

CENTER FOR MIGRANT ADVOCACY

**WORKING PAPER ON
OVERSEAS MIGRATION
2011**

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Center for Migrant Advocacy Policy Framework

The Philippine overseas employment program is now on its fourth decade. From a “temporary” measure to generate foreign currency and employment, it has become the centerpiece of the country’s economic development and survival.

Through the years, overseas labor migration has had both positive and negative aspects. It has aided successive governments to weather periodic economic crises and helped Filipino families to survive and even improve their lives. But labor migration has also brought hardships and suffering to countless migrants and their families. Discrimination, sacrifice, violence and deceit have characterized all the stages of the migration process: pre-departure, in transit, on-site, and return and reintegration.

Recent events in both domestic and international settings have once again brought to the fore the question of the country’s overseas employment program. The ascendance in June 2010 of Benigno Simeon C. Aquino, III to the presidency brought with it renewed hope and optimism for many Filipinos. During the Aquino administration’s first few days, 75% or 3 in 4 Filipinos disagreed with the statement “If it were only possible, I would migrate to another country and live there.” With renewed hope and optimism under the new government, fewer Filipinos, at that point, wanted to migrate to another country and live there, according to a survey by Pulse Asia conducted in July 2010.

After more than a year of the Aquino presidency, the people still await the fulfillment of the President’s promises of real reform, good governance, democracy and poverty alleviation. In the

meantime, majority of Filipinos contend with the following realities on a daily basis: worsening poverty, soaring prices of commodities, increasing criminality, high unemployment and underemployment rates, falling wages, decreasing social services, and general uncertainty and insecurity.

Moreover, the political turmoil in the Middle East and North Africa (MENA) and the world financial and economic crisis pose serious risks to the safety, livelihood and well-being of overseas Filipino workers (OFWs), and to the stability of the Philippine economy.

Given the foregoing, questions have again been raised about the wisdom of relying on overseas migration as a major source of income for Filipinos, and as an engine for economic growth.

History of Filipino Overseas Migration

The overseas migration of Filipinos forms part of our history. It gives us not just an appreciation of history but also a deeper knowledge and understanding of the reasons why people have chosen to leave the country and how this migration has impacted the country.

The Filipinos have a long history of overseas migration which may be characterized by three waves.

First Wave (early 1900s-1940s) –The first wave of overseas migration began during the American colonial period. The first batch of Filipino migrant workers went to Hawaii in 1906 to work in the sugar plantations. In 1907, some 150 more Filipinos were recruited. Mass recruitment of Filipino workers began in 1909.

More Filipinos migrated later to Hawaii and the United States mainland, and worked as farm workers and fruit pickers. In 1928, some 3,929 Filipinos worked in Alaska's fish canneries, most

of them as shoremen. By 1929, American shipping firms employed 7,890 Filipino seamen and the United States Navy recruited 25,000 men. By 1933, Filipino workers in the US mainland and Hawaii numbered more than 100,000. From 1907-1935, a total of 121,744 Filipinos left for Hawaii. Only half of them went home to the Philippines; the other half chose to settle in Hawaii or the US mainland.

No legislation or administrative regulation governed the recruitment of Filipinos during this early period. It was only in 1915 that the Philippine Legislature enacted Act No. 2486, which sought to regulate overseas employment. That bill also provided for the appointment of a commissioner for service outside of the Philippine Islands to look after the welfare of Filipino workers. An amended law, Act No. 3148, came out in March 1924, which provided that the commissioner to Hawaii be appointed by the Governor General, with the advice and consent of the Philippine Senate. The Philippine Legislature later passed in 1928 Act No. 3957, which intended to regulate the operations of private recruitment agencies not covered by Act No. 2486.

Second Wave (1947-early70s) -- Except for the 7,000 Filipino workers who went to Hawaii in 1946, the post-war migration of Filipino workers to the United States dropped sharply after the US government carried out the national origin quota system, which gave immigration preference to those who joined the US Navy.

The US quota system changed the direction of Filipino migration from the US to neighboring Asian countries in the 1950s. Around 25,000 Filipinos, under five-year contracts, worked at logging camps in Sabah and Sarawak. Filipinos also formed part of the labor force that built and serviced American bases in Vietnam, Thailand and Guam during the Indochina war. By the early 1970s, Filipino engineers and technicians began working in Iran and Iraq.

Relaxed immigration rules in Canada (1962) and in the US (1965) led to a renewed upsurge of Filipino migration to North

America. By the mid-1960s, Filipinos also began to be employed as domestic workers and nurses in Western Europe. Minimal government regulation of overseas employment marked this period. Act No. 2486 of 1915 remained the only law in force concerned with overseas migration. New rules governing overseas employment only came out in 1968 with the issuance of Department Order No. 4.

Third Wave (1974-present)-- The massive overseas migration of Filipino workers began in 1974 with the institutionalization of the overseas employment program through the Labor Code of the Philippines. Then President Ferdinand Marcos initially intended overseas employment as a temporary response to unemployment and underemployment, as well as the lack of foreign exchange. Along with other developing countries, the Philippines took advantage of the labor shortage in oil-rich Middle East countries that had just embarked on massive economic and infrastructure development projects.

The number of OFWs grew steeply from the 1970s up to the present. In 1975, deployed migrant workers numbered 36,035; their remittances coursed through the banking system amounted to US\$103 million. By the end of 2010, overseas deployment and migrant remittances had grown more than twenty-five-fold.

The National Situation

Poverty, unemployment and economic uncertainty in the country force many Filipinos to seek and find employment in other countries and regions. This is a classic case of migrating out of necessity rather than free choice.

The Aquino administration has yet to come out with a clear agenda for reform. So far, its pronouncements and actions seem more in line with continuing past policies, instead of making a clear break from the programs of past administrations. This assessment extends both to the current administration's overall policies and to its specific policies and actions on overseas migration. It must act

now and decisively by first laying down its vision and development strategy beyond the rhetorics of anti- corruption and anti-poverty crusade.

Under the Aquino administration, the Department of Labor and Employment's (DOLE) 22-point platform and policy pronouncements on labor and employment has 12 points with direct bearing on OFWs and their families. These twelve points focus on reintegration, welfare, social protection and redress, efficient management, performance evaluation and anti-corruption. The 22-point platform has less focus on human resource development, local employment generation and deployment.

Over the ten-year period from 2001-2010, the Philippine economy expanded at a growth rate of only 4.7% per year. In terms of Gross Domestic Product (GDP), the economy grew almost uninterrupted from 2001 (1.8%) to 2004 (6.4%). This growth slowed down in 2005 (5.0%) and 2006 (5.3%) but rose again in 2007 with the second highest growth (7.1%) during the decade.

The growth figure declined in 2008 (3.7%) as the global financial crisis began and fell further to 1.1% at the height of the recession in 2009. The domestic economy again rebounded in 2010 with a 7.3% growth as the global economy recovered and manufacturing and merchandise exports recovered. But it was also at this period that the highest unemployment rates in the country's history were registered. Despite the supposed growth in the economy, unemployment and underemployment still persist with no signs of improvement.

While gross domestic product grew by 7.5% in the first months of 2010, employment increased by only 2.8%. This meant that the 929,000 new jobs generated was less than the 986,000 addition to the labor force.

The unemployment rate now stands at 7.4%. The 4.4 million unemployed Filipinos are increasing, many of them coming from

low-paying jobs in manufacturing, construction and trading. More than 72,000 lost their jobs in the agriculture sector as it further contracted by 2.8% in the last quarter of 2010. This is an alarming trend since agricultural workers already suffer from very low pay.

Another alarming trend is the quality of the unemployed sector. Nine out of every ten unemployed Filipinos (86.44%) are high school graduates or with some college education. More than half (51%) are between 15-24 years, which may be considered as among the prime years in terms of productivity. This indicates that the problem of unemployment does not lie in the lack of education or skills, but in the economy's inability to generate enough employment and opportunities to absorb the labor force.

As unemployment and underemployment remain high, prices of commodities remain high as well. Around 70% of the population or 64.6 million survive on a daily income of P104.00 (\$2.40 in 2011). The poorest sectors even subsist on less than this amount. More than 4.4 million Filipinos went hungry in the last quarter of 2010. Almost 46 million or half of the population lacked proper nutrition.

The rise in the minimum wage is even smaller than the increase in prices of goods and cost of living. In the National Capital Region (NCR) the minimum wage increased by only five pesos in real terms between 2001 and 2010. A 2010 estimate puts the real wage of P404.00 (\$9.36 in 2011) in NCR as amounting to only P242.35 (\$5.61). A March 2011 study reveals that the cost of living for a family of six in Metro Manila is already P1,010 (\$23.40) a day.

Labor contractualization is another alarming development. Through subcontracting, the private sector minimizes costs and obligations to their employees by keeping them on short-term contracts. The periodic termination of employment further condemns workers into deeper poverty, especially at a time of economic crisis.

At the other extreme, the net worth of the 25 richest families in the country reached almost US\$21.4 billion or more than 1 trillion pesos in 2010. This amount rose from the 2006 data of US\$15.2 billion. Ironically, increasing impoverishment of majority of the Filipinos occurs amid positive growth, rising corporate profits and growing private wealth.

A nationwide survey made by the Social Weather Station in early March 2011 said net public satisfaction with the Aquino administration's performance dropped to 46 per cent from 64 per cent in September and November in 2010. The 18 per cent drop underscores what the people already feel is a disappointing start for the Aquino administration. So far, beyond the anti-corruption pronouncements and recycling of old programs, the new government has not produced any concrete reform agenda.

Deployment of OFWs

Difficult socio-economic conditions continue to make Filipinos with access to financial and social resources consider overseas employment, or even permanent emigration. The dire condition of the country has never been more pronounced as the last ten years under the administration of former President Gloria Arroyo who pursued its labor export policy aggressively. It targeted an annual deployment of at least a million workers to more than 200 countries and destinations, emphasized the marketing functions of the Philippine Overseas Employment Administration (POEA), and oriented the educational system and the Professional Regulation Commission (PRC) towards producing professionals who will be attractive in the global market. Another controversial policy pronouncement under the Arroyo administration was the issuance of twin Administrative Orders (AO) 247 and 248 in December 2008 purportedly to mitigate mass scale displacement of the OFWs and to minimize the adverse impact of the global financial and economic crisis. AO 247 in particular directed the POEA to set aside regulation and go full blast with its marketing development efforts, exploration of frontiers and fertile job markets abroad for OFWs.

Data from the POEA indicates that a total of 1,470,826 registered land and sea-based OFWs were deployed overseas in 2010. This was slightly higher than the 2009 total deployment of 1,422,586. Closer scrutiny of the data reveals that there were actually fewer new job placements abroad as indicated by the drop in the number of new hires, from 349,715 in 2009 to 341,966 in 2010. Thus, the increase in deployment figure is more a function of the increase in the number of OFWs who renewed their contracts (re-hires) after their first work contracts in 2009, from 742,447 to 781,710 in 2010.

**Table 1. Deployment of Overseas Filipino Workers
1999-2010**

Year	Total	Land based	New Hires, (%)	Rehires, (%)	Sea based
1999	837,020	640,331	237,714 (37.12)	402,627 (62.87)	196,689
2000	841,628	643,304	253,418 (39.39)	389,886 (60.61)	198,324
2001	866,590	661,639	271,085 (40.97)	390,554 (59.03)	204,951
2002	891,908	682,315	289,288 (42.40)	393,027 (57.60)	209,593
2003	867,969	651,938	279,565 (42.88)	372,373 (57.12)	216,031
2004	933,588	704,586	284,912 (40.44)	419,674 (59.56)	229,002
2005	988,615	740,632	289,981 (39.15)	450,651 (60.85)	247,983
2006	1,062,567	788,070	317,680 (40.31)	470,390 (59.67)	274,497
2007	1,077,632	811,070	313,260 (38.62)	497,810 (61.38)	266,553
2008	1,236,013	974,399	376,973 (38.69)	597,426 (61.31)	261,614
2009	1,422,586	1,092,162	349,715 (32.02)	742,447(67.98)	330,424
2010	1,470,826	1,123,676	341,966 (30.40)	781,710 (69.57)	347,150

Source: POEA annual statistics, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010.

www.poea.gov.ph

The government points to the implementation of the newly amended Migrant Workers Act as the official reason for the drop in new hires. The new law mandates, among others, a comprehensive insurance coverage for every Filipino worker to be deployed abroad by recruitment agencies and for destination countries to have certificates of “compliance as safe destinations” from the Department of Foreign Affairs (DFA).

Labor recruiters, however, said this was caused by employers, especially in Middle East countries, who maintained a low-pay structure due to workers from other labor markets who are willing to get paid less than what Filipinos receive. Other recruiters argue that the available stock of qualified Filipinos has gone down, citing their failure to fill up requests from Middle East for qualified nurses. Further, they assert that other sending countries such as Pakistan and India have a bigger pool of skilled workers and professionals.

Since 2001, two-thirds of overseas deployments were re-hires or OFWs renewing contracts. The steady increase of re-hires, at the very least, is indicative of government’s failure to attract the OFWs back home.

By 2010, OFWs were in approximately 214 countries and territories around the globe. In December 2009, total estimates of population of overseas Filipinos numbered 8.579 million also in the same number of countries and territories. More than 4 million (47.3%) have permanent residence status, 3,864,068 (45%) are OFWs, and a little more than half a million (7.7%) are undocumented or have irregular status.

The classification of overseas Filipinos according to their immigration status provides an indicator on their vulnerabilities as non-citizens and migrants. Permanent residents have less risks and vulnerabilities compared to temporary/migrant workers. The undocumented Filipinos are in the most risky, insecure and vulnerable position.

Around half of annual deployment is to the Middle East with Saudi Arabia constantly on top of the list. The remarkable increase in deployment to the UAE and Qatar is also notable.

Feminization of Migration

Overseas migration has gone through a process of feminization. Over the last 20 years, Filipino migrant women have steadily increased their share in the migration pie. Almost three decades ago, Filipino women made up only 12% of the overseas workforce. In 1987, they already comprised 48.2% of overseas deployment. In 1993, women made up 55% of deployment. In 2000, migrant women already accounted for 64% of overseas deployment. They are prominent actors in the global care chain. The global care chain refers to “a series of personal links between people across the globe based on the paid or unpaid work of caring”.¹

Women migrants work as professional and technical employees - as nurses, clerical and sales workers, entertainers, caregivers, and domestic workers. Many of them were unemployed or had unpaid or undervalued jobs in the Philippines. Apart from economic reasons, gender-based violence at home, marital separation, and abandonment by spouse are among the reasons why women decide to work overseas. Among young single women, there is also the interest and desire to live and work in foreign lands as an exercise of their personal autonomy and in pursuit of personal development goals.

Women are also classified among the permanent migrants as fiancées and spouses of foreign nationals. Between 1981 to 2007, 309,745 Filipino women left the country as spouses of foreign nationals. The gender ratio between female and male workers reached 74:26 in 2004 but has dropped back to around 50:50 since Japan restricted the entry of entertainers in 2005 and POEA implemented a new set of policies for the protection of domestic workers in 2007.

Table 2. Number of Deployed Land-based Overseas Filipinos in Top Ten Occupational Categories and by Sex, 2010

World Region	Male	Female	Both Sexes
All Occupational Categories – Total	154,677	185,602	340,279
Household Service Workers	1,703	94,880	96,583
Charworkers, Cleaners and Related Workers	2,612	9,521	12,133
Nurses Professional	1,828	10,254	12,082
Caregivers and Caretakers	543	8,750	9,293
World Region	Male	Female	Both Sexes
Waiters, Bartenders and Related Workers	4,393	4,396	8,789
Wiremen and Electrical Workers	8,576	30	8,606
Plumbers and Pipe Fitters	8,391	16	8,407
Welders and Flame Cutters	5,037	22	5,059
Housekeeping and Related Service Workers	701	4,098	4,799
Bricklayers, Stonemasons and Tile Setters	4,478	29	4,507

Source: POEA, 2010 Overseas Employment Statistics

While women migrants already outpace men migrants, their remittances make up only 57% of what the men remit. This strongly suggests that women migrants work in informalized, lowly-valued and unprotected jobs. The nature of feminized jobs predisposes women not only to lower wage levels, but also to higher risks and vulnerabilities. As women coming from a less developed country, they encounter discrimination based on gender, class, and nationality.

The magnitude and institutionalization of overseas employment may have inadvertently facilitated local and international trafficking in girls and women. The US State Department, in its 2011 Trafficking in Persons Report,” has moved the ranking of the Philippines from Tier 2 Watchlist to Tier 2. This means that the Philippines “is making significant efforts to do so” although it “still does not fully comply with minimum standards.”

Women Domestic Workers: Vulnerable, Undervalued

The big number of domestic workers means that they play an important role in keeping the Philippines' economy afloat. During the recent financial crisis, remittances from Filipinos abroad actually increased compared to other labor exporting countries such as Indonesia and Bangladesh, and women in particular have been consistent in sending money to their families back home.²

Despite the domestic workers' significant contribution, they remain least acknowledged as a force for economic growth. Domestic work remains unrecognized as real work because it does not fit in the current framework of what is work. Society holds certain notions on what constitute 'work' such that it is something done outside the home, is paid, and creates surplus value. Domestic labor is viewed as women's responsibility and assumed to be a donation they should make to the economy. There is very little or no monetary value attached to it. Thus, it is excluded in the labor and social laws of most countries.

Remittances

The Middle East accounted for about 16 percent of the total OFW remittances in 2010. Remittances from the Middle East posted a double-digit growth of 11.2 percent to US\$2.96 billion last year from US\$2.66 billion in 2009. More than half or US\$1.644 billion came from Saudi Arabia followed by the United Arab Emirates with US\$776.3 million, Qatar with US\$248.8 million, Bahrain with US\$167.28 million, Kuwait with US\$106.5 million, Israel with US\$67.3 million, Oman with US\$66.76 million, and others.

North American countries accounted for 52% of total remittances in 2010 with US\$9.98 billion followed by European countries with 16.9 % or US\$3.18 billion, and Asian countries with 12.6% or US\$2.36 billion.

OFW remittances reached a record US\$18.8 billion in 2010. This year's remittances are expected to grow by 8%. Already, money sent home by OFWs in February grew 6.2% from a year ago to US\$1.5 billion. For the first 2 months of 2011, remittances were up 6.9% at US\$3 billion. In 2009, the annual remittances sent through formal channels reached US\$17.35B. Around 60% of the Philippine population relies on these remittances for food, children's education and shelter.

The yearly OFW remittances have grown in the last five years at an average of 16%. They account for 10-13% of the country's Gross National Product (GNP). OFWs are now the country's top export "product," outpacing traditional exports by 15%.

Table 3. Overseas Filipinos Remittances by Country and By Source in U.S. Dollars, January 2006-December 2010

Country	2006	2007	2008	2009	2010
Total³	12,761,308	14,449,928	16,426,854	17,348,052	18,762,989
Land-Based (LB)	10,812,018	12,213,565	13,392,301	13,947,640	14,956,881
Sea-Based (SB)	1,949,290	2,236,363	3,034,553	3,400,412	3,806,108
Asia	1,496,120	1,543,173	1,883,996	2,078,241	2,363,001
LB	1,217,547	1,273,024	1,556,538	1,570,440	1,761,982
SB	278,573	270,149	327,458	507,801	601,019
Brunei	6,827	7,116	9,412	6,142	4,427
Hong Kong	413,723	383,160	406,134	339,552	362,524
Japan	453,398	401,612	575,181	773,561	882,996
Korea	100,670	95,434	81,642	97,035	112,215
Malaysia	40,717	59,302	80,377	86,030	95,633
Singapore	285,126	386,409	523,951	649,943	734,131
Taiwan	168,998	183,357	194,071	91,779	121,728
Americas	7,198,212	8,244,344	9,213,372	9,307,781	9,987,628
LB	6,034,926	6,844,536	7,182,336	7,601,623	8,034,003
SB	1,163,286	1,399,808	2,031,036	1,706,158	1,953,625
Canada	590,627	595,079	1,308,692	1,900,963	2,022,611
Guam	72,294	80,400	70,026	64,406	88,975
USA	6,526,429	7,564,887	7,825,607	7,323,661	7,862,207

Country	2006	2007	2008	2009	2010
OCEANIA	85,610	121,417	149,423	212,983	236,358
LB	81,692	114,242	142,523	206,992	227,142
SB	3,918	7,175	6,900	5,991	9,216
Australia	68,572	92,205	129,453	181,437	200,987
New Zealand	9,737	9,404	4,013	18,433	20,337
PNG	6,212	10,545	13,176	11,250	13,026
Europe	2,061,067	2,351,704	2,658,726	3,061,625	3,180,474
LB	1,570,421	1,807,238	2,012,320	1,905,707	1,968,202
SB	490,646	544,466	646,406	1,155,918	1,212,272
Austria	43,072	43,252	38,519	32,466	41,671
Belgium	11,859	16,932	12,663	23,737	53,425
Cyprus	30,655	38,307	56,993	75,232	48,267
Denmark	28,497	30,294	29,744	65,633	52,417
Germany	162,020	207,935	304,644	433,488	448,204
Finland	1,248	1,348	1,036	1,585	2,439
France	43,248	54,489	37,614	39,676	40,420
Greece	93,866	99,374	116,736	200,342	222,771
Ireland	33,390	14,355	34,895	33,505	14,980
Italy	574,662	635,944	678,539	521,297	550,515
Netherlands	66,260	73,059	78,110	146,503	142,604
Norway	128,279	159,150	185,619	352,957	372,701
Spain	86,295	72,306	79,566	81,805	69,776
Sweden	28,288	27,511	25,904	39,887	24,025
Switzerland	50,480	52,742	72,351	83,056	89,753
United Kingdom	561,670	684,007	776,354	859,612	888,959
Middle East	1,909,208	2,172,417	2,502,639	2,665,031	2,964,341
LB	1,896,690	2,158,784	2,481,969	2,641,580	2,940,898
SB	12,518	13,633	20,670	23,451	23,443
Bahrain	67,044	142,428	159,496	166,222	157,232
Egypt	44	359	339	1,180	381
Israel	20,199	27,002	36,388	38,537	57,279
Jordan	1,042	1,361	4,567	6,895	3,175

Country	2006	2007	2008	2009	2010
Kuwait	123,931	165,226	125,093	104,634	106,486
Lebanon	2,177	3,832	5,012	12,091	16,048
Libya	322	12	55	473	1,045
Oman	20,565	25,535	27,765	34,449	55,760
Qatar	128,530	132,853	122,912	184,574	246,807
Saudi Arabia	1,117,915	1,141,319	1,387,120	1,470,571	1,544,343
Syria	2	2	21	23	35
UAE	427,246	529,963	621,232	644,822	775,237
Yemen	165	2,460	12,542	311	61
Africa	10,272	16,027	17,746	22,282	31,187
LB	9,923	14,895	15,663	21,191	24,654
SB	349	1,132	2,083	1,091	6,533
Angola	540	738	1,314	2,441	2,969
Kenya	12	10	25	160	266
Liberia	128	155	2,061	234	2,549
Mauritius	7	50	131	230	466
Nigeria	158	133	307	2,395	2,561
S. Africa	1,571	2,413	1,972	3,083	2,358
Tunisia	7,297	11,904	10,516	11,091	14,327
OTHERS ⁴	819	846	952	109	0
Total	12,761,308	14,449,928	16,426,854	17,348,052	18,762,989

Note: Total amount of remittances of overseas Filipinos (OFs) from countries not elsewhere classified. Data are not truly reflective of the actual source of remittance of OFs. The common practice of remittance centers in various cities abroad is to course remittances through correspondent banks mostly located in the U.S. On the other hand, remittances coursed through money couriers cannot be disaggregated into their actual country source and are lodged under the country where the main offices are located, that is, Canada. Therefore, U.S. and Canada appear to be the main sources of OF remittances since banks attribute the origin of funds to the most immediate source.

Source: Data are based on reports of commercial banks, thrift banks, OBUs and FOREX Corporations submitted to the *Bangko Sentral ng Pilipinas (Central Bank of the Philippines)*.

The high demand for low to middle skilled workers abroad suggests that Filipino workers, regardless of skills and qualifications,

who are unable to find jobs in the Philippines, will more likely end up in these jobs if they take the migration route, thereby resulting in brain drain, i.e., wasted talent and skill.

At least 60 per cent of OFWs families remain poor. This is because the OFWs and their families are mostly classified as unskilled or semi-skilled, such as household service workers. Domestic workers often end up empty-handed when they return to the country, as wages received are lower than promised and they have to pay off debts incurred in preparing for overseas work. Many suffer from abusive employers or fall prey to human traffickers — misfortunes that entail both human and financial costs.

The Global Situation and Overseas Filipinos

World conditions in the current age of globalization is characterized by a growing integration and interdependence of national economies, opening up of markets to foreign trade and competition, lowering of tariffs and other trade barriers, and significant advances in technology, transportation and communications.

Migrant labor is a key feature of globalization. It makes a significant impact on the world economy. Every year, migrant workers send home the equivalent of US\$100 billion in remittances to support families and communities.

Just as important as their contribution to their home countries, migrant workers make a substantial economic and social contribution to the economies of destination countries. Migrant workers spend most of their income in host countries (87% while remittances average 13%); they pay taxes and social security contributions if they are allowed to work legally; respond to real labor needs in receiving countries by fulfilling unmet labor requirements; bring new scientific, technological and cultural resources to receiving countries. They contribute to diversifying and enriching the destination countries' economic and cultural base;

increase domestic consumption and tax revenue; remittance flows generate import demand for destination country exports in origin countries; and contribute to the expansion of global trade with their knowledge of origin country markets.

Overseas migration trends have adapted to changing world conditions. The United Nations Development Program (UNDP) has identified three trends in overseas migration in this current age: 1) global employment opportunities are opening up to high-skilled labor, but closing for most others. The international market for highly-skilled labor has become more integrated, highly mobile, and gives standard wages. Unskilled labor, meanwhile, still accounts for a larger share of international migration, but is highly restricted by national barriers; 2) undocumented migration continues unabated; and, 3) the feminization of overseas migration increases.

Globalization, however, has its negative impact on Filipino migrants' working conditions: racism, racial discrimination and xenophobia towards migrants; lack of legal and social protection for migrants in the absence of national laws; restrictive and punitive immigration laws and practices leading to human rights violations and even deaths at the border; inhumane working conditions of migrant workers, particularly women domestic workers and seasonal workers.

Despite the foregoing and the periodic financial and economic crises that beset the capitalist world, the deployment of Filipinos overseas has continued to increase. The world financial crisis started in 2008, but the Philippines still recorded a 14 per cent increase in deployment, from 1,077,623 in 2007 to 1,236,013. Average monthly remittance sent per OFW slightly increased from P9,427 in 2007 to P9,979 in 2009. The average monthly remittance received per household, likewise grew from P11,214 in 2007 to P12,233 in 2009. In real terms, however, a slight decline in remittances was recorded. The average monthly remittance sent by OFWs went down by 6% and the average remittance received by families fell by 3%.

While there is no concrete report available yet on the impact of the global financial crisis on migration, several largely negative effects have been observed. These include job losses, especially in construction, manufacturing, finance, services, retail and tourism; reduction in wages and poorer conditions in the workplace, as well as cuts in social services; and discrimination and xenophobia as migrants are perceived as taking the jobs of local workers. The return of unemployed migrants to countries of origin may not be viable because they are also likely to face high unemployment and poverty in their own countries.

Other effects of the global crisis include decline in remittance flows to developing countries as migrants lose their jobs; more restrictive immigration policies to protect local labor; reduction in labor migration flows as potential migrants opt to stay home; increase in irregular migration and the strengthening of the informal labor market as unemployed migrants in destination countries seek to work without authorization and as opportunities for regular labor migration decrease resulting in the emigration of more persons from countries of origin more seriously affected by the crisis. An increase in trafficking in human beings is also a possibility.

The Community-Based Monitoring System International Network conducted a survey among 3,274 OFW families in December 2009. Four hundred forty (13%) had family members working abroad. The survey revealed two main effects of the crisis on the OFW family members and their families. One is retrenchment or lay off, the other is workers' consent to wage cuts.

Of the 38% of respondents who reported OFW family members who returned during the period November 2008 to April 2009, 16.2% pointed to retrenchment or lay-off as the cause of repatriation homecoming. About 25.9% of retrenched OFWs worked in Saudi Arabia, followed by the United States (14.8%). Seventy per cent of retrenched OFWs were male.

Rather than return to the Philippines, some OFWs agreed to wage cuts. About a tenth (9.4%) of the households reported that their OFWs experienced wage reduction. Reasons cited included reduced working hours, cutting cost measures by the firm where the OFW works and losses incurred by the firm where the OFW works.

More than 9% percent of the households who received remittances had experienced reduction in the amount of remittances received. Around 7.3% of all households experienced a decline in the frequency of receipt of remittances.

Government data also showed a slowdown in the growth of remittances to only 3.8% in the first seven months of 2009, compared to 18.2% in the same period in 2008. No official reports have come out on the effects of the ongoing Middle East crisis on OFWs and their families.

OFWs in the Middle East and North African countries now in turmoil only account for more than 2% of the total OFW remittance. As of June 2010 OFWs numbered around 6,000 Filipinos in Egypt, 31,000 in Bahrain, 1,400 in Yemen and around 26,000 in Libya.

Because it is a prime destination for our skilled and low-skilled workers, the Middle East situation now puts the well-being and future of OFWs hanging in the balance. The National Statistics Coordination Board has warned that the turmoil could worsen the country's unemployment situation and the overall economy.

If the conflict spreads, approximately 1.3 million OFWs in the Middle East could possibly return to the Philippines and not be able to find jobs in the local market. This will push the unemployment rate up to 10.4 per cent.

In addition, the crisis could also affect our oil supplies, inflation, local and global job availability, tax revenue base, the Moro situation (because of their ties to Arab countries), international terrorism, and the country's democratic people power legacy.

Legal Policy Framework and Migration Governance

The Philippines ratified the core human and labor rights instruments that promote human, women, and migrants' rights including the 1990 Convention on the Rights of All Migrant Workers and Members of Their Families, 1979 Convention on the Elimination of All Forms of Discrimination against Women, and International Labor Organization (ILO) Conventions 97 and 143 on Migrant Workers.

The Philippines also worked actively with the Committee on the Elimination of All Forms of Discrimination against Women for the adoption in November 2008 of General Recommendation 26 that seeks to provide comprehensive protection for all women migrants. It was also one of the consistent advocates for the adoption of a strong ILO Convention on Decent Work for Domestic Workers which was adopted by the ILO tripartite body only in June 16, 2011 during the ILO's centennial session of the International Labor Conference.

The main policy framework of the government on overseas migration is Republic Act 8042 (RA8042) or the Magna Carta for Workers and Overseas Filipinos which the Philippine Congress hastily enacted in 1995 following the strong public outrage over the execution of a Filipino domestic worker in Singapore. RA8042 spells out protection provisions for migrants at every stage of the migration cycle.

The law has been revised twice then – RA9422 in 2007 to strengthen the regulatory power of the POEA and repeal the two provisions on deregulation; and RA10022 in 2010 that further sets higher standards of protection to OFWs including the expansion of the definition of illegal recruitment and prohibited acts.

RA10022 also provides for a mandatory comprehensive insurance coverage for migrant workers at no cost to them. Migrants' rights advocates however are very concerned that if this particular

provision is not properly implemented and monitored, migrants may end up paying the insurance premium themselves.⁵ Another feature of the amended law is the requirement for countries of destination to be issued certifications by the government that there are clear guarantees of protection for OFWs in these countries or deployment will not be allowed.

To give back the right of suffrage to overseas Filipinos, Congress also passed RA 9189 or the Overseas Absentee Voting Law of 2003. On the same year, the Filipino Citizenship Re-acquisition and Retention Law as well as the Anti-Trafficking in Women and Children Law were also enacted by Congress.

Various government agencies were set up and mobilized for overseas migration management from the Office of the President, Office of the Vice President, the DOLE and its attached agencies the OWWA and POEA as well as the Philippine Overseas Labor Offices (POLOs), the Technical Education and Skills Development Authority (TESDA) as well as the National Labor Relations Commission (NLRC) where DOLE exercises administrative jurisdiction. RA 8042 mandated the creation of the Office of the Undersecretary for Migrant Workers Affairs (OUMWA) in the Department of Foreign Affairs (DFA). OUMWA works with Consular Affairs and Assistance to Nationals Unit of the DFA in handling cases of migrant Filipinos. They are assisted abroad by some 94 embassies and consulates across the globe. The Commission on Filipinos Overseas on the other hand is mandated to look after the rights and welfare of Filipino immigrants and permanent residents.

Despite the pronounced adherence and commitment to international and national human rights and labor rights laws and the formation of migration institutions, the government remains wanting in terms of effectively promoting the rights and welfare of the OFWs and their families.

Problems Confronting OFWs at the Different Stages of Migration

Principal subjects of concern, suggestions and recommendations⁶

- The Committee notes with interest the multitude of initiatives and programs undertaken by the State party in response to challenges faced in its labor migration policy. At the same time, the Committee is concerned that implementation, follow-up and evaluation of these programs are insufficient.
- **The Committee recommends proper follow-up procedures as well as clear measurable and time-bound targets in order to facilitate tracking their implementation.**
- The Committee welcomes the information given by the State party's delegation on the labor migration policy and, in particular, its efforts to ensure that Filipino migrant workers are only deployed to countries where their rights are respected. However, the Committee is concerned that State party's policies, especially through Administrative Order Nos. 247 and 248, 2008 and 2009 respectively, would seem to be aimed at the promotion of foreign employment of migrant workers.
- **The Committee recommends that the State party review its labor migration policy in order to give primary importance to human rights of migrant workers, in line with the State party's own professed goal as set out in RA 8042.**

The above paragraphs are excerpts from the Concluding Observations on the Philippines by the Committee on the Protection of the Rights of All Migrant Workers and members of their families, 10th Session, held on April 20-May 1, 2009. These two principal concerns of the UN Committee capture the fundamental flaws of the Philippine labor export program.

Stages of Philippine Migration

a. Pre-departure stage

The pre-departure stage is characterized by the overseas Filipino workers and their families settling the question of deciding whether to go abroad or not, coming to terms with oneself and the family especially in anticipation of being physically separated from each other. The pre-departure stage also includes the recruitment or application process, the completion of papers and other documents and other prerequisites and preparations prior to departing for work abroad.

Starting at the pre-departure stage, applicants usually fall prey to illegal recruiters, pay exorbitant fees to legal recruiters, and become victims of misinformation or deception. Exorbitant fees lead to indebtedness of the prospective migrants and their families.

From January to September 2010, illegal recruitment cases went up by 2.36% to 1,648, compared to the 1,610 recorded for the same nine-month period in 2009. Despite these statistics, it must be noted that a significant number of abused Filipinos and those whose human rights are violated do not report their cases or file complaints for fear of losing their jobs abroad, which to their minds, could be the bitter pill to swallow.

b. Post-departure and on-site stage

Post-departure begins from the time the OFWs ride the plane or ship that would bring them across national borders. The OFWs go beyond the area of jurisdiction of Philippine laws where international laws and standards apply and the responsibility of sending governments to ensure their rights are protected acquires utmost importance.

This stage is characterized by the OFWs' arrival in the country of destination, their first encounters with the destination

country and society, meeting and getting to know the employer, workplace, and other co-workers, and living in a new place. It also includes the adjustment process and experience that the OFWs go through.

This stage lasts anywhere from a few days to as long as more than 30 years. The length of this stage varies according to the workers' work and living conditions, the social networks they develop over time, and the degree of economic reliance by their families on remittances. During their stay abroad, OFWs send remittances to their families to cover their daily subsistence, pay for the education of the children, usually in private schools, pay for housing and other utilities and expenses.

At this stage, OFWs may encounter problems, issues and concerns pertinent to their work, physical health, cultural adjustments, and families in the Philippines. The mass media have extensively covered stories of OFWs who are misinformed and abused by recruiters and employers, who become ill but do not receive medical care, who are illegally terminated and who are rounded up and deported. Persisting problems like contract substitution, inhuman living and working conditions remain, as well as gender-based violence, mental illnesses, and even suspicious deaths.

The global crisis—financial and otherwise—results to severe anxieties and insecurities among migrants and their families.

c. Return and Reintegration stage

This refers to the period when OFWs return home to stay for good, work or retire, and reintegrate with their family, community and Philippine society. Most OFWs, however, renew their contracts or find another job abroad for as long as possible, and work there for up to as long as 20-30 years, returning home only for regular vacations.

The return of the OFW to the country may sometimes be untimely and unplanned. Examples of these are those who were forced to return home due to the tsunami in Japan and the democratic uprisings that erupted and spread across the Middle East and North Africa (MENA) region in 2011, otherwise known as the Arab Spring. OFWs were forced to flee the danger zones and return home, not prepared and unsure of what awaits them back home.

This stage likewise carries with it problems for returning migrants: repatriation problems, stigma from traumatic experiences while working abroad, and abandonment by other family members. Returned migrants find it difficult to stay and make a living in the country due to the lack of or inadequate support mechanism for reintegration.

The Social Cost of Migration

Migrants and their families pay the psycho-social cost of overseas migration. While remittances bring material and economic benefits to other family members, migrant families, upon return, have to contend with different and changing family dynamics, roles and expectations. They cannot automatically re-assume the roles and relationships they once had with their spouses, and/or children. Attitudes such as materialism, consumerism, and colonial mentality have also been noted in migrant families, especially among children.

Brain Drain

Brain drain does not only refer to professionals who migrate and practice their profession. We should acknowledge all OFWs who bring their skills with them: construction workers, domestic workers, and low-skilled workers all provide valuable work.

Lately, the exodus of professionals has become an alarming trend that came at the onset of globalization. Economic uncertainties at home and the government's extensive promotion of labor export

further push highly-skilled Filipino professionals to seek a better life abroad.

More than 85,000 nurses have left the country between 1994 and 2003. The country loses more than 15,000 nurses annually, more than any other country. Some 5,500 medical doctors enrolled in nursing schools in 2006, intending to get jobs abroad as nurses. Shortage of doctors and nurses has partly caused the closure of over 100 hospitals around the country. Nurse-to-patient ratio in many hospitals now stands at an unsustainable 1:60. In effect, this has compromised the country's health system, closing some hospitals and medical schools.

Thousands of school teachers have left the country to work as caregivers or domestic workers. Better-trained teachers manage to practice their trade in high-paying schools and universities abroad, teaching specialized areas like Mathematics, Science, English and Special Education. This compromises the education of current and future generation in the Philippines. The teacher-to-student ratio in public elementary and high schools now stands at an unmanageable 1:60. In 2001 our top three universities, which used to vie for the top spots among Asian academic institutions, slipped to No. 48, No. 71 and No. 72.

Foreign airline companies have enticed Filipino pilots and aircraft mechanics to work abroad. The number of commercial pilots left in the country has dropped to 700 from 3,548. Aircraft mechanics now number only 1,500 from a high of 14,684. Seasoned weather forecasters have also left the country to do the same jobs overseas but with much higher wages. As economic uncertainties in the country continue, hundreds more of our air traffic controllers, radio frequency engineers, linemen, first mates, and plant engineers will surely look for better-paying jobs abroad.

More recently, the Philippines has been redirecting the composition of OFWs towards other highly skilled and better paying

professions like information and technology workers, production technicians and mechanical and electrical engineers. It is also luring engineers to retrain into maritime engineers that are highly in demand in the seafaring market.

While this would better ensure the influx of the much valued remittances, further brain drain looms.

The brain-drain does not drain the country of its excess labor; it drains it of critical human power. What we gain in dollars, we lose in valuable human and intellectual resources.

Should this trend continue, the country will in time see the collapse of its health, education and telecommunications sectors and of its domestic shipping, petrochemical, steel, power, accounting, and aviation industries.

The Nitaqat System and the OFWs in Saudi Arabia

Responding to domestic pressures due to rising unemployment rate especially among the youth, the Saudi Ministry of Labor announced that it will start implementing the Nitaqat or Range, a program designed by the Saudi Ministry of Labor to boost nationalization of jobs in the private sector. This direct intervention initiative aims to deliver quick results and give Saudi nationals a better stand in the labor market.⁷

To guide the workers and the public at large on the status of the private companies vis-a-vis nitaqat, the Ministry came up with 4 categories or Ranges – a) Gray range for companies that have excellent nationalization implementation; b) Green for those with good implementation; c) Yellow for below average implementation; and, d) Red for poor implementation.

Domestic workers and private companies that employ 9 or less workers are not covered by the Nitaqat program.

Depending on the rate of positive compliance by the companies, they will be subject to either rewards and incentives or sanctions and revocation of permits as the case maybe.

The Nitaqat implementation is phased as follows:

Phase 1 – June 2011 – All private companies are to update their employees’ information in order to determine their nationalization quota

Phase 2 – September 2011 – Start of Nitaqat implementation; Services and Incentives are provided to companies in gray and green range; while companies in yellow and red ranges face suspension

Phase 3 – November 2011 – workers in companies in the red range should strive to transfer to companies in gray or green range sans the consent of the employer; failure to do so will result to non-renewal of work permit upon expiration

Phase 4 – February 2012 – Workers in companies under yellow range should move to companies in gray or green ranges or else renewal of their work permit for those working for 6 years or less will be conditional.

The implementation of the Nitaqat program will certainly impact on OFWs in the professional, high-skilled and even low-skilled work categories. They face the risk of losing their jobs to give way to local workers. While the Kingdom of Saudi Arabia (KSA) will certainly not stop the demand for foreign workers, the Nitaqat program certainly causes job insecurities and uncertainties to a lot of OFWs. This in turn impacts on the overall labor migration flows from the Philippines to the Kingdom.

The Kingdom of Saudi Arabia is home to more than a million overseas Filipino workers. For almost four decades of Filipino labor migration, KSA has remained the top destination of OFWs. It also ranks fourth as destination of women domestic workers.

Table 4. Overseas Filipinos in the Kingdom of Saudi Arabia

Particulars	Overall Ranking/Figures
Estimated number and percentage of all migrant workers vis-à-vis the total population, July 2010	5.5M migrants of all nationalities, or 21% of the total population of 25.7M [OFWs comprise 1,856,241, second semester of 2010]
Estimated number of Filipinos (second semester 2010)	1,856,241 Filipinos including 132,206 undocumented Filipinos; ranks 2nd after the US ⁸
Consistently ranks first in annual deployment of rehires and new hires	42.8% of deployment to Middle East (2010) 26% of total land-based deployment (2010)
Ranks first among countries in terms of number of annual deployment	#1
Ranks 4 th in total annual deployment of domestic workers/ household service workers	#4
Ranks first in total annual deployment of nurses	9,965 with Singapore a far 2 nd at 745 (2009)
Ranks 2 nd in total annual deployment of teachers	#2 - after the US
Ranks first in total annual deployment of IT professionals	#1
Particulars	Overall Tanking/Figures
Ranks 4 th in total annual deployment of caregivers	#4
Ranks 2 nd for 2003-2008 after the US and 3 rd after the US and Canada in 2009 in annual remittances	#3 remittance of US\$1,544,343,000 (2010)
Domestic workers under the jurisdiction of the Philippine Embassy in Riyadh ⁹	213,622

Table 5. OFWs in Saudi Arabia According to Work Categories

Category	Male	Female	Total
Professionals (Engineers, nurses, software developers, geologists, soil experts, architects, bankers, professors/teachers, scientists, doctors, pharmacists, other Professional Regulation Commission (PRC) -licensed individuals)	168,874	148,202	317,076
Highly Skilled (Laboratory technicians, cooks, chefs and other construction-related workforce such as carpenters, welders, painters, steel and tile fixers, plasterers, plumbers, pipe fitters, etc.)	441,716	42,988	484,704
Semi-Skilled (Electric/mechanic assistants, glass cutters, assistant cooks, waiters and kitchen helpers, washers, washers and pressmen, gardeners)	253,915	52,353	306,268
Labor (cleaners, guards and watchmen, construction workers, and other types of laborers)	99,178	61,337	160,515
Domestic Workers (nannies and household helpers)	34,763	178,859	213,622
Unknown / Unclassified (Jeddah, KSA)			280000

Source: DFA OUMWA Report to Congress, July-December 2010

Migrant workers and rights organizations

Migrant workers and rights organizations play a significant role in promoting the rights and welfare of migrant workers. They have consistently led the movement for the recognition and protection of migrant workers. These organizations provide direct and immediate assistance to distressed migrant workers and their families.

Non-governmental organizations (NGOs) began addressing the multi-faceted dimensions of labor outmigration in the early 1980s. These NGOs were formed in response to the increasing need for assistance by migrants and their families. Interventions vary and cover the different stages of migration from pre-departure, post-

departure and on-site and return and reintegration. These include provisions of various services to migrants –health and medical, legal, counseling, livelihood assistance and the like.

Programs for migrants also include organizing, support to families left behind, values formation, information and education, research and advocacy and livelihood for returning migrants.

Migrant groups are varied: some are focused on women migrants; others focus on sea-based migrants (fisherfolks and seafarers); some conduct education, information and advocacy; others focus on livelihood and reintegration programs including formations of savers clubs, cooperatives and migrant savings and alternative investment groups.

Labor migration, meanwhile, is not new to local trade unions. Seafarers have their own trade unions that are part of the International Transport Workers Federation (ITF). The challenge for trade unions, however, is to develop regular support programs and to initiate union organizing among land-based workers. Trade unions and NGOs have likewise started to come together in ILO and/or UN-based platforms and campaigns for OFW rights.

With migrant issues increasing through the years and annual deployment topping the one million mark, the need emerged to consolidate efforts of migrant groups and NGOs and develop more effective responses particularly in the area of advocacy. This resulted in the formations of migrant alliances, networks and coalitions.

OFW organizations and formations abound in most of the regions and continents of destination. The groups vary in nature, scope, goals and objectives, orientation and composition. They include fraternities, professional associations, ethno-linguistic organizations, faith-based associations, local-regional groupings, socio-civic groups, cultural groups and alumni associations.

Similarly, there are groups that are service-oriented and

whose programs are aimed at extending or facilitating assistance to OFWs in need; groups that advocate for policy reforms in both the home and host countries; and philanthropic/humanitarian formations that raise funds and other resources to respond to disasters and calamities and poverty in the Philippines.

Other formations also include political parties of OFWs and overseas Filipinos which will vie for Congressional seats in the Philippine Congress under the Party List Law.

Right to Participate in Governmental Entities and Processes

The 1987 Philippine Constitution cited the importance of civil society organizations in nation-building. It encourages the formation of civil society organizations, NGOs and community-based or sectoral organizations that promote the welfare of the nation. It delineates the roles and rights of peoples' organizations and the rights of the people and their organizations to effective and reasonable participation at all levels of social, political and economic decision-making.

In addition, the State shall, by law, facilitate the establishment of adequate consultative mechanism and the productive partnership between civil society organizations and government in the protection of OFWs and the promotion of their welfare.

An example of a multi-stakeholder partnership is the Consultative Council on OFWs (CCOFW) composed of heads or representatives of relevant government organizations (GO) and migrant NGOs and peoples' organizations. GO-NGO cooperation is also manifested in other multilateral and bilateral partnerships such as the multi-agency anti-trafficking project funded by the ILO.

Government, likewise, seeks NGO support for information dissemination. Some NGOs give Pre-Departure Orientation Seminars (PDOS) and are encouraged to conduct Pre-Employment Orientation Seminars (PEOS). In the Philippines, NGOs, including

onsite organizations like in Saudi Arabia, coordinate with relevant agencies to address specific cases of distressed OFWs. Regular dialogues and round table discussions are also held with government agencies.

Right to Vote

The 1987 Constitution guarantees the right of suffrage to “all citizens of the Philippines not otherwise disqualified by law...” Cognizant of the growing phenomenon of labor migration, it further states that “Congress shall provide a system for securing the secrecy and sanctity of the ballot as well as system for absentee voting by qualified Filipinos abroad.”

The Philippine Congress, after 16 years of lobby work, passed Republic Act (RA) 9189 or “The Overseas Absentee Voting Act of 2003.” The law granted back the right of suffrage to qualified overseas Filipinos. It aimed to enfranchise all qualified Filipinos abroad.

The law declared that “The right of Filipino migrant workers and all overseas Filipinos to participate in the democratic decision-making processes of the State and to be represented in institutions relevant to overseas employment is recognized and guaranteed.”

RA 9189 empowers OFWs and other overseas Filipinos abroad to take part in national elections and choose their President, Vice-President, Senators and party-list Representatives, who shape and implement laws, policies, programs and services that directly affect them.

Center for Migrant Advocacy’s Position on Overseas Migration

Philippine overseas migration benefits both OFWs and their families and the Philippines. But the social, economic, political, and individual costs of overseas migration outweigh its benefits.

Almost forty years of migration has resulted in more and more Filipinos forced to work abroad, braving uncertainties and suffering life-threatening conditions in the destination countries and regions. Policies that ease rules on labor deployment encourage the deployment of OFWs.

Philippine overseas migration policy has failed to solve the country's unemployment problem. As a temporary solution, it has become a permanent feature of the country's economy. It has not been an effective strategy for job generation as shown by the greater proportion of rehires.

Unless the government is able to show clear signs of reversing the migration flows in favor of decent job options in the country, most of government's efforts, programs and policies to guarantee quality service and protection to OFWs and their families will remain inadequate and wanting.

We believe that critical to the path to true and humane development are government policies that will:

- promote a vibrant and independent local economy
- create decent, well-paid and secure local employment
- promote the protection of human rights of migrant workers and members of their families; and
- promote the exercise of political will to eradicate graft and corruption and advance good governance.

Recommendations

Guided by a rights-based framework, the Center for Migrant Advocacy will continue to advocate for the rights and well-being of the Filipino migrants and their families. CMA calls on the Government to:

1. Develop the local economy to produce decent and secure jobs. Resources generated by overseas migration should be part of the national development program to develop the local economy.
2. Adopt a strategic reintegration program that will complement the strengths of the domestic economy and augment the limitations of the domestic work force.
3. Adopt clear, measurable and doable development targets on overseas migration for comprehensive monitoring of the human rights situation, social protection measures, the well-being and quality of life of OFWs and their families, consistent with international development goals. In line with this, the government, in cooperation with civil society, must set clear time-bound benchmarks that can measure performance, progress and accomplishment of the government.
4. Develop and adopt new policies towards social protection and promotion of the rights of migrants and their families. Policies should be translated into implementable, effective, efficient and realistic programs.
5. Ensure sufficient representation of and consultations with OFWs in relation to the OWWA Fund. The voices and interests of OFWs must be prioritized in the development and administration of OWWA. Enact an OWWA Charter to replace the OWWA Board of Directors-promulgated OWWA Omnibus Policies.
6. Forge agreements with countries of destination on the rights of migrants to social protection and social security.

7. Develop and sustain nationwide information and education campaigns on the rights and responsibilities of migrants to enable potential OFWs and their families to make informed choices, and strengthen access to services and redress of grievances by OFWs and their families.
8. Implement strictly the laws against illegal recruiters and traffickers; create an enabling social and legal environment that will encourage victims to file complaints and lead to prosecutions.
9. Immediately set up the Shared Government Information System on Migration to improve data collection and evidence-based researches on labor migration for policy making and government planning. Adopt and effectively implement a clear rights-based policy and strategy to progressively reduce the number of OFW in countries and territories that do not meet the minimum guarantees of protection for migrants.
10. Promote multilateral responses to migration; Advocate for the creation of a UN-based institution on migration governance.

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End Notes

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- 2 Asian Development Bank and International Organization for Migration. (2010). *The Impact of the Global Financial Crisis on Migrants and their Families in Asia: A Survey –Based Analysis*
- 3 Breakdown may not add up to totals due to rounding off.
- 4 Total amount of remittances of overseas Filipinos (OFs) from countries not elsewhere classified.
- 5 Insurance premium could be as high as US\$72 per year or a total of US\$144 for the duration of a two-year contract
- 6 UN Committee on Migrant Workers Convention, Concluding Observations on the Philippines as a State Party. May 2009 Session, Geneva
- 7 Saudi Ministry of Labor Presentation and Frequently Asked Questions on Nitaqat (Ranges). November 6, 2011. Updated November 9, 2011. Retrieved from http://www.philembassy-riyadh.org/index.php?option=com_content&view=article&id=488:saudi-ministry-of-labor-presentation-and-frequently-asked-questions-on-nitaqat-ranges&catid=83:saudization-a-nitaqat&Itemid=182
- 8 Estimate on Filipinos Overseas, December 2009. In www.cfo.gov.ph
- 9 DFA Semi-Annual Report to Congress, July-December 2010. There was no breakdown in the data for Jeddah Consulate.