



International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

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**Committee on the Protection of the Rights of All
Migrant Workers and Members of Their Families**

**Third periodic report submitted by the Philippines
under article 73 of the Convention pursuant to the
simplified reporting procedure, due in 2019***

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* The present document is being issued without formal editing.



List of Acronyms

ACC	Administrative Complaints Committee
AIR-TIP	Assistance to Illegal Recruitment/Trafficking-In-Persons Victims
AKAP	Abot-Kamay ang Pagtulong sa OFWs (Reaching Out to OFWs)
AKSYON	Agarang Kalinga at Saklolo para sa mga OFW na Nangangailangan Fund (Immediate Caring Assistance for OFWs in Need Fund)
ATN	Assistance-to-Nationals
ATTFs	Anti-Trafficking Task Forces
BI	Bureau of Immigration
BCAMP	Border Control Agency Management Program
BLAs	Bilateral labor agreements
BoQ	Bureau of Quarantine
BTFAT	Bangsamoro Task Force Against Trafficking in Persons
CA	Court of Appeals
CFO	Commission on Filipinos Overseas
CHRP	Commission on Human Rights of the Philippines
CMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families
COMELEC	Commission on Elections
DBM	Department of Budget and Management
DepEd	Department of Education
DFA	Department of Foreign Affairs
DFA-UNIO	DFA's United Nations and Other International Organizations Office
DFA-OUMWA	DFA's Office of the Undersecretary for Migrant Workers Affairs
DMW	Department of Migrant Workers
DOH	Department of Health
DOJ	Department of Justice
DOLE	Department of Labor and Employment
DSWD	Department of Social Welfare and Development
DSWD-ISSO	DSWD's International Social Services Office
DSWD-OSWA	DSWD's Office of the Social Welfare Attaché
FBI-JTFIG	Federal Bureau of Investigation's Joint Terrorism Financial Investigations Group
FSI	Foreign Service Institute
FSPs	Foreign Service Posts
GCM	Global Compact for Safe, Orderly and Regular Migration
GRCM	Gender-responsive case management

HSWs	Household Service Workers
IACAT	Inter-Agency Committee Against Trafficking in Persons
ICMS	Integrated Case Management System
ILAB	International Labor Affairs Bureau
IOM	International Organization for Migration
KSA	Kingdom of Saudi Arabia
LAF	Legal Assistance Fund
LCEs	Local Chief Executives
LGUs	Local government units
LOIPR	List of issues prior to reporting
LSIs	Locally Stranded Individuals
MPHs	Minimum public health standards
MWOs	Migrant Workers Offices
MWOFCRs	Migrant Workers and Other Overseas Filipino Resource Centers
NBI	National Bureau of Investigation
NCWC	National Coast Watch Center
NGOs	Non-government organizations
NICA	National Intelligence Coordinating Agency
NRCO	National Reintegration Center for OFWs
OCA	Office of the Court Administrator
OECs	Overseas Employment Certificates
OFWs	Overseas Filipino workers
OHCC	One Hospital Command Center
OLTCC	Overseas Landbased Tripartite Consultative Council
OPA	Office of Police Attaches
ORCC	One Repatriation Command Center
OWOs	Overseas Welfare Offices
OWWA	Overseas Workers Welfare Administration
PDEP	Pre-Departure Education Program
PDI+	Prevention, Detection, Isolation, Treatment, Reintegration and Vaccination Strategies
PDOS	Pre-Departure Orientation Seminar
PHRCS	Presidential Human Rights Committee Secretariat
PNP	Philippine National Police
PNP-WCPC	PNP's Women and Children Protection Center
POAS	POEA Online Appointment System
POEA	Philippine Overseas Employment Administration
POLOs	Philippine Overseas Labor Offices
PSA	Philippine Statistics Authority

RA	Republic Act
RRPTP	Recovery and Reintegration Program for Trafficked Persons
SC	Supreme Court
SENA	Single-Entry Approach
SFA	Secretary of Foreign Affairs
SLP	Sustainable Livelihood Program
TIP	Trafficking in persons
TWG	Technical Working Groups
UAE	United Arab Emirates
UNCMW	UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families

I. Introduction

1. This third report of the Philippines on the implementation of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (CMW) was prepared by the State's Department of Migrant Workers (DMW), under the guidance of the Presidential Human Rights Committee Secretariat (PHRCS) and the Department of Foreign Affairs-UN and Other International Organizations Office (DFA-UNIO).
2. Data presented in this report were gathered from various Executive bodies through inter-agency meetings and other platforms and are anchored on the list of issues prior to reporting (LOIPR) (CMW/C/PHL/QPR/3) forwarded to the State by the UN Committee on the Protection of the Rights of All Migrant Workers and Members of their Families (UNCMW) in 2021. The LOIPR included requests for updates on the State's implementation of Articles 1 to 71 of the Convention specific to the UNCMW's recommendations arising from its last constructive dialogue with the State in 2014.
3. Civil society and non-government organizations (NGOs) were consulted in the preparation of this report, while the State's independent national human rights mechanism, the Commission on Human Rights of the Philippines (CHRP), provided independent views to enhance the same.

II. Section I

A. General information

On strengthening and streamlining the State party's institutional structure vis-a-vis migration to effectively implement rights under the Convention

4. On 30 December 2021, President Rodrigo R. Duterte signed a law (Republic Act [RA] 11641)¹ creating the DMW, and defining its powers and functions as follows:

- (a) Protect the rights and promote the welfare of overseas Filipino workers (OFWs), regardless of status and the means of entry into the country of destination;
- (b) Formulate, plan, coordinate, promote, administer, and implement policies in relation to overseas employment and reintegration;
- (c) Undertake systems for regulating, managing, and monitoring overseas employment and reintegration; and
- (d) Empower and train OFWs to gain appropriate skills by ensuring their access to continuous training and knowledge development.

5. With the DMW rendered fully operational in February 2022, all agencies involved in managing the processes required for the temporary migration of Filipinos were consolidated under a fully dedicated Executive department, giving rise to a single destination for Filipinos seeking overseas employment, needing overseas employment certificates, and requiring legal, repatriation, reintegration, and other necessary assistance. These agencies are:

- (a) Philippine Overseas Employment Administration (POEA);
- (b) Office of the Undersecretary for Migrant Workers Affairs (OUMWA) of the Department of Foreign Affairs (DFA);
- (c) International Labor Affairs Bureau (ILAB);
- (d) Philippine Overseas Labor Offices (POLOs), now Migrant Workers Offices (MWOs);
- (e) National Reintegration Center for OFWs (NRCO);

¹ https://www.dmw.gov.ph/resources/dmw/20211230_RA_11641_RRD.pdf.

(f) National Maritime Polytechnic; and

(g) Office of the Social Welfare Attaché (OSWA) of the Department of Social Welfare and Development (DSWD).

6. The creation of the DMW came with the establishment of the *Agarang Kalinga at Saklolo para sa mga OFW na Nangangailangan (AKSYON) Fund* (Immediate Care and Assistance for OFWs in Need Fund), which aims to finance legal and other forms of assistance to Filipino migrant workers in distress.

On allocating adequate human and financial resources to government departments and agents to carry out their work on migration efficiently

7. President Ferdinand R. Marcos Jr. has emphasized the importance of strengthening the State's capacities to support and assist Overseas Filipino Workers (OFWs).

8. The State has allocated P16,125,272,000 (US\$278 million) to the DMW for 2023 as indicated in the State's Budget Priorities Framework, Updated Philippine Development Plan, Results Matrix, Public Investment Program, as well as the Department of Budget and Management (DBM) Strategic Plan.

9. Included in this initial budget for the DMW are allocations for major programs, as follows:

(a) Overseas Employment and Welfare Program, Php 3,479,602,000.00 (US\$60 million);

(b) Overseas Employment Regulatory Program, Php 167,002,000.00 (US\$2.88 million);

(c) Labor Migration Policy and International Cooperation Program, Php 34,068,000.00 (US\$587.4 thousand);

(d) Maritime Research and Skills Competency Program, Php 75,671,000.00 (US\$1.305 million);

(e) Overseas Filipino Workers Hospital and Diagnostic Center, Php 120,940,000.00 (US\$2.085 million).

10. On 29 November 2022, the congressional Commission on Appointments confirmed the appointment of Susan "Toots" Ople as the country's first Secretary of the Department of Migrant Workers. She was former Department of Labor and Employment (DOLE) Undersecretary and an advocate for OFW's rights. She established the Blas F. Ople Policy Center (BOPC), which assists distressed OFWs in various parts of the world.

11. As a new agency, the DMW has 1,728 manpower positions, which is 94% higher than the 891 total number of positions previously allocated separately to each of the agencies that were integrated and now form the DMW. Most of the new hires will be assigned to the 16 DMW Regional Offices to serve migrant workers and their families across the country.

On ensuring that the Filipino Workers Resource Centres function effectively

12. Sections 22 and 23 of the Joint Manual of Operations in Providing Assistance to Migrant Workers provides for the administration and operations of the Migrant Workers and Other Overseas Filipino Resource Centers (MWOFRCS). POLO, through the Labor Attaché, supervises and coordinates the operations of the Center and assigns a Center Coordinator, which manages the daily operations and orderly maintenance of the Center.

13. The Manual also provides for the establishment of a Management Policy Committee, which promulgates policies, rules, and regulations for the orderly maintenance of the Center. The Committee is co-chaired by the Head of POLO and the second highest ranking officer of the Embassy, assisted by the Assistant Labor Attaché or Welfare Officer, ATN Officers, Welfare Officers, and Social Welfare Attaché.

On protecting migrant workers and members of their families in the country and abroad from involuntary returns due to the coronavirus disease (COVID-19) pandemic, and ensuring due process in undertaking involuntary returns

14. From 2020 to 2022, the State, through the POEA, ensured continuous employment and deployment of OFWs. The DMW lifted restrictions in OFW deployment to certain countries, and responded to the increase in the demand for Filipino seafarers and the emergence of new labor markets.

15. The State, through its POLOs under the Department of Labor and Employment (DOLE), pursued a program called *Abot-Kamay ang Pagtulong sa OFWs* (AKAP), translated as “reaching out to OFWs”. The program extended Php10,000 (US\$200.00) in cash assistance to OFWs rendered unemployed due to the lockdown or community quarantine in host countries and/or infected by the COVID-19 virus and were not given financial support by their host governments or their employers. Some 170,031 Filipino migrant workers in host countries and 348,617 repatriated/ returning migrant workers benefited from the program, with a total fund disbursement of Php 5.25 billion (US\$90.517 million).

16. The State, through the DFA, continues to utilize its Assistance-to-Nationals (ATN) Fund and Legal Assistance Fund (LAF) managed by the DFA-OUMWA. These funds are provided to Foreign Service Posts (FSPs) for repatriation, welfare assistance, medical assistance, administrative expenses of ATN officers responding to exigencies of the pandemic; assistance for the shipment of remains of overseas Filipinos; coordination with other government agencies for the provision of their quarantine facilities; and arrangements to return to their provinces/cities through the Overseas Workers Welfare Administration’s (OWWA) sweeper flights/buses. From the start of the pandemic up until 2022, the DFA facilitated the repatriation of 463,027 Filipinos. Land-based workers made up the majority of the repatriates, with 357,023 or 77.11% coming from at least 90 countries. The remaining repatriates of 106,004 or 22.89% were seafarers from more than 150 cruise ships, oil tankers, and other bulk vessels. The DFA likewise chartered 120 flights through the ATN Fund, and the augmented ATN Fund under RA 11494 or the Bayanihan to Recover as One Act. It brought home 33,344 distressed overseas Filipinos from Asia Pacific, the Middle East, Europe, and North Africa.

On establishing a Shared Government Information System on Migration and equipping the same with adequate human and financial resources

17. The Inter-agency Committee on Migration Statistics created the Task Force on International Migration, which reviews administrative forms/ data collection forms of data sources on international migration and identifies areas of improvement based on the Philippine Statistics Authority (PSA) Board Approved Amended Operational Framework and the Official Concepts and Definitions on Migration. Among these administrative forms/systems is the Shared Government Information System on Migration.

On cooperating with civil society organizations working on migrants’ rights with regard to the implementation of the Convention, the Committee’s previous recommendations and the preparation of periodic reports

18. The DMW maintains the Overseas Land-based Tripartite Consultative Council (OLTCC), a consultative body of the former POEA that serves as a forum that addresses issues and concerns involving OFWs, among others. The OLTCC also monitors and evaluates the implementation of international, regional and national programs, plans and projects in the land-based and overseas sector.

19. The DMW also maintains the Maritime Industry Tripartite Council-Overseas Seafaring Committee (MITC) of the then POEA, which is a technical working group on issues and concerns affecting overseas seafarers. The Committee formulates policies and programs affecting labor and employment in the overseas maritime industry, and primarily monitors the country’s compliance and implementation of the Maritime Labour Convention 2006.

On enhancing training programmes on the application of the Convention for public officials working in the area of migration, including consular officials and law enforcement officers, as well as border personnel, social workers, judges and prosecutors

20. The following are enhanced training programs for public officials working on migration as conducted by the State's Bureau of Immigration (BI) in 2022 and which tapped the expertise of various international partners and organizations:

<i>Title</i>	<i>Inclusive dates</i>	<i>Resource speaker</i>
a. National Coast Watch Center (NCWC) Seavision Training	14–15 January 2022	NCWC
b. Document Fraud and Impostor Detection Training	28 February–1&11 March 2022	BI, PSA, US Embassy
c. International Organization for Migration (IOM) – Rights and Gender Based Approaches to Border Management	29–31 March 2022	IOM
d. Federal Bureau of Investigation's Joint terrorism Financial Investigations Group (FBI-JTFIG) Executive Intelligence Conference	5 April 2022	FBI-JTFIG
e. IOM – Rights and Gender Based Approaches to Border Management Training of Trainers	26–29 April 2022	IOM
f. Border Control Agency Management Program (BCAMP) 27	09 May–03 June 2022	Australian Embassy
g. Border Control Officers Module I – Class 23	06 June–07 December 2022	BI and other agencies
h. Passenger Assessment, Targeting and Investigation Workshop	27–29 June 2022	IOM
i. Border Control Officers Module (BCOM I) – Class 24	29 June 2022–11 January 2023	BI and other agencies
j. How to Catch Online Criminal: Digital Evidence & Forensics Exploitation Seminar	19 July 2022	FBI-JTFIG
k. FBI National Academy Session 284	26 September–08 December 2022	US Embassy
l. BCAMP 28	26 September–07 October 2022	Australian Embassy
m. UN – DFA Office of Civilian Security: Regional Workshop on Border Security and Management Good Practices in Response to the Covid 19 Pandemic in the Context of Counter-Terrorism	24–28 October 2022	UN – DFA Office of Civilian Security
n. BCOM I – Class 25	07 November 2022–April 2023	BI and other agencies
o. National Intelligence Coordinating Agency (NICA) – Government Security Officer's Course	28 November 2022	NICA

21. The State continued to capacitate its Social Welfare Attachés (SWAtts) under the DSWD. In 2022, newly hired SWAtts bound for Jeddah, Riyadh, Abu Dhabi and Hong Kong were given a two-month training by the DSWD International Social Services Office (ISSO) on all DSWD policies, programs, and services across all sectors and clientele. The capacity-building training is in addition to the regular two-week Pre-Departure Orientation Seminar (PDOS) conducted by the DFA's Foreign Service Institute (FSI) prior to deployment.

22. The State, through the DSWD, also capacitated personnel at its airports, specifically at the Ninoy Aquino International Airport Terminals 1, 2, and 3 and the international airports in Mactan, Cebu and in Clark, Pampanga, in handling mental health-related concerns, children at risk, and members of other vulnerable sectors who were among the 27,974 repatriated overseas Filipinos and/or their families who were directly assisted by the DSWD for 2020 to 2022.

23. The State, through the Department of Justice (DOJ), continuously trains prosecutors on the handling of illegal recruitment cases as provided under RA 8042 or the Migrant Workers and Overseas Filipinos Act of 1995. Addressing incidents of illegal recruitment is also included in the training for the effective prosecution of trafficking in persons (TIP) under RA 9208 or the Anti-TIP Act of 2003, as amended, considering that illegal recruitment is deemed a vehicle for human trafficking. The interrelation of these two laws ensures that all aspects of unlawful recruitment of persons for employment abroad are covered and prosecuted.

24. The State, through the DFA, continues to enhance its ATN interventions.

25. Prior to the pandemic, the DFA-OUMWA conducted ATN Retooling Seminars for Personnel of FSPs in the Asia Pacific and the Middle East and African regions.

26. In 2022, the DFA conducted an ATN Workshop and Consultation for officers and personnel in FSPs to clarify the work of the DFA with the creation of the DMW and the deployment of Migrant Affairs Officers, formerly known as Labor Attachés, and ATN personnel were refreshed of their skills and knowledge in handling special concerns, such as anti-trafficking, gender and development, and drug smuggling.

On ensuring that migrant workers have access to information and guidance on their rights under the Convention

27. The State implements a mandatory Pre-Departure Education Program (PDEP) for OFWs, which includes PDOS and a comprehensive PDEP for different OFW categories. The programs consist of information on contractual benefits and basic rights, as well as pertinent legislation of the destination countries (e.g. health, safety, welfare, among others). Contact details of the nearest Philippine Missions and onsite MWOs/Overseas Welfare Offices (OWOs) are also provided for their reference in cases of distress and emergencies.

28. Post-arrival orientations are conducted by POLOs/OWOs at the destination countries to supply newly arriving OFWs with further information and assistance.

On responding to calls from distressed migrant workers abroad or their next of kin

29. The State has mechanisms to effectively respond to concerns/ issues of migrant workers and members of their families:

(a) Operation of 33 OWOs in 30 destination countries with a significant concentration of OFWs. The OWOs, which are under the MWOs that are part of the Philippine Missions globally, are manned by welfare officers and administrative staff who are assisted by local hires and interpreters to provide assistance to OFWs;

(b) Workers Auxiliary Support Project provides OFWs with, among others, legal assistance, guidance, and information on the protection of their rights, as well as conciliation services to OFWs on employment-related concerns;

(c) Electronic Case Registry Response System (E-CARES) Online, which began in 2021, boosts coordination between the Philippine government, through the DMW-OWWA and the private sector, specifically recruitment and manning agencies, in both the local and

foreign scene in order to expedite the response to migrant workers in distress, or their next-of-kins in the country;

(d) 24/7 OWWA Operations Center, or the 1348 OWWA Hotline, receives telecalls, emails, and other communication from OFWs at anytime and anywhere in the world, together with the *Kumusta Ka Kabayan* Helpline (OFW's Distress Hotline) to promote the mental well-being of OFWs and their families;

(e) *Parokya ng OWWA sa Barangay at Pamilyang OFW* (OWWA Information Hub for the OFW Community), a community engagement project at the local government level, especially the *barangay* or villages, serves as an information hub for OFWs on OWWA programs and services. The program also provides regular and continuous communal engagements between and among OFW communities with the participation of stakeholders and interest groups, including *barangay* officials, police, and community-based NGOs, and civil society.

30. To expedite response to urgent cases of OFWs in distress, the State, through the DFA, has provided the following guidelines on the use of the LAF and ATN Fund:

(a) The DFA-OUMWA was designated to approve requests valued at US\$20,000 or below;

(b) Requests exceeding US\$20,000, where immediate legal action is required to protect the life and ensure the safety of a Filipino, preserve crucial evidence or prevent grave and irreparable harm to the person of a Filipino, are approved by the Secretary of Foreign Affairs (SFA);

(c) The SFA also approves supplemental requests that, when added to the original approved request, exceeds US\$20,000; requests for entering into a legal retainer agreement; requests to hire counsel in appeals at Court of Appeals (CA) and Supreme Court (SC); requests for official travel; and requests for hiring additional ATN personnel.

On disseminating the Convention and the Committee's previous concluding observations in all branches of government, the national human rights institution and non-governmental organizations

31. The State closely coordinates with concerned government agencies in disseminating substantive documents from the UN, including the Committee's previous concluding observations.

On monitoring OFW employers' compliance with contracts of employment as regards the payment of adequate salaries and the provision of labour benefits

32. It is State policy to verify employment contracts to ascertain the legitimacy of jobs awaiting migrant workers and to ensure that the terms and conditions of employment are compliant with minimum labor standards. The MWOs undertake contract verification and monitor migrant workers' conditions.

33. Prior to the establishment of the DMW, the State, through the POEA, has pursued policies on the use of standard employment contracts, specifying the workers' salary in accordance with the host government's salary and minimum wage laws; and provision of labor benefits, such as free transportation, free accommodation, and free food, among others.

34. The newly established DMW shall refine these policies with the introduction of country-specific and skills-specific standard employment contracts, allowing flexibility in adapting to host country rules and labor markets for certain skills categories.

On the Commission on Human Rights of the Philippines

Ensuring the Commission's capacity to promote and protect the rights of migrant workers and members of their families under the Convention through its mandate and requisite human and financial resources

35. The State fully recognizes the mandate of the CHRP as an independent national human rights institution. Article XII of the Philippine Constitution defines the CHRP's key functions that bear upon protecting the rights of migrant workers and their families:

(a) (Section 3.3) "Provide appropriate legal measures for the protection of human rights of all persons within the Philippines, as well as Filipinos residing abroad, and provide for preventive measures and legal aid services to the underprivileged whose human rights have been violated or need protection";

(b) (Section 3.1) "Investigate, on its own or on complaint by any party, all forms of human rights violations involving civil and political rights"; and

(c) (Section 3.7) "Monitor the Philippine Government's compliance with international treaty obligations on human rights."

36. As a constitutional office, the CHRP has 16 regional field offices, six sub-offices, and two provincial offices nationwide. Each of these offices exercises territorial jurisdiction on matters affecting the fundamental human rights of citizens.

37. The CHRP monitors domestic implementation of international human rights treaties, and looks into specific cases of vulnerable groups as the primary focus of its watchdog functions. Such groups are women, children, persons with disabilities, elderly, indigenous peoples, migrant workers and members of their families, among other at-risk or marginalized groups. The CHRP has established a Migrants' Rights Observatory for this purpose.

38. In the application of its advisory mandate, the Commission takes active part in the human rights reporting process in the UN. It has speaking rights at the Human Rights Council and the Committee sessions of the treaty bodies where it may report on migrants rights issues and concerns on the Philippines. It has taken the lead in deliberations on the Global Compact for Safe, Orderly and Regular Migration (GCM). On the other hand, it is mandated to convey treaty recommendations and their implementation to governments, other stakeholders, and the general public.

39. The following table exhibits the CHRP's allocated budget and its human resources from 2017 to present:

Year	Total budget	No. of occupied positions (plantilla and casuals)
2017	Php 724 868 000.00 (\$ 12.5 million)	625
2018	Php 666 939 000.00 (\$ 11.5 million)	680
2019	Php 799 498 000.00 (\$ 13.78 million)	677
2020	Php 888 755 000.00 (\$ 15.32 million)	681
2021	Php 883 097 000.00 (\$ 15.23 million)	664
2022	Php 921 156 000.00 (\$ 15.88 million)	609

Updates on the Commission's Charter Bill

40. The CHRP has been advocating for the enactment of a Commission on Human Rights Charter (through the CHR Charter Bill) to strengthen its mandate and accommodate the requirements of the Paris Principles, as well as bolster its organizational, functional, and fiscal structures. Two bills are pending at the Committee on Human Rights of the House of Representatives since their filing on 23 September 2022.

Adopting transparent selection and dismissal procedures for commissioners

41. The CHRP's version of its Charter Bill provides for refinements in the selection and dismissal of CHR Commissioners. Pending the same, the Office of the President is currently reviewing a request from the CHRP for the possible issuance of an Executive Order specifying standards of selection and appointment of the Chairperson and members of the CHRP, in compliance with the Paris Principles.

B Information requested, by article of the Convention**1. General Principles****On the invocation of the Convention's provisions and examples of such instances in judicial cases and judgments**

42. There is currently no recorded case in which the CMW was invoked directly before the courts. However, considering that the State has a law (RA 8042, as amended) that specifically provides protection to migrant workers and their families, the said law could be inferred upon as realizing the effect of the CMW in domestic remedies.

43. From 2018 to 2022, there were 23 SC decisions anchored on RA 8042, as amended, broken down to 10 cases involving conviction for the offense of illegal recruitment, eight (8) of which were committed on a large scale; 12 cases involving the grant of monetary claims; and one case of acquittal of the accused. Among these cases, the following have the most notable decisions:

(a) In *Dionella A. Gopio v. Salvador B. Bautista*, the Court ruled that overseas workers, regardless of their classification, are entitled to security of tenure, at least for the period agreed upon in their contracts, thus, they cannot be dismissed before the end of their contract terms without due process; and

(b) In *Jerzon Manpower and Trading, Inc. v. Emmanuel B. Nato*, the Court ruled that overseas Filipino workers who are contractually and legally entitled to receive health insurance benefits may not be denied their rights and privileges under the law, notwithstanding the termination of their employment or the lack of proof that the illness contracted is work-connected.

Existing judicial and administrative mechanisms for complaints by migrant workers and members of their families, including those in an irregular situation

44. The State implements the Single-Entry Approach (SENA) whereby MWOs from the central and regional offices mediate between the employer and OFW to come up with an out-of-court amicable settlement of labor and employment issues/ cases.

45. The SENA was institutionalized in 2012 through the enactment of RA 10396 or An Act Strengthening Conciliation-Mediation as a Voluntary Mode of Dispute Settlement for all Labor Cases, amending for this purpose Article 228 of Presidential Decree No. 442, otherwise known as the "Labor Code of the Philippines", which provides that all issues arising from labor and employment shall be subject to conciliation-mediation.

46. Subsequently, pursuant to Section 2 of RA 10396, the DOLE issued the Implementing Rules and Regulations on 22 February 2016.

47. The SENA was implemented by the DOLE through its various central, regional, overseas offices, and attached agencies. If SENA does not lead to settlement, migrant workers may request for legal assistance from the OWWA.

48. The DMW has taken over the SENA and complements the same with the newly-established AKSYON Fund. The DMW is currently updating information on SENA interventions.

49. The DMW, in the performance of its quasi-judicial function, exercises original and exclusive jurisdiction to hear and decide all cases which are administrative in character

involving or arising from violations of recruitment rules and regulations, such as collection of fees from OFWs; and violations of the conditions for the issuance of license to recruit OFW; and disciplinary action cases.

50. The State prosecutes and penalizes criminal complaints for illegal recruitment under RA 8042, as amended. Illegal recruitment cases are filed before the DOJ and its Provincial and City Prosecutors' Offices. These cases are thereafter filed and tried before the Regional Trial Court of the province or city where the offense was committed or where the offended party actually resides at the time of the commission of the offense.

51. The State's Judiciary has instituted measures to step up the campaign to eradicate illegal recruitment. The Office of the Court Administrator (OCA) directed the lower courts to submit the following to boost judicial actions:

- (a) Copies of final orders and decisions involving cases of illegal recruitment;
- (b) Copies of warrants of arrests issued against accused illegal recruiters who remain at large or who jumped bail;
- (c) If available, a copy of the file photograph of the accused.

Raising migrant workers' awareness on such available mechanisms

52. The State's mandatory pre- and post-departure orientations for OFWs as discussed in Items 21–22 of this report include information on such remedial measures and mechanisms. On the other hand, the State's DOJ-led Inter-Agency Committee Against Trafficking in Persons (IACAT) is tapped to educate potential OFWs on the illegal recruitment menace.

Data on complaints examined by the aforementioned mechanisms in the past five years and their outcome, disaggregated by sex, age, nationality and migration status

53. The below table illustrates data from the OCA specific to cases of illegal recruitment. There is currently no available data on cases disaggregated by sex, age, nationality, and migration status.

Region	Illegal recruitment cases filed (F) and Decided (D) from 2018 to 2022									
	2018		2019		2020		2021		2022	
	F	D	F	D	F	D	F	D	F	D
NCR	438	179	199	218	124	119	108	140	170	150
1	113	65	124	88	47	49	41	66	31	98
2	56	28	21	30	20	19	26	17	29	31
3	50	59	74	56	36	36	29	36	48	54
4A	55	52	65	36	31	40	27	19	34	25
4B	6	6	8	1	0	4	0	3	1	1
5	16	22	3	8	3	3	6	15	6	17
6	11	3	5	9	7	2	9	9	22	7
7	8	7	14	46	4	5	4	5	5	6
8	2	1	3	1	0	3	3	5	0	0
9	4	9	7	7	7	4	5	3	2	1
10	14	2	17	4	12	2	8	4	9	4
11	28	21	12	28	2	14	10	15	9	11
12	4	2	5	2	4	0	3	4	3	4
Total	805	456	557	534	297	300	279	341	369	409
Grand total									Filed: 2 307	
										Decided: 2 040

Legal assistance provided to immigrants in the Philippines and to nationals of the Philippines who are living as migrants abroad, including through the Legal Assistance Fund

54. The following are programs that provide/support legal interventions to both immigrants in the State and Filipino migrants:

- (a) SENA as applied to immigrants with established employer-employee relationship;
- (b) Pre-departure orientation and post-arrival orientations seminars by the OWWA and the then POLOs, now MWOs;
- (c) POEA Legal Assistance Online Platform or the Legal Assistance Division;
- (d) DMW AKSYON Fund; and
- (e) LAF as managed by the DFA-OUMWA. As of 2022, the LAF, which is funded at Php200 million (US\$3.45 million) for legal retainers, court-imposed fees, bail bonds, and other expenses vis-a-vis legal services, has benefitted 6,461 OFWs, with a 100% utilization rate.

Redress, including compensation, provided to victims of rights violations under the Convention

55. RA 8042, as amended, does not provide for the compensation for monetary claims of migrant workers. However, the State's Supreme Court, in various decisions, has awarded unpaid wages, salary differentials, and placement fees if applicable, including moral and exemplary damages.

56. In *Jacob v. First Step Manpower International Services, Inc.*, the Court ruled that a Filipina household worker who was repatriated as a consequence of physical abuse committed by her employers was constructively dismissed, and thus entitled to the unexpired portion of her contract. The Court also awarded her moral damages amounting to Php50,000 (US\$910) and exemplary damages amounting to Php25,000 (US\$455), in addition to attorney's fees and legal interest.

57. In the recent decision in *Jerzon Manpower and Trading, Inc. et al. v. Nato and CA*, the Court stressed the need for stricter enforcement of the law, rules, and regulations pertaining to Filipino contract workers abroad. It ruled that the migrant worker whose contract was pre-terminated and was repatriated due to illness contracted during the term of the employment contract was terminated without just or authorized cause. Thus, the Court ruled entitlement to the unexpired portion of the contract. In addition, the Court awarded Php200,000 (US\$3,641) in moral damages, Php200,000 (US\$3,641) in exemplary damages, and Php500,000 (US\$9,103) as financial assistance, as well as attorney's fees equivalent to 10% of the total monetary award and 6% legal interest from finality of the decision until fully paid.

Efforts to inform migrant workers and members of their families about the remedies available to them for violations of their rights

58. The DMW has set up the One Repatriation Command Center (ORCC) in July 2021 to serve as a centralised system to quickly respond to requests for intervention and repatriation of OFWs.

59. The ORCC is composed of welfare officers, medical professionals, and case officers to extend assistance to Filipino migrant workers regardless of their immigration status overseas. The ORCC not only responds to the issue of OFWs but also serves to provide reliable information to connect with OFWs and their families on the various preventive measures and remedies available when the rights of OFWs are violated.

60. OFWs are provided basic information on their rights, including vital country-specific redress and information systems when their rights are violated. An OFW handbook published in 2022 serves as a ready reference for migrant workers. Said handbook contains essential information for OFWs, such as avoiding illegal recruitment, factors to consider and the

process for applying for employment overseas, pre-departure tips, arrival and host country information, including contact details of MWOs, rights and responsibilities of workers, responsibilities of agencies of employers, and repatriation and reintegration processes/programs.

On the COVID-19 pandemic

Restrictions placed on the rights of migrant workers and members of their families, including restrictions relative to their entry or exit from their countries of origin, transit or destination

61. To facilitate the deployment of OFWs amidst the COVID-19 pandemic, then POEA:

- (a) Issued advisories on the resumption of deployment of OFWs in countries that closed their borders during the COVID-19 pandemic;
- (b) Negotiated for employers in some receiving countries to shoulder the RT-PCR, quarantine cost, and COVID-19 vaccination of arriving OFWs from the Philippines;
- (c) Revalidated OECs that expired during Community Quarantines in the Philippines, lockdowns or travel restrictions in countries of destination and unforeseen flight cancellations due to force majeure;
- (d) Launched the web-based contract processing system for land-based OFWs, which allows easier access in processing the OFW land-based OECs;
- (e) Launched the Direct Hire POAS; and
- (f) Activation of the POEA Online Processing System for Direct Hires, which is accessible at the POEA website, among others.

Implementation of voluntary return to country of origin

62. Voluntarily returning migrant workers who sufficiently complied with pertinent issuances and whose entries were not barred by the destination country's immigration and travel restrictions were cleared for departure.

63. On the other hand, the State, through the DFA-OUMWA, participated in the crafting and implementation of a Joint Circular on Philippine Green Lane for Seafarers, which recognized seafarers as essential workers and allowed them to safe travel and crew turnover during the pandemic.

64. The State, through the DSWD, repatriated 27,974 OFWs and/or their families from 2020 to 2022.

Processing of asylum applications

65. As far as immigration and border control procedures are concerned, the processing of asylum-seeking passengers was not affected. At the height of the pandemic, the State, through the DOJ, maintained a skeleton force of frontline personnel who received asylum applications submitted either through personal delivery, with observance of the proper health protocols, or via electronic mail when warranted under exceptional circumstances, particularly by applicants outside of Metro Manila.

Inclusion of migrant workers and their families in the national pandemic prevention and response plans and ensuring their access to a vaccine

66. Cognizant of the significant impact to the Philippines' economic recovery, as well as inherent risks involved in travel during a pandemic, outbound OFWs are prioritized and classified in the same category as frontline healthcare workers in the National COVID-19 vaccination program.

67. The Guidelines for the Implementation of a COVID-19 Vaccination Program for Diplomatic Missions and Foreign Nationals ensured the inclusion of foreign nationals as well as refugees, asylum seekers, and stateless persons, in the State's vaccination program.

68. During the implementation of the nationwide COVID-19 related restrictions from 2020 to 2021, the Department of the Interior and Local Government (DILG) established OFW Desks and designated DILG-OFW Desk Officers at the local government level to perform the following functions:

- (a) Monitor all returning OFWs within their respective areas of jurisdiction;
- (b) Immediately coordinate with the Local Chief Executives concerned and provide them with the relevant information of the concerned OFW;
- (c) Ensure that local government units (LGUs) provide all the necessary assistance to OFWs; and
- (d) Monitor the health status of the concerned OFW through the City/ Municipal Health Workers, *Barangay* Health Workers and/or the members of the *Barangay* Health Emergency Response Teams.

69. Within the same period, the DILG also issued the following:

- (a) Duties and responsibilities of local government officials, DILG Regional Directors and field officers, Philippine National Police (PNP), and others concerned on the management of returning overseas Filipinos and locally stranded individuals (LSIs);
- (b) Mobilization of civil society in COVID-19 related response and recovery programs of the government;
- (c) Guidelines on the implementation of demand generation and communication activities in support to the national COVID-19 vaccine deployment plan;
- (d) Guidelines to fast-track COVID-19 vaccination rollout in LGUs;
- (e) *Bayanihan, Bakunahan*: national COVID-19 vaccination days; and
- (f) Inventory of the vaccinated population in the barangay to restrain movement of unvaccinated individuals.

Ensuring access to health-care services

70. Medical repatriation assistance was continuously provided to migrants and overseas Filipinos during the COVID-19 pandemic through the State's Inter-Agency Medical Repatriation Assistance Program for medical assistance and issuance of exemption certificates for mandatory facility quarantine of migrants and overseas Filipinos by the Bureau of Quarantine (BoQ). Mental health services were readily available through teleconsultation by the National Center for Mental Health.

71. In order to streamline the referral system and optimize the use of medical care services at a national level for a unified COVID-19 response, the OHCC was established as the Interim National Referral System. The OHCC and the Migrant Health Unit have been actively collaborating to facilitate the coordination between health facilities and health care provider networks for the efficient referral of patients, including returning migrants and overseas Filipinos with COVID-19 cases.

72. The State, through the DOH's Health Facilities Development Bureau, directed all DOH-Retained hospitals to allocate beds to OFWs and their dependents pursuant to the guidelines on the establishment of a dedicated ward for OFWs in selected DOH hospitals nationwide.

COVID-19 prevention and protection in the workplace

73. The State, through the DOH, instituted strategies to mitigate transmission of COVID-19 and safeguard the health of workers and individuals following the Prevention, Detection, Isolation, Treatment, Reintegration and Vaccination Strategies (PDI+) and the DOH's Updated Guidelines on the Adoption of Alternative Work Arrangement.

74. Proclamation No. 922 (s. 2020), which declared a State of Public Health Emergency due to COVID-19 Pandemic, and other related issuances and advisories mandated the strict implementation of minimum public health standards (MPHS), including physical distancing,

hand hygiene, cough etiquette, wearing of masks and face shields (as applicable), among others, across all settings, including the workplace, regardless of COVID-19 alert level classification.

75. Furthermore, the State, through the DOH's Omnibus Guidelines on the Minimum Public Health Standards for the Safe Reopening of Institutions, prescribed the implementation of the MPHS following the PDI+ strategies across all settings for the safe reopening of the different sectors of the economy.

COVID-19 prevention and provision of health-care services to those infected in detention centres

76. Through the DOH's Interim Guidelines on the Prevention and Control of COVID-19 in Prisons and Detention Facilities, the State ensured that persons deprived of liberty (PDL), prison and detention facility staff, and visitors benefit from continuous provision of health and non-health services.

77. Further to fulfilling the right to health, the DOH, DOJ, DILG, and DSWD's joint issuance (Promoting the Right to Health of Mothers who are Deprived of Liberty and their Infants and Young Children in Prisons, Jails, Places of Detention, and other closed settings) guaranteed easy and continuous access to sexual and reproductive health services, mental health, and psychological support and care services for PDLs.

Informing families and returning deceased migrant workers' remains to next-of-kin

78. The State, through the 24/7 operations of the ORCC, responds to needs of OFWs and their families, guided by RA 10022, Rule XIII, specific to repatriation of workers. The ORCC, in coordination with the OWWA and DFA, is tasked to reach out to families to convey news of deaths of migrant workers and the available death benefits that surviving members of families may obtain from government agencies like OWWA.

79. The State FSPs are duty-bound to facilitate the shipment of remains of OFWs and to inform and coordinate with the deceased's next-of-kin.

80. This service continued during the pandemic, and covered OFWs who died of COVID-19. In such cases, FSPs coordinate with authorities concerned in host countries and the State's agencies, such as the DOLE, to facilitate the shipment in accordance with travel restrictions.

81. On the other hand, the State, through the BoQ, issued Interim Guidelines for the Admission of Human Remains into the Philippines During the Time of the Coronavirus Disease (COVID-19) Pandemic to unite families with the remains of their loved ones who died of various causes in the Kingdom of Saudi Arabia (KSA).

82. The State, through the DOH, provided guidance to families in the proper handling of the remains of OFWs suspected as or confirmed COVID-19 cases, including the provision of the following assistance:

(a) Provision of proper transport by accredited/ identified funeral establishment/ crematorium;

(b) Assistance in the proper disposal of remains of suspected, probable, and confirmed COVID-19 cases who were quarantined in a non-healthcare facility (e.g. home), in coordination with the deceased's relatives;

(c) Assistance in the proper handling of remains of suspected, probable, and confirmed COVID-19 cases by authorized personnel (e.g., health personnel and support staff, LGU team for management of the dead and missing persons, funeral parlor workers).

Mitigating the COVID-19 pandemic's adverse effects on migrant workers' rights, in view of the joint guidance note of the Committee and the Special Rapporteur on the human rights of migrants

83. The OSWAs assisted a total of 50,529 distressed overseas Filipinos in seven FSPs covering six countries: Hong Kong SAR, Qatar, Malaysia, United Arab Emirates (UAE), KSA and Kuwait, from 2020 to 2022. The OSWAs' counterparts in the Philippines, the ISSO

Home Office and the focal persons in 16 Field Offices assisted a total of 12,136 individuals for the same period.

84. For the same period, the One-Stop-Shop DSWD Airport Team provided psychosocial support and humanitarian assistance amounting to Php 4.6 million (US\$79,310) to 2,744 returning distressed overseas Filipinos.

85. The POEA issuances during the COVID-19 pandemic from 2020 to 2022 ensured continuous employment and deployment of OFWs.

2. Part II of the Convention

Article 7

On aligning national legislation (e.g., the Constitution, Migrant Workers and Overseas Filipinos Act, and the Immigration Act) with the Convention and ensuring migrant workers' enjoyment of their rights without distinction

86. State laws do not allow the deployment of female domestic helpers aged 23 years old and below as they are considered most vulnerable.

87. The State upholds the rights of migrant workers as evidenced by its ratification of international conventions and passage of relevant laws, as follows:

- (a) Ratification without reservations of the provisions and the annexes of ILO Convention 97 Concerning Migration for Employment, 21 April 2009;
- (b) The Labor Code of the Philippines declares, among others, that the State shall:
 - (i) Afford protection to labor, promote full employment, ensure equal work opportunities regardless of sex, race, or creed and regulate the relations between workers and employers; and
 - (ii) Assure the rights of workers to self-organization, collective bargaining, security of tenure, and just and humane conditions of work.
- (c) The Migrant Workers and Overseas Filipinos Act declares that:
 - (i) The State affirms the fundamental equality before the law of women and men and the significant role of women in nation-building;
 - (ii) The State shall apply gender sensitive criteria in the formulation and implementation of policies and programs affecting migrant workers and the composition of bodies tasked for the welfare of migrant workers; and
 - (iii) Free access to courts and quasi-judicial bodies and adequate legal assistance shall not be denied to any person by reason of poverty.

On amending the Anti-HIV/AIDS Discrimination Law

88. There are currently no pending bill/s to amend the Anti-HIV/AIDS Discrimination Law.

89. RA 11166 or the Philippine HIV and AIDS Policy Act has provided safety nets against discrimination not only for migrant workers but for the general public as well. Complementing the said law, on 01 December 2021, the CHRP and the DOJ signed the "Uniform Rules on Redress Mechanisms for Persons Living with HIV."

90. The Philippine National AIDS Council Human Rights Committee, an attached agency of the DOH, is working with the Insurance Commission to revise the "Guidelines in the HMO Underwriting of Applicants with Actual, Perceived, or Suspected HIV Status."

91. Section 29 of RA 11166 provides, "To ensure that any health testing is voluntary and based on free and informed consent by migrant workers and members of their family for HIV testing as a policy, the State shall encourage voluntary HIV testing. Written consent from the person taking the test must be obtained before HIV testing."

92. Section 50 of the same law stipulates severe punishment for persons forcing someone to undergo HIV testing without his or her consent with imprisonment of up to twelve (12) years without prejudice to the imposition of fines and administrative sanctions, such as suspension or revocation of professional license.

3. Part III of the Convention

Articles 8 to 15

On the right of migrant workers to reside in the State for employment vis-a-vis premature unemployment

93. The Philippines is signatory to the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers, which also covers migrant workers who are documented and those who become undocumented through no fault of their own. The Consensus provides that receiving States and sending States shall, for humanitarian reasons, closely cooperate to resolve the cases of migrant workers who, through no fault of their own, have subsequently become undocumented. They shall also take into account the fundamental rights and dignity of migrant workers and their families already residing with them without undermining the application by receiving States of their laws, regulations, and policies.

On protecting the rights under the Convention of Filipino migrant workers abroad

Labor-related bilateral and multilateral agreements between the Philippines and destination/ origin countries

94. There are 42 valid bilateral labor agreements (BLAs) with the following countries: Jordan (3), Kuwait (3), Lebanon (1), KSA (3), UAE (1), Bahrain (2), Canada (4), Commonwealth of the Northern Mariana Islands (1), Germany (3), Indonesia (1), Iraq (1), Israel (2), Italy (1), Japan (3), Korea (1), Lao People's Democratic Republic (1), Libya (1), New Zealand (2), Papua New Guinea (1), Qatar (1), Romania (1), Spain (1), Switzerland (1), Taiwan (1), United Kingdom (1), and United States of America (1).

95. Of the 42 existing BLAs, the State signed both general labor agreements as well as specific agreements for the deployment and protection of domestic workers with the countries of Jordan, Kuwait, Lebanon, KSA and UAE.

96. There are seven government-to-government agreements with Germany, China, Israel, Japan, Korea, Taiwan and Canada.

97. The agreement with the government of Israel is specific to the recruitment and deployment of caregivers and hotel workers through a government-to-government arrangement.

98. The deployment of Filipino workers to the rest of the countries where the State has a valid BLA is through private recruitment agencies.

99. The State has approved a standard employment contract for general workers bound for Qatar, for domestic workers bound for KSA, UAE, Kuwait, and for Filipino Seafarers On-Board Ocean-going Ships.

100. Four Regional Agreements/Multilateral Agreements consist of the following:

- (a) ASEAN Convention Against Trafficking in Persons especially Women and Children;
- (b) European Free Trade Association Annex on Maritime Transport and Related Transport Services;
- (c) ASEAN Consensus on the Protection and Promotion of Rights of Migrant Workers;
- (d) Memorandum of Understanding (MOU) between the IOM, the Ministry of Service of the Province of Alberta, Canada, the Ministry of Labour Relations and Workplace

Safety of the Province of Saskatchewan, Canada, and the DOLE of the Republic of the Philippines regarding Pilot Testing of the International Recruitment Integrity System.

Complaints filed by Filipino migrant workers regarding employer abuse

101. As of 2020, 2,391 trafficking victims in the Middle East have been assisted by FSPs.

102. In 2022, the POEA docketed 43 complaints of abuses of women endorsed by POLOs. These complaints underwent careful review and investigation and were decided based on merits. Foreign employers found guilty were meted the penalty of either suspension or disqualification from the overseas employment program of the Philippine government.

103. The DSWD-ISSO has provided services to 1,133 victims of TIP and illegal recruitment.

104. For the first quarter of 2021, OFW Task Forces assisted 382 repatriated OFWs from different embassies, including 18 case referrals involving 57 repatriated OFWs, mostly from Syria. Most of these OFWs deemed undocumented were recruited for employment abroad and travelled using a tourist visa through backdoor channels.

105. In coordination with POEA Prosecution Division, the IACAT Operation Center assisted 17 repatriated OFWs from Syria (all female adults) for their virtual interview and investigation, including preparation of the sworn statements of the repatriated OFWs for the filing of possible cases against their illegal recruiters and employment agencies.

Prohibiting deployment of Filipino migrant workers to countries where their rights will not be protected as per the amended Migrant Workers and Overseas Filipinos Act

106. The guarantees provided under RA 10022 are implemented through a certification system for compliant destination countries. The certification of compliance is made by the DFA and forwarded to the POEA for consideration in the exclusive list of countries where deployment can be allowed. The list is regularly updated depending on the current situation in host countries.

107. The State, through the POEA, regularly publishes on its website the list of countries that are compliant and non-compliant with the conditions set forth by RA 10022 (POEA Advisory No. 1 December 2017). In 2020, the POEA has also issued deployment bans for the following countries in the Gulf area:

(a) Governing Board Resolution No. 4 (s. 2020) imposing a ban on the deployment of all OFWs bound for Kuwait, except skilled workers and professionals who are categorized as *balik-manggagawa* (returning worker); and

(b) Governing Board Resolution No. 8 (s. 2020) suspending the processing and deployment of newly-hired workers bound for Lebanon, including crew changes, disembarkation, and shore leaves for seafarers.

108. The State, through the DOLE, continues to engage host governments for BLAs, which is one of the required guarantees identified by RA 10022. The DMW has identified as one of its priority thrusts the forging of BLAs with host governments.

Capacitating diplomatic and consular staff abroad about the laws and procedures of the countries of employment of Filipino migrant workers, especially in those countries categorized as “highly problematic” by the Department of Foreign Affairs and the Department of Labour and Employment

109. The State sustains a strong capacity-building program for its staff mandated to protect the welfare of OFWs.

110. PDOS are provided to DFA's FSP personnel and those from other attached agencies, such as DOLE (labor attachés), Department of Tourism (tourism attachés), and Department of Trade and Industry (commercial attachés) to be assigned at FSPs.

111. In 2022, DFA-OUMWA conducted two batches of the ATN Workshop and Consultations in September and November participated in by various DFA officials and personnel assigned in various FSPs.

112. Personnel of DOLE and OWWA assigned to POLOs are required to undergo rigid pre-departure trainings conducted by DOLE and the DFA's FSI prior to their deployment. These personnel cannot be cleared to leave for foreign assignment without satisfactorily completing the trainings.

113. The DMW, in keeping with RA 11641, shall establish a Training Institute for substantive, analytical and strategic leadership training programs to equip employees, especially those who will be working overseas, with necessary knowledge and skills, such as but not limited to language, customs, traditions, and laws of the host countries where OFWs are located. The training will also include effective means and methods in handling the concerns of OFWs.

Orienting Filipino migrant workers and members of their families traveling to countries practicing the kafalah (sponsorship) system

114. The kafala system is used to monitor migrant laborers, working primarily in the construction and domestic sectors in Gulf Cooperation Council member States and some of its neighboring countries, namely Qatar, Bahrain, Kuwait, Lebanon, Oman, KSA, and the UAE.

115. The system requires all migrant workers to have an in-country sponsor, usually their employer, who is responsible for their visa and legal status.

116. The kafala system is mentioned as a practice of many middle-east destination countries, but not lengthily discussed as a topic in the conduct of PDEP trainings.

117. The POEA, OWWA, and POLOs continued to implement pre-employment, pre-deployment and post-arrival orientation seminars for overseas jobseekers, departing migrant workers, and newly-arrived migrant workers in host countries. These were made available either online, in the case of pre-employment seminars, or face-to-face, in the case of pre-departure and post-arrival seminars.

118. At the height of the COVID-19 pandemic, the OWWA and POLOs had resorted to virtual sessions to ensure continued implementation of these orientation programs.

119. The orientation programs were intended to apprise migrant workers on labor laws and policies as well as on available mechanisms for redress of grievances in various destination countries. These programs will be sustained by the DMW and the MWOs, and will be given more emphasis.

Protecting Filipino migrant workers deployed in countries practicing the kafalah system

120. Due to the rising number of abuses against Filipino household service workers in Kuwait, the State declared a total deployment ban to the said State in February 2018.

121. The deployment ban led to negotiations between the two countries toward adopting an agreement that would intensify protection of the rights of Filipino household service workers, demonstrating Kuwait's recognition of OFWs' importance as well as Kuwait's readiness to compromise with the Philippines in developing protective mechanisms.

122. The agreement provides that ethical recruitment policies are upheld; recruitment shall be governed by a standard contract; cost of domestic worker recruitment is reduced; and workers are treated humanely.

123. The State welcomed the labor reforms introduced by other Gulf countries, such as KSA.

124. Among these is KSA's Labor Reform Initiatives that has the potential to significantly improve the working conditions of and benefit migrant workers in the Kingdom, including almost 800,000 Filipinos.

125. The KSA also approved the Green Visa, which allows foreign workers to enter the country without a sponsor, departing from the practice of the kafala system.

126. The State, through the DFA, has vigorously lobbied for migrant protection and reforms in every bilateral and multilateral events and opportunities, particularly advancing

the GCM. This is in response, among others, to the kafala system, which requires Posts to negotiate with and convince abusive employers to issue exit visas to the distressed OFWs they employ so they can be repatriated to the Philippines.

127. Abusive and opportunistic employers often use this power given by the kafala system to exact unfair and huge amounts, like a ransom, for the issuance of their employees' exit visas. Using the ATN Fund and LAF, the State, through the DFA, assists OFWs in distress to secure exit visas for their repatriation, as well as to pay for legal services in pursuing court cases against those employers.

128. In its efforts to protect OFWs most especially the vulnerable group of Filipino domestic workers in the gulf, the State, through the DOLE, sat in Joint Committee Meetings with gulf countries to repeatedly advocate the abolition of the kafala system.

129. Former President Duterte publicly denounced the "unjust and exploitative" visa sponsorship practised in the Middle East and called for its complete abolition.

130. With the operationalization of the DMW, the State shall continue to engage governments of host countries in the Middle East to address the issue of kafala.

131. As to the protection of OFWs in general, the DMW maintains a whitelist of agencies and employers that adhere to fair and ethical recruitment standards and principles. The DMW also publishes the identities of foreign employers and recruitment agencies, both foreign and local, that have been blacklisted due to recruitment violations, and/ or have committed or were involved in severe exploitations and abuse of OFWs. This is consistent with the objectives contained in the GCM in negotiating bilateral labor agreements with other countries.

On cases involving public officials abusing their authority in relation to the rights of migrant workers

132. The State has effectively addressed such cases, as follows:

(a) As of June 2021, there have been 158 cases involving BI personnel;

(b) Some 89 BI officers were charged before the Office of the Ombudsman for their involvement in a bribery scheme for the entry in the Philippines of foreign nationals hired for the Philippine Offshore Gaming Operations without undergoing the usual immigration procedure. All but two (2) have been placed under preventive suspension;

(c) Criminal and administrative cases were filed against a National Bureau of Investigation (NBI) agent and one BI personnel following an entrapment operation based on bribery allegations.

133. The State shall establish the DMW Administrative Complaints Committee (ACC) to investigate and penalize erring officials and employees. Said body shall take over the work of the DOLE ACC, which was then responsible for investigating and penalizing officials and employees involved in the overseas employment program who were accused of corruption or abuse of authority.

On access to legal documents by undocumented Filipinos in Sabah

134. In 2022, the State, through the collaboration of the PSA, DFA and the Philippine Embassy in Kuala Lumpur, resumed the conduct of on-site Special Consular Missions in Sabah to register the births of undocumented Filipinos, including their families. The Special Consular Mission will resume in February 2023 to accommodate more registrants.

135. The mission includes the Filipino workers' registration for the Philippine Identification card to ensure their enrolment in the Philippine Identification System.

136. Some 3,852 birth records were facilitated through out-of town registration, while 602 birth records were facilitated online in February 2022.

137. The DFA, which conducts the transfer of Filipinos from Sabah, has reported the transfer of 3,133 Filipinos as of 1 November 2022.

138. A notice of travel was further reported by the Philippine Embassy in Kuala Lumpur on the conduct of transfer of 485 Filipinos from Sandakan, which is still ongoing as of this writing.

139. The DFA coordinates with the Department of National Defense on the security clearance for the transfer and shoulders the RT-PCR test of at least 1,000 transferees through the ATN Fund.

Articles 16 to 32

On assisting Filipino migrant workers and their families who are deprived of liberty or are subject to an expulsion order

140. One of the pillars of Philippine Foreign Policy is protection of the rights and promotion of the welfare and interest of Filipinos overseas.

141. In each FSP, the State has established an ATN Section with personnel who specifically cater and provide various forms of assistance to its nationals. The ATN Section provides funds for cases of immigration violations, jail detention, jail visitations, and financial and/or welfare assistance in the form of personal items, repatriation (i.e., airfare back to the Philippines after the national's release), and provision of LAFs for legal services of lawyers on retainers and/or on a contract-basis to migrant workers and overseas Filipinos in distress.

142. The LAF covers fees for foreign lawyers tasked to defend them to the fullest protection of the law; bail bonds to secure their temporary release under detention; court fees and other charges and litigation expenses.

143. The Philippines provides periodic reports to Congress to track Filipinos deprived of liberty to monitor their cases and provide appropriate assistance according to their needs while temporarily detained.

On birth registration of children of migrant workers abroad, including those in an irregular situation, and updates on relevant databases

144. Philippine embassies encourage all Filipino migrant workers, including those in an irregular situation, to report the birth of their children so they can be registered with the PSA.

On efforts to amend Section 22 of the Labour Code regarding mandatory remittance by Filipino migrant workers

145. In the State's 19th Congress, Senate Bill No. 1311 was filed to amend the Labor Code, specific to OFW Mandatory Remittance of Earnings. It provides that it shall be mandatory for all OFWs recruited and placed by private fee-charging employment agencies or private recruitment entities for local or overseas employment to remit a portion of their foreign exchange earnings to their legitimate families, dependents, and/or beneficiaries in the country in accordance with rules and regulations prescribed by the Secretary of the DOLE or DMW.

4. Part IV of the Convention

Article 40

On amending sections 269 and 272 (b) of the Labour Code regarding the right to form associations and trade unions in line with article 40 of the Convention

146. In the State's 19th Congress, Senate Bill No. 1311 was filed to amend the Labor Code, adding new provisions related to trade union activities.

Article 41

On the right of Filipino migrant workers to participate in public affairs, to be elected at elections of the State party, and to vote, including by mail and via the Internet

147. The State ensures that OFWs are accorded every opportunity to participate in affairs of the State, especially in the exercise of their right to suffrage.

148. The State's Commission on Elections' (COMELEC) Office for Overseas Voting and the DFA's Overseas Voting Secretariat continue their joint efforts to register overseas Filipinos voters and to promote their participation in every national election.

149. For the 2022 presidential elections, more than 680,000 overseas voters were able to cast their votes, resulting in a record-high 40% voter turnout rate in the Philippines' overseas voting history.

150. Measures taken to increase voter turnout in 2022 included the provision of prepaid return postage for voters who were voting by mail, as well as a "Vote Anywhere" program to allow overseas voters to cast their ballots in their current host countries even if they are registered elsewhere.

151. The COMELEC has conducted non-binding pilot tests of existing internet-based voting solutions with the objective of submitting a recommendatory report to the Legislature in preparation for a law to be passed to authorize the use of online voting for duly-registered overseas Filipinos.

5. Part V of the Convention

Articles 58 to 63

On enjoyment of equal treatment by seasonal and itinerant workers with Filipino nationals, and ensuring employer compliance with relevant international labour standards

152. One of the pillars of overseas labor operations with respect to ensuring compliance of employers with minimum labor standard established under host country laws and international conventions is the State's employment verification and employer accreditation system, which has long been implemented by POLOs under DOLE and shall now be sustained by the MWOs under the DMW. The said system is employed by the Philippine government to vet the legitimacy of jobs and employers and ascertain that the terms and conditions of employment are compliant with minimum labor standards.

6. Part VI of the Convention

Articles 64 and 66

On the monitoring of private recruitment agencies

Enforcement of the regulatory regime and strengthening the existing licensing system for recruitment agencies

153. To ensure protection of Filipino migrant workers, particularly those in vulnerable occupations such as domestic workers, the DMW has laid out the following:

(a) Performance review and assessment of licensed recruitment agencies and their foreign counterparts based on deployment numbers, adherence to fair and ethical recruitment standards and principles, and the capacity to monitor their deployed workers and act on welfare cases;

(b) Issuance of country-specific or skill/position-specific employment contracts taking into account prevailing labor laws and migration policies as well as contents of bilateral labor agreements, if any, with labor-destination countries;

- (c) Strict department guidelines to ensure that only qualified and fully trained domestic workers are deployed abroad;
- (d) Mandatory viewing by all new employers of a video on OFW rights and welfare before any employment contracts are signed;
- (e) Creation of a whitelist of recruitment agencies and foreign recruitment agencies that have shown consistent and strict adherence to fair and ethical recruitment standards and principles for the guidance of OFWs and foreign employers;
- (f) Review and crafting of new verification guidelines by POLO to address gaps in the system and strengthening protection mechanisms for OFWs; and
- (g) Review of, amendments to, and eventual issuance of the new Rules and Regulations Governing the Employment of Landbased and Seabased Workers Overseas.

Monitoring/inspecting private recruitment agencies, especially regarding fees for their services

154. The POEA has been conducting random and targeted inspections of recruitment agencies as part of its mandate to enforce overseas employment rules and regulations, including those that pertain to charging of recruitment fees. Inspections are carried out either randomly (regular inspection) or through spot and salvo inspections, special operations and surveillance based on information provided by migrant workers and other informants. Erring licensed agencies are meted with the penalty of license suspension or cancellation and, when necessary, are charged criminally.

155. Further, the POEA, *motu proprio*, or upon recommendation of POLOs, also investigates foreign recruitment agencies that allegedly charge excessive fees and/or are suspected of other violations based on POEA rules and regulations. If found guilty, these agencies are either permanently disqualified or suspended from the overseas employment program of the Philippine government.

Efforts to address complicity of public officials with abusive foreign recruiters, including the practice of “contract substitution”, debt bondage, and falsification of birth certificates and travel documents

156. The DMW continuously strives to address the reported abuses of foreign recruiters and employers and notes that the proliferation of falsified and spurious documents play a huge role in the deployment of minors and workers below the minimum age requirement. To deter such activities, the proposed DMW Rules and Regulations has elevated the classification of the offense of “knowingly deploying a worker below the minimum age requirement” from “less serious offense” to “serious offense,” which carries a heavier penalty of cancellation of license.

157. The DMW continues to remind recruitment agencies as well employers that overseas workers should have custody and possession of their passport and other pertinent travel documents, consistent with RA 8239 or the Philippine Passport Act of 1996.

158. In line with this, Special Provision “e” under Item 15 of the Standard Employment Contract for Household Service Workers provides that “it shall be unlawful for the Employer to hold or withhold the Helper’s passport with or without his/her consent”.

159. Item 4 of the Undertaking of Employer for the Employment of a Household Worker, among others, requires that “the HSW shall be permitted to communicate with the embassy when needed and have custody of her passport/travel documents at all times.”

Ensuring private recruitment agencies’ compliance regarding provision of adequate information to individuals seeking employment abroad and agreed employment benefits

160. The State, through the OWWA, conducts site inspections to ensure PDEP providers’ compliance with State standards in terms of learning facilities, including set-up of training areas, and conformity with the required training modules.

161. The OWWA's Pre-Departure Management Unit regularly conducts refresher trainings for PDEP providers. From 2019 to 2022, it delivered 571 such trainings: 130 in 2019, 205 in 2020, 178 in 2021 and 58 in 2022.

162. Capacitating Welfare Desk Officers of Philippine recruitment agencies deploying domestic workers ensures joint responsibility and collaboration vis-a-vis enforcing employer compliance with employment contracts and protecting the rights and safety of deployed domestic workers, particularly in the Middle East region.

163. Recruitment agencies are obligated under POEA Rules and Regulations (2016) to undertake the following, among others:

(a) (Section 4.f.3) Provide orientation to workers on recruitment procedures, as well as the country profile and the working and living conditions, and other relevant information about the host country and worksite;

(b) (Section 4.f.1) Negotiate for the best terms and conditions of employment for workers;

(c) (Section 4.f.8) Assume joint and several liability with the employer for all claims and liabilities which may arise in connection with the implementation of the contract, including but not limited to unpaid wages, death and disability compensation, and repatriation; and

(d) (Section 4.f.11) Guarantee compliance with existing labor and social legislation of the Philippines and of the country of employment of the recruited workers.

164. The above obligations are among the conditions imposed upon recruitment agencies for the grant of POEA license. Failure to fulfil these obligations is grounds for license suspension or cancellation.

Investigating and punishing illegal practices by recruiters, and providing information regarding abusive practices to those seeking employment

165. The DMW exercises regulatory power over recruitment agencies or recruiters, including the conduct of administrative and criminal investigation against recruitment agencies, and persons involved in illegal recruitment. It has the authority to blacklist recruitment agencies for violations of law and its administrative guidelines and issuances.

166. Recruiters who are found violating POEA Rules and Regulations are charged with recruitment violations or illegal recruitment, and prosecuted under RA 8042 as amended by RA 10022.

167. Under the abovementioned laws, any person found guilty of illegal recruitment shall suffer the *penalty* of imprisonment of not less than twelve (12) years and one (1) day but not more than twenty (20) years and a fine of not less than Php1,000,000 (US\$17,241) nor more than Php2,000,000.

168. If the illegal recruitment constitutes economic sabotage, the penalty of life imprisonment and a fine of not less than Php2,000,000 (US\$34,283) nor more than Php5,000,000.00 (US\$86,207) shall be imposed. Illegal recruitment is considered as economic sabotage if it is carried out by a group of three (3) or more persons conspiring or confederating with one another or it is committed against three (3) or more persons individually or as a group.

169. The DMW has sustained the POEA's Assistance to Illegal Recruitment/ TIP Victims (AIR-TIP), which provides free legal assistance to complainants who are victims of illegal recruitment and recruitment violations of licensed and unlicensed recruiters, and violations of POEA Rules and Regulations by foreign employers. Free legal assistance includes legal advice, referrals for conciliation, assistance in the preparation of complaints and supporting documents, filing of administrative charges for recruitment violations, institution of criminal actions and assistance during preliminary investigation and trial.

Policy on placement fees

170. Under POEA Rules and Regulations, charging of placement fee is prohibited for domestic workers, sea-based workers, and those migrant workers applying for jobs in countries where collection of placement fees is not allowed. Those not covered by this prohibition may be charged placement fees not exceeding the equivalent of one month salary provided that such fees are collected only after job applicants have already signed employment contracts.

Ratification of the ILO Private Employment Agencies Convention, 1997 (No. 181)

171. The Philippines is yet to ratify ILO Convention 181.

Article 67

On establishing the demographic profile of children of migrant workers in situ and of those left behind in the country of origin for program and policy-making

172. The development of a database of children of migrant workers onsite and those left behind will be among the priorities of the State through the DMW's Institute for Advanced and Strategic Studies on Migration and Development.

On fulfilling the rights of children and families of Filipino migrant workers through, inter alia, education, entrepreneurship, training and community welfare programmes

173. The State, through the OSWA, facilitates and assists in securing the Report of Birth and/or passports or travel documents of non-marital (illegitimate) children in coordination with the Philippine Embassy's Consular Section.

174. Close coordination is also done with the Immigration Department of the host government for the repatriation of the undocumented children and their parents without permits to stay, usually gaining the support of the host country in waiving the immigration penalties and shortening their stay at the deportation facilities prior to repatriation.

175. The OSWA may likewise work closely with civil society groups and NGOs advocating for migrant workers' rights protection. As an example, the OSWA Kuwait collaborated with the *Likhaan* Center for Women's Health, a Philippine-based NGO, for the delivery of Essential Service Packages for Women Migrant Workers.

176. The established system and process of case management undertaken by the OSWAs ensures that clients are properly endorsed from the FSPs prior, during and post-repatriation in their country of origin. In instances that the client's best interest and welfare are better served under protective custody in the DSWD's residential care facilities, referrals are made by the OSWAs and/or the FSP. Likewise, cases needing further interventions or case management at the level of the family or the community are referred/ endorsed to the respective Local Social Welfare and Development Offices (LSWDOs) and/or other partner-stakeholders.

177. To maintain an appropriate family environment amid the growing number of OFWs who leave their children behind, the State enacted the Overseas Workers Welfare Administration Act of 2016 to strengthen support services for OFWs and their dependents, and continues to implement repatriation and reintegration programs, scholarships for child-dependents, and livelihood and financial assistance.

178. From 2013 to 2016, some 30,000 scholars benefitted from the Php30 million (\$517 thousand) educational and training fund for children of OFW parents.

179. In 2016, 41 duly-registered Philippine educational institutions overseas were established in 10 countries to address the educational needs of children living abroad with OFW parents. These institutions implement the Department of Education's (DepEd) basic educational curriculum, serving 33,000 enrolled students from pre-elementary to high school.

180. In recognition of the diverse issues these children face, the CFO proposed the inclusion of overseas Filipino children in the Philippine Youth Development Plan (2017–2022).

181. An MOU among the DOJ, DSWD and OWWA enhanced the State's inter-agency campaign to provide welfare assistance, prevent child abuse and exploitation, and provide remedies for the same, particularly among children left behind by OFWs.

182. The MOU, which complements existing laws on child protection, launched a program in March 2017 to empower caregivers and program implementers on the rights and responsibilities of children, and to prevent abuses and violence committed against them in the community.

183. The program also sought to heighten public awareness on the concerns of children left behind by their OFW parents; identify appropriate protection interventions for these children; invoke appropriate attitudes and perspectives required in dealing with the issues involved; establish convergences between the OWWA, DSWD, and DOJ on one hand, and LGUs on the other; and formulate an action plan to address such issues and problems.

184. In 2022, the State, through the DMW and the OWWA, launched a program called the OFW Children's Circle that provides psycho-social assistance and promotes digital literacy among children of OFWs covering various themes, such as arts and culture, sports and recreation, civic involvement and values reorientation, entrepreneurship and financial literacy, and health and wellness.

185. The program has been allocated a budget of P15 million to cover operational and administrative expenses.

186. As of December 2022, it has registered 9,997 OFW children and conducted 132 activities with 7,179 total participants.

On tracking returnees and resettling Filipino migrant workers upon their return, including their reunification with children left behind in the Philippines

187. The cases of distressed overseas Filipinos and/or their families, which are referred by the OSWAs or the FSPs, are likewise endorsed to LSWDOs by the DSWD's respective Field Offices. Preparations for the client's reintegration into the family and community include establishing contact with the next-of-kin and provision of psychosocial service.

188. The State, through the DSWD-ISSO Home Office and concerned Field Offices, has a well-defined and established system of helping a particular clientele group (adults and children alike) for repatriation and/or family reunification.

189. By virtue of RA 11641, the DMW is mandated to develop and implement a full-cycle and comprehensive national reintegration program for both documented and undocumented OFWs, which shall be embedded in all stages of migration for work beginning from pre-deployment, on-site during employment, and upon return, whether voluntary or involuntary.

190. The reintegration program shall cover the different dimensions of support needed by the OFW, i.e., economic, social, psychosocial, gender-responsiveness, and cultural, including skills certification and recognition of equivalency for effective employment services, and shall ensure the contribution of skilled or professional OFWs to national development through investments and transfer of technology.

191. The reintegration program shall include promoting access to social protection instruments and financial services, and reintegration of survivors of VAW and trafficking in persons.

192. The State, through the DMW's NRCCO, has been mandated to maintain a policy of promoting broad-based social protection for returning OFWs and their families to mitigate and counteract their vulnerabilities, while at the same time aligning them with available reintegration assistance and various initiatives that empower and increase their motivation and engagement to reintegrate successfully either for local employment, professional practice, or as investors and/or entrepreneurs, such as, among others:

(a) Expansion of employment facilitation programs with other relevant government agencies covering, among others, the fields of professional education, construction and engineering, health care and allied medical services, sciences, manufacturing, and agriculture; and

(b) Forging stronger linkages and collaborative engagements with existing and prospective government agencies and NGOs in the delivery of holistic and integrative reintegration interventions, such as but not limited to upskilling, provision of funding support for livelihood, continuing professional and technical development.

On programmes and projects for livelihood, entrepreneurship and financial literacy of returning Filipino migrant workers and their families, in coordination with relevant stakeholders

193. Eligible clients of the DSWD's Sustainable Livelihood Program receive livelihood assistance and capacity-building through social preparation, which covers financial literacy, project proposal preparation, and provision of grants, as well as mainstreaming through collaboration with concerned stakeholders. Migrant workers and their kin may avail of the program as long as they meet the eligibility requirements.

194. As active OWWA members, migrant workers and their families are entitled to the following:

(a) Death and Disability Package, which includes insurance benefits for the surviving family of the deceased OFW, funeral grant, as well as benefits for accident-related disabilities;

(b) Supplemental Medical Assistance Program, which provides financial assistance of up to Php 50,000 (US\$860) to eligible awailees;

(c) Welfare Assistance Program, which caters to active and inactive OWWA members alike as well as members of their family who are ineligible for any other OWWA social benefit programs and services. Awailees may do so for the following purposes: calamity, bereavement, disability, medical, and unemployment-related relief;

(d) Under Education and Training, qualified OFWs and/or their dependents may pursue self-development through scholarship/ training grants. Short-term grants focused on specialized skills are Skills-for-Employment Scholarship Program, Seafarers' Upgrading Program, Information Technology Training Program, and Updating Management Level Courses. Available also are grants for those interested in four to five-year long baccalaureate course programs, such as the Education for Development Scholarship Program, OFW-Dependents Scholarship Program, Education and Livelihood Assistance Program – Education Component, and the Congressional Migrant Workers Scholarship Program;

(e) Welfare services, such as assisting families vis-a-vis locating missing OFWs; psycho-social counselling; employer mediation/ conciliation; and jail, hospital, worksite, campsite visits and paralegal assistance;

(f) Repatriation for distressed or sick OFWs covers airfare, airport assistance, accommodation, medical assistance or referral, domestic transport assistance, and psycho-social counseling. This also includes the transport of human remains and respective belongings back to the Philippines.

195. To prepare OFWs and members of their families for eventual return to the Philippines, the State, through the OWWA, implements the Reintegration Program with the following components:

(a) Psycho-social component, which includes capacity-building through assistance in community-organizing and maintaining OFCs, and services like psycho-social counseling, stress debriefing, values re-orientation and financial literacy; and

(b) Economic component, which consists of social preparation programs for livelihood projects or community-based income generating projects, skills training and credit facility or lending.

196. The State prioritizes the reintegration of returning OFWs through the operation of the NCRO, which offers a wide array of programs and services in areas of education, health, employment, and housing, as well as other financial grants, as follows:

(a) *Balik Pinay! Balik Hanapbuhay!* Program (Filipina OFW Livelihood Program) caters primarily to returning women OFWs and stimulates in them an entrepreneurial mindset

with the provision of a business enterprise start-up kit and accompanying skills training. It prioritizes distressed/ displaced women household service workers, as well as those who were displaced by hostilities/ conflicts in their host country or are survivors of illegal recruitment and trafficking;

(b) Livelihood Development Assistance Program provides entrepreneurial opportunities similar to the BPBHP but is catered to returning OFWs who were in an undocumented status or irregular situation;

(c) *Sa 'Pinas, Ikaw ang Ma'am/Sir* (Teachers' Reintegration Program) encourages licensed public school teachers who are deployed overseas to practice their profession in the Philippines;

(d) Small Business Management Training and Financial Awareness Seminar focuses on instilling financial literacy vis-a-vis overseas employment in OFWs and their families and on promoting entrepreneurship with the goal of self-employment;

(e) Employment Facilitation provides free employment facilitation services by the NCRO in coordination with other government agencies and private companies;

(f) *Tulong Pangkabuhayan sa Pag-Unlad ng Samahang-OFW* (Livelihood Aid for the OFW Community Development) supports the formation, enhancement, or restoration of livelihood projects/undertakings of duly-registered OFW organizations.

197. In recognizing the compounding effects of the pandemic on migrant workers, the State provided the following:

(a) Collective assistance and restoration for emergency program;

(b) Shelter assistance, also referred to as *Kalinga sa OFW* (Care for OFW);

(c) Airport and other transportation assistance, also referred to as *OFW Hatid Sundo* (OFW Transport Support);

(d) Financial and educational assistance, e.g., *Alagang Kabayan* (Care for Countrymen) Project, DOLE-OWWA AKAP, *Tabang* (Help) OFW or Tertiary Education Subsidy (TES), Scholarship in Emergencies (Project EASE), Project *Alalay sa Pag-aaral para sa mga Anak-OFWs sa Panahon ng Pandemya* (PAP) translated as Educational Support for Children of OFWs in the Time of the Pandemic;

(e) Essential goods/supplies and services;

(f) Orderly and smooth repatriation process and assistance to returning OFWs via the OFW Assistance Information System (OASIS);

(g) Training assistance, e.g., OFW RISE (Overseas Filipino Workers Re-Integration through Skills and Entrepreneurship) Program.

198. As a continuous response to the socio-economic crises experienced by OFWs due to the COVID-19 global health pandemic, the State, through the DSWD Regional Welfare Offices, implemented the Special Livelihood Project for Household Service Workers and other Overseas Filipinos.

199. This project aims to provide livelihood financial assistance to support OFW-members who finished their overseas employment and plan to start, restore or expand livelihood/business.

200. Qualified beneficiaries are entitled to a livelihood financial assistance of up to Php20,000 (US\$345).

201. The State, through the DSWD Sustainable Livelihood Program (SLP), provided livelihood assistance to the individual clients through a referral system (walk-in and referred clients).

202. Aside from financial grants, the SLP provides capacity-building through the provision of financial literacy training, assistance in project proposal preparation, and mainstreaming through collaboration with the concerned stakeholders.

203. Specific to helping victims of trafficking resettle in their respective communities, the State provides financial literacy, entrepreneurial training, and livelihood assistance through the Recovery and Reintegration Program for Trafficked Persons (RRPTP) and in the DSWD-managed residential care facilities intended for eventual independent living of the clients/residents, reunification with their families and/or reintegration to their communities.

Article 68

On trafficking in persons

Existing identification and referral mechanisms for migrant worker victims and their access to legal aid

204. In 2017, the State, through the DOJ-led IACAT, issued Guidelines on the Referral System Involving TIP Cases, which provides for step-by-step procedures for the inter-agency coordination in the provision of appropriate services to victims of TIP, both domestic and international.

205. The Guidelines has a referral procedure for domestic TIP cases, i.e., reporting at the complaint desk, rehabilitation and reintegration of victims after rescue, and interception at the airport/seaport prior to departure from the Philippines.

206. For cross-border TIP, the Guidelines provide for referral procedures from the FSPs or destination country, and at the airport/seaport upon arrival of the repatriate.

207. The Guidelines directs the FSP in the destination country, upon receipt of report of a TIP case, to verify the incident, determine the location, and condition of the victim, rescue the victim in coordination with the host country, and assign a Foreign Service Officer to be the Mission's focal person for TIP.

208. In case the victim is in the custody of the authorities of the host country, the FSP, through the focal person, shall make representations to take custody of the victim or at least provide the victim access to consular officers. If custody is granted, the FSP shall ensure that victims have access to services provided by the MWOFRCs, and assign a Case Officer who will communicate with the next-of-kin of the victims if necessary and upon victim's consent.

209. In countries where MWOFRC is not accessible, the State, through its concerned FSP, shall extend appropriate services. If the victims want to stay in the host country, the said FSP shall make the request to the host country with consideration to the best interest of the victim. In all other instances, the victims will be repatriated.

210. The DFA remains an active member of the DOJ-IACAT.

211. For the period January to June 2022, the DFA referred a total number of 65 possible TIP cases involving 326 Filipino TIP victims to the IACAT for investigation and prosecution of traffickers and illegal recruiters.

212. Based on the reports received from FSPs, the Middle East remains the top destination of likely TIP victims, followed by other parts of Asia.

213. The number of likely TIP victims remains overwhelmingly female at 92%.

214. Illegal recruitment remains the top mode of trafficking, representing 91% of cases referred by the DFA to IACAT.

215. On 20 July 2022, the US Department of State issued its 2021 Trafficking in Persons Report, which included the Philippines among the Tier 1 countries for the 7th year in a row, indicating the State's full compliance with the minimum standards for the elimination of human trafficking. The recent report noted, among others, the following:

(a) The State's OFW HELP Facebook page, managed by the DFA-OUMWA, for OFWs in distress and for their next-of-kin requesting assistance;

(b) The State's AIR-TIP that provides free legal assistance to TIP victims, specifically in the proper filing of cases against their recruiters in coordination with the PNP, as well as psychosocial counselling and financial assistance.

Ensuring that receiving States implement the non-punishment principle for victims of trafficking in persons

216. The Philippine Anti-TIP Act of 2003 provides the following protections for victims of TIP:

- (a) (Section 17) Trafficked persons shall be recognized as victims and shall not be penalized for crimes directly related to the acts of trafficking or in obedience to the order made by the trafficker;
- (b) (Section 18) Trafficked persons shall be entitled to the witness protection program of the State; and
- (c) (Section 19) Trafficked foreign nationals shall also be entitled to appropriate protection, assistance, and services available under the said Act.

Meting justice to all acts of trafficking in persons, and expediting the prosecution of cases involving illegal recruiters

217. The State pursues an inter-agency approach to addressing TIP through the implementation of RA 9208 or the Anti-Trafficking in Persons Act of 2003, which is monitored by the DOJ-led IACAT.

218. The IACAT has structural mechanisms in the prosecution and investigation of TIP cases and TIP-related cases. It has 24 Anti-Trafficking Task Forces (ATTFs) nationwide, including six (6) port-based task forces strategically located at critical entry or exit points in the country. These ATTs are composed of Prosecutors who are specially trained in investigating, case build-up, and prosecuting of TIP cases, in coordination with law enforcement units. As of 2020, the ATTs has a total of 376 Prosecutors.

219. Closely coordinating with the IACAT are the State's Anti-Trafficking Law Enforcement Units, such as the PNP Women and Children Protection Center (WCPC) and NBI's Anti-Human Trafficking Division, as well as the DSWD that rescues minors and pursues appropriate criminal charges against suspects.

220. The IACAT and the Judiciary, through the OCA, sustain a cooperation arrangement in the speedy disposition of TIP cases, specifically in the monitoring and reporting of the status of such cases in courts, resulting in the following issuances:

- (a) OCA Circular No. 151-2010 dated 26 October 2019 directing judges to expedite the disposition of TIP cases;
- (b) OCA Circular No. 20-2018 dated 31 January 2018 directing judges and court officers to furnish the IACAT Secretariat copies of decisions of trafficking in persons cases for the effective monitoring of cases; and
- (c) OCA Circular No. 155-2020 dated 16 September 2020 directing all concerned Judges and branch Clerks of Court to submit copies of decisions of TIP cases to the IACAT.

221. The State implements the Anti-Illegal Recruitment and TIP program, a two-pronged approach to promote safe and legal migration and prevent illegal recruitment and TIP.

222. The program focuses on preventive measures conveyed through trainings and seminars to raise awareness and level of understanding of prospective OFWs, their families and the general public on the hazards and modus operandi of illegal recruiters; tips to avoid illegal recruitment; and the legal modes of applying for overseas employment.

223. The program facilitated MOUs with LGUs, school administrators, faith-based organizations and the private sector, and the conduct of mass-based pre-employment orientation seminars at the local level, especially in areas identified to be vulnerable to illegal recruitment and trafficking or areas where incidents of illegal recruitment are high.

224. The State, through appropriate offices, provides free legal assistance in the preparation of complaints by victims of recruitment violations and illegal recruitment, which are administrative or criminal in nature.

225. In March 2022, the POEA launched an online legal assistance platform to provide migrant workers, applicants, and their families, including victims of illegal recruitment and recruitment violations, more accessible legal counselling through email, Facebook messenger, phone and the Legal Assistance Portal.

226. For the period of July 2016 to November 2022, the State assisted the following number of complainants:

- 1,046 in preparing complainant-affidavit for illegal recruitment case;
- 30,785 referred to conciliation;
- 7,942 in filing recruitment violation cases;
- 1,213 in filing disciplinary action against workers;
- 5,666 in filing disciplinary action against employers; and
- 80,663 referred to other government agencies or were extended other forms of assistance.

Mechanisms of support, rehabilitation, protection and redress, including State-funded social rehabilitation services and assistance with reporting incidents of trafficking to the police, and ensuring their availability to all victims at provincial and local levels

227. The State, through the DSWD's RRPTP, provides recovery and reintegration services to trafficked persons as a mandatory program under RA 11862 or the Expanded Anti-Trafficking in Persons Act of 2022.

228. The DSWD operates the 44 temporary or residential care facilities for victims of abuse throughout the Philippines, including victims of trafficking. The DSWD also deploys Social Welfare Attachés in coordination with then-POLOs in Hong Kong, South Korea, Malaysia, UAE, Kuwait, Qatar, and Riyadh, Jeddah.

229. The OSWA Jeddah provided training for Filipino community organizations and volunteers, i.e., Abha Khamis Mushayt volunteers, to provide immediate on-site psychosocial support to vulnerable or at-risk children, as well as to relatives, friends, and acquaintances who were victim-survivors of various forms of abuse. This effort was launched as a network and was intended to strengthen duty-bearers and partners alike.

230. The following are statistics on TIP victims assisted by the State through the RRPTP from 2017 to 2021:

<i>Nature of exploitation</i>	2017	2018	2019	2020	2021
Forced Labor	508	507	810	803	337
Pornography/online sexual exploitation	150	230	258	187	173
Illegal recruitment	298	295	227	128	209
Sexual exploitation	215	391	233	124	261
Intercepted/offloaded	0	174	52	111	671
Prostitution/CSEC	151	289	236	93	144
Slavery/involuntary servitude	30	20	4	21	9
Repatriation	22	40	16	6	0
Removal of organs	7	1	26	4	1
Child trafficking	54	64	8	3	5
Illegal adoption	4	4	13	1	4
Children involved in armed conflict (alleged)	-	-	-	-	32
Others (deferred/distressed OFWs, for assessment)	112	303	158	117	68
Total	1 659	2 318	2 041	1 598	1 914

231. The State, through the DSWD-ISSO, which attends to matters related to international and local social services for trafficked persons, undocumented and distressed overseas Filipinos and their families, served a total of 27,215 individuals from the following countries of deployment:

Countries	Male	Female	Total	%
Qatar	220	709	929	3%
Jeddah, KSA	449	651	1 100	4%
Kuwait	303	880	1 183	4%
Hong Kong	443	2 062	2 505	9%
Other countries	1 499	1 740	3 239	12%
Dubai, Abu Dhabi, UAE	1 380	2 655	4 035	15%
Malaysia	2 003	2 299	4 302	16%
Riyadh, KSA	4 246	3 919	8 165	30%
OFWs Family in Philippines	907	850	1 757	6%
Total	11 450	15 765	27 215	100%

Online Integrated Case Management (ICMS) Users Training

232. The State employs a cloud-based digital case management system called the Integrated Case Management System (ICMS) that records, monitors, tracks, and flags concerned government agencies to respond to trafficking and other related cases of severe exploitation involving OFWs. The ICMS unifies responses and improves coordination among national and local government agencies to combat TIP.

233. The State, through the IACAT in partnership with the Blas Ople Policy Center (Blas Ople Center) and Global Funds to End Modern Slavery, held a series of ICMS Users Training online for ICMS users from IACAT member-agencies and task forces tasked to encode, monitor, refer, and track cases of TIP.

234. Trainings on navigating the ICMS are on-going for various end-users.

235. Interventions from the State's PNP sustain the State's campaign against TIP and illegal recruitment.

236. On 26 August 2020, the PNP issued Memorandum Circular 2020-053 on the creation of a PNP Overseas Filipino Helpline for direct link-up with OFWs around the world as well as their relatives, in partnership with the DFA, DILG, POEA, OWWA and other relevant government agencies.

237. The PNP established the PNP Overseas Filipino Help Desk in all police stations, including Police Attaches (OPA) around the world and social media platforms, with the PNP Directorate for Intelligence responsible for ensuring that its respective OPAs shall act as channels of overseas Filipinos/OFWs' complaints and concerns that require police intervention.

Capacitating law enforcement personnel, judges, prosecutors, labour inspectors, teachers, health workers and staff at the State party's embassies and consulates against trafficking

238. The DSWD, through the RRPTP, conducted training for social workers handling cases of human trafficking, as follows:

(a) Training on Trauma Informed Care and Gender Responsive Case Management on 25–29 July 2022 participated in by 24 social workers designated as RRPTP Focal Persons and other staff from 16 Field Offices, including the Ministry of Social Services and Development of the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM);

(b) Training on 24–28 October 2022 for 23 RRPTP Focal Persons focusing on gender-responsive case management (GRCM), which aims to enhance the capacities of the

RRPTP Focal Persons in the provision of psychosocial recovery, social and economic reintegration services to victims-survivors of Trafficking through GRCM; and

(c) Various capability-building activities in 2022 for LSWDO social workers.

239. Capacity-building remains a regular and continuing activity of the IACAT.

240. For 2020, a total of 172 capacity-building activities were conducted, focusing on investigation and prosecution of the various forms and trends of TIP.

241. For 2021 until the 1st quarter of 2022, a total of 122 trainings on TIP capacitated 6,531 prosecutors, police, other government personnel, and non-government personnel, including lawyers and students. The online/virtual trainings and dialogues focused on investigating TIP cases involving women and children, internet crimes against children, plea bargaining in TIP cases, and implementation of the principle of non-punishment of victims of TIP, among others.

242. In 2020, the State, in partnership with the Blas Ople Center, conducted training for 34 prosecutors to enhance their capacities in conducting inquest or preliminary investigations and prosecuting TIP cases referred to them by the Bangsamoro Task Force Against the Trafficking (BTFAT) of OFWs.

243. The Philippine Judicial Academy (PhilJA), being the Supreme Court's training arm, partnered with the Australia-Asia Program to Combat Trafficking in Persons and the Australian Aid to further capacitate judges, prosecutors, legal researchers, social workers, and law enforcement investigators through batches of a five-day, intensive, multi-disciplinary training program designed to improve the competencies of participants in handling TIP cases.

244. From 2015 to 2022, a total of 471 participants benefited from the PhilJA's Competency Enhancement Training for Handling TIP Cases, while 253 participants undertook the Training of Trainers and the Advanced Competency Enhancement Training on TIP from 2016 to 2022;

245. The scope of the aforementioned training is as follows: international and domestic legal framework; Supreme Court rules, relevant provisions of the Rules of Court and the Rules on Criminal Procedure; protective custody; money trail; evidence-gathering, mutual legal assistance and other relevant treaties; digital evidence; workshops on investigation prosecution, and victim support team;

246. In addition to the Supreme Court and PhilJA, the ASEAN-Australia Counter Trafficking group was tapped, especially in the areas of investigation, prosecution, management, and adjudication of trafficking cases occurring at various settings, as well as those requiring different interventions in terms of proper application and enforcement of the Anti-Trafficking in Persons Act and other related laws. Participants were trained to tackle cases in a victim-sensitive, trauma-informed, gender-responsive, and human rights based manner, especially taking into account the best interest of the child.

247. The State, through the DFA-OUMWA, conducted ATN Workshops and Consultations with FSPs' officials and personnel that included a session with IACAT to discuss the Philippine Government's fight against human trafficking and familiarize ATN officers with general concepts on human trafficking, emerging trends of trafficking of Filipino migrants, and new experiences of investigators and/or law enforcers in curbing this menace in the Philippines. The sessions aimed to sensitize participants to trafficking as a global problem and heighten their perception when obtaining data relevant to their reporting of trafficking cases in FSPs.

Public awareness among migrants and those seeking employment locally and abroad

Celebration of the World Day Against Trafficking

248. In 2020, the World Day Against Trafficking and International Day Against Trafficking celebrations focused on how TIP evolves and preys on our children and other vulnerable groups, such as fishermen and OFWs.

Awareness Campaigns

249. The IACAT and its Task Forces and partners in the different regions also conducted simultaneous webinar activities to expand the anti-trafficking awareness campaign in their respective areas of jurisdiction.

Barangay IACAT

250. The *Barangay IACAT* was launched in 2020 in order to reach LGUs, barangays, communities, and the general public to fully understand the situation of TIP in the countryside, and where and how to report cases of illegal recruitment and TIP, and to emphasize the crucial role of the *barangay* officials in preventing illegal recruitment and TIP. These series of online Barangay IACAT activities were broadcasted live via YouTube, Facebook and Zoom platforms, and were attended by more than 1,000 participants nationwide consisting of *barangay* officials, youth leaders, students, CSOs, and the communities in various areas in the Philippines.

251. The POEA in 2018 stepped up the government's campaign against illegal recruitment and TIP. It forged partnerships with 51 LGUs and private groups with memorandum of agreements that sought to engage their participation and commitment to protect their communities against illegal recruitment activities.

252. The POEA conducted 51 Anti-Illegal Recruitment seminars to law enforcers, government prosecutors, PESO managers and LGU officials. The seminars cover laws on illegal recruitment and human trafficking, modus operandi of illegal recruiters and the proper handling of illegal recruitment cases.

253. The POEA also conducted 25 capability building and enhancement trainings to some 1,500 participants that include PESO managers, local government/barangay officials, school guidance counsellors and students. The capability training sessions are conducted to impart to the participants the government's overseas employment policies and programs, laws on illegal recruitment and trafficking in persons, and current overseas job market trends.

III. Section II

On bills or laws related to protection of migrant workers and their families

254. The State has enacted the Migrant Workers and Overseas Filipinos Act of 1995, as amended, further improving the standard of protection and promotion of the welfare of migrant workers, their families and overseas Filipinos in distress and for other purposes. This is supplemented by implementing rules, such as the establishment of NRCOs and the omnibus implementing rules of the Migrant Workers and Overseas Filipinos Act of 1995, as well as the reorganization of the CFO under the Office of the President under Executive Order No. 373 (s. 2004).

255. As mentioned above, the Philippine government has recently enacted RA 11641, which created the DMW. It enumerates the functions of the DMW as follows: to protect the rights and promote the welfare of OFWs, regardless of status and the means of entry into the country of destination; to formulate, plan, coordinate, promote, administer, and implement policies in relation to the overseas employment and reintegration; to undertake systems for regulating, managing, and monitoring the overseas employment and reintegration; and to empower and train them to gain appropriate skills and by ensuring access to continuous training and knowledge development.

On migration-related policies, programmes and action plans, their scope, and financing

256. The DMW, constituted in 2023 by virtue of RA 11641, is currently in the process of reviewing and reformulating the existing POEA rules and regulations on the recruitment and deployment of migrant workers.

On recent ratifications of human rights instruments by the Philippines

257. The State has acted on the following human rights instruments:

- (a) Accession to the 1961 Convention on Reduction of Statelessness on 24 March 2022;
- (b) Ratification of the Arms Trade Treaty on 24 March 2022; and
- (c) Ratification of the ASEAN Convention against Trafficking in Persons, Especially Women and Children on 6 February 2017.

On recent comprehensive studies on the situation of migrant workers and members of their families

258. The Institute for Labor Studies of the DOLE conducted the following studies:

- (a) *Is Wives' Overseas Migration a Deterrent to the Labor Supply Behavior of Non-Migrant Spouse Left-Behind? Evidence from the Philippines Temporary Migration* (2018);
- (b) *"Should I Stay or Should I Go Too?": Understanding the Employment Aspirations and Migration Trajectories of Left-Behind Children in the Philippines* (2016).

IV. Section III

Data, official estimates, statistics, and other information

On the volume and nature of migratory movements to and from the State party during the reporting period

259. Based on DMW-POEA data:

(a) From 2018 to November 2022, the total number of contracts processed by the POEA was 14,890,055, with 11,621,701 of these being for land-based employment and 3,268,354 for sea-based employment;

(b) From 2018 to November 2022, the total number of contracts validated through the One-Stop OEC Validation System was 10,570,242, with 7,811,754 being land-based and 2,758,242 being sea-based.

260. Based on UN data:

(a) Total Population as of 31 December 2022 – 113,247,647;

(b) The net migration rate for the Philippines in 2022 was -0.601 per 1000 population, a 1.31% decline from 2021;

(c) The net migration rate for the Philippines in 2021 was -0.609 per 1000 population, a 1.46% decline from 2020;

(d) The net migration rate for the Philippines in 2020 was -0.618 per 1000 population, a 1.28% decline from 2019.

On migrant workers in detention in the Philippines and Filipino migrant workers detained abroad in States of employment

261. Based on reports from FSPs as of September 2022, the DFA is monitoring cases of 1,616 overseas Filipinos in detention abroad. These are Filipinos whose cases are active; that is, under investigation, litigation or on appeal. FSPs are also handling or monitoring 2,245 cases of overseas Filipinos who have had legal or criminal cases filed against them but who are not detained by authorities of the respective countries where they currently reside or work.

262. Overseas Filipinos with legal cases have had criminal cases filed against them in the countries where they are also being detained by authorities or staying in designated shelters or other authorized lodgings.

263. Criminal cases can arise from charges such as absconding from the employer (which is considered illegal in some countries following the kafala system), immorality (in countries where sex between persons not married to each other is considered a crime), theft, and the more serious charges of physical or sexual abuse, drug trafficking, manslaughter, and murder.

On migrant workers and members of their families who have been expelled from the State party

264. The State has no such data.

On unaccompanied migrant children or migrant children separated from their parents in the Philippines

265. In 2021–2022, the OSWA Kuwait, in coordination with Philippine Embassy ATN Unit, facilitated the repatriation of children to the Philippines. Three (3) children were orphaned infants due to COVID-19, five with mothers in jail due to immorality and drugs, while four had mothers who were deported earlier. The children stayed at the Ministry of Social Affairs – Family Nursery Department in Kuwait and at the MWOFRC-POLO while waiting for their repatriation. Their Parental Travel Permit were issued to the escort authorized by the Philippine Embassy/DSWD and next-of-kin.

266. The DSWD, through its Minor Traveling Abroad Program, processed a total of 5,685 travel clearances to unaccompanied minors or minors traveling with nonrelatives/ relatives for the purpose of visiting parents/ guardians abroad in 16 regions excluding BARMM, from 2020 to 2022.

On migrant workers and members of their families vis-a-vis COVID-19

267. The State, through its 27 POLOs, has documented some 8,928 infected OFWs, with 53,138 recoveries and 1,002 deaths.

268. As of January 20, 2023, a total of 42,710 returning overseas Filipinos tested positive for COVID-19. These include OFWs and non-OFWs, such as returning students or tourists from abroad. Meanwhile, 1,675 of the recorded COVID-19 cases were Foreign Nationals who are non-Filipino citizens travelling to or residing in the Philippines. Majority of the COVID-19 cases belong to the adult population, with the 60 and above age group having the highest case fatality rate.

On remittances received from Filipino migrant workers abroad

269. See table below for total annual remittances received from OFWs:

Year	Total remittance
2017	US\$ 28 059 789.00
2018	US\$ 28 943 112.00
2019	US\$ 30 133 300.00
2020	US\$ 29 903 256.00
2021	US\$ 31 417 614.00
2022 (Jan–Nov)	US\$ 29 380 296.00

On cases of trafficking in and smuggling of migrants, investigations, prosecutions and sentences imposed on perpetrators, disaggregated by sex, age, nationality and purpose of trafficking

270. From 2020 to 2022, there have been 232 convictions for TIP. In all of these cases, the victims were Filipino nationals, with the majority of them being children and female. The IACAT also recorded 172 convictions for TIP-related cases or violations of other penal laws in relation to the anti-TIP law.

On legal assistance services provided to migrant workers and members of their families in the State party and to Filipino nationals working abroad or in transit through third States

271. The Philippine Embassies/Consulates at FSPs provide legal assistance services to distressed OFWs and their families.

272. The State, through the DSWD-OSWAs, central and field offices provide referral or linkage services to clients requesting legal assistance. As such, referral is made to the appropriate agency at the post or information is provided on how to avail legal services in the Public Attorney's Office or in other partner organizations providing legal assistance, including pro-bono services.

On the Philippines' thrusts and priorities in the fulfilment of migrant workers' rights, including consideration of articles 76 and 77 of the Convention, recognizing the competence of the Committee to receive inter-State and individual communications

273. The DMW, upon its full operationalization, shall be the competent authority for all concerns relating to Filipino migrant workers and labor migration, including grievance mechanisms.

274. Under the law, the DMW shall ensure prompt response and appropriate assistance to OFWs and their families through its Office of the Undersecretary for Foreign Employment and Welfare Services and its MWOs stationed abroad.

275. The DMW shall likewise "support and assist the DFA in the negotiation of bilateral and multilateral agreements, initiatives and programs, including intergovernmental processes, which primarily concern labor migration."

276. The State shall review and assess its recognition of the competence of the Committee under the communications procedure mechanism once the said offices under the DMW are operational and the organizational transitions are completed as mandated by law.

On the submission of an updated core document in line with the harmonized guidelines on reporting (HRI/GEN/2/Rev.6)

277. The State's common core document is a work in progress.