

SUBJECT : REPORT ON THE PUBLIC HEARING CONDUCTED BY THE COMMITTEE ON LABOR, EMPLOYMENT AND HUMAN RESOURCES DEVELOPMENT ON SENATE RESOLUTION NO. 66: "RESOLUTION RECOMMENDING THE LIFTING OF DEPLOYMENT OF OVERSEAS FILIPINO WORKERS TO SELECTIVE AREAS IN IRAQ IN PARTICULAR WHERE THE WORKERS ARE ASSIGNED TO WORK INSIDE THE U.S. MILITARY BASES LOCATED", HELD LAST SEPTEMBER 15, 2004, WEDNESDAY, 11:00 A.M. AT SEN. TAÑADA ROOM, SENATE BUILDING, PASAY CITY.

1.0. PRELIMINARY:

Among the resource persons present during the hearing were: Assistant Secretary Benedicto Bitonio of the Department of Labor and Employment (DOLE); Undersecretary Jose Brillantes of the Department of Foreign Affairs (DFA); Ms. Stella Banawis, Deputy Administrator of the Philippine Overseas Employment Administration (POEA); Ambassador Roy Cimatu, Ambassador to the Middle East; Mr. Isaias Begonia, Executive Director of the Office of Middle East and African Affairs, DFA; Mr. Noel Josue, Executive Director of the Friends of Migrant Workers; Undersecretary Jose Molano, Jr., OIC-Planning Research and Policy Office of the Commission on Filipino Overseas; and Mrs. Arturo Moquia and Art Clemente, spokespersons for the OFWs for Iraq.

2.0. UPDATES:

The first agenda of the hearing focused on the formal organization of the Senate Committee on Labor, Employment and Human Resources Development. Considering that this is the first meeting conducted by the Committee, the Chairman, Senator Jinggoy Ejercito Estrada presented to the body the proposed Rules of the Committee and moved that the same be approved.

On the main agenda of this Public Hearing, the Chairman inquired as to what were the factors involved that moved the Government of the Philippines to impose a ban on the deployment of Overseas Filipino Workers (OFWs) in Iraq. Undersecretary Jose Brillantes of the DFA replied that the recent hostage-taking incident involving Mr. Angelo dela Cruz and the series of bombings against civilians in Iraq were some of the major factors that prompted the government to impose said ban. He added that the decision of the government of the Philippines to withdraw its military troops in Iraq has made the status and condition of our more than 4,600 workers in Iraq more secure and less prone to further violent actions from the militants and insurgents in Iraq.

When asked about their assessment on the present conditions regarding the threats to our Filipino workers who are still in Iraq, Ambassador Roy Cimatu reported that the Filipinos in Iraq may be divided into three (3) groups, namely: (1) the OFWs working inside the U.S bases who are at risk from mortar fires and suicide bombings in the gate of their camps; (2) the Filipino truck drivers, like Mr. Angelo dela Cruz, who travel everyday on these dangerous roads and have to cross the borders everyday. These are the people who are considered at great risk of being affected by the escalating violence happening in Iraq; and (3) the Filipinos working in the Embassy in Iraq.

On the question of Senator Biazon as to how much is the value of the job order openings that our country is expecting to benefit if the government lift the ban on the deployment of workers in Iraq, the DFA replied that the potential job opportunities in Iraq would range to an estimate of about 30,000 to 60,000 workers. The DFA added that the demand for Filipino workers in Iraq is still high despite the action taken by our government to pull-out our troops in Iraq. To date, there are already 8,000 actual job orders now pending to be filled-out for Filipino overseas for Iraq. Computed on a average of \$400 a month, the figure would add up to about \$38 million dollar a year in terms of wages to our OFWs.

On the question as to what is the foreign policy of the present administration with regards to the Overseas Filipino Workers in Iraq, Ambassador Cimatú explained that the actions that will be taken by the Government of the Philippines will be dictated by national interest. This is equated in the light of the interest and safety not only of one OFW in Iraq, in the case of Mr. Angelo dela Cruz, but of the 4,500 Filipinos who are still in Iraq as of the present, and in a larger scale, all of the millions of OFWs that are scattered all over the world.

Usec. Brillantes stated that the ban for the deployment of OFWs in Iraq will stay for obvious reasons. Despite the fact that many of the employers in Iraq who are hiring OFWs impose no age limit, charge no fees and provide insurance coverage for their employers, there is strong reason to believe that there are dangers that lurk in Iraq, otherwise these tempting conditions will not have been placed. Because of this, there is no definitive timeframe as to when the ban will be lifted. The DFA added that the ban will stay until the security situation in Iraq is clarified.

On the query as to what is the present security condition in Iraq, the position of Ambassador Cimatú is that the situation in Iraq is volatile. He added that one of the other reasons why our government is not sending workers in Iraq is political in nature. Sending workers to Iraq, particularly to the military camps occupied by the American forces, might send the wrong signals to the Iraqi insurgents that we are lending aid to the American forces working inside Camp Anaconda and Camp Victory, thus jeopardize the safety of not only of those who will be deployed but also those who are there before 2000 who opted to remain in Iraq. Sending workers inside the military camps of the Americans might be construed by the Iraqi militants as our gesture of giving-in to the pressures of the Americans.

On the query as to the present policy of the government regarding those Filipinos who entered in Iraq illegally, OWWA explained that the government does not encourage the use of illegal channels to enter Iraq because this exposes our OFWs to more risks. Moreover, our government does not have exact physical count of their location. However, based on the provisions of Republic Act No. 8042, or the Migrant Workers Act, the State does not make a distinction as to whether the Filipinos are documented or not. So long as they are Filipinos, it is the obligation of the state to extend a helping hand, especially if the need arises that they are to be repatriated to the Philippines.

On the query of Senator Loi Ejercito Estrada as to whether these undocumented OFWs can avail of the services provided by OWWA and become documented workers, it was explained that the government has a Voluntary Membership Program for Filipinos who earlier left the country as irregular workers, meaning workers who have no proper documentation but who later on received regular status. These groups of workers can apply for membership with OWWA and be recognized as regular workers considering that they are already in gainful employment.

On the proposal of Senator Biazon to exempt some areas in Iraq that are considered safe, the reply of DFA is that the concern of the government is not only the safety of one or two camps but the safety of all workers all over Iraq. Our sending of

workers to these military camps may send the wrong signal that will jeopardize the security of all the Filipinos already in Iraq.

Mr. Clemente, spokesperson for the OFWs in Iraq, pointed out that those OFWs who will have to go to Iraq are entitled to an insurance policy of \$35,000 dollars plus a local insurance of about Php 200,000 pesos. This insurance coverage is big enough to secure the future of their family in case something tragic will happen to them. He added that it is better to die in Iraq and receive this huge insurance benefit for their family than die in the Philippines and leave their families hungry and destitute. He further stated that their mode of transportation going to Iraq is by air transportation that is why the risk of being abducted is not eminent. For the OFWs, the January 2005 timeframe is too long a deadline because by that time, their families will already have suffered starvation and hunger. He noted that there is no such thing as 100% security in any country in this world, as even in our own country, there are killings and bombings everywhere. Finally, he pleaded the government to please give the OFWs bound for Iraq the freedom to choose to work in Iraq in those two camps identified as relatively safe areas.

Senator Enrile argued that since we still have around 4,200 Filipinos in Iraq, there is no justification for not fielding more Filipino workers in identified safe areas. The position however of the DFA on this issue is that the 4,200 workers who choose to remain in Iraq stayed there on their own volition despite of the exhortations on the part of the government to ask them to come home. They have been given all the opportunities to be repatriated. Senator Enrile, however, argued that the government should recognize the right of these workers to go to Iraq and give them the same right given to those who decided to stay there despite the security situation. Sen. Enrile added that the right to travel and the right to earn a decent living is a guaranteed right by each citizen of this Republic.

Senator Enrile further argued that part culprit for the mess that our OFWs are suffering in Iraq are the officials of the DFA who recommended to the President to send military troops to Iraq to join the "Coalition of the Willing". This action exposed our people to the reprisals of the Iraqi insurgents that later on deprived our people of their economic activity. He added that it is time that we allow our people to go where they want to go to earn a decent living. On this note, the DFA replied that there is a recommendation in the DFA to lift the ban on a selective basis that will cover only two (2) classes of people namely: (1) the vacationing Filipino workers and (2) the workers whose papers have already been processed or are in the course of finishing the processing. The DFA added that they will take note of the positions made and delivered during the meeting and will use them as one of the basis in their recommendation to the President for Her immediate action of this particular issue.

3.0. CLOSING STATEMENTS:

Due to lack of material time, the Public Hearing was suspended at 1:16 p.m.