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SENATE

P.S. Res. No. 426

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Introduced by **SENATOR LEILA M. DE LIMA**

RESOLUTION

DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE REPORTED ISSUES AND DELAYS IN THE RELEASE OF OVERSEAS FILIPINO WORKERS (OFWs) FROM DESIGNATED QUARANTINE FACILITIES AS PART OF THE ONGOING PROGRAM OF THE PHILIPPINE GOVERNMENT SEEKING TO REPATRIATE AND REUNITE THEM WITH THEIR FAMILIES AMIDST THE GLOBAL ECONOMIC DOWNTURN AND LABOR CONTRACTIONS BROUGHT UPON BY THE COVID-19 PANDEMIC

1 WHEREAS, Article II, Section 18 of the 1987 Constitution declares, in part, that
2 the State “shall protect the rights of workers and promote their welfare”;

3 WHEREAS, Article XIII, Section 3 of the same also declares, in part, that the
4 State “shall afford full protection to labor, local and overseas, organized and
5 unorganized”;

6 WHEREAS, Section 15 of Republic Act No. 8042, otherwise known as the
7 “Migrant Workers and Overseas Filipinos Act of 1995” states, in part, that “[t]he
8 Overseas Workers Welfare Administration (OWWA), in coordination with appropriate
9 international agencies, shall undertake the repatriation of workers in cases of war,
10 epidemic, disasters or calamities, natural or man-made, and other similar events
11 without prejudice to reimbursement by the responsible principal or agency”;

12 WHEREAS, in a news briefing held on 11 March 2020, World Health
13 Organization (WHO) Director-General, Dr. Tedros Adhanom Ghebreyesus officially

1 characterized the COVID-19 as a pandemic when, as of said date, it had over 118,000
2 confirmed cases in 114 countries and caused the deaths of 4,291 people;¹

3 WHEREAS, confirmed cases of COVID-19 infections and deaths worldwide and
4 in the Philippines continue to rise;

5 WHEREAS, the COVID-19 pandemic, aside from the harmful effects it has had
6 on people's health and lives, also adversely impacts the global economy. For one, the
7 adoption of physical distancing measures in order to mitigate the spread of the virus
8 has led to the shutdown of financial markets, corporate offices, businesses and events.
9 On the other hand, the exponential rate at which the virus has spread, coupled with
10 the heightened uncertainty surrounding the global market, has led to a more cautious
11 approach to consumption and investment among consumers, investors and
12 international trade partners;²

13 WHEREAS, the International Monetary Fund (IMF) forecasts a three percent
14 (3%) economic contraction brought upon by the COVID-19 pandemic which is likely
15 to be accompanied by massive incidences of unemployment worldwide. The IMF
16 predicts the unemployment rate to climb up to 10.4% in 2020, from 3.7 in 2019.
17 Furthermore, they have noted that those working in vulnerable sectors are set to bear
18 the brunt of these effects;³

19 WHEREAS, among the hardest hit sectors here in the country are Overseas
20 Filipino Workers (OFWs). On 9 April 2020, then Socioeconomic Planning Secretary
21 Ernesto Pernia stated that the pandemic could cut OFW remittances by as much as 20
22 to 30 percent – a figure amounting to approximately \$6.7 billion to \$10 billion - as the
23 global economy is disrupted by varying degrees of quarantines or lockdowns imposed
24 to halt transmission of COVID-19;⁴

25 WHEREAS, the Philippine government estimates the number of OFWs at 10
26 million, which amounts to approximately a tenth of the population. About 120,000 of

¹ World Health Organization. *WHO Director-General's opening remarks at the media briefing on COVID-19 - 11 March 2020*. (11 March 2020). Retrieved May 15, 2020, from <https://www.who.int/dg/speeches/detail/who-director-general-s-opening-remarks-at-the-media-briefing-on-covid-19---11-march-2020>

² Ozili, P. & Arun, T. *Spillover of COVID-19: impact on the Global Economy*. (2020). SSRN Electronic Journal. 10.2139/ssrn.3562570.

³ Charlton, E. *5 crises that could worsen under COVID-19*. WeForum. (4 May 2020). Retrieved May 15, 2020, from <https://www.weforum.org/agenda/2020/05/crises-coronavirus-could-worsen/>

⁴ Mogato, M. *Phl May Lose Up To \$10 Billion In OFW Remittances Amid COVID-19 Pandemic*. OneNews PH. (9 April 2020). Retrieved, May 15, 2020, from <https://www.onenews.ph/phl-may-lose-up-to-10-billion-in-ofw-remittances-amid-covid-19-pandemic>

1 them work on cruise ships around the world, and their jobs could be under threat as
2 the pandemic has essentially crippled the tourism industry;⁵

3 WHEREAS, on April 13, the Inter-Agency Task Force on Emerging Infectious
4 Diseases (IATF-EID) issued Resolution No. 23, series of 2020, which established the
5 Sub-Task Group (STG) for the Repatriation of OFWs, thereby instituting a whole-of-
6 government approach to help OFWs come home to their families. Per the resolution,
7 the STG shall be chaired by the Department of Transportation (DOTr) and co-chaired
8 by the Overseas Workers Welfare Administration (OWWA). The Department of Labor
9 and Employment (DOLE), Department of Health (DOH), the Department of Foreign
10 Affairs (DFA), the Department of the Interior and Local Government (DILG), the
11 Philippine National Police, the Department of Tourism (DOT), the Philippine Coast
12 Guard (PCG), the Bureau of Quarantine (BOQ) round out the membership of the STG;

13 WHEREAS, on April 20 the IATF-EID issued Resolution No. 26, series of 2020,
14 which determined that “all arriving OFWs, whether land-based or sea-based, shall be
15 required to undergo a mandatory fourteen-day facility-based quarantine, and shall be
16 subject to rapid antibody testing for COVID-19”;

17 WHEREAS, as of May 2, it was reported that the Department of Foreign Affairs
18 had already managed to repatriate 24,422 OFWs – 16,936 of whom were sea based
19 and 7,486 were land-based OFWs;⁶

20 WHEREAS, the implementation of the OFW repatriation program has been
21 uneven at best as various complaints have emerged from OFWs regarding bed-
22 sharing⁷, poor sanitation⁸, cramped quarters⁹ and a lack of physical distancing
23 measures¹⁰, among others, in the designated quarantine facilities. Moreover, delays in

⁵ *Ibid*

⁶ Tamayo, B. *DFA repatriation program*. Manila Times (12 May 2020). Retrieved May 15, 2020, from <https://www.manilatimes.net/2020/05/12/news/latest-stories/dfa-repatriation-program/724292/>

⁷ Santos, J. *OWWA apologizes for room-sharing among OFWs in quarantine facilities*. GMA News. (25 April 2020) Retrieved May 15, 2020, from <https://www.gmanetwork.com/news/pinoyabroad/news/735570/owwa-apologizes-for-room-sharing-among-ofws-in-quarantine-facilities/story/>

⁸ Rita, J. *OWWA confirms poor sanitation in quarantine facility for repatriated OFWs*. GMA News . (19 April 2020). Retrieved May 15, 2020, from <https://www.gmanetwork.com/news/pinoyabroad/news/734659/owwa-confirms-poor-sanitation-in-quarantine-facility-for-repatriated-ofws/story/>

⁹ Ferreras, V. *DOTr apologizes, clarifies mishaps in lodging returning OFWs in quarantine vessel*. CNN Philippines. (17 April 2020). Retrieved May 15, 2020, from <https://cnnphilippines.com/news/2020/4/17/DOTr-apologizes-clarifies-mishaps-lodging-returning-OFWs-quarantine-ship-.html?fbclid=IwAR1s66lkXedYktDBgaQKseSoOF-SIwsJ-cown3DxMAqt-9bpVTx1brLyac4>

¹⁰ Ornedo, J. M. *Kuwait OFWs lament lack of social distancing at OWWA shelter*. GMA News. (5 April 2020) <https://www.gmanetwork.com/news/pinoyabroad/news/732766/kuwait-ofws-lament-lack-of-social-distancing-at-owwa-shelter/story/>

1 testing have also compelled some OFWs to stay within these facilities beyond the
2 mandatory 14-day quarantine procedure;¹¹

3 WHEREAS, the OWWA has recently appealed for understanding and asked for
4 patience from the OFWs who have been longing to go home to be with their loved
5 ones;¹²

6 WHEREAS, in spite of their sacrifice for our country, many repatriated OFWs
7 experience discrimination. No less than President Rodrigo Duterte appealed to local
8 government units to accept returning overseas Filipino workers in their areas amid the
9 COVID-19 pandemic in the country. According to Pres. Duterte, some LGUs are
10 refusing to accept the returning OFW over concerns of them spreading COVID-19 in
11 their areas;¹³

12 WHEREAS, many OFWs were left stranded in the quarantine facilities without
13 any information on when they will be able to return to their homes. According to Pres.
14 Duterte, the stranded OFWs are forced to use their savings during quarantine, which
15 was originally intended for their families;¹⁴

16 WHEREAS, due to the failure to test the OFWs quarantined, the national
17 government failed to provide the proper assurance to the LGUs that the OFWs are safe
18 to return to their hometowns. It was only after over one month in quarantine that the
19 national government initiated the mass testing programs for the OFWs. According to
20 COVID-19 response deputy chief implementer Vince Dizon, the immediate goal for the
21 next few weeks would be to test the 25,000 OFWs currently in quarantine in Metro
22 Manila and Greater Manila Area;¹⁵

¹¹ ABS-CBN News. *Mga OFW na naka-quarantine sa QC isolation facility inireklamo ang mabagal na pag-swab test.* (14 May 2020). Retrieved May 15, 2020, from <https://news.abs-cbn.com/video/news/05/14/20/mga-ofw-na-naka-quarantine-sa-qc-isolation-facility-inireklamo-ang-mabagal-na-pag-swab-test>

¹² Patinio, F. *OWWA appeals for OFWs' understanding over quarantine rules.* PNA. (7 May 2020). Retrieved May 15, 2020, from <https://www.pna.gov.ph/articles/1102186>

¹³ CNN Philippines. *Duterte asks LGUs to accept returning OFWs amid the COVID-19 pandemic.* (5 May 2020). Retrieved from: <https://www.cnnphilippines.com/news/2020/5/5/duterte-asks-igus-accept-returning-ofws.html>

¹⁴ *Ibid.*

¹⁵ CNN Philippines. *Gov't to test 25,000 returning OFWs for COVID-19 to declog quarantine centers.* (5 May 2020). Retrieved from: <https://www.cnn.ph/news/2020/5/5/OFW-coronavirus-test-quarantine-centers.html>

1 WHEREAS, due to this standoff between the national government and the
2 LGUs, the OWWA amended their guidelines to remove the requirement of quarantine
3 for OFWs who test negative for COVID-19;¹⁶

4 WHEREAS, it was reported that some OFW repatriates left the quarantine
5 facilities prior to receiving the results of their tests¹⁷;

6 WHEREAS, the lack of any semblance of protocol for the return of repatriated
7 OFWs to their hometown led to them having to spend extended period in quarantine
8 having to spend their hard-earned savings just to survive and without any idea on
9 when and how they will be able to be reunited with their families;

10 WHEREAS, there is a complete and utter failure in the handling of the return
11 of the repatriated OFWs. There were no plans to test them prior to this month. Many
12 of them had to endure sub-optimal living conditions. And, most importantly, they are
13 woefully uninformed of any plans to reunite them with their families;

14 WHEREAS, it is due to this lack of assurance from our government that many
15 of our OFWs felt despair and lost hope in the system that they would rather risk
16 spreading the virus on their way home than spend more time in the quarantine centers;

17 WHEREAS, the government's shortcomings to create enough local jobs have
18 already forced these workers to seek greener pastures elsewhere and sacrifice their
19 time with their families in order to earn a living. At present, not only have some of
20 these workers lost their primary sources of income, but they are also unwillingly
21 separated from their loved ones amidst the panic, fear, and anxiety brought by the
22 COVID-19 virus;

23 WHEREAS, there is need to identify the shortcomings in the OFW repatriation
24 program and assess not only areas for improvement, but also for accountability for the
25 suffering of our OFW repatriates;

26 WHEREAS, OFWs are our modern-day heroes and deserve the best possible
27 treatment that our country has to offer. They should be able to enjoy their right to
28 spend the remainder of their stay here in the Philippines with their loved ones during
29 these uncertain times beneath the specter of this global pandemic;

¹⁶ Lolo, Raymart. *No more 14-day quarantine for returning OFW*. Daily Tribune (13 May 2020). Retrieved from: <https://tribune.net.ph/index.php/2020/05/13/no-more-14-day-quarantine-for-returning-ofw/>

¹⁷ Movido, Angel. ABS-CBN News Facebook. (17 May 2020). Retrieved from: <https://www.facebook.com/abscbnNEWS/photos/a.84382255167/10158356212670168/?type=3&theater>

1 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE, to direct the
2 appropriate Senate Committee to conduct an inquiry, in aid of legislation, into the
3 reported issues and delays in the release of Overseas Filipino Workers (OFWs) from
4 designated quarantine facilities as part of the ongoing program of the Philippine
5 government seeking to repatriate and reunite them with their families amidst the
6 global economic downturn and labor contractions brought upon by the COVID-19
7 pandemic.

Adopted,


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