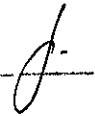


SIXTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

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SENATE
PS Res. No. 1242

RECEIVED BY: 

Introduced by SENATOR SONNY ANGARA

RESOLUTION

DIRECTING THE SENATE COMMITTEE ON LABOR, EMPLOYMENT AND HUMAN RESOURCES DEVELOPMENT TO CONDUCT A BROAD RE-EXAMINATION, IN AID OF LEGISLATION, OF THE GOVERNMENT'S MIGRATION POLICIES INCLUDING EXISTING LABOR LAWS AND REGULATIONS IN LIGHT OF THE CONTINUED ISSUES, PROBLEMS, ABUSES AND EXPLOITATION FACED AND EXPERIENCED BY OVERSEAS FILIPINO WORKERS (OFWs) TWENTY (20) YEARS SINCE THE DEATH OF FLOR CONTEMPLACION IN MARCH 17, 1995 WITH A VIEW TO GENUINELY ADVANCE THE INTEREST AND PROTECT THE WELFARE OF EVERY FILIPINO MIGRANT WORKERS, OUR MODERN DAY HEROES.

1 **WHEREAS**, Article II, Sec. 18 of the 1987 Philippine Constitution provides,
2 "[T]he State affirms labor as a primary social economic force. It shall protect the
3 rights of workers and promote their welfare.";

4
5 **WHEREAS**, Article XIII, Sec. 1 of the Constitution also provides, "[T]he
6 State shall afford full protection to labor, local and overseas, organized and
7 unorganized, and promote full employment and equality of employment
8 opportunities for all.";

9
10 **WHEREAS**, recent Labor Force Surveys (LFS) of the Philippine Statistics
11 Authority (PSA) indicate that while the country's labor force grow an addition of
12 almost one million persons every year, this number can not be absorbed by
13 available gainful jobs, and thus has consistently resulted to growing number of
14 Filipinos choosing to find greener pastures in foreign lands as overseas Filipino
15 workers or OFWs;

16
17 **WHEREAS**, the Department of Foreign Affairs estimates that as of 2014,
18 the total number of overseas Filipinos have already reached 9,594,812 – 4,165,632
19 in the Americas; 2,150,011 in Asia and the Pacific; 833,182 in Europe; and
20 2,445,987 in Middle East and Africa;

21
22 **WHEREAS**, the Philippine Overseas Employment Administration or POEA
23 on its latest Survey on Overseas Filipinos (SOF) has estimated that out of the
24 almost ten million overseas Filipinos, the total number of documented OFWs are
25 2,241,852 – 1,773,939 are land-based workers wherein of this number, 562,635
26 are new hires and 1,211,304 are rehires; and 467,915 are sea-based workers;

27
28 **WHEREAS**, POEA's 2013 Survey on Overseas Filipinos also shows that
29 over the period of 15 years or from 1995 to 2009, the average number of new hires

1 of OFWs are more than 250,000 per year which has now significantly ballooned
2 since 2010 to more than 450,000 new hires per year and most of them were hired
3 as production/laborers/transport equipment operators, and service workers which
4 includes domestic helpers, waiters/bar tenders, cooks and caretakers;

5
6 **WHEREAS**, on March 17, 1995, the nation was shocked by the
7 controversial execution of a Filipina domestic helper in Singapore named Flor
8 Contemplacion, "enough to cause a national trauma and compel both the executive
9 and legislative branches to enact legislation protecting OFWs worldwide."¹;

10
11 **WHEREAS**, on June 7, 1995, in the wake of the Flor Contemplacion
12 incident, President Fidel V. Ramos signed the Migrant Workers and Overseas
13 Filipinos Act of 1995 or Republic Act No. 8042 which seeks to overhaul and
14 manage the overseas employment sector by applying more protective framework
15 that takes into account the plight of Filipino overseas who are in distress, including
16 those who are undocumented;

17
18 **WHEREAS**, twenty years after the death of Flor Contemplacion, the
19 resulting public outcry for more protection on the welfare of OFWs seems to be the
20 same public outcry up to this moment because of the following troublesome
21 reports:

- 22
23 1. OFWs facing death penalty cases has reached a total of 88 as of March
24 10, 2015 from a previous total of 80 in 2013, 93 in 2012 and 131 in 2011
25 (DFA data) the latest casualty is the case of an OFW in the Kingdom of
26 Saudi Arabia whose death even caught in surprise our government;
- 27 2. Victims of human trafficking totaled 1,457 in 2011, 1,029 in 2012, and
28 1,135 in 2013 (DFA data);
- 29 3. OFWs, both land-based and sea-based are targeted and are being
30 kidnapped by rebel and other lawless groups, most recent are the four
31 *Filipino nationals abducted in the oil fields of Libya*;
- 32 4. From 2009-2013, Overseas Workers Welfare Administration or OWWA
33 handled an average of more than 50,000 cases on-site, annually;
- 34 5. An average of 1,600 illegal recruitment cases were also handled by
35 POEA from 2007-2011 indicating that each year, thousands of hopeful
36 Filipinos are victimized by illegal recruiters; and
- 37 6. The overseas employment cases received by the National Labor
38 Relations Commission or NLRC has been increasing from 5,834 in 2011,
39 6,121 in 2012 to 6,280 in 2013;

40
41 **WHEREAS**, there has also been a sustained internal conflict in countries
42 where our OFWs are deployed particularly in Libya, Iraq, Syria, Yemen, South
43 Sudan, Lebanon, Jordan and Egypt thus putting their lives into more dangerous
44 situations worsened by the reported slow repatriation process of the government;²

45
46 **WHEREAS**, Republic Act No. 8042, as amended by Republic Act No. 10022
47 further sought to rationalize in one comprehensive legislation the government's
48 overseas employment program underscoring the need to protect the well-being of
49 Filipinos abroad as well as reintegrate them into the mainstream of Philippine
50 society and tapping their talents and skills for national development goals;

¹ Jorge V. Tigno, Governance and Making Public Policy in the Philippines: RA 8042 and Deregulating the Overseas Employment Sector, Paper presented at the International Conference on Challenges to Development: Innovation and Change in Regulation and Competition, EDSA Shangri-Law Hotel, October 2003.

² Migrant International, based on field reports that they receive.

1 **WHEREAS**, despite the innovative objective of Republic Act No. 8042, as
2 amended to consolidate all government efforts that aims to protect the welfare of
3 our OFWs, different government bodies are performing individual, separate and
4 most of the time uncoordinated functions namely the Department of Labor and
5 Employment (DOLE), Department of Foreign Affairs (DFA), Philippine Overseas
6 Employment Administration (POEA), Commission on Overseas Filipino (COF),
7 Overseas Workers Welfare Administration (OWWA) and recently, even the Bangko
8 Sentral ng Pilipinas (BSP);

9
10 **NOW, THEREFORE, BE IT RESOLVED**, as it is hereby resolved by the
11 Senate of the Philippines to the Senate Committee on Labor, Employment and
12 Human Resources Development to conduct a broad re-examination, in aid of
13 legislation, of the government's migration policies including existing labor laws and
14 regulations in light of the continued issues, problems, abuses and exploitation
15 faced and experienced by Overseas Filipino Workers (OFWs) twenty (20) years
16 since the death of Flor Contemplacion in March 17, 1995 with a view to genuinely
17 advance the interest and protect the welfare of every Filipino migrant workers, our
18 modern day heroes.

19 Adopted.

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SENATOR SONNY ANGARA