

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

5 DEC 12 2011

RECEIVED BY: _____

SENATE
P S R No 400

Introduced by Senator Miriam Defensor Santiago

RESOLUTION

DIRECTING THE SENATE COMMITTEE ON FOREIGN RELATIONS AND THE
SENATE COMMITTEE ON JUSTICE AND HUMAN RIGHTS TO CONDUCT AN
INQUIRY, IN AID OF LEGISLATION, ON THE PLIGHT OF PRISONER
OVERSEAS FILIPINO WORKERS (POFWs) IN FOREIGN JAILS

WHEREAS, Republic Act 8042 also known as the Migrant Workers and Overseas Filipinos Act of 1995, section 2(b) states that: "The State shall afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all Towards this end, the State shall provide adequate and timely social, economic and legal services to Filipino migrant workers",

WHEREAS, the Migrant Workers and Overseas Filipinos Act of 1995, section 2(e) further states that "Free access to the courts and quasi-judicial bodies and adequate legal assistance shall not be denied to any persons by reason of poverty. In this regard, it is imperative that an effective mechanism be instituted to ensure that the rights and interest of distressed overseas Filipinos, in general, and Filipino migrant workers, in particular, documented or undocumented, are adequately protected and safeguarded";

WHEREAS, according to the 2004 report of the Department of Foreign Affairs (DFA), 4,775 Filipinos are languishing in foreign jails, 1,103 of which are Filipinas; 5,883 sought the help of Philippine embassies for various reasons during that year, and 12,613 had to be sent back to the country with government help,

WHEREAS, out of the 82 Philippine missions abroad, only 12 reported not having aided a citizen in detention which means that in every continent, except Antarctica, there is a Filipino behind bars,

WHEREAS, there is a concentration of POFWs in the jails of different countries like Malaysia with 1,200 Filipino detainees, Israel with 1,028, Japan with 314, Saudi Arabia with 213; Singapore with 192, Kuwait with 47, and Hong Kong with 77;

WHEREAS, recognizing the significant contribution of Filipino migrant workers to the national economy through their foreign exchange remittances which, according to the Bankgo Sentral ng Pilipinas (BSP), have reached \$7 billion from January to August of 2005, the government should actively protect the rights of the OFWs through the various institutions of the DFA;

WHEREAS, the Migrant Workers Act of 1995, provides a legal assistance fund of Php100 million to the Legal Assistant for Migrant Affairs to be used in providing legal services to migrant workers and overseas Filipinos in distress,

WHEREAS, considering the appalling state of OFWs in distress, there is an urgent need to look into how the funds allocated every year for legal assistance for these workers are being spent,

WHEREFORE, be it resolved, as it is hereby resolved by the Philippine Senate, to direct the Senate Committee on Foreign Relations and the Senate Committee on Justice and Human Rights to conduct an inquiry, in aid of legislation, on the plight of Prisoner Overseas Filipino Workers (POFWs) in foreign jails

Adopted,


MIRIAM DEFENSOR SANTIAGO

/dpm