

OFWs' Heroism:

The struggle for economic survival amidst exploitative global market and irresponsible Philippine Labor Export Policy



Filipinos seeking jobs abroad make the Phil. Overseas Employment Administration one of the busiest and most crowded agencies.

■ By Vanessa G. Retuerma

The need for new economic heroes

THE face of Filipino heroes and heroines has drastically changed. If the period of western colonization in the Philippines gave birth to courageous souls who fought against political oppression in the name of freedom and independence, the current global phenomenon has engendered the emergence of “modern day heroes” among Filipinos who are struggling against a new form of oppression.

The current global economy has brought about a new battle and altered the battle-cries of nations and their populations – calling for a new form of heroism, one that shall be waged against economic oppression and ensure the nation’s economic survival.

As the global economic restructuring left world economies more vulnerable to crises, manifested in high unemployment rate, wage decline or job insecurity, less developed or developing countries, who suffer the bulk of the damage, have resorted to

labor export to keep their economies afloat. For most developing countries, including the Philippines, labor migration nourishes the economy by providing much-needed foreign revenues which become particularly critical during periods of economic downturns (such as the Asian financial crisis). It has become an expedient development strategy.

The Philippines is one key example of a country whose economic vitality depends so heavily on its export of temporary labor. For almost three decades now, the country

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has developed and maintained a sophisticated policy regime to promote and regulate labor migration¹ as an explicit response to the double-digit unemployment rates and growing national account deficit. As such, it is not surprising that today, the Philippines stands out in having a multitude of its citizens living abroad and depending so greatly on the steady





remittances of its migrant workers as a vital source of revenue. In fact, World Bank data show that the country ranks third among the biggest recipients of migrant remittances, next only to Mexico and India.²

Increasing deployment and remittances

Latest government estimates indicate that there are more than 7.7 million Filipinos (as contract workers, immigrants and permanent residents, and as undocumented migrants) in 192 countries worldwide.³ This represents nearly 10 percent of the Philippine population, and almost 20 percent of the productive age population. The number of Filipino labor migrants, which constitutes almost 45 percent of the total number of overseas Filipinos, increased dramatically over the last 5 years. According to the

Philippine Overseas Employment Administration (POEA), the total deployment of overseas Filipino workers (OFWs) in 2004 hit a historic high of 933,588 – up by 7.6 percent from the 867,969 recorded in 2003.⁴ This significant increase was fuelled by the deployment of land-based workers which increased by 8.1 percent (704,586 in 2004 compared to 651,939 in 2003). Meanwhile the deployment of sea-based workers registered a 6.0 percent increase (229,002 in 2004 compared to 216,031 in 2003).⁵

The continuing upsurge of overseas Filipino deployment has subsequently increased the level of remittances in the country. Earlier this year, the Bangko Sentral ng Pilipinas (BSP) reported that the dollar remittances of OFWs surged to an all-time high of \$8.5 billion in 2004, or 11.8 percent higher than the \$7.64 billion in 2003.⁶

This figure represents the amount remitted through formal channels, such as commercial and thrift banks and other remittance service providers. The Bangko Sentral notes that actual dollar inflows could be higher than \$8.5 billion, since a lot of OFWs remit their money through informal, cash-based [or nonbank] channels whose transactions cannot be monitored by the BSP.⁷

According to the BSP, the amount of OFWs' inflows now account for about 10.5 percent of the country's gross domestic product (GDP) and 20 percent of the country's total export earnings.⁸ This staggering amount of remittance that labor migrants pump into the country's economy makes them a major economic player. They continually infuse life-blood into the country's anemic economy. For the government and for many Filipino families,

OFWs have come to represent a new form of heroism that brings hope of economic salvation. Recognizing their valuable role, the Philippine government has since made labor migration a foreign policy priority and eagerly dubbed the OFWs as the country's "new economic heroes" or "*mga bagong bayani*".

Despite the exalted title of "*bagong bayani*", OFWs make untold sacrifices that oftentimes undo the gains of their struggles.

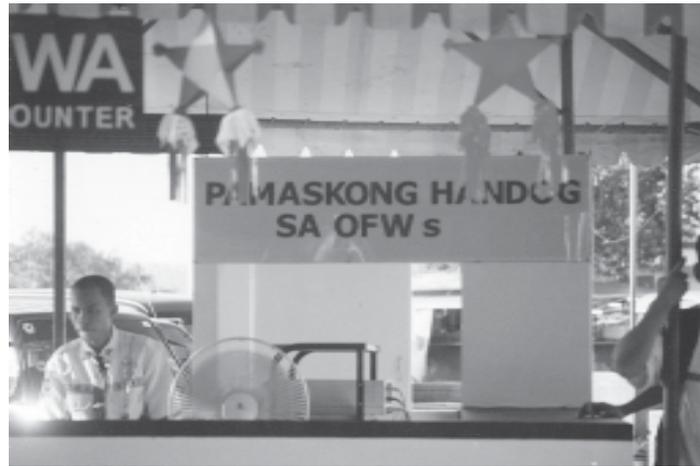
The Philippine Labor Export Policy: Less regulation, lesser responsibilities

While the government has successfully facilitated access to alternative sources of employment for many of its citizens who find no jobs and little economic progress locally, and has enormously benefited from the billions of dollars they send home, it has not taken its

responsibility of guaranteeing the well-being of its labor migrants with as much vigor as it does in pushing for its labor migration policies. Insofar as labor migration is concerned, the government's priority has been limited to promoting its labor export policy, taking little, or worse, no accountability in the protection and welfare of its labor migrants. While the government takes pride in the foreign revenue it gets from the remittances of its "modern-day heroes", the amount of attention and degree of intervention it exerts in assuring the protection and welfare of its OFWs hardly compensate for the deprivations that OFWs have to endure just to be able to support their families back home and prop up the country's collapsing economy.

Nothing can best illustrate this gross imbalance in the government's labor migration policy than the enactment of RA 8042 (the Migrant Workers and Overseas Filipino Act of 1995). While the Act was promoted to uphold the rights and welfare of migrant workers and their families, following national outrage over the cases of Flor Contemplacion and Sarah Balabagan, it has only in effect systematized the government's implementation of its Labor Export Policy.⁹ The Act itself reflects contradictions in government priority and policies. While it disclaims that the government promotes labor migration as a "means to sustain economic growth and achieve national development", it nonetheless encourages the deployment of Filipino overseas workers through local contractors and manpower agencies¹⁰ and even pursues a progressive policy of deregulating the overseas employment industry.

Sections 29 and 30 of the Act tasked the Department of Labor and Employment (DOLE) to formulate a deregulation plan on recruitment activities for overseas workers and gradually phase out the regulatory functions of the POEA. Such provisions only expose the real intent of the Act, which was to develop labor migration as the "country's most profitable export product"¹¹ by intensifying deployment of Filipino labor migrants with lesser



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regulations. And while the government plans to send more of its citizens abroad for employment, it does so in a way

that largely compromises the well-being of its labor migrants. Under deregulation, labor migration becomes strictly a matter between the worker and the foreign employer, thus giving government less responsibility and relegating to private recruitment agencies its task of looking after the welfare of its OFWs.

While the legislation bore relevant provisions on the protection of the fundamental human rights and freedoms of Filipino migrant workers, the additional provision on deregulation defeats the whole purpose for which the Act was created. With the deregulation

policy and phase-out plan of government function, the government appears to be relinquishing its duties to protect and uphold the rights and welfare of its OFWs and, in a way, institutionalizing and legalizing the abuse and exploitation of its OFWs.¹² In the end, OFWs who are supposed to be protected by the Act end up more vulnerable to abuses and violations and become mere commodities in the present global market.¹³

Compromised Rights and Welfare of OFWs

The imbalance and contradictions in the government's priority vis-à-vis its labor migration policy and obligations to protect and fulfill the rights and welfare of its labor migrants leave OFWs exposed to more dangers. Every now and then, alarming cases of unjust imprisonment, mysterious death, abuse and other forms of human rights violations torment the national conscience while the government seemingly finds itself helpless and inutile in responding to the victims' needs.

Indeed, who could forget Flor Contemplacion, executed in 1995 amidst national uproar, after a Singapore court held her



responsible for the deaths of another Filipina domestic worker and the 4-year old son of her employer; Mary Jane Ramos, incarcerated for two years in the United Arab Emirates (UAE) for reportedly stabbing to death her employer who was about to rape her; or Jane Dematera, facing imminent execution in Saudi Arabia after being convicted of murdering her female employee, through a questionable court process that gave her no access to legal assistance or other opportunities to exercise her right to an effective defense?¹⁴ These cases are just among the few which received significant media attention that compelled the government to take action. It should not be forgotten that numerous other cases remain unreported or unresolved.

Violations against labor migrants become more aggravating in the case of Filipina workers who are mostly employed in the domestic or service sector. They most often suffer the worst forms of human rights violations because of the very nature of their jobs, where pay is usually low and working conditions are deplorable and involve a higher exposure to discrimination and gender-based violence by authorities and employers in their host countries.

A 2004 report by the Center for Migrant Advocacy (CMA) revealed that of the 575 OFWs currently detained in jails abroad, more than fifty percent or 305 are women, mostly employed as domestic workers. According to this report, the alleged offenses of Filipina OFWs pale in comparison to those committed against them: 412 of them were physically abused and 258 were victims of verbal abuse; 525 reportedly worked under oppressive conditions; and the majority of them were not permitted day-offs by their employers.¹⁵

Such cases demonstrate how the government's conduct of its labor migration policy has largely compromised the rights and welfare of OFWs despite their enormous contribution to the country's coffers. The government has to realize that while it continues to actively deploy its citizens for overseas employment and profits from

their labors, it has to accord its OFWs commensurate compensation and protection that go beyond just hailing them as the country's "modern-day heroes".

Reclaiming government's obligations and responsibilities

If the government is sincere in its proclamations, it must first accept its responsibilities and obligations in protecting and promoting the rights and welfare of its economic saviors. Such acceptance should start with the revision or amendment of existing laws and policies on migrant labor, such as RA 8052, making them more appropriate and responsive to the sector they seek to serve. Significantly, the amendments should strengthen provisions that give relevant benefits to OFWs while repealing those that clearly intend to jeopardize the whole purpose of the act, specifically sections 29 and 30 on the Deregulation and Phase-out Plan.

But the drafting or revision of relevant laws is only one part of the process; actual implementation and monitoring are equally significant indicators of an effective policy. Section 4 of RA 8042 provides potential protection for labor migrants by stipulating that the government shall only deploy OFWs in countries where the rights of Filipino migrant workers are protected. Implementation of such provisions requires the reassessment and alteration of government actions in order to address the disparity that exists between legal stipulations and actual practice: the government maintains bilateral labor migration with 12 countries only but deploys its OFWs to almost 200 countries and international destinations. The government would have to actively pursue bilateral labor agreements with all labor importing countries to ensure that the rights and welfare of its labor migrants are not neglected in their host countries. Corollary to this, the government would also have to institutionalize comprehensive mechanisms that shall protect its people at every stage of the migration process - from pre-departure, on-site and most importantly, upon their return.

But in the end, the government should consider

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that while international migration accords certain advantages for labor exporting countries, it carries a corresponding larger downside that limits their development and exploits their labor migrants. For labor importing countries, international labor migration provides a source of cheap and flexible workforce which is easy to dispose of and repatriate in times of economic hardship or when labor becomes redundant. Labor exporting countries, like the Philippines, only end up as peripheral players in the global economic system. In such case, the government should realize that labor migration does not present a long-term and effective strategy for economic development; it is only a temporary survival strategy that needs to be surpassed at some point. The government could not for long simply rely on its labor export policy in order to generate much-needed revenues while neglecting its obligation of pursuing genuine economic development in the country.

Instead of concentrating its attention and efforts in aggressively promoting its labor export policy, the government should focus on reviving its domestic economy in order to provide productive and decent jobs locally. With an enabling environment where quality jobs and commensurate wages are available to the labor force locally, labor migration becomes an option rather than a forced phenomenon for many of its citizens. This is the logical

and long-lasting solution to the woes of the "Bagong Bayani" as well as to the swelling economic problems of the country.

Only by doing this can the government unburden its citizens of the sacrifices they endure, and reclaim the duties and responsibilities it has long ignored.

Endnotes

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