars, 316,000 and 132,000, respectively” (Ibid). On the average, a casual worker works for 71 days out of a possible 91 days (Ibid). Moreover, a casual worker has to have initial resources to do this kind of work. To become a delivery worker for a fast food chain, for instance, one may need to have his or her own motorcycle (Ibid). Needless to say, the pay for casual work is a pittance, often at an hourly or piece rate. Aside from not having regular or standard wages, they also do not enjoy social security benefits accorded to regular workers under Philippine labor laws.

Finally, one has to look at the “quality of workers” as well. As mentioned above, the large chunk of Filipino workers are unskilled. Even BPOs who require a higher educational attainment level have complained that “only five out of 100 applicants possess the skills sought by call centers, chief of which is minimum English proficiency”. This complaint is not hard to believe. One only need look at statistics on education in the country to understand that indeed there are many problems in this regard. Even high school graduates are supposed to exhibit proficiency in English but according to one study, only 6.8 percent of senior high school students pass the National Achievement Test in English (PIDS 2009). Moreover, the lack of proficiency in English may not be the most pressing problem for Filipino students – the potential workers. The fact that so many Filipino youth are not in school is more daunting: out of 100 children who enter grade 1, only forty-two will graduate from high school (Ibid).

Policy Environment under President Benigno Aquino

As mentioned at the start, state policy, as per R.A 8042 passed in 1995 did not explicitly promote labor export. This very same law also stipulated that “the State shall continuously create local employment opportunities and promote the equitable distribution of wealth and the benefits of development (Section 2 c).

The law's lack of definitiveness, however, has been mitigated by RA 10022, which replaced it in 2010 as the Magna Carat for Overseas Filipino Workers. This new law recognizes that "the most effective tool for empowerment is the possession of skills by migrant workers. The government shall provide them with free and accessible skills development and enhancement programs. Pursuant to this and as soon as practicable, the government shall deploy and/or allow the deployment ONLY of skilled Filipino workers." RA 10022 did not replace all the provisions of RA 8042. Seventeen sections of the old law have been retained.

State policy further promotes the deployment of skilled workers with its "Incentives to Professionals and Other highly-Skilled Filipinos Abroad", found in Section 31 of RA 8042. This section states that "Pursuant to the objective of encouraging professionals and other highly-skilled Filipinos abroad, especially in the field of science and technology to participate in, and contribute to national development, the government shall provide proper and adequate incentives and programs so as to secure their services in priority development areas of the public and private sectors".

Meanwhile, the Philippine Development Plan (PDP) 2011-2016 contains sixty migration-related provisions inserted into the text of seven out of nine chapters. According to Ellene Sana (CMA), this is a marked improvement from previous development plans that discussed international migration in a very limited way.

PDP 2011-2016 and its migration-related contents articulate President Aquino's "social contract with the people". Item number ten of the said contract states "From a government that treats its people as an export commodity and a means to earn foreign exchange, disregarding the social cost to Filipino families, to a government that creates jobs at home so that working abroad will be a choice rather than a necessity; and when its citizens do choose to become OFWs, their welfare and protection will still be the government's priority."

According to USEC Tirona, the CFO mission-vision is yet another articulation of the social contract. The CFO envisions "a community of well-respected and proudly competitive Filipinos overseas who contribute significantly to the productivity and well-being of the countries where they reside or work while maintaining strong political, economic and cultural ties with the Philippines" (CFO 2012).

The current state policy environment, therefore, recognizes the transnational character of migration and reflects the broad consensus that Filipinos overseas contribute to both the Philippines and migrant-receiving countries, and that there is work to be done on both ends.

Issues and Concerns

Prior Questions: What kind of development? How to develop?

Mr. Rex Varona of Migrant Forum Asia (MFA) was the first to raise the question of what kind of development people want during the roundtable discussion. Mr. Varona, for one, adheres to the UN definition that says “the right to development is a basic human right. It is people-centered based on sustainability, people, and growth”. Moreover, according to Varona, the said definition necessitates that “remittances are not development”. Varona, thus, is criticizing what he sees as a heavy reliance on remittances and on the labor of overseas Filipinos for income and growth domestically. For him, the best that remittances can do is to reduce poverty but these are not likely to redound to economic growth.

Varona’s question raises a fundamental, highly controversial issue: should the country’s development be placed on the shoulders of OFWs and OFs? By asserting that “remittances are not development”, Varona is intimating that development should not rely on OFWs or OFs as drivers of development.

For Chavez, “the task of rebuilding the economy is a big task that should not fall on the shoulders of OFWs who already give their share”. Besides, it might not be too easy to transform OFWs from consumers to investors. Chavez articulates two extremes: on the one hand, the call for complete stoppage of labor export, and, on the other hand, the task of simply harnessing the status quo so that “migrant workers can be good financial managers”. The former call is not very practical, according to Chavez, as reversal cannot be done overnight. Economic structures that have evolved in the four decades that migration has developed are not likely to absorb the immediate return of all OFWs. Chavez reiterates that the economy is too small. In 2007, there were only 142 firms that employ 2000 or more employees and that the average size of Philippine establishments, now numbering 784,000, was only seven employees. Still according to Chavez, the immediate stoppage of remittances will impact negatively on the country’s balance of payments, exchange rate, and, interest rates. As for the call of managing the status quo, Chavez believes that “merely teaching OFWs financial management and encouraging them to do social enterprise will not be enough to make the economy bounce significantly”.

Ms. Maya Bans Cortina of PhilComdev shares a similar view: “what kind of governance and development do we want? No doubt, remittance and migration is bringing in money, but what kind of development do we want? What is people-centered development?” According to Cortina, many migrant NGOs with activist backgrounds have been very critical of the labor export program because “historically migration has been there and has been a part of development. But when you look at migration it was of families. But what we have now are workers separated from their

families and now are more vulnerable to exploitation. In the end, the labor-receiving countries benefit more”. Cortina further raises the issue of the “disjoints” of initiatives of local and national government agencies and asks: “Is this the kind of governance we want”?

For Attorney Henry Rojas of the Center for Migrant Advocacy-Philippines (CMA), the question of how overseas Filipinos could participate in the development of the country is a valid question. It has to be differentiated, however, with the question of the country’s development strategy. According to Rojas, the problem of adopting migration as a development strategy is that “we are defining our role as the labor supplier of the world”. There is, Rojas posits, a “disconnect between overseas employment and genuine economic development” and that “every year, we add a few thousand more jobs [through overseas work] but every year, the economy stays the same”. Furthermore, Rojas believes that focusing on overseas work as a development strategy will “deter us from pursuing real development”.

For Sabrina Gacad of the Office of Akbayan Representative Walden Bello, that we are deeply integrated in the global economy should be a cause for concern. She sees the importance of engaging government to develop a strategy that is “more than BPO-driven, or private-driven, something that is more radical than the prescriptions of the ADB”. Gacad observes, for example, that undocumented OFWs may have been saved recently in Syria but a month later, these same OFWs still search for jobs abroad. The reality is, according to Gacad, reintegration should be a major concern because when migrants return they lose the income that they have been used to getting abroad.

Costs Versus Benefits

A related issue to the discourse on whether labor export should be stopped or simply managed is the analysis of costs vis-à-vis benefits. For Aldaba, while remittances and brain gain bring clear benefits, attendant phenomena occur alongside these. The most direct cost of migration, according to Aldaba, is the “bad contracts and bad working conditions” that OFWs may have to endure. Moreover, here at home, there is a loss of productivity owing to the Diaspora of experienced and skilled workers in certain sectors. There is also “deterioration in social capital”, adds Aldaba, as the departure of both parents often impact on family and community bonding. Moreover, Aldaba believes that there is a loss of intelligent voters as a good number of Filipinos abroad are unable to vote during Philippine elections.

There is also the phenomenon of the “Dutch disease”. Aptly called from the Dutch experience of too much dependence on oil, the concern here is that migration, through over-reliance on remittances, actually causes the problem of underdevelopment as concerned governments turn complacent and foregoes the work of developing the

domestic economy. For Aldaba, while the surge of remittances of OFWs and OFs have developed the service sector, industry and manufacturing have been neglected over the years.

This “dutch disease” was also raised by Loreto Soriano and Ms. Ediza Pumarada of the Scalabrini Lay Association. Citing the work of Pernia (2008), Soriano claims that remittances have “spoiled successive administrations for they have allowed them to avoid hard reforms and potentially unpopular decisions. Likewise, according to Pumarada, the government “is not motivated to create stable jobs in the Philippines because the remittances we get more than suffice than those we get from local industries”.

Indeed, even Kapur (2004) who has highlighted the benefits of migration through remittances has revealed his skepticism. He is quick to cite the reality that remittances do not impact the poorest of the poor as migrants do not often come from this section of society. Kapur even questions whether or not the Mexican case actually redounds to economic opportunities for Mexico and posits that it could simply be “subsidizing” future migration. For Kapur, there exists a “duality” of greater wealth but fewer economic opportunities for those left behind. In other words, Kapur is concerned that remittances-for-development may not redound to job creation in the sending countries, even among households and communities that receive remittances. In fact, for Kapur, what is “worth reflecting” is the impact of the “less visible, non-quantifiable and intangible remittances -- namely social remittances or the flow of ideas” on the development of sending countries.

For de Haas (2005), the “euphoria” over remittances may be “overly optimistic”. De Haas points out that the international migrant population is, in fact, small – only 3 percent of the world’s population – and that remittances, in 2001, was only 1.3 percent, a small fraction, of the total GDP of all developing countries. He concedes, however, that remittances are an “ideal form of bottom up development finance” and prefer this to development aid or foreign direct investments that are more volatile and dependent on many political and economic factors. He also concedes that international migration is irreversible and so governments should abandon “stay-at-home policies” and instead work to secure the legal status and the protection of rights of their migrants.

Political or Economic Role?

For Varona, OFWs can contribute more to Philippine development through political participation rather than through remittances. This is why Varona disagrees with the state’s preoccupation with upgrading migrants’ skills. Varona believes that mobilizing and politicizing migrants have more impact as evidenced by the successful advocacy of migrant groups, NGOs, and labor movements for the ratification of ILO

Convention 189 that recognizes domestic work as “work”. Besides, according to Varona, remittances now comprise only about 10 percent of GDP and therefore, “if one relies on remittances for change, it (development) will never happen”.

Ms. Padilla also talked about this particular issue based on her experience as a Filipino living abroad in the Netherlands. Her comments during the RTD are worth quoting herein:

No matter how long you’ve been away, the Philippines will be in the heart. The moment you go abroad and stay there longer the stronger your Filipino identity. I will speak from the perspective of overseas Filipinos. Even without government initiatives we are ourselves organizing in Europe. There is more to development than remittances, such as social remittances and politics. Being away so long changes our attitude of politics. We are very strong in political participation. I think that is one potential for sustainable development in the Philippines. I think the government has a role to define that. We ourselves from overseas have already defined our role.

Gender Perspective

That more women migrants now compose the stock of Filipino OFWs should be considered in the discourse on migration and development. According to Soriano, “female OFWs dominate overseas migration, approximately 63 percent of total deployed in the last ten years” and that “the mostly-female vulnerable sectors of the OFW population that has been expanding in great pace for the past decade despite of volume-control policies introduced by POEA and DOLE -- the service workers”. For Soriano, female OFWs on the rise is a pressing sector because the “service sector” that most of them are involved in -- household work, entertainment, factory work -- are often outside government regulated channels of deployment. The rise of women workers, he says, reflects the “true state of available local jobs and our macro-economy”.

Varona shares Soriano’s observation and posits that between 1992 and 2010, women migrants compose over 60 percent of all migrants and their numbers continue to rise. Varona also argues that women OFWs should be given attention, not only because of their vulnerability but because of their contribution. The way women remit is “more consistent”, he says and remittance is “mostly directed to more productive consumption – health, education – while men tend to [spend on] televisions, etc”. Varona concedes that this observation may be a sweeping generalization but nevertheless, he believes the point needs to be raised particularly for purposes of designing the education of migrants (i.e. in financial matters).

Role of the State

During the RTD, the role of the state in terms of managing migration and protecting OFWs and OFs was articulated well especially by participating government agencies.

A number of government agencies are clearly tasked to focus on migrant-related concerns. According to USEC Tirona, the CFO has been around for thirty years and its agenda is to “push the agenda of migration and development to strengthen the community of Filipino overseas”. The CFOs concern thus is the OFs, those who are not contract workers, those who marry foreigners or Filipinos studying abroad. It envisions “a community of well-respected and proudly competitive Filipinos overseas while maintaining strong economic and political ties with the Philippines”. Moreover, according to Tirona, CFO is “mainstreaming migration and development into the Philippine development plan”.

As for POEA, Administrator Cacdac claims that the agency is “a square block in a round hole when it comes to development and migration”. The POEA, according to Cacdac is not the agency that concerns itself with what happens to OFWs in terms of earnings or remittances, rather, it has a role to play in terms of ensuring that OFWs have decent work abroad, “decent employment that is good enough to earn a living”. This is why POEA is the agency that “runs after the violators of our rules, most especially the illegal recruiters”.

The BSP, meanwhile, is in a similar situation as the POEA. According to Ruth Gonzaga, while other departments try to formulate policies for remittances, the BSP’s task is to compile data on overseas Filipino remittances. As the central bank, they are of course concerned with issues related to financial stability and payment systems. Their role, however, lies in ensuring that data and statistics on remittances are reliable. If remittances are said to be the primary benefit of migration, Gonzaga believes that the recording and analysis of these remittances should be accurate.

For Mr. Rene Nachura of CMA, the “state” should include local governments. Thus far, Nachura observes, the government and civil society have been focused on the national level. Migrants come from local communities, Nachura asserts, the families live there, the remittances go to the local communities, so, it is important that the discussion on development and migration be located more in the local communities.

Approaches, Actions and Recommendations

Maximizing Gains, Minimizing Costs

For Aldaba, there should be a “continued evaluation of the costs and benefits of migration”. Aldaba believes that while there are gains, these could also be mitigated by the costs. Benefits from migration, thus, are not automatic and should be harnessed and developed.

In terms of maximizing gains, Aldaba gave several proposals: (i) further reduce remittance costs, (ii) create financial literacy for migrants and develop attractive financial instruments for migrants and their families, (iii) develop the financial markets in the country and create attractive options of entrepreneurship for the migrants, and (iv) support migrant organizations and HTAs and offer incentives for diaspora philanthropy, return migrants and balikbayans and retirees.

In terms of minimizing costs, Aldaba suggests the following: (i) provide migrants with a full range of services – pre-departure, during employment and upon return; (ii) ensure the social protection of OFWs, such as social security, health insurance, etc, both domestically and abroad; (iii) provide OFWs with more information and access to alternative types of technologies and communication tools; (iv) conduct strategic studies on global and domestic labor markets, including services liberalization; and (v) develop more ample supply of skills in the country.

To maximize gains and minimize costs, managing migration has to be done in more efficient and creative ways. It is towards this end that pertinent government agencies have been shaping up their programs and policies.

For USEC Tirona, one of the biggest challenges of the CFO is to juxtapose/contextualize the OFW vis-à-vis nation-building. This necessitates the harnessing of Philippine values that develop self-esteem further because the development of the individual OFW or OF is likely to translate to the development of his/her family, his/her clan, and, eventually to his/her community and the nation. Tirona suggests the adoption of values like *utang na loob* and provide the necessary recognition and appreciation mechanisms for OFWs and OFs. Tirona further suggests the following: (i) privileging through leadership roles; (ii) enhancement of pre-departure, off-site, RnR assistance; (iii) understanding/addressing why they left and why they (or do not) want to return temporarily or permanently; and (iv) develop sustained communication and networking. CFO, for one, is maximizing its mandate through networking, particularly through programs such as its “Diaspora to Development” (D2D) program.

The D2D Program is the flagship program of the CFO and is composed of ten areas of engagement, namely: Alay Dunong Program (or Brain Gain Program), Arts and Culture Exchange, Balik-Turo and Education Exchanges, Business Advisory Circle, Diaspora Investment, Diaspora Philanthropy, Global Legal Assistance and Advocacy, Medical Mission Coordination, Return and Reintegration and Tourism Initiatives. The said list of areas of engagement shows that the government's plan is to go beyond remittance transfers as some of the areas include knowledge transfers.

As for the POEA, Administrator Cacdac shares the information that the agency intends to streamline OFW procedures that will provide accessible and easier processes for OFWs to come home. Concretely, the POEA is working on "multiple exit clearances" which will reduce the number of times that an OFW has to visit POEA whenever they are in the country for visits. POEA, Cacdac adds, is thinking of a more comprehensive government program for reintegration that is connected with a legitimate process of integration. There will thus be a "well-connected line" between the legitimate process of recruitment and employment and that of reintegration. Moreover, Cacdac suggests that public education should include reintegration concerns at the outset so that the OFW will have an option to come home. In this regard, the Pre-Employment Orientation Seminar (PEOS) can be further utilized in the areas of financial literacy and reintegration values.

Cacdac would also like to call special attention to domestic workers. This is because the number of domestic workers has been increasing and that in fact, a year ago, the one hundred thousand barrier has been reached. It is also estimated that this year, there are one hundred thousand more domestic workers abroad. For Cacdac, the challenge is "to ensure that the hundreds of thousands who leave don't become welfare cases in two or three years' time". In the meantime, Cacdac claims that POEA can be of assistance to domestic workers by (i) prohibiting recruiters from charging too many fees; (ii) to get domestic workers to upgrade their skills, and (iii) for the Philippine government to forge bilateral agreements with receiving countries to improve the situation of domestic workers.

For the BSP, the plan, according to Gonzaga, is to publish data based on the region in the Philippines receiving the remittances. Said data will be useful if remittances are to be mobilized for economic activity, and, also to reduce remittance costs. Such endeavor will require the help of the banking sector, Gonzaga adds. The BSP, in fact, is already developing initiatives with the help of the banking sector particularly a financial education project geared towards educating families in the Philippines. The vision of BSP is that remittances should contribute to more savings and deposits.

Integrating Migration Policies into Development Policies

The RTD resulted in a broad consensus that the two extreme perspectives on migration and development -- stopping migration or relying solely on migration -- are not desirable or feasible. Stay-at-home policies, after all, require that there is decent and sustainable work “at home”. Moreover, there are ethical considerations that go into the framework of relying on OFWs or OFs to develop not just their homes but also the nation. Migration, thus, should not be considered *the* country’s development strategy for practical as well as ethical or principled reasons.

The contribution of migration to development, however, should be properly recognized and harnessed. The bigger picture, too, should be taken into account, that is, that most of migration is *forced* migration and therefore, the challenge is not to simply “further” migration but to make migration a choice rather than a necessity. It is the absence of choice that makes the migration-for-development framework highly unethical.

According to Limon Rodriguez of the ADB, “migration is not a silver bullet”. What if foreign countries, for example, stopped hiring Filipino nurses? For Rodriguez, there is “no substitute for improving the manufacturing and services sectors and improving the job situation and prospects”.

In this connection, Aldaba believes that there is much to be developed in the retirement industry and the tourism industry. Aldaba thinks that the retirement industry will be generating a lot of support from migrant workers who want to come home and retire here. With better governance, Aldaba says, this industry may boom in the coming years and that in fact, we can go the way of Malaysia and Thailand who have already taken this industry seriously. Tourism, too, can be developed further through the networks of Filipinos abroad. These Filipinos overseas can help market our products and tourist services in their host nations.

For Chavez, the main challenge is how to harness the share contributed by OFWs, and, combining these with talents in the country towards the improvement of the well-being of Filipinos, and, ultimately, towards the setting of the stage of a different kind of economic revival. Chavez’ organization, Action for Economic Reforms, hopes to develop an industrial policy that is based on a thorough understanding of the country’s employment and industry structure and the possibilities that are still available. Moreover, Chavez says, transforming OFWs from being consumers to investors may not be that easy and careful planning on how best to absorb remittances from these OFWs is needed.

Engaging the Global and the Local, not just the National

While ultimately the development that is the concern of any migration-for-development discourse is “national development”, the work goes beyond national borders to both supra-national levels and sub-national levels.

According to Varona, the political economy of migration reveals that developed countries have yet to invest more significantly in the economies of developing countries to help these countries grow. Indeed, as early as 1992 during the Rio Summit, developed countries agreed to commit .7 percent of their GNI to overseas development but no one developed country has reached this commitment thus far. Moreover, Varona adds, the developed countries must be held accountable for destroying and polluting the environments of developing countries.

At the sub-national level, work with local communities and local governments have to be promoted and supported. According to Padilla, small-scale projects are already being developed and there is much enthusiasm for this as evidenced, for example, by her experience of bringing a group of sixteen diaspora leaders from ten countries to see how Filipino migrants have started businesses here.

Ms. Cortina also attests that their organization has tried building on existing assets with the local livelihood and community development approach. They have also tried engaging developments to become social enterprises. One of the biggest challenges, she says, is the enabling environment for such enterprises to thrive, such as farm-to-market roads which are clearly lacking in many parts of the country. They have also been engaging local governments such as those in Calabarzon, Ilocos Sur, and Nueva Ecija to mainstream migration in local development plans.

Even CMA which has hitherto focused on advocacy on national policies has started to work with LGUs. According to Nachura, he has seen a lot of municipal development plans but none of these includes a migration plan. Local governments, however, have been going through a bottom-up planning processes and for Nachura, this is a step toward the right direction, which is “if we want to have any impact on migration we should go bottom up”.

Administrator Cacdac of POEA concedes that there is much to be done at the local level. When asked by Ms. Sana whether POEA has efforts of profiling the demography of OFWs who return to the country, Cacdac had this to say: “we don’t have info on those who go back and stay for good. We are looking at partnering with local governments for this because it is the mayors, the small town mayors, who know the OFWs and what is happening to the returning OFWs”. Moreover, in response to Nachura’s questions regarding POEA’s extent of linkage with LGUs, Cacdac says that POEA’s work with LGUs started some four to five years back and they have assisted LGUs in setting up help desks and train the trainers. POEA, however, has yet to measure the level of success that they have achieved in this endeavor. The second

phase of this POEA endeavor, according to Caddac is in fact to assess whether or not the programs have worked and whether people were actually aided by them. For Roli Talampas of the University of the Philippines, the cumulative effect of various initiatives should also be assessed.

Notwithstanding the challenge of engaging supra-national entities and sub-national governments, the task of building the national economy remains. According to Mr. Puhawan of the Kanlungan Center Foundation, while it is said that the PDP contains migration-related items, it is still wanting in this regard. For Region 1, for example, the PDP of President Aquino focuses on the coffee, tobacco and ecotourism industries and does not mention anything about migration and development. Puhawan also observes that the Mindanao plan focuses on ecotourism and mining and leaves out the migration discourse.

Raising Political Consciousness and Organizing Workers

As mentioned earlier, this issue was first raised by Varona. Politics, and not just economics, matters. For Puhawan, concretely, this means that governments have to recognize the basic aspects and rights of labor, otherwise, “it does not matter how many we send out”. For Aldaba, this means an increased campaign for overseas voting, including exploring the possibilities of online voting.

Caddac also agrees with Varona that “the politicization aspect is empowering” and that OFWs should have the freedom to organize. There is thus work to be done by Philippine unions, particularly in finding ways to communicate with and organize their counterparts abroad, starting with migrant workers in Southeast Asia.

The issue of politicization should also consider the fact that most of the workers that need to be organized are female workers. The gender perspective, thus, has to be mainstreamed in any organizing or advocacy effort. The understanding that women workers experience problems *as* women has to be deepened so that collective actions are appropriately contextualized.

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Programme

- 11.30 Arrival and registration
- 12.00 Lunch
- 1.00 Welcome remarks
 Dr. Filomeno V. Aguilar, Dean, School of Social Sciences, ADMU
- 1.10 Introduction to the RTD, Introduction of Participants
 Presentation of RTD objectives; OFW Situationer,
 Ellene A. Sana, Executive Director, CMA
- 1.30 Speakers
 Usec. Mary Grace Tirona, Commission on Filipinos Overseas CFO
 Rex Varona, Migrant Forum in Asia (MFA)
- 2.10 Discussants
 Joy Chavez, Focus on the Global South/Action for Economic
 Reforms
 Dr. Fernando Aldaba, Department of Economics, Ateneo de Manila
- 3.00 Open Forum
- 4.30 Synthesis
 Working Group on Migration, ADMU
- 4.45 Closing Remarks

 RTD Facilitator: Ellene A. Sana, CMA

PART 3

DEVELOPING THE DOMESTIC ECONOMY ALONGSIDE MIGRATION

The third round table discussion (RTD 3) asked questions about the current state of the Philippine domestic economy and how to address the four decades of labor migration. Should we minimize dependence on migration through job creation in the Philippines? Through higher wages? Training the laborers and giving them capability to take the opportunities offered by the local labor market? Create more reliable social protection right here in the Philippines? Or, should we just accept migration as a given and permanent feature of the Philippine economy? If we do, how can we at least minimize dependence on foreign remittances? Specifically, the participants were asked the following questions:

1. How does your agency/sector evaluate the impact of four decades of migration on the Philippine economy?
2. Notwithstanding the debate on whether migration contributes or hinders Philippine development, what has your agency done (or doing) on the domestic/national front, in terms of (a) job creation, (b) social protection, (c) higher wages, and (d) training and providing opportunities?
3. What observations do you have regarding the impact on employment, underemployment, unemployment of the OFWs who were forced to come home due to circumstances beyond their control such as civil wars, economic crisis, and political turmoil in their place of work (examples: Syria, Afghanistan, etc)?
4. What are your recommendations to address the general theme of the roundtable: beyond migration – meaning, less dependence or (if we want to dream) zero dependence on foreign remittances?

This part of the monograph presents highlights of RTD 3. It is anchored on Dr. Filomeno Aguilar's statement in his remarks to welcome the participants that "stopping overseas migration would be unrealistic" but "it may be tempered". Aguilar gives the example of South Korea that has "taken off economically" but whose citizens continue to migrate. As can be gleaned from the South Korean case, Aguilar hopes that the characteristics of Philippine migration will change.

Mr. Berthold Leimbach, Resident Representative of FES, shares Aguilar's position. For Leimbach, migration is "not transitional", "not a temporary phenomenon"; rather, it is "an integral part of the development model in the world".

The starting point, thus, of RTD3 is not a call to stop migration but an invitation to discuss how to develop the domestic economy along with migration. It begins with the assumption that developing the domestic economy is necessary for migration to become an option rather than a necessary step towards development. It begins with the recognition that much of migration is “forced migration.” Moreover, and perhaps more importantly, it locates the discussion within the walls of the state at two levels: local and national. While we are now at a particular stage of globalization where the dominant discourse insists on the diminished role of the state in securing and sustaining people’s lives and well-being, this paper argues that the state has remained active and indeed, must be active in ensuring that citizens are able to participate as key actors in the development of the nation’s productive resources and in the distribution of benefits thereof.

RTD 3 yielded recurring concerns and suggestions to address the questions above. They are presented below:

The Big Picture: Non-Cascading Growth

The Philippine economy *is* growing, according to Director Rose Edillon of the National Economic and Development Authority (NEDA). She said that growth figures are actually encouraging: the first quarter growth rate for 2012 was at 6.3% while the second quarter growth rate was 5.9%. In her own words, this was “very high growth”.

However, as she warned, remittances from abroad continue to have a great impact on the economy. The current account balance, according to her, shifted from negative to positive. The inflow of remittances, she said, actually gives us a very comfortable level of international reserves at seventy six billion USD. This is more than eleven months worth of imports, she observed. Edillon echoes what has been said in the earlier RTDs that the remittances are as large as the Philippine earnings from exports and bigger than foreign direct investments. And she repeats the comment already given in the first two RTDs that the good news is that the Philippines is less vulnerable than other countries to external shocks, can rely less on foreign savings and is assured of availability of foreign currency to service the country’s debts and pay for its imports. But the bad news is obvious: the Philippine economy is dependent on remittances. Edillon hastened to add that Philippine exports earnings have grown by 8 percent. This is high, but remittances are still higher.

Will we ever get to the point where there will be zero dependency on remittances? She asked. And she answered: This is quite ambitious because currently, the Philippines is in a low stage of economic development and a high stage of human capital development. On the other hand, countries that are at a very high level of

economic development need human capital. In other words, there is demand for labor in these countries, which the Philippines can supply.

Edillon explained that the higher the GDP in relation to the GNI, the less reliance there is on remittances. The Philippines is becoming less dependent on remittances, but not significantly. As the table below shows, the Philippine GDP was smaller than its GNI in 2010, but it has become slightly bigger than the GNI since last year (2011). The government, in the past two years, has actually succeeded in generating one million jobs, on top of the one million deployments overseas.

	GDP	GNI
2010	7.6%	8.2%
2011	3.9%	2.1%
2012	6.3% (1 st Q)	1.7%
	5.9% (2 nd Q)	4.5%

Source: NEDA

According to Edillon, the average growth rate for the past decade is 4.7 percent, which is higher than the rate of population growth, and therefore, per capita income has been increasing in real terms. However, she noted that poverty incidences are not declining. She said that between 2006 and 2009, poverty reduction slowed down. Edillon reminded the audience that growth should be inclusive. It should include the poor.

The government knows that the key to inclusive growth is real employment creation and not just any employment creation, Edillon said. With regards to the poor, real employment is not just having short term or unsustainable jobs like cleaning the streets for 100 days. Real employment is having a job in a formal sector, one that provides a stream of regular income and protections like what PhilHealth offers. The formal sector should consist of medium-scale enterprises or other forms of enterprises that are Vatable. To Edillon, small-scale enterprises do not qualify as “real employment.”

Carmel Abao, however, raised doubts about job security in the formal sectors in the Philippines most of whom practice contractualization. For her, irregular work, and not just the absence of work, is one important "push factor". Contractualization of laborers, Abao warns, might, in the long run, hamper any gains that the government would achieve. According to Abao, while contractualization is now a dominant (global) labor practice, it should still be challenged. For example, Abao proposes, instead of 80% of a firm's workforce being contractual and 20% being regular, perhaps, this could be reversed to 80% regular and 20% contractual work. In other

words, Abao is proposing that irregular work should not remain as the norm. Moderator Ellen Sana also commented that related to contractualization are issues of competitive wages and social protection.

Gigi Francisco of WAGI and Miriam College asked about strategic directions, pointing out that if money is already coming in and if we are positioned advantageously, why not focus on protections instead? Also, if there are opportunities outside, and we are already ahead in terms of aggressive migrant labor, then why not take advantage of that and consider it as opportunity? She also wanted to know the philosophy behind growing SMES: What are the goods and services that they manufacture? Are these for export or for consumption? How big are these middle enterprises?

Grace Roldan of DLSU pointed out that all discussions about policy directions, should take into consideration the human conditions of the migrant workers. She recounted that a returnee migrant she had a chance to talk to said that the skills he had were not captured by the government. This migrant worker thought that a registry of skills would help the government in promoting employment of Filipinos to companies here and abroad. This migrant worker did not avail himself of government loans dedicated to returnee OFWs because he has no collateral and the procedure is too cumbersome.

Edillon responded to the questions and comments with the caveat that NEDA is “about national economic targeting.” She could only comment on the “economic, not the political part of migration”, given NEDA’s focus. On small business, technology transfer and the high cost of doing business, Edillon explained that there seems to be a polarization of industries in the Philippines. On one end are the small-scale, Mom and Pop stores, and the ‘own account workers’. The owners of the business are also the workers. They lie outside the system. On the other end are the big enterprises and firms who can take advantage of tax breaks. There is the missing middle. These are the enterprises that “we think would lead to inclusive growth. NEDA has led the discussions in this direction in its aim to create quality jobs. “We want jobs that would include even the poor, but a certain quality of job that would be decent and would provide social protection”.

OFWs, Edillon stressed, must be regarded as sources of investment. Unfortunately, remittances do not get invested. They go into houses, consumption or conspicuous consumption. The Bangko Sentral is expanding its financial literacy programs to address this. OFWs could also bring home new technological skills, but in most cases, there is no opportunity for them to use these skills.

She said that the government recognizes the high cost of doing business here in the Philippines. Electricity, for example, is very expensive. High cost is the hindrance to improved investment, and not so much the inadequate infrastructure, as first thought. The economic cluster is already having discussions about reforming certain rules and regulations that can reduce the high cost of business.

On competitive wages, productivity, and contractualization, Edillon admits that it is ideal that legislated minimum wages should be a result of bargaining. However, statistics across Southeast Asian countries shows that wages are quite varied in the region and the Philippines has the highest rate (see table below). Of course, foreign investors will always prefer the bottom line wages. The high wage rate in the Philippines would not be so bad, she added, if productivity was high. Unfortunately, this is not the case in the Philippines.

Cambodia	USD 2.3
Vietnam	USD 2.22 – 3.72
Indonesia	USD 2.95
China	USD 4.0 – 7.9
Thailand	UDS 6.99 – 9.45
Philippines	USD 9.72 -10.6

Source: Rose Edillion, NEDA

The high cost of business and low productivity, Edillion stressed, are being addressed by the Philippine government. Development of infrastructure addresses inadequate infrastructure as well as other factors that contribute to the high cost of business. Institutional reforms are also being looked at to address the high cost of doing business. She expressed the hope that with “productivity premium,” the Philippines would have a fighting chance against other countries.

Director Criselda Sy of DOLE clarified that the five-month- end-of-contract scheme is illegal. But contractualization or contract-based employment is allowed and is based on the trilateral scheme: principal, contractor, and workers, wherein the workers are employees of the contractor, not of the principal or the firm where they work.

Investing in the Philippines: Frustrations of a Returnee OFW

Mr. Mike Bolos recounted his experiences as a returning and successful migrant worker. His account is illustrative of the challenges that even enterprising OFWs face upon their return to the Philippines. His narration is worth presenting in full, verbatim:

Speech of Mr. Mike Bolos, Former OFW

Ladies and Gentlemen, good afternoon. I am Mike Bolos. I was an OFW in Saudi Arabia for 25 years. I went to Saudi Arabia in 1980 and then came back to the country for good in 2005.

My first two years abroad were miserable but I was lucky to have worked for a good company in the succeeding 23 years. It enabled me to prepare for my eventual return to the Philippines, financially and technically. My experience abroad has equipped me with the necessary knowledge in what to look for a prospective business location, like demography, geography, history and others. I have also gained knowledge in operating and maintaining a business as well as in managing people.

I was full of optimism and great belief in our country and countrymen, so much so that when I came home, I brought with me all of my savings kept abroad. I also took out a mortgage of over half a million dollars for my house in California and brought that money home too. While here, I also took out a 25 million peso loan from BPI to finance my business ventures.

Between August 2005 and December 2007, I invested in 5 different businesses. The Bay Space in Pasay City, the One Crowne Realty & Development, owner and developer of One Crowne Plaza Mall, a 7-Eleven franchise convenience store, a Netopia franchise internet cafe and the Advocacy Bistro, all in Guagua, Pampanga, which is where I came from.

Today, I have only the Bay Spa and One Crowne Plaza left. And the only reason I still have One Crowne Plaza is because I am stuck with it until I am able to sell it or it is foreclosed by the bank or a Robredo kind of person comes along in my hometown. Bay Spa is doing well and is the only consolation I have that makes it all worth it because it enables me to multiply my one life with the number of lives that I am able to touch. But that is another story for another time.

What went wrong? Nothing went wrong. The systems here are just not what I thought they were and all my experiences abroad have not prepared me for the ways things are done in our country. On the contrary, the systems abroad that I have been exposed to have lulled me into a false feeling of things being alright as long as one plays fair and by the books. My exposure abroad has also gotten me used to the reasonableness of men. It now appears that I was not at all ready when I thought I was and that I was simply out of my league. I cannot make the enormous economic potential of the place to come to the fore all by myself.

It does not also help that some government agencies could make success in business in the Philippines a bit difficult especially for small businesses like mine. First thing in setting up a business is the business name. I encountered no problem in registering all of my businesses and they were completed within a reasonable period of time. Five years after however, to be able to renew the DTI registration for One Crowne Realty

and Development, I was asked to bring on board a licensed realtor because of the word realty in my business name or change my business name. In as much as I do not intend to engage in the buying and selling of real estates and I cannot afford the additional cost of a licensed realtor that I do not have a use for, I opted to change the name. Aside from the fact that it is stressful, it also entails a lot of efforts to comply with the rules changed in the middle of a game. Think of lease contracts, banks accounts, accounts with SSS, Philhealth, Pag-Ibig and BIR and stationeries to be changed.

After DTI, you take care of Business Permits. It would have been a breeze if not for the Fire Department people who insist that you buy fire fighting equipments from their designated suppliers before you are issued an occupancy permit or a Fire Inspection Certificate. I believe that the late DILG Secretary Robredo has separated the Fire Inspection activity from the issuance of business permits but some LGUs are still requiring fire inspection certificate before they will issue a business permit. After that, expect a visit every year from their designated suppliers for the refilling of your fire extinguishers when they are about to expire. Try to source it out from somewhere else and see how miserable they can make your life.

The initial fee for a business permit is reasonable. The renewal fee however is a killer because it is based on your annual turnover. For a 24 hour air conditioned convenience store with a high turnover but also with a high overhead and a very slim profit margin, this makes the difference between existence and extinction. My convenience store became extinct after 5 years.

Further to the business permit fee, if it is your lucky day, they take your declaration of annual turnover as a basis otherwise they just increase it by 20%. In the last election year, my declared turnover in one of my businesses was arbitrarily doubled. Since it appears that under declaration is rampant, everybody is tarred with the same brush.

Fine, now I have realized my follies and decided to cut my losses by closing down the business. To properly shut down the business, I need to close my accounts with the SSS, Philhealth, Pag-ibig and the BIR. Otherwise, my accounts will keep on going and before I know it, I owe these government agencies big time and they are after me. To do so however, I will need a certificate that my business has ceased operation from the municipality where the business is located. To get the certificate however, I will have to pay an amount based on turnover from the beginning of the year till the time I cease operation. I ceased operation of the 7-Eleven Store last May and I was asked to pay Php 40,000 to get the certificate. It makes me wanna cry.

For the tax year 2007, I was hit by the BIR. I attracted attention because all of my businesses apart from Bay Spa came on line in that year. From out of nowhere, I came out with multi-million figures in my ITR and financial statements. They suspected that I must not have been declaring proper income all along. Otherwise, where did all that money come from? With great difficulties and much frustration and in spite of the fact

that I lost money in that year, I was still assessed to pay over 80,000 pesos as a compromise for failing to comply in this and that requirements.

For 2008, I was accused of not having filed my ITR. I provided them a duly received and stamped copy. Months later, when I needed to print additional Official Receipts, the printer informed me that I still have an open case of not having filed my ITR for 2009 and as such an authority to print ORs is still being withheld. Without authority I cannot print ORs. Without ORs I cannot issue ORs to the customers. But if I don't issue ORs I will get hit with penalty big time. Oh well, talk of being reasonable. Anyway, with patience, lot of efforts, pleading and enduring humiliation and accusation of belatedly having the ITR stamped, I was able to clear the issue and made sure that the case is closed in their computer and have the ORs printed.

My heart skips a beat every time I get a letter from the BIR. I always utter a prayer before I open it and you can just imagine my relief when it turns out to be an invitation for a briefing or just a letter exhorting the taxpayers to avoid the rush and file ahead of time.

In 2009, I was classified as one of the top 5,000 Individual Taxpayers for purposes of implementing the Expanded Withholding Tax regulations. As such, I was designated as a withholding agent required to withhold 1% on qualified purchases of goods and 2% on service. When I do that, I must issue a Certificate of Creditable Tax Withheld at Source. There goes the convenience of electronic payments. I must now pay in person to companies without collectors in order to submit the certificate along with the payments. There are times that I end up shouldering the 1% or 2% for those suppliers who refused the withholding and who will simply stop supplying me if I insist.

Early this year, I closed down the Advocacy Bistro. I cannot compete with competitors enjoying at least a nine percent price advantage over me. Being Vatable, I have to build in a 12% tax on my prices that I remit to the government. The competitors on the other hand pay only 3% sales tax and nothing for \$\$\$, Philhealth and Pag-ibig for their employees. They also pay less for business permits.

Now, pray tell me, with the foregoing, what are the chances of a returning OFW succeeding in business especially in a so-so economy? With my experiences, can I honestly encourage other OFWs to invest their hard earned savings in the country?

Have I given up on our country?

No way! I firmly believe that we have in us what it takes to make this country and our economy great and it is only a matter of time before it happens. We can do it and it is not actually that difficult if we put our hearts and mind to it. My only wish is to see it happen in my lifetime.

Development of Sustainable Agriculture: A Possible Growth Sector

Edicio de la Torre, Advocate for Sustainable Agriculture, said that Secretary Alcala and his team at DAR are “constantly looking for a way to work with local governments” regarding sustainable agriculture. He believes that sustainable agriculture is a sector where migrants might be enticed to invest. Sustainable agriculture is a better investment than condominiums, houses, and other non-productive projects because it brings not only money but also healthy living. What would one do with money if it produces pollution and other environmental hazards which shorten life?

But who will go into sustainable agriculture? That is the problem. Even farmers tell their children to migrate and work abroad and then send them remittances. Once they receive remittances, they feel that they do not have to farm anymore. And indeed, they do not farm anymore. There are scholarships for agriculture but there are no takers.

On the other hand, there are so-called “new farmers.” Before, when people would ask farmers, “What do you do?” they would reply timidly, “I am only a farmer, sir.” Now, they will reply, “I’m a farmer. Why?” These “new farmers” do not only look at the economic aspect of farming. They are into sustainable agriculture, sustainable livelihood. But they also need income and technology.

It is here where the local and national governments can help. They have to build a system. Investment in sustainable agriculture, or any agriculture, in fact, does not only mean investment on a farm. There has to be a system that connects the producer, the seller, and the buyer. If there is a system, sustainable agriculture could be an attractive sector for the returnee OFWs to invest.

Rene Raya (AER/CMA) seconded the need for strategic thinking and putting a system in place. He noted three global trends that impact migration: the so-called ‘youth bulge’ in developing countries, urbanization, and demographic shifts. Despite these changes and shifts, solutions to global problems such as the financial crisis have remained conventional, dictated by conventional and traditional institutions such as the IMF.

According to him, what is needed is strategic and systematic thinking. De la Torre’s sustainable agriculture is one example. Another example is holistic support for micro business. Still another example is the need of the maritime industry for government intervention and investment. “Shipping and port developments are some of the industries being neglected. Another area would be the health industry. I know that not all people are in favor of medical tourism. How about biomedical engineering and industry, which are the pharmaceuticals? These are very strategic.”

Grace Roldan added the importance of networks to encourage migrant workers to invest. Migrant workers rely on networks for information. Going back to sustainable

agriculture, for example, there is a need for marketing network among traders; network for finance; network for fertilizers, and so on.

Initiatives of National Government Agencies towards Institutional Reforms

1. DOLE

Director Sy stressed that the main function of the Department of Labor and Employment was to implement active labor market policies. She enumerated the highlights of DOLE activities:

1. Employment services that actually bridge the demand and the supply sides of the labor market. "In this regard, there are several policies and strategies that we have at this time. The first one is that, since we are a signatory to the ILO convention on public employment services, we are strengthening the existing public employment services in the country. [At the same time] we have a major challenge in terms of the implementation of the PESO Act of 1999."

2. DOLE has organized a nationwide network of guidance counsellors. There are fifty six networks. Each network has a membership of about one hundred guidance counselors.

3. In the APEC community, DOLE is doing labor market signaling initiatives, which includes interrogating signaling strategies in the Asia-Pacific in order to understand the demands of the labor market, or the skills that would be needed in the future.

4. In the area of trade agreements, DOLE is actively participating in the coordinating committee on services. The focus of this committee is on the movement of natural persons in the ASEAN market. This agreement states that the ASEAN community aims to institute the free movement of skilled workers by 2015.

2. POEA

DA Liberty Casco said that the National Development Plan (NDP) includes investing in regular and formal skills training and establishing stations where OFWs may teach skills learned abroad. The training of OFWs aims to promote productive investments and entrepreneurship among them and their families. This will include programs of the NRCO which should be comprehensive and should provide linkages beyond livelihood and incentives. POEA also wants training and preparation of OFWs for return and reintegration.

DA Casco also said that even at the pre-departure stage, there are interventions that include preparation for reintegration. The family should also be included in this preparation. Family members left behind should also be given training and orientation on financial literacy. She cited the examples of OFWs sending money to their families but not being able to successfully make any investment grow because the family left behind lacks the knowledge to manage the remittances that are being sent to them.

Regarding domestic workers, DOLE is trying to assess its policy and is now in the process of developing a program that would give employment options to household workers so that they can opt to stay in the country. This will include profiling them to understand what work most suits their skill and profile. She notes that although we have laws that aim to protect them, it does not mean that we are encouraging them to migrate. In recent years, our objective has been to discourage them from leaving.

3. TESDA

Mr. Rene Nachura (CMA) clarified that the mandate of TESDA is basically training and development but the main thrust is to promote self-employment over overseas employment.

For returning OFWs, there are programs available under OWWA with their tie-ups with TESDA.

TESDA also uses a method called Profiling, Examination, Graduation, Assessment and Certification (PEGAC). Of all the government agencies, only TESDA has the assessment and certification functions.

Tie ups with the Department of Education for the K-12 program are also in place, where junior and senior high school students can choose a program so that when they graduate they are employable, locally and internationally.

4. NRCO

Labor Attaché Nilong said that as of now, the NRCO handles the reintegration program of the government through DOLE. He explained that, under one of these programs, which has a budget of 2.2 million pesos, loans can be had without collateral. This program is handled by Land Bank and Development Bank of the Philippines, with which OFWs can deposit. He said that once the OFWs finish training, they need to submit a business plan to the banks for their loans. He also added that there are many OFWs availing themselves of the program.

The Role of LGUs

DA Casco stated that under Republic Act 8042, the role of LGUs in migration and development issues had been strengthened. Further, in Republic Act 10022, which replaced 8042, it is stated that LGUs should set up migration desks to provide assistance and information to migrant workers. These migrant desks in LGUs provide information on employment opportunities, guidance, the pros and cons of going abroad for work, how to avoid being victimized by illegal recruiters. She believes that these desks should do more than this. For example, she knows of some LGUs that have slowly begun to try to maximize the benefits that the migrants can give to their communities.

Ms. Bautista of the DILG said that the Full Disclosure Policy responds to issues of transparency. All transactions should be disclosed. As of now, almost all LGUs have complied with this. DILG, in cooperation with DTI, has also started streamlining business permits and licensing system. She added that the private sector should serve as the catalyst for job creation and the LGUs should create an enabling environment for these efforts to create jobs.

Director Sy of the DOLE also noted that measures have been taken to make PESO more efficient. An example is the establishment of a skills registry system. There are already more than 100 LGUs that have enrolled in this project. The intention is to come up with a registry of skills so that foreign investors can refer to them. In Quezon City, the PESO prioritizes job matching, said Ms. Noemi Tresvalles. She added that Quezon City acknowledges its transient character. People pass by the city en route to their provinces or hometowns. She said that the city welcomes people “passing through” to avail themselves of information and awareness programs. Quezon City also works with POEA on illegal recruitment and anti trafficking campaigns.

Globalization and the Domestic Economy

Sabrina Gacad of the Office of Congressman Walden Bello wanted to stress the global dimension of the current migration phenomenon. She noted that with globalization come structural adjustments which are for the interests of developed countries. What the adjustments saw was the free movement of goods and capital but not of labor. At the same time the irony is, since we followed these structural adjustments, and since we wanted to maximize the resources in the Philippines, we scaled up on low-value added production and then our economy collapsed. Thus, we ended up having to export labor in order to make sure that people have the money to buy food for their family to eat.

She believes that we all have to take the bull by its horns and recognize the fact that we are largely dependent on the people who are leaving the country and are sending their remittances back into the country. According to her, the Philippines is caught in a very peculiar situation where, on one hand, we are largely dependent on them, but at the same time we do not want them to leave and experience all sorts of exploitation and abuse.

Director Sy, on the other hand, noted that because of the presence of global value chains, the job security of our workers is not tied with employment to an organization. Right now, job security is given not to empower the individual. Rather, it is provided so that one can possess the skills needed to bargain with the employers, or to seek the employment that would best fit them. She said that what is important is not only the “wants” of the workers, but also the evaluation of whether or not these workers can actually contribute and add value to the enterprises that will employ them. The challenge is to empower individual workers and not just depend on regularization.

RTD 3 did not yield a consensus. The questions were too complex. However, it became a very rich venue for talking points that should be pursued in future GO-NGO-Academe conversations.

RTD 3 Programme

11.30 Arrival and Registration

12.00 Lunch

1.00 Welcome Remarks

Dr. Filomeno V. Aguilar Jr.
Dean, School of Social Sciences, ADMU

Mr. Berthold Leimbach
Resident Representative
Friedrich Ebert Stiftung (FES)

1.20 Objectives of the 3rd Round Table Discussion

Ellene A. Sana
Executive Director, CMA

1.40 Testimony: Life After Migration

Mr. Mike Bolos
Former OFW in Saudi Arabia

2.00 Speakers

On Sustainable Agriculture
--Mr. Edicio De la Torre
Advocate for Sustainable Agriculture

3.00 Responses from Discussants

On Job Generation
--Director Criselda Sy
Department of Labor and Employment

On Development Planning
--Dir. Rose Edillon
National Economic and Development Authority

On Training and Skills Development
--Mr. Zoilo Galang
Technical Education and Skills Development Authority

3.45 Open Forum

4.30 Synthesis and Closing Remarks

Working Group on Migration
Department of Political Science
Ateneo de Manila University

RTD Facilitator: Ellene A. Sana, CMA

Recommendations from CMA and WGM

According to Ambassador Erlinda Basilio, in a statement delivered at the United Nations Committee on Migrant Workers (CMW) in April 2009, “The Philippines has one of the most developed overseas employment program in the world which had been recognized by the international community as a model in migration management among labor sending countries in Asia, especially on migrant workers' protection.” If we consider the laws, agencies, and programs that the Philippine government has rolled out in order to protect the OFWs and manage their recruitment and return to the Philippines as well as other aspects of migration, the ambassador stands on a solid ground for taking pride in this feat. However, we would like to point out that the recognition is only for an aspect of the varied facets of the whole gamut of migration. And even that aspect fails to capture its own magnitude and complexity. The achievements of the Philippine as a sending country become more pallid when migration is viewed from the lens of national development. Much has yet to be done. Below, we point out what the government has done. We bring out to light what else has to be done. Within our limited capability, we also offer recommendations for more concrete actions.

- *The Philippine government has provided necessary services and programs for OFWs*

The government of President Aquino has pledged in its Social Contract with the Filipino people that when OFWs “choose” to leave the country for employment “... their welfare and protection will still be the government’s priority.” The continuous line of programs and institutionalized safeguards at most phases of the labor migration process are proof that the government gives extensive support to the Filipino migrants.

Progress in specific areas, notably, protection of the “most vulnerable sectors,” is notable. In particular, the government has been revisiting and reviewing its policies on migrant domestic workers to ensure that they live decently and enjoy their rights as stated in government policies and international agreements. Moreover, the government is exerting efforts to identify jobs in communities that can be made competitive with the prospects of domestic work abroad.

The question remains whether the support is adequate and whether it is available to *all* migrant workers, regardless of employment and residency status, geographic location, and gender consideration. Moreover, the quality of these services is not the same across sites of implementation. Delivery of services by embassies, consulates and labor offices abroad varies. The same may be said of the conduct of PDOS and PEOS. We suggest an assessment or oversight of these services.

- *OFWs and civil society groups are consulted on policies pertaining to migration.*

The government seeks inputs from civil society groups, the academe, and the migrants when crafting policies and implementing them. However, crucial information is not always obtained and shared in a timely manner. The government, OFWs, civil society groups, and the academe should exert conscious efforts to circulate information. Venues for sharing and discussing valuable data and information should be adequate. In this regard, we note that established networks are a means of ensuring that information is filtered into the hands of policy makers and practitioners who can fully utilize it.

The Philippine government should continue to strategically and aggressively sign agreements with receiving countries. When negotiating a bilateral agreement with a receiving country, Philippine negotiators will be in a stronger position if they have empirical data about the situation in the receiving country: labor demands, salary rate, social protection, and other relevant data. In this regard, we suggest collaboration between the government on one side and the academe and civil society groups on the other, to research on this. For such empirical research, Filipino groups overseas, and academics can be tapped.

- The importance of research and possession of adequate information about the receiving country by the sending country such as the Philippines cannot be overstated especially in the face of the reality that national interest is paramount. Sending countries rarely publicly acknowledge their need for migrant workers, much less the contributions of migrant workers to their economy, society, and culture. Such information will not be given by the receiving country to the sending country on a silver platter. The sending country has to get them through research, which is not difficult to do, if the academe and the civil society groups are tapped to do it. *Measures have been taken to empower Filipinos overseas and the OFWs.*

Education is the most basic tool of empowerment. Possession of correct information obtained at the right time is another. In one of the RTDs, it has been mentioned that some OFWs bring upon themselves their own vulnerabilities. This usually happens due to lack of information. For victims of human trafficking, for example, they could have brought upon such victimization upon themselves due to lack of proper appreciation of the risks that they face.

Several government agencies and LGUs already have measures to provide information and education to OFWs. But there are more that can be done. We suggest the following:

1. Strengthen financial literacy.
2. Schools and training centers that target clients who will work abroad, such as

schools for caregivers, training centers for dancers and singers, maritime schools, should include in their curriculum lessons about the rights of workers abroad, as well as lessons about countries of possible destination.

The Philippines is a party to various international human and labor rights treaties⁵ and have passed counterpart national laws. These include the following:

International Laws and Conventions	Counterpart National Legislation
UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)	Magna Carta of Women (Republic Act 9710)
UN Convention on the Protection of ALL Migrant Workers and members of their families	Magna Carta for OFWs and Other Filipinos Overseas (RA 8042, amendatory RA10022)
Convention on the Rights of the Child	Special Protection of Children Against Abuse, Exploitation and Discrimination Act (RA7610)
ILO Maritime Labor Convention	Proposed Magna Carta for Seafarers
ILO Convention 189 on Domestic Workers	National Domestic Workers Bill (for the President’s signature)

And last but not least, we stress that migrant workers are human beings and if states respect human rights of their own citizens, such respect should equally be accorded to the migrant workers. Some states believe that human rights are culture bound – they do not recognize the universality of human rights. Since there is no dearth of receiving countries that need migrant workers, the Philippine government should exercise its political will to prevent OFWs from going to countries that have poor human rights record.

⁵ See Appendix 3 for more on treaties

APPENDIX 1

Labor Trafficking as the Modern-day Slave Trade

By Walden Bello*

The freer flow of commodities and capital has been one of the features of the contemporary process of globalization. Unlike in the earlier phase of globalization in the 19th century, however, the freer flow of commodities and capital has not been accompanied by a freer movement of labor globally. The dynamic centers of the global economy, after all, have imposed ever tighter restrictions on migration from the poorer countries. Yet the demand for cheap labor in the richer parts of the world continues to grow, even as more and more people in developing countries seek to escape conditions of economic stagnation and poverty that are often the result of the same dynamics of a system of global capitalism that have created prosperity in the developed world.

The number of migrants worldwide has grown from 36 million in 1991 to 191 million in 2005, according to Guy Arnold, author of *Migration: Changing the World*, one of the most exhaustive studies on the phenomenon. The aggregate numbers do not, however, begin to tell the critical role that migrant labor plays in the prosperous economies. For instance, the booming economies in the Persian Gulf and Saudi peninsula are relatively lightly populated in terms of their local Arab population, but they host a substantial number of foreign migrant workers, many of whom come from South Asia and Southeast Asia. Indeed, foreign migrant workers are a disproportionate part of the populations of the Persian Gulf states—ranging from 25 percent in Saudi Arabia to 66 percent in Kuwait, to over 90 percent in the United Arab Emirates and Qatar.

This gap between increasing demand and restricted supply has created an explosive situation, one that has been filled by a global system of trafficking in human beings that can in many respects be compared to the slave trade of the 16th century.

The dynamics of the current system of trade in repressed labor is illustrated in the case of the Philippines. This country is one of the great labor exporters of the world. Some 10 percent of its total population and 22 percent its working age population are now migrant workers in other countries. With remittances totaling some \$20 billion a year, the Philippines places fourth as a recipient of remittances, after China, India, and Mexico.

There are a number of key causes of the Philippines becoming a prime exporter of labor. Certainly, one is runaway population growth. My sense is that by the 1980's, when the population was around 55 million, the country had reached its ecological

carrying capacity. The demographic crisis resulted in four migration streams. One was the traditional rural-urban migration. Another was lowland to upland migration that resulted in massive deforestation. A third was an acceleration of migration from the overpopulated North to the relatively under-populated Mindanao, which provoked a bloody ethnic conflict that continues up till today. A fourth was overseas migration.

Labor Export and Structural Adjustment

The role of the Philippines as a labor exporter also cannot be divorced from the dynamics of neoliberal capitalism. The labor export program began in the mid-1970s as a temporary program under the Marcos dictatorship, with a relatively small number of workers involved -- about 50,000. The ballooning of the program to encompass 9 million workers owes much to the devastation of the economy and jobs by the structural adjustment policies imposed by the World Bank and the International Monetary Fund beginning in 1980, trade liberalization under the World Trade Organization, and the prioritization of debt repayment by the post-Marcos governments in national economic policy since 1986.

Structural adjustment resulted in deindustrialization and the loss of so many manufacturing jobs; trade liberalization pushed so many peasants out of agriculture, a great number directly to overseas employment; and prioritization of debt repayments robbed the government of resources for capital expenditures that could act as an engine of economic growth since 20-40 percent of the budget went every year to servicing the debt. In the role that structural adjustment and trade liberalization played in creating pressures for labor migration, the experience of the Philippines parallels that of Mexico, another key labor-exporting country.

For the governments of the two countries as well, massive labor export has served another function: as a safety valve for the release of social pressures that would otherwise have been channeled into radical movements for political and social change internally. Those who migrate are often among the most intrepid, the most nimble, and the most acute people in the lower and middle classes, the kind of people who would make excellent cadres and members of progressive movements for change. Along with the crisis of socialization of children owing to the absence of the mother, this is one of the most damaging legacies of the massive labor migration in the Philippines: that it has allowed its elites to ignore overdue structural reforms.

Unfree Labor: the Case of the Middle East

Labor export is big business, having spawned a host of parasitic institutions that now have a vested interest in maintaining and expanding it. The transnational labor export network includes labor recruiters, government agencies and officials, labor smugglers, and big corporate service providers like the U.S. multinational service provider Aramark. Labor trafficking is expanding to become just as big and profitable as sex trafficking and the drug trade. The spread of free wage labor has often been associated with the expansion of capitalism. But what is currently occurring is the expansion and institutionalization of a system of unfree labor under contemporary neoliberal capitalism, a process not unlike the expansion of slave labor and repressed labor in the early phase of global capitalist expansion in the 16th century elaborated in the work of sociologists like Immanuel Wallerstein.

This expansive system that creates, maintains, and expands unfree labor is best illustrated in the case of the Middle East. As Atiya Ahmad writes, “With the booming of the Gulf states’ petrodollar-driven economies from the early 1970s onwards, a vast and consolidated assemblage of government policies, social and political institutions, and public discourse developed to manage and police the region’s foreign resident population. Anchored by the kefala or sponsorship and guarantorship system, this assemblage both constructs and disciplines foreign residents into ‘temporary labor migrants.’” (<http://cirs.georgetown.edu/publications/summaryreports>) This elite-promoted construction of migrant identity promotes an internalization of the migrants’ role as social subordinates and an emasculation of their status as political agents. They are expected to remain and so far have largely behaved as non-participants in the politics of their so-called host societies, even these societies are swept by the winds of political change.

In 2009, 64 percent of the more than one million Filipino workers that went abroad went to the Middle East. Most of these workers were women and the biggest occupational category was household service workers or domestic workers.

Here is how the labor trafficking system works in the states in the Arabian peninsula along the Persian Gulf. A recruiter from a Gulf state contacts his man in the Philippines. The Filipino contact goes to the remote provinces to recruit a young woman promising a wage of \$400 a month, which is the minimum amount set by the Philippine government. When she departs, the recruitment agency gives her another contract at the airport, one that is often written in Arabic, saying she will be paid only half or less that amount. On arrival at the destination, she receives from the Gulf recruiter a temporary residence permit or iqama, but this is taken from her along with her passport by the recruiter or by her employer.

The migrant worker is then turned over to a family where she labors under slave-like conditions for 18 to 20 hours a day. She is isolated from other Filipino domestic

workers, making her communication with the outside world dependent on her employer. She cannot leave the employer because her temporary residence certificate and passport are with him. If she runs away, however, and goes to the labor recruiter, she is “sold” to another family, sometimes at an even lower rate than that paid by the original employer.

Unable to leave the country since she has no documents, the runaway most often ends up being sold from one family to another by the labor recruiter. If she is lucky, she might find her way to the Philippine embassy, which operates a shelter for runaways, but it will take months if not years for the Philippine embassy to obtain the necessary permits to enable her to return home.

How Regulation is Subverted

In its effort to curb this free market in virtual slavery or to prevent workers from going into countries where their physical security would be in great danger like Afghanistan or Iraq, the Philippine government requires government-issued permits for workers to be able to leave or it has imposed deployment bans to some countries. However, labor recruiters, who are often in cahoots not only with Middle East employers but also with the U.S. Defense Department and U.S. private contractors, have found ways of getting around these regulations.

Clandestine networks have developed to smuggle workers from the southern Philippines to destinations in the Middle East. A number of women domestics interviewed in Damascus a few weeks ago told of being smuggled out in the southern Philippine city of Zamboanga by small boat to the Malaysian state of Sabah. From there they were transported in the hold of a bigger boat going to Singapore, where they were then offloaded and brought by land transport to a site near Kuala Lumpur. In Kuala Lumpur they were forced to work for their subsistence for six weeks. Only after two months were they finally transported by plane from Kuala Lumpur to Dubai, then to Damascus.

With such illegal transnational human smuggling networks in operation, the Philippine embassy estimated that 90 percent of the 9,000 domestic workers in Syria were there illegally, that is they had no valid exit papers from the Philippines. Among other things, this has made locating them and contacting them very difficult after Manila issued orders to the embassy last January to evacuate all Filipino workers from Syria.

The situation is similar in Afghanistan and Iraq. For much the same reason, we do not have an accurate figure of how many Filipinos have been illegally recruited to be service workers at the U.S. bases by the Pentagon and U.S. military contractors, but 10,000 is probably a conservative number. In the case of Afghanistan, the collusion

between illegal labor traffickers, the U.S. government, and U.S. private contractors poses a gargantuan challenge to the weak Philippine state.

Sexual Abuse: the Ever-Present Menace

The predominance of women among the workers being trafficked to the Middle East has created a situation rife with sexual abuse. In this system labor trafficking and sexual trafficking are increasingly intersecting. Here is an excerpt from a report of the House Committee on Overseas Workers of the Philippines following the visit of some members to Saudi Arabia in January 2011:

“Rape is the ever-present specter that haunts Filipino domestic workers in Saudi Arabia. ...Rape and sexual abuse is more frequent than the raw Embassy statistics reveal, probably coming to 15 to 20 per cent of cases reported for domestics in distress. If one takes these indicators as roughly representative of unreported cases of abuse of domestic workers throughout the kingdom, then one cannot but come to the conclusion that rape and sexual abuse is common.”

One could go further and say that there is a strong element of sex trafficking in the trafficking of Filipino women into the Middle East given that many Gulf households expect that providing sex to the master of the household is part of the domestic worker’s tasks. What results is an unbearable situation, not only because refusal often brings a beating but also because this brings her into conflict with the wife. Indeed, in many instances, domestic workers are “lent” to relatives not only to have them clean up the latter’s homes but to serve as sexual playthings to male brothers or in-laws.

Slavery is said to be a thing of the past. However, the dynamics of global capitalism have reproduced a system of repressive labor globally that is serviced and maintained by legal and illegal labor trafficking. Female domestic workers are at the bottom of the migrant social hierarchy in places like the Middle East. Their conditions of work, which often include rape and sexual abuse, constitute a condition virtually indistinguishable from slavery. As was the case with traditional slavery in the 18th and 19th centuries, abolition of this system of repressed, unfree labor must be high on the agenda of the 21st century.

* Walden Bello is chairperson of the Committee on Overseas Workers’ Affairs of the House of Representatives, Philippine Congress

APPENDIX 2

List of Participants at the three Round Table Discussions

NAME	ORGANIZATION
<i>NGOs/CSOs/ Development Agencies</i>	
Abana, Yuen	Partido ng Manggagawa
Abao, Carmela	Working Group on Migration, Department of Political Science, Ateneo de Manila University
Abano, Rhodora	Center for Migrant Advocacy
Aguilar, Filomeno Jr.	School of Social Sciences, Ateneo de Manila University
Aldaba, Nandy	Department of Economics, Ateneo de Manila University
Bagasao, Ildefonso	Economic Resource Center for Overseas Filipinos
Baluarte, Lani	Partido ng Manggagawa
Bevelin, Elena	Friedrich Ebert Stiftung
Bolos, Mike	Advocate, Ex-OFW
Bullo, Josephine	Unlad Kabayan Migrant Services And Social Entrepreneurship
Castillo, CJ	Labor Education And Research Network
Chavez, Jenina Joy	Focus on the Global South, Action for Economic Reforms
Claudio, Lisandro Elias	Department of Political Science, Ateneo de Manila University
Claudio, Sylvia Estrada	College of Social Work and Community Development, University of the Philippines
Cordero, Roger	Merchant Marino Overseas Association
Fr. Corros, Edwin	Catholic Bishop Conference of the Philippines - Episcopal Commission for Pastoral Care of Migrants and Itinerant People
Cortina, Maya Bans	Philippine Consortium on Migration and Development
Cotoner, Hazel	Center for Migrant Advocacy
De Dios, Aurora Javate	Migration Studies, Miriam College of International, Humanitarian and Development Studies

De Guzman, Marissa	Migrant Rights Advocate
De la Torre, Edicio	Advocate for Sustainable Agriculture/ Consultant, Office of Secretary Prosy Alcala, Department of Agriculture
Divinagracia, Joann	Action for Economic Reforms
Duyvestyn, Carolyn	Unlad Kabayan Migrant Services Foundation, Enterprise Advocacy
Ermert, Marcelina	Babaylan-Europe
Fabros, Aya	Focus on the Global South
Francisco, Josefa	Women and Gender Institute, Miriam College
Gavard- Suaire, Valentine	Center for Migrant Advocacy
Geslanie, Manny	PR Migration Consultant
Ginete, Nadja	Philippine Rural Reconstruction Movement
Hacbang, Nonoi	Commission for Filipino Migrant Workers
Jose, Lydia Yu	Working Group on Migration, Department of Political Science, Ateneo de Manila University
Juyjeborer Martin	Friedrich Ebert Stiftung
Lao, Maria Elissa	Working Group on Migration, Department of Political Science, Ateneo de Manila University
Lawrence, Cate	Migrant Forum in Asia
Leimbach, Berthold	Friedrich-Ebert-Stiftung
Lord, Joselito	Ople Policy Center and Training Institute
Macabuag, Tatcee	Migrant Forum in Asia
Malindog, Anna	Department of Political Science, Ateneo de Manila University
Matias, Abigael	LBS E- Recruitment Solutions Corporation
Matienzo, Agnes	Migrant Forum in Asia
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Merry, Chandra	Center for Migrant Advocacy
Nachura, Rene	Center for Migrant Advocacy
Navarro, Anna Liza	Center for Migrant Advocacy
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Vasudevan, Anne-Helene	Friedrich-Ebert-Stiftung
Velasco, Benjie	Partido ng Manggagawa
Wilson, Brian	Center for Migrant Advocacy
GOVERNMENT	
Bello, Walden	Chair, Committee on Overseas Workers Affairs (COWA), House of Representatives
Caccam, Joann	Staff, Office of Akbayan Rep. Walden Bello
Cacdac, Hans Leo	Administrator, Philippine Overseas Employment Administration (POEA)
Casco, Liberty	Deputy Administrator, POEA
Certeza, Ramon	Staff, Office of TUCP Party-List Rep Raymond Mendoza, House of Representatives
Bautista, Rosanna	Department of Interior and Local Government (DILG)
Dimzon, Carmelita	Administrator, Overseas Workers Welfare Administration (OWWA)

Dummum, Omar	National Economics Development Authority (NEDA)
Gacad, Sabrina	Staff, Office of Akbayan Rep. Walden Bello
Garcia, Rodrigo	Commission on Filipinos Overseas (CFO)
Gonzaga, Ruth	Bangko Sentral ng Pilipinas (BSP)
Edillon, Rose	NEDA
Galang , Zoilo	Technical Education and Skills Development Authority (TESDA)
Lais, Jolly	Autonomous Region of Muslim Mindanao, Manila Liaison Officer
Lomibao, Christopher	Committee Secretary, COWA
Melgar, Mariquit	Chief of Staff, Office of Cong. Walden Bello
Nilong, Bulyok S.	National Reintegration Center for OFWs (NRCO)
Sy, Criselda	Department of Labor and Employment (DOLE)
Tayag, Rey	Overseas Welfare Workers Administration (OWWA)
Tirona, Mary Grace	Executive Director, CFO
Tobia, Josephine	OWWA
Tresvalles, Noemi	Public Employment Service Office (PESO), Quezon City Government

APPENDIX 3

Philippine Ratification of Core Human Rights Instruments

1.	<u>Convention on the Prevention and Punishment of the Crime of Genocide. Paris, 9 December 1948</u>
2.	<u>International Convention on the Elimination of All Forms of Racial Discrimination. New York, 7 March 1966</u>
2.a.	
3.	<u>International Covenant on Economic, Social and Cultural Rights. New York, 16 December 1966</u>
3.a.	
4.	<u>International Covenant on Civil and Political Rights. New York, 16 December 1966</u>
5.	<u>Optional Protocol to the International Covenant on Civil and Political Rights. New York, 16 December 1966</u>
6.	<u>Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity. New York, 26 November 1968</u>
7.	<u>International Convention on the Suppression and Punishment of the Crime of Apartheid. New York, 30 November 1973</u>
8.	<u>Convention on the Elimination of All Forms of Discrimination against Women. New York, 18 December 1979</u>
8.a.	<u>Amendment to article 20, paragraph 1 of the Convention on the Elimination of All Forms of Discrimination against Women. New York, 22 December 1995</u>
8.b.	<u>Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. New York, 6 October 1999</u>
9.	<u>Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. New York, 10 December 1984</u>
9.a.	<u>Amendments to articles 17 (7) and 18 (5) of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. New York, 8 September 1992</u>
9.b.	<u>Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. New York, 18 December 2002</u>
10.	<u>International Convention against Apartheid in Sports. New York, 10 December 1985</u>

11.	<u>Convention on the Rights of the Child. New York, 20 November 1989</u>
11.a.	<u>Amendment to article 43 (2) of the Convention on the Rights of the Child. New York, 12 December 1995</u>
11.b.	<u>Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. New York, 25 May 2000</u>
11.c.	<u>Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. New York, 25 May 2000</u>
11.d.	
12.	<u>Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. New York, 15 December 1989</u>
13.	<u>International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. New York, 18 December 1990</u>
15.	<u>Convention on the Rights of Persons with Disabilities. New York, 13 December 2006</u>

(Source: <http://treaties.un.org/Pages/Treaties.aspx?id=4&subid=A&lang=en>)

Philippine Ratification of ILO Labor Standards

Fundamental

Convention	Date	Status
<u>C029 - Forced Labour Convention, 1930 (No. 29)</u>	15 Jul 2005	In Force
<u>C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)</u>	29 Dec 1953	In Force
<u>C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98)</u>	29 Dec	In Force

Convention	Date	Status
	1953	
<u>C100 - Equal Remuneration Convention, 1951 (No. 100)</u>	29 Dec 1953	In Force
<u>C105 - Abolition of Forced Labour Convention, 1957 (No. 105)</u>	17 Nov 1960	In Force
<u>C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111)</u>	17 Nov 1960	In Force
<u>C138 - Minimum Age Convention, 1973 (No. 138)</u> <i>Minimum age specified: 15 years</i>	04 Jun 1998	In Force
<u>C182 - Worst Forms of Child Labour Convention, 1999 (No. 182)</u>	28 Nov 2000	In Force

Governance (Priority)

Convention	Date	Status
<u>C122 - Employment Policy Convention, 1964 (No. 122)</u>	13 Jan 1976	In Force

Convention	Date	Status
<u>C144 - Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)</u>	10 Jun 1991	In Force

Technical

Convention	Date	Status
<u>C017 - Workmen's Compensation (Accidents) Convention, 1925 (No. 17)</u>	17 Nov 1960	In Force
<u>C019 - Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19)</u>	26 Apr 1994	In Force
<u>C023 - Repatriation of Seamen Convention, 1926 (No. 23)</u>	17 Nov 1960	In Force
<u>C053 - Officers' Competency Certificates Convention, 1936 (No. 53)</u>	17 Nov 1960	In Force
<u>C059 - Minimum Age (Industry) Convention (Revised), 1937 (No. 59)</u>	17 Nov 1960	Automatic Denunciation 04 Jun 1998 by C138

Convention	Date	Status
<u>C077 - Medical Examination of Young Persons (Industry) Convention, 1946 (No. 77)</u>	17 Nov 1960	In Force
<u>C088 - Employment Service Convention, 1948 (No. 88)</u>	29 Dec 1953	In Force
<u>C089 - Night Work (Women) Convention (Revised), 1948 (No. 89)</u>	29 Dec 1953	Recently denounced 27 Feb 2012
<u>C090 - Night Work of Young Persons (Industry) Convention (Revised), 1948 (No. 90)</u>	29 Dec 1953	In Force
<u>C093 - Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93)</u>	29 Dec 1953	Convention not in force
<u>C094 - Labour Clauses (Public Contracts) Convention, 1949 (No. 94)</u>	29 Dec 1953	In Force
<u>C095 - Protection of Wages Convention, 1949 (No. 95)</u>	29 Dec 1953	In Force
<u>C097 - Migration for Employment Convention (Revised), 1949 (No. 97)</u> <i>Has excluded the provisions</i>	21 Apr	In Force

Convention	Date	Status
<i>of Annex II and III</i>	2009	
<u>C099 - Minimum Wage Fixing Machinery (Agriculture) Convention, 1951 (No. 99)</u>	29 Dec 1953	In Force
<u>C110 - Plantations Convention, 1958 (No. 110)</u>	10 Oct 1968	In Force
<u>C118 - Equality of Treatment (Social Security) Convention, 1962 (No. 118)</u> <i>Has accepted Branches (a) to (g)</i>	26 Apr 1994	In Force
<u>C141 - Rural Workers' Organisations Convention, 1975 (No. 141)</u>	18 Jun 1979	In Force
<u>C143 - Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)</u>	14 Sep 2006	In Force
<u>C149 - Nursing Personnel Convention, 1977 (No. 149)</u>	18 Jun 1979	In Force
<u>C157 - Maintenance of Social Security Rights Convention, 1982 (No. 157)</u>	26 Apr 1994	In Force

Convention	Date	Status
<u>C159 - Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)</u>	23 Aug 1991	In Force
<u>C165 - Social Security (Seafarers) Convention (Revised), 1987 (No. 165)</u> <i>Has accepted the obligations of Article 9 of the Convention in respect of the branches mentioned in Article 3 (a), (b), (d), (e), (h) and (i).</i>	09 Nov 2004	In Force
<u>C176 - Safety and Health in Mines Convention, 1995 (No. 176)</u>	27 Feb 1998	In Force
<u>C179 - Recruitment and Placement of Seafarers Convention, 1996 (No. 179)</u>	13 Mar 1998	In Force
<u>C185 - Seafarers' Identity Documents Convention (Revised), 2003 (No. 185)</u>	19 Jan 2012	In Force
<u>C189 - Domestic Workers Convention, 2011 (No. 189)</u>	05 Sep 2012	Convention not yet in force
<u>MLC - Maritime Labour Convention, 2006</u>	20 Aug 2012	Convention not yet in force

(Source: <http://ilo.org/ilolex/english/convdisp1.htm>)

“The Center for Migrant Advocacy Philippines and the Working Group on Migration takes full responsibility for the contents of this publication.”