



# Migration Governance Profile: Republic of the Philippines

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In 2015, the International Organization for Migration (IOM) developed a [Migration Governance Framework \(MiGOF\)](#) to help countries define what “well-managed migration policy” might look like at the national level. The MiGOF was welcomed by IOM’s Member States in the same year. The Migration Governance Indicators (MGI)<sup>1</sup> were developed to assist countries operationalize the MiGOF by using a standard set of approximately 90 indicators that could be applied across six key policy domains.

The MGI is a tool based on policy inputs, which offers insights on policy levers that countries can use to develop their migration governance. The MGI is not intended to function as a measurement of outcomes related to migration policies and institutions. Instead, it operates as input-based benchmarking framework that offers insights on policy measures that countries can use to strengthen migration governance. The MGI is not meant to rank countries in the assessment of the comprehensiveness of their migration policies, or to identify gaps and areas that could be strengthened. The MGI aims to assist countries while advancing the conversation on migration governance by clarifying what “well-governed migration” might look like in the context of the [Sustainable Development Goal Target 10.7](#), “Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies.”

This country snapshot presents a summary of well-governed areas of the Republic of the Philippines’ (hereafter referred to as Philippines) migration governance structures, as well as the areas with potential for further development, as assessed by the MGI.

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<sup>1</sup> The MGI initiative is a policy-benchmarking programme led by IOM and implemented with the support of the Economist Intelligence Unit and financed by IOM Member States.

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## Key findings

### I. Adherence to international standards and fulfilment of migrants' rights

#### I.1. International conventions ratified

The table below follows a standard format and looks at the ratification of specific international conventions. The list of conventions covered is by no means exhaustive.

Convention name	Ratified
ILO Migration for Employment Convention (Revised), 1949 (No. 97)	Yes (2009)
Convention relating to the Status of Refugees, 1951	Yes (1981)
Convention relating to the Status of Stateless Persons, 1954	Yes (2011)
Convention on the Reduction of Statelessness, 1961	No
ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)	Yes (2006)
Convention on the Rights of the Child (CRC), 1989	Yes (1990)
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW), 1990	Yes (1993)

#### I.2. Migration Governance: Examples of well-developed areas

Immigrants can work in the Philippines provided they have the correct documentation. Access to the private sector and to self-employment requires a working visa from the Bureau of Immigration (BI), as well as an "Alien Employment Permit" (AEP) from the Department of Labour and Employment (DOLE). For short-term employment (i.e. less than six months), immigrants must obtain a "Special Work Permit" (SWP) from the BI. Refugees have access to the labour market provided they have a "Certificate of Recognition" for their refugee status.

Contributing to the SSS is mandatory for Filipino workers under 60 years old, as well as for immigrants who work and live in the Philippines. Overseas Filipino Workers (OFWs), non-working spouses of SSS members and the unemployed can choose whether to make contributions to give them access to social security protection.

#### I.3. Areas with potential for further development

Immigrants have access to some services covered by the National Health Insurance Programme (NHIP, "PhilHealth"), but they do not necessarily have the same status or access as Filipinos. According to the [Social Security Act](#), nationals of a country that do not extend benefits to Filipinos in their country are not entitled to receive social security benefits in the Philippines. Otherwise, while some private-sector workers are covered by their employers, the [Implementing Rules and Regulations of the National Health Insurance Act](#) stipulate that foreign citizens residing or working in the Philippines are "individually-paying" affiliates.

Non-nationals are not eligible to accept public-sector employment in the Philippines.

## 2. Formulates policy using evidence and whole-of-government approach

### 2.1. Migration Governance: Examples of well-developed areas

The [Migrant Workers and Overseas Filipinos Act](#) (also known as the Republic Act 8042 of 1995, and amended by Republic Act 10022) serves as the omnibus law on migration governance in the Philippines. The Law covers a wide range of areas, including migrant support services, such as pre-departure orientations, help with job placements and the adjudication of conflicts between migrants and their employers. The Law also defines the mandate of various organizations that work in these areas. Migration governance has increasingly been mainstreamed in the Philippines, notably through the [Philippine Medium-Term Development Plans](#), which are developed by each new national government that comes into power.

There are several government bodies, policies and programmes developed around emigration. The Commission on Filipinos Overseas (CFO) promotes policies, programmes and projects for Filipino diaspora members. The CFO also publishes reports with information including destination country, age, sex, occupation, education, and place of origin. Situated in the Office of the President, the CFO is separate from the consular services offered by the Department of Foreign Affairs. The Philippine Overseas Employment Administration (POEA), under the Department of Labour and Employment, regulates the recruitment and overseas employment of OFWs, while the Overseas Workers Welfare Administration (OWWA) administers welfare services to OFWs.

The National Economic Development Authority established a Migration and Development Sub-Committee under its Social Development Committee that has oversight over the roles of various government agencies that have a direct or indirect mandate related to the contribution of migrants to development in the Philippines.

### 2.2. Areas with potential for further development

There is scope to improve the coordination among those involved in managing migration across government. While the [Migrant Workers and Overseas Filipinos Act](#) contains a provision for a Shared Government Information System on Migration (SGISM) in order to promote information transparency, data-informed policies, responsive programming and crisis management, the system is not yet operative.

The Philippines' reintegration programme for returning OFWs could be improved by implementing an "all-of-government approach" that also involves a range of private-sector actors that can help foster attractive socio-economic opportunities for returning Filipino emigrants. This level of coordination and cooperation is beyond the programmatic functions defined by current legislation (specifically, the [Republic Act 10022](#), under which there is a National Reintegration Center and the OWWA Charter). Domestic labour market assessments that include the needs, interests, capacities and potential of returning emigrant could be developed.

### 3. Engages with partners to address migration and related issues

#### 3.1. Migration Governance: Examples of well-developed areas

The Philippines is an active member of the Colombo Process and the Abu Dhabi Dialogue. Furthermore, the Philippines has bilateral agreements with 13 countries for coordination of migration processes – 12 with countries that receive migrant workers from the Philippines, and one that sends workers to the Philippines, Indonesia. The country also has Memoranda of Understanding (MOUs) on migration-related issues in place with multiple countries.

Triparty approaches and multisector engagement in migration policy and governance are formally established in the Philippines. The [Migrant Workers and Overseas Filipinos Act](#) explicitly calls for multi-actor engagement, including that of civil society organisations. Both the Philippine Overseas Employment Administration (POEA) and the Overseas Workers Welfare Administration (OWWA) have civil society and private sector representatives in their boards.

#### 3.2. Areas with potential for further development

The Government's partnerships with research networks could be improved to ensure that migration policies, legislation and related reforms are informed by data and research. Likewise, there is scope for concrete cooperative arrangements between the Government and the media to ensure fair and non-sensationalized reporting of migration in the news.

### 4. Advances the socioeconomic well-being of migrants and society

#### 4.1. Migration Governance: Examples of well-developed areas

Under the Department of Labour and Employment (DOLE), the Philippine Overseas Labour Offices (composed of labour attaches) monitors labour market opportunities for OFWs in 38 locations worldwide. In this capacity, the Philippine Overseas Employment Administration actively interacts with recruitment industry leaders and regularly collect labour market information. The DOLE also maintains the website, [Philjobnet](#), which is a national skills registration system that regularly maps labour capacity across the country.

There are several systems in place to improve the conditions of overseas employment for Filipino citizens. A government accreditation system for foreign employers is in place, along with a licensing system for recruitment agencies and verification mechanisms for employment contracts and project sites. There are also government programmes to help OFWs secure the required documentation, orientation classes and medical clearance for the receiving country. These programmes are supervised by the Philippine Overseas Employment Administration, in coordination with the Overseas Workers Welfare Administration (OWWA), the Department of Health, Philippine Overseas Labor Offices, Philippine embassies, and other various government agencies.

The average cost of transferring remittances to the Philippines is less than three per cent. The Bangko Sentral ng Pilipinas or BSP (Central Bank of the Philippines) actively promotes the channelling of remittances through the formal banking system. Along with BSP, the Overseas Workers Welfare Administration (OWWA) and the National Reintegration Centre for OFWs (NRCO) conduct financial literacy training programmes for OFWs and their families.

Under the country's [Constitution](#), migrant workers are afforded equal opportunity and treatment

along with other marginalised members identified in society, such as the indigenous cultural communities and indigenous peoples (ICCs/IPs), and those with disabilities.

The Philippines participates in international schemes that promote common qualification frameworks. For instance, the Philippine Technical Vocational Education and Training (TVET) System is a national framework that aims to meet international standards. Additionally, the Philippines is a signatory to the International Labour Organization (ILO) Regional Model Competency Standards (RMCS).

## **4.2. Areas with potential for further development**

Government policies are focused on how to address the causes of emigration – especially the inadequacy of employment opportunities in the Philippines. Therefore, there is scope for regular assessments of the impacts of migration on the domestic labour market.

There is room to improve information systems that match returnees' skills and jobs in the local labour market, beyond existing government programmes such as Philjobnet. The skills that OFWs gain during their overseas employment should be accounted for through competency assessments and certification mechanisms that provide them updated skills profiles.

The Philippines allows access to education by international students; however, they are not permitted to undertake employment during their studies and there is no clear path to obtain a work permit after graduation.

## **5. Effectively addresses the mobility dimensions of crises**

### **5.1. Migration Governance: Examples of well-developed areas**

The Philippines has a comprehensive structure of regulations to protect and assist emigrants affected by crises and emergencies. The [Implementing Rules and Guidelines of Republic Act 10022](#) defines the obligations of different government institutions that implement response programmes for Filipino emigrants caught in crises abroad. Under the [Republic Act 10022](#), the State is responsible for "undertaking the repatriation of workers in cases of war, epidemic, disasters or calamities, natural or man-made".

The [Disaster Risk Management Act](#) and the [Climate Change Act](#) (also known as RA 9729) (and supporting regulations) form the institutional framework for Disaster Risk Management and Climate Change Adaptation in the Philippines. The country has in place a [National Disaster Response Plan](#) to respond to hydro-meteorological hazards. It includes contingency plans for different disaster scenarios at all levels of government, including the management of displaced populations. The Department of Foreign Affairs Office of the Undersecretary for Migrant Workers Affairs also carries out contingency planning.

Migration issues are mainstreamed in the [Philippine Development Plan \(2017-2022\)](#). The Plan lists initiatives to increase social protection programmes for OFWs and their families, that cover disability, death and burial benefits, education and livelihood assistance programme, and relief assistance programmes.

The Philippines provides humanitarian assistance indiscriminately, regardless of legal status. The Office of the United Nations High Commissioner for Refugees (UNHCR) has operated in the country for three decades and it works to protect and assist refugees, internally displaced families, and stateless persons. In 2012, the Philippines became the first South-Eastern Asian country to sign the

1954 Convention on Stateless Persons. In practice, this means that the country can make exceptions to the immigration procedures for people from countries of origin in crisis situations.

## **5.2. Areas with potential for further development**

There are currently no government strategies that specifically address migration due to environmental degradation and climate change. Furthermore, the [Philippine Disaster Risk Reduction and Management Act of 2010 \(also known as PDRRM-2010\)](#) does not address or make specific provisions for the displacement impacts of natural disasters.

# **6. Ensures that migration takes place in a safe, orderly and dignified manner**

## **6.1. Migration Governance: Examples of well-developed areas**

The Philippine Government has well-established systems to support the return of citizens who have emigrated. In coordination with OWWA's regional offices and its Overseas Filipinos Resource Centers, the National Reintegration Center for OFWs (NRCO) was specifically established to assist OFWs with reintegration. It is currently present in 14 regions of the Philippines. The return and reintegration programmes for OFWs include options for (re)training, help re-entering previous professions, education scholarships, and support for entrepreneurs, such as training, tool kits, start-up funding and loans.

The Inter-Agency Council against Trafficking (IACAT), under the Department of Justice, is mandated by law to coordinate and monitor the implementation of the [Anti-Trafficking in Persons Act 2003](#). The IACAT conducts various projects relating to the prevention of trafficking, the protection and rehabilitation of victims, and pursuing the conviction of offenders.

The Ministry of Foreign Affairs [website](#) clearly outlines visa options and entry requirements for the Philippines.

## **6.2. Areas with potential for further development**

There is a need to improve border management in the country's minor sea ports to work against human trafficking and smuggling.

There is a potential to enhance pre-deployment processes and technology operated by government institutions (such as POEA, OWWA, DFA and the Bureau of Immigration), to better encourage emigrants to use legal systems to migrate.

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