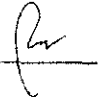


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SENATE
P.S. Res. No. 417

RECEIVED BY: 

Introduced By Senator Loren Legarda

RESOLUTION

DIRECTING THE COMMITTEE ON FOREIGN RELATIONS TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON, THE PREPAREDNESS OF THE DEPARTMENT OF FOREIGN AFFAIRS (DFA), IN COORDINATION WITH THE OVERSEAS WORKERS WELFARE ADMINISTRATION (OWWA) AND OTHER RELEVANT AGENCIES OF THE GOVERNMENT, IN ADDRESSING ANY AND ALL CONTINGENCIES THAT THREATEN THE SECURITY AND WELL-BEING OF OVERSEAS FILIPINOS IN TIMES OF CRISIS, WITH THE END-VIEW OF ENSURING THE EFFECTIVE IMPLEMENTATION OF THE THIRD PILLAR OF THE PHILIPPINE FOREIGN POLICY WHICH IS TO PROTECT THE RIGHTS AND PROMOTE THE WELFARE AND INTERESTS OF ALL FILIPINOS OVERSEAS.

WHEREAS, R.A. No. 8042, otherwise known as the Migrant Workers and Overseas Filipinos Act of 1995, as amended by Republic Act No. 10022, provide that the State shall, at all times, uphold the dignity of its citizens whether in country or overseas, "continuously monitor international conventions, adopt/be signatory to and ratify those that guarantee protection to our migrant workers, and endeavor to enter into bilateral agreements with countries hosting overseas Filipino workers";

WHEREAS, Section 4 of R.A. No. 8042, as amended by R.A. No. 10022, provides that The Secretary of Labor and Employment shall 'deploy or allow the deployment of Filipino migrant workers only in countries where their rights are protected, recognizing any of the following as a guarantee on the part of the receiving country for the protection of the rights of overseas Filipino workers: (a) It has existing labor and social laws protecting the rights of migrant workers; (b) It is a signatory to multilateral conventions, declarations or resolutions relating to the protection of migrant workers; (c) It has concluded a bilateral agreement or arrangement with the government on the protection of the rights of overseas Filipino workers, providing further that the host country needs to be taking positive, concrete measures to protect the rights of migrant workers in furtherance of the guarantees as stated above;

WHEREAS, SEC. 15 of R.A. No. 8042, as amended, provides that "The Overseas Workers Welfare Administration (OWWA), in coordination with appropriate international agencies, shall undertake the repatriation of workers in cases of war, epidemic, disasters or calamities, natural or man-made, and other similar events without prejudice to reimbursement by the responsible principal or agency. However, in cases where the principal or recruitment agency cannot be identified, all costs attendant to repatriation shall be borne by the OWWA;"

WHEREAS, Sec. 15 of R.A. No. 8042, as amended, "established an emergency repatriation fund under the administration, control and supervision of the OWWA, initially to consist of one hundred million pesos (P100,000,000.00), inclusive of outstanding balances";

WHEREAS, Section 18 of Republic Act No. 8042, as amended, created a National Reintegration Center for Overseas Filipino Workers "that shall develop and support programs and projects for livelihood, entrepreneurship, savings, investments and financial literacy for returning Filipino migrant workers and their families in coordination with relevant stakeholders, service providers and international organizations";

WHEREAS, Section 4 of R.A. No. 708, as amended by R.A. No. 7157 or the Philippine Foreign Service Act of 1991, provides that the said Act aims to strengthen the Philippine Foreign Service in order to enable its officers and employees to serve effectively the interests of the Republic of the Philippines abroad and strengthen the capability of the Career Foreign Service Corps to conduct studies, analyses and evaluation of events, both domestic and international" to promote Philippine Foreign Policy;

WHEREAS, the Protection of the Rights and the Promotion of the Welfare and Interests of Filipinos overseas constitute one of the three pillars of Philippine Foreign Policy;

WHEREAS, the recent socio-political developments in the Middle East and Africa, particularly in Egypt and Libya, have put to test and shown weaknesses and shortcomings in our government's ability to carry out its mandated duty under our laws to promote the well-being and promote the safety of Filipino nationals overseas, thus putting at risk the lives of thousands of Filipinos in the affected areas;

WHEREAS, in Christchurch, New Zealand, despite earlier reports from the Philippine Embassy in Wellington that there were no Filipino casualties from the recent 6.3 earthquake that struck the city, many Filipinos have been reported missing, and subsequent complaints suggested that the Philippine embassy had not acted in a timely and effective manner in addressing the needs of Filipinos affected by this calamity;

WHEREAS, given the scale of Filipino migration, where at least 10 percent of our population reside or work overseas, every natural or man-made calamity overseas is inevitably a national concern as the safety, security and lives of Filipinos in the affected areas may be at risk;

WHEREAS, the Philippine Department of Foreign Affairs, and other government agencies, such as the Department of Labor and Employment, the Overseas Workers Welfare Administration, the Philippine Overseas Welfare Administration, the Commission on Filipinos Overseas, among others, are mandated under our laws to protect the interests, safety, and well-being of overseas Filipinos;

WHEREAS, all Philippine embassies and consulates, to ensure preparedness in times of crisis, are required to develop their respective crisis management and security plans, which shall contain, at the minimum, a process for environmental scanning and monitoring, overseas Filipino registration system, resource inventory which will identify communication networks and transportation facilities, forward coordination centers, relocation sites, and evacuation routes, among others;

WHEREAS, in fulfilling the third pillar of the Philippine foreign policy, the Philippine government, through its representatives overseas is mandated to pursue bilateral agreements or arrangements with host governments and other relevant international organizations for purposes of ensuring the effective and timely implementation of contingency plans;

WHEREAS, all Philippine embassies and consulates are mandated to regularly monitor domestic conditions in host countries including developments in the political, economic, social, and military milieu and, as the host country situation would warrant, to activate the necessary contingency plans in a timely and effective manner to ensure the protection of Filipino nationals in these areas;

WHEREAS, close coordination and collaboration among relevant Philippine government agencies need to be carried out to ensure a more integrated and effective execution of contingency measures to ensure the safety of overseas Filipinos in times of crisis;

WHEREAS, this mandate requires the establishment of processes and mechanisms to ensure that families of overseas Filipinos affected by crisis, are informed of factual developments and measures being undertaken by the government to ensure the safety of affected overseas Filipinos;

NOW THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, to direct the Committee on Foreign Relations, to conduct an inquiry, in aid of legislation on the preparedness of the Department of Foreign Affairs, in coordination with the Overseas Workers Welfare Administration and other relevant agencies of the government, in addressing any and all contingencies that threaten the security, safety and well-being of overseas Filipino in crisis situations, with the end-view of ensuring the effective implementation of the third pillar of the Philippine Foreign Policy which is to protect the rights and promote the welfare and interests of Filipinos overseas.

Approved,



LOREN LEGARDA

Senator