

Thirteenth Congress of the Republic)
of the Philippines)
First Regular Session)

2 MAY 27 2005

SENATE **204**
Senate Resolution No. _____

REGULAR SESSION

Introduced by Senator Ramon "Bong" Revilla, Jr.

RESOLUTION URGING THE COMMITTEE ON LABOR AND EMPLOYMENT TO CONDUCT AN INQUIRY IN AID OF LEGISLATION ON THE IMPACT ON THE ECONOMY, PARTICULARLY ON LABOR AND EMPLOYMENT AND ON THE WELFARE AND INTEREST OF OVERSEAS FILIPINO WORKERS IN AND BOUND FOR JAPAN, OF THE CHANGE IN THE IMMIGRATION RULES OF JAPAN REGARDING THE ENTRY OF OVERSEAS PERFORMING ARTISTS, OR OPAS, ON THE CAUSES OF SUCH CHANGE, AND THE RESPONSE OF THE DEPARTMENT OF LABOR AND EMPLOYMENT, PHILIPPINE OVERSEAS EMPLOYMENT ADMINISTRATION, AND THE DEPARTMENT OF FOREIGN AFFAIRS ON THE SAME.

WHEREAS, the government of Japan has indicated it will implement on March 15, 2005 a change in its immigration rules governing the entry of overseas performing artists, or OPAs, as one of the measures which form part of its comprehensive Cabinet Action Plan Against Trafficking in Persons;

WHEREAS, the change involves the deletion of the first of Japan's three criteria in the granting of an "entertainer" visa, which criteria provides, thus: *"Any applicant who wants to engage in the business of theatrical art, performance, singing, or dancing must fall in the following categories: (1) He or she holds the certificate approved by a central or local government of a foreign country or an institution authorized by those governments."*

WHEREAS, this certificate, which in the Philippines is called the Artist Record Book (ARB), now the Artist Accreditation Certificate (AAC), has been the single most important document that the Filipino OPA needs to obtain an "entertainer" visa for Japan, and in fact, has been recognized by the Japanese Immigration Bureau over the past 18 years;

WHEREAS, with the ARB as a main documentary requirement for entry, the Philippines was able to deploy an annual average of 50,000 OPAs to Japan since 1996, reaching a peak of 80,000 in 2003;

WHEREAS, apart from clamping down on human trafficking, the action of Japan with regards overseas entertainers is also seen as a demonstration of its loss of trust and confidence in the ARB which, over a year ago, was tainted with scandal and anomaly involving its issuance by the TESDA, resulting in the resignation of then TESDA Director General Dante Liban;

WHEREAS, it was the private sector, specifically the licensed agencies deploying overseas entertainers, that called for the prosecution of those involved in perpetrating the ARB anomalies but unfortunately, such call has not been given due course and consideration by the appropriate government agencies, resulting in the loss of the integrity and credibility of the TESDA-issued OPA document in the eyes of the Japanese Immigration Bureau;

WHEREAS, during the 2004 Overseas Employment Summit, the private sector, specifically the licensed agencies deploying overseas entertainers, reiterated its clamor for reforms in the government certification system, resulting to the transfer from TESDA to the POEA of the function of issuing the ARB, hence renamed the AAC;

WHEREAS, the termination by Japan of its recognition of the government's OPA certification system (ARB/AAC) will result to a monumental crisis affecting the economy and a large swath of the Philippine population which could give rise to serious economic dislocation, unemployment, fiscal drain, political instability, and other social problems that the government could ill-afford to face at this time;

WHEREAS, the government, recognizing the inevitability of the crisis, has dispatched several official missions to Japan to try to persuade the Japanese to reconsider the rule change, declare a five-year moratorium, and recognize the ARB that has been changed into the AAC, but said missions allegedly failed;

WHEREAS, it has been reported that Japan's immigration rule that no longer recognizes the ARB/AAC will take effect on March 15;

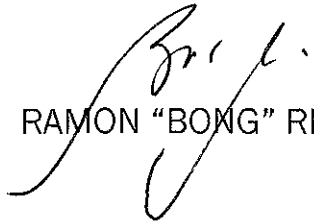
WHEREAS, there is a most urgent need to look into this matter and formulate legislative measures that will prevent the crisis, minimize its dire effects to the economy and the affected workers, and ensure the welfare and interest of OFWs who would be similarly situated in the future as a result of immigration rule changes in OFW destination countries.

NOW, THEREFORE, BE IT

RESOLVED BY THE SENATE, to direct the Committee on Labor and Employment to conduct an inquiry in aid of legislation on the impact on the economy, particularly on labor and employment and on the welfare and interest of overseas Filipino workers in and bound for Japan, of the change in the immigration rules of Japan regarding the entry of overseas performing artists, or OPAs, as well as on the causes of such change, and the response of the Department of Labor and Employment, Philippine Overseas Employment Administration, and the Department of Foreign Affairs on the same, with the end view of recommending appropriate legislative measures that will prevent the crisis, minimize its dire effects

to the economy and the affected workers, and ensure the welfare and interest of OFWs who would be similarly situated in the future as a result of immigration rule changes in OFW destination countries.

Adopted,



RAMON "BONG" REVILLA, JR.