

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

SENATE


P. S. RES. NO. 631



Senate
Office of the Secretary

'18 FEB 14 P2:38

Introduced by Senator JOEL VILLANUEVA

RECEIVED BY: 

RESOLUTION
DIRECTING THE COMMITTEE ON LABOR, EMPLOYMENT
AND HUMAN RESOURCES AND OTHER APPROPRIATE
SENATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF
LEGISLATION, ON THE INCREASING INCIDENCE OF ABUSE
OF OFWS

WHEREAS, earlier this month, Kuwaiti authorities found a body of a Filipina household worker inside a freezer in an abandoned apartment unit previously occupied by a Lebanese man and his Syrian wife;

WHEREAS, the body was later on identified as that of Joanna Daniela Demafelis, 29, of Sara, Iloilo, who could not be found after the Kuwaiti foreign recruitment agency that recruited her had closed down;

WHEREAS, Ms. Demafelis is only one of 103 OFWs who died in Kuwait in 2017. Based on the data from the Department of Labor and Employment (DOLE), there were 82 reported deaths, 1,447 cases of maltreatment, 2,959 cases of contract violations, 227 cases of sexual abuse and 63 cases of rape of our overseas Filipino workers (OFWs) in Kuwait in 2016;

WHEREAS, in light of the death of Ms. Demafelis and reports of increasing incidence of abuse of OFWs in Kuwait, President Rodrigo Duterte declared a total ban on deployment of OFWs to Kuwait;

WHEREAS, the Department of Labor and Employment issued on 12 February 2018 an administrative order banning the deployment of all OFWs to Kuwait to implement the Presidential directive;

WHEREAS, according to the Philippine News Agency, there are more than 260,000 Filipinos in Kuwait, of which 170,000 are household service workers, while 10,800 are undocumented;

WHEREAS, following the President's directive on 09 February 2018 that OFWs in Kuwait who wish to go home may be repatriated within the next 72 hours, around 400 OFWs from Kuwait were repatriated to the Philippines, after having been granted amnesty by the Kuwait government, which allowed overstaying Filipino workers to return home without any penalties. According to the Department of Foreign Affairs, they expect to repatriate around 10,000 Filipinos under the amnesty program;

WHEREAS, there is a need to inquire and review, in aid of legislation, the Overseas Employment Program of the Government particularly on: (1) licensing, accreditation, and regulations on both local and foreign recruitment agencies in destination countries like those in Gulf Cooperating Council (GCCs) or the Cooperation Council for Arab States of the Gulf; (2) protection and assistance mechanisms in place here and at the Posts; (3) bilateral agreements on OFWs protection; and (4) implementation of the mandate of Section 4, RA 8042, as amended, to deploy ONLY in countries where the rights of Filipino migrant workers are protected, which is determined through the existence of: (a) existing labor and social laws protecting the rights of workers, including migrant workers; (b) signatory to and/or ratifier of multilateral conventions, declarations or resolution relating to the protection of workers, including migrant workers; and (3) has a bilateral agreement or arrangement with the Philippine government on the protection of the rights of overseas Filipino workers;

RESOLVE BY THE SENATE, that the Committee on Labor, Employment and Human Resources and other appropriate Senate Committees, conduct an inquiry, in aid of legislation, on the increasing reports of abuse of OFWs with a view to addressing the gaps in the law that facilitates or perpetuates this anomalous situation.

Adopted,


SENATOR JOEL VILLANUEVA