

ILO-EU PROJECT
Going Back – Moving On: Economic and Social Empowerment of Migrants, Including Victims of Trafficking Returned from the EU and its Neighbouring Countries

CLOSING CONFERENCE REPORT
27 March 2012
Manila, Philippines

Background

1. The International Labour Organization (ILO), with funding support from the European Union (EU), had implemented the above project from February 2009 to May 2012. The Project's overall objective was to contribute to the reduction of labour and sexual exploitation of migrants including victims of trafficking through support to a humane return and reintegration process, emphasizing economic and social empowerment. It aimed to support migrants from Thailand and the Philippines to the EU and neighbouring countries who have experienced labour and sexual exploitation, including victims of trafficking, by addressing the problems they encountered on return, providing them with direct economic and social services and improving the capacities of service providers in order to improve their well-being and protect them from further exploitation including re-trafficking.
2. Overall, significant achievements were obtained as a result of project implementation in Thailand and the Philippines - from institutional development initiatives to direct assistance to returned migrants who have experienced abuse and exploitation including victims of trafficking. The project was able to provide the platform and the means for key national and local migration stakeholders to discuss and address issues and challenges affecting return and reintegration, and particularly, to enhance coordination between them.
3. In Thailand, a Technical Working Group was established at the national level to coordinate and monitor the implementation of the Letter of Understanding (LOU) between the ILO and the Department of Employment (DOE) on combating illegal recruitment practices and the protection of migrant workers. A Multi-Disciplinary Team (MDT) was also constituted in Petchabun Province to assist complainants in their legal claims and support their eventual reintegration. In the Philippines, a multi-stakeholder cooperation led to the development and adoption of a five-year Migration and Development Plan. A similar initiative was undertaken in the other target provinces of Ilocos Sur and Nueva Ecija.
4. As far as provision of direct services is concerned, the Project reached out to more than 1,000 return migrants in Thailand and the Philippines, and provided them with economic and social reintegration assistance. This resulted in the organization of returned migrants either as a cooperative, a migrant support association and/or a self-help group. In the process of service delivery, the Project developed models of “integrated total approach” to reintegration services for migrants and improved coordination between service providers.

5. One of the project activities was the documentation of good practices and lessons learned that emerged from the implementation of the project as a way to promote learning and knowledge sharing toward improved protection and assistance to migrant workers.

6. The project organized a final project conference to provide a venue for sharing emerging/potential good practices and lessons learned by the Project's implementing partners in addressing the economic and social empowerment of returned migrants, including exploited or trafficked persons, toward their full recovery and reintegration. Specifically, the conference aimed to:

- a) Enhance understanding on issues and challenges in the economic and social empowerment of return migrants;
- b) Clarify what works and what does not in extending assistance to return migrants, especially those who are exploited or trafficked;
- c) Generate recommendations to move forward and sustain protection and reintegration support to return migrants, including victims of trafficking.

The conference was attended by more than 80 migration stakeholders in the Philippines including a delegation from Thailand. Mr Mitchell Duran, National Project Coordinator in the Philippines, served as the event's host.

7. The conference was divided into several plenary sessions as follows:

- a) Plenary session 1: *Project milestones in the Philippines and Thailand*;
- b) Plenary session 2: *Meeting the economic and social needs of returned migrants including victims of trafficking*;
- c) Plenary session 3: *Seeking justice at home and beyond borders*; and
- d) Plenary session 4: *Enhancing coordination and cooperation on the protection of the rights of migrant workers at international, national and sub-national levels*.

There were three panel discussions, each with a specific theme. Central to each panel was the presentation and discussion of emerging good practices and lessons learned, identified and documented by Philippine and Thai partners.

Opening ceremony

8. ILO Country Director, Mr. Lawrence Jeff Johnson welcomed the participants. He emphasized in his message the need to make migration a matter of choice and not a matter of necessity. The continuing poverty and the lack of access to decent work opportunities force a lot of Filipinos to seek overseas employment. He called on development partners to reflect on how new challenges brought about by recent events such as the Global Financial Crisis and natural calamities that hit the country have impacted on migrant communities. These events demand greater attention especially increasing the work on affected communities to safeguard them from abuse and exploitation due to their continuing vulnerability. He also rallied local governments to sustain project gains in their respective localities, in close coordination with national government agencies.

9. Short video presentation of the stories of project beneficiaries in Thailand and the Philippines followed. The videos showed a glimpse of the lives of migrant workers as they

went through the recruitment hassles and the abuse and exploitation at the workplace, and how they were assisted by the project to regain their lives and move on.

10. Ms Camilla Hagstroem, First Secretary and Deputy Head of Development Cooperation of the European Union Delegation in Manila, expressed the importance of the project for the EU and assured the commitment of the Delegation in promoting the rights of migrant workers and victims of trafficking. She called on development partners to sustain the project gains, while recognizing that approaches to labour migration are developing to making them more migrant-centered and within the rights-based approach framework.

11. The event was keynoted by the Secretary of the Philippine Department of Labor and Employment, Hon. Rosalinda D. Baldoz. She said that the administration of the current Philippine President is committed to implementing reintegration measures that will encourage and facilitate return of migrant workers and their eventual economic reintegration in the country, with the end of making labour migration only an option for many. Anchored on a vision of sustainable, inclusive growth, the Philippines' migration program combines its regulatory framework and strong protection policy for Filipino workers, with active developmental and educational strategies including employment generation. While the reintegration of return migrants is on top of the agenda, including creating alternatives to migration, attention is likewise focused on added protection for migrant workers. The government is strengthening its relations with countries of destination through forging bilateral labour agreements to obtain better protection measures and benefits for Filipino migrant workers.

Session 1: Milestones of the project

Speaker: Mr Nilim Baruah

Regional Migration Specialist

ILO Regional Office for Asia and the Pacific

12. Mr Baruah presented the project accomplishments for more than three years of implementation. He started with the project framework (objectives; geographical focus, components, beneficiaries and implementing partners) and proceeded to the details of activities and results along the two major components of the project - institutional mechanisms and direct support.

13. He emphasized that institutional development is important in order to sustain the gains of the project beyond its duration. The multi-sectoral coordination and active engagement of local stakeholders are effective strategies to sustain action. He cited as examples the Letter of Understanding between the International Labour Organization (ILO) and the Department of Employment (DOE) on cooperation for the protection of migrant workers in Thailand, and the adoption of local migration and development plans in three target areas in the Philippines. These led to joint undertakings between implementing partners and stakeholders to enhance national and local mechanisms. These include: the mainstreaming of a national referral and documentation system in the Philippines; creation of on-line complaint mechanism in Thailand; conduct of trainings to improve capacity to address needs of returned migrants; adoption of a code of conduct for Thai recruitment agencies; creation/activation of community based mechanism such as the multi-disciplinary teams in Thailand and migrants desks in the Philippines.

14. The conduct of studies and researches to expand the knowledge base on the different facets of migration in the Philippines was useful in coming-up with local strategic action plan and in enhancing local inter-agency work against illegal recruitment and human trafficking. In Thailand, similar studies enabled migration-related agencies to better understand the migration process and the problem areas. The recommendations served as blue print for better action in the areas of prevention, management of recruitment agencies, workers protection, law enforcement, coordination and cooperation, economic alternatives for returnees and cooperation at international level.

15. In the area of direct support, Mr Baruah detailed the type of services extended to the project beneficiaries and the number of returned migrants who have so far benefitted from such services. The project's implementing partners provided direct support to returnees immediately upon and after their return such as airport arrival services; counselling that include individual, group and peer counselling services; psycho-social interventions; medical and psychiatric treatment; legal assistance and referral services; among others. On the aspect of economic and social empowerment, the partners provided or referred them for career counselling and occupational guidance; social entrepreneurship and financial literacy orientation; skills and livelihood trainings or technical and vocational trainings and safe migration trainings. Capital assistance was provided to victims and survivors who were ready to engage in income generating activities and in setting-up of a small business.

16. He highlighted the following lessons learned in the implementation of the project:

- a) Potential migrant workers must have access to accurate information even before decision to migrate is made. Migrant workers who are not properly informed often fall prey to manipulations of recruitment agencies.
- b) It will be easier for migrant workers to decide to return to their origin countries if they are not burdened with debt repayments arising from the recruitment process. Indebtedness of potential migrants will be avoided if recruitment is done in an organized and legal way. Debt burden arising from the recruitment procedures prevents migrants from going back to their origin countries.
- c) The preparation for return and reintegration must begin in the country of destination, during employment. As is often the case, there is hardly social preparation done at the country of destination. Even destination country governments must support the social preparation in order to have an effective return and reintegration. An example of this is Korea's Happy Return Program which provides vocational training and job matching with the labour requirements of Korean companies in the home countries.
- d) In the countries of origin, it is important that psychosocial counselling, employment services and opportunities for livelihood support are available to allow an effective return and reintegration for migrants.
- e) Labour migration should be viewed within the decent work framework. There should be decent work opportunities and choices in the homeland. Should the person decide to seek overseas employment it should be done in a way that migration process is safe and legal.

Session 2: Meeting the economic and social needs of returned migrants including victims of trafficking

Chair: Ma. Concepcion Sardana
Senior Programme Officer
ILO Manila

Presentation 1: Empowering Women: From identification to reintegration assistance

How groups of migrant returnees who had returned on their own from exploitative or trafficking situations abroad were identified through community outreach activities in known migrant-sending areas, and offered appropriate assistance

*Speaker: Ms Andrea Luisa Anolin
Executive Director
Batis Center for Women*

17. Ms Anolin noted the concentration of programs and services for outbound and returning overseas Filipino workers (OFWs) in the National Capital Region (NCR), in highly urbanized cities or in regional offices of relevant government agencies such as the Philippine Overseas Employment Administration (POEA) and the Overseas Workers Welfare Administration (OWWA). She emphasized the urgent need for these services and programs to be felt on the ground. Returning women migrants come home to families and communities bearing their negative experiences. Return to places where either there is minimal intervention, or there are available services and programs that are unknown to them affects the whole reintegration process. This indicates a clear need to establish lifelines of services and support as appropriately needed. She also emphasized the importance of coordinating with the provincial governments and relevant agencies to facilitate local initiatives.

18. Returning women migrants needing social services and programs that will help them to rebuild their lives can be identified through community outreach activities. Batis Center for Women utilizes data or information of those who sought assistance from the local governments and undertakes social networking on the ground in order to identify these distressed women. After identification, initial contacts are established with them; follow-up home visits are done; and individual and family counselling sessions are conducted. When the women are ready to move forward to the next stage, they are encouraged to join other women who are similarly situated to undergo some group work sessions intended for their healing and psychosocial recovery. Social preparation is important before proceeding with any attempt to economically reintegrate them. Healing the negative experience must be addressed first before any. Once the psychosocial need of distressed migrants is addressed, then the process of establishing a lifeline of appropriate and adequate support services can begin more meaningfully.

19. Throughout the project, Batis Center for Women extended various services to 99 project beneficiaries. Thirty (30) of them have implemented individual and group community reintegration initiatives. Batis linked with available local social and economic services. A group of women in Ilocos Sur (one of the project areas in the Philippines) was assisted in developing a project proposal and submitted it to the local office of the Department of Labor and Employment (DOLE) (It was reported after the conference that the proposal was approved and the women project beneficiaries received financial assistance for their group undertaking). Batis has also mobilized and harnessed local and sub-national government,

private sector, and civil society support towards more conscious and coordinated policy, programs, and services for migrant workers on the ground.

20. The following lessons learned were shared: a) Provision of services need to be more proactive to reach migrant workers who fall through the cracks of available services; and b) Civil society organizations can take on the task of building lifelines of services and support to bridge the disconnect in the access to, and provision of, these services.

Presentation 2: Emphasizing economic empowerment: From exploited labourers abroad to empowered entrepreneurs at home

How a group of Filipino female migrant workers were assisted and empowered from being victims of deceptive recruitment and labour exploitation in a garment factory in Romania - to being successful, upon return to the Philippines, in setting-up a cooperative, and starting their own garment production for a sustainable livelihood

Speaker: Ms Vivian Tornea

Executive Director

*National Reintegration Center for Overseas Filipino Workers-
Overseas Workers Welfare Administration (NRCO-OWWA)*

21. Executive Director Tornea recounted the story of 49 Filipino women victims of deceptive recruitment and labour exploitation in a garment factory in Romania. These women worked as seamstresses and sewers under exploitative labour conditions (e.g. salary below contract stipulations; unpaid overtime services; imposition of workload quota, etc.) The Philippine Government negotiated for their release and repatriated them accordingly. They went through usual airport assistance, counselling and stress debriefing. She explained thoroughly the helping process which OWWA-NRCO employed in reintegrating the said women, from victims of labour exploitation to becoming empowered entrepreneurs. OWWA-NRCO's strategy involves a total reintegration needs approach. Before providing interventions to the migrants, they conduct a comprehensive needs assessment in order to identify all reintegration issues and needs and determine the appropriate interventions.

22. Returning migrants who are victims of labour exploitation usually suffer from attendant psychosocial effects of the negative experience. Distressed returning migrants have to face stigmatization and problems attached to coming home empty-handed (i.e., debt payment; legal charges for issuing unfunded checks; loss of mortgaged real properties). Returning migrants also face uncertainty of being gainfully employed upon return. Although they have specific skills for which they could land a job, they explore other possible economic opportunities. Some of these, however, require additional or new skills trainings.

23. Psychosocial and economic interventions comprise the total reintegration needs approach of NRCO – OWWA. Psychosocial counselling involves a case conference with migrants to find out how they are moving on, how they are progressing emotionally and psychologically and how are they coping day-to-day requirements. They undergo needs assessment with the help of case officers and some experts. Legal assistance is likewise extended at the jobsite and upon arrival. They undertake individualized trainings according to the expressed interest of the migrants. The migrants are coached or mentored in putting up a micro-business. Progress is likewise monitored to make sure that the business is making good and further assistance is given when needed.

She likewise mentioned about OWWA's partnership and in cooperation with the Employers' Confederation of the Philippines (ECOP) for employment referrals for some returning migrants.

24. As a result of this "total needs reintegration approach", the returned migrants from Romania have become empowered entrepreneurs, with some of them being able to employ a few workers. With guidance from OWWA-NRCO, the women were organized and are now a registered cooperative. The women have also regained positive outlook in life and that they themselves provide peer support to other returned migrants who are similarly situated.

25. In summary, Director Tornea stressed that a total reintegration needs approach underlines - a) the critical role of the needs assessment prior to the formulation of appropriate interventions; b) customized and individualized approach in formulating interventions; c) coaching and mentoring should not end until the returnees could be completely on their own; and d) the success of reintegration is a shared responsibility between the project implementers and the project beneficiaries.

Presentation 3: Setting-up low interest loans and renegotiating migrants' debts

How the Department of Employment in Thailand adopted a scheme where migrant workers could obtain loans at low interest rates from government banks, preventing migrants from obtaining loans from lending companies and loan sharks at high interest rates, and how these banks assisted migrants in renegotiating loan payments

*Speaker: Sikharin Singsakorn
Project Coordinator
Thailand*

26. Unsatisfactory jobs and low income especially in the agricultural sector force Thai workers to work overseas. Many jobseekers start their journey with a lot of debts as in the case of 12 workers who were assisted by the project. They borrow money to cover recruitment fees and other requirements to be able to leave the country for work abroad, either from a loan shark at 3% to 5 % interest rate per month and putting up their land as collateral, or from relatives at a 2% interest rate. The interest rates are more than what the Thai law imposes as maximum at 15% per annum. Aware of this situation, the Thai government developed a scheme to address this problem by granting loans to migrant workers which will be paid directly by a partner bank to the lender after a re-negotiation/restructuring of the interest rates up to at the maximum allowable interest rate has been agreed upon with the lender. The migrant workers then pay the bank in easy and affordable terms.

27. The project assisted some workers who have returned from Sweden through the Multi-Disciplinary Team (MDT) that was organized under the project. The MDT is a team of professionals from various fields. A series of meetings was organized to discuss how the different members of the MDT could help address the loan repayments of the returnees. A lawyer collected and reviewed all loan contracts. Home visits were conducted to collect all the needed information regarding the loan (e.g. copies of loan contracts). Findings were then discussed by the MDT. A summary report was forwarded to the Provincial Centre in-charge of providing assistance to the workers and subsequently endorsed to the District Office. A

social worker was assigned to conduct the actual renegotiation with informal money lenders. When a compromise agreement was reached, the Bank of Agriculture and Agricultural Cooperatives (BAAC) paid the lenders and the debtor, in turn, has been paying the bank at an annual interest rate of 15%. As a result, the migrant workers are gradually able to pay their loans and reacquired the land titles they surrendered to the lenders as security for the loans.

28. The speaker remarked that a thorough understanding of indebtedness is an important element for the workers' readiness to reintegrate. Helping these workers to pay their loans must precede all other rehabilitation activities geared towards social and economic reintegration. A mediator must be appointed between the debtor and lending entity to facilitate negotiation. Other financial institutions should be tapped to offer this scheme in light of the discontinuance of said arrangement by government banks. It is also important that loan payments are regularly made by migrant workers.

Open Forum

On NRCO's coverage in its reintegration programs of non-OWWA members (Mr Ricardo Casco, International Organization for Migration)

29. NRCO is funded by the national government and therefore, it caters to even non-OWWA members. This is also the case at OWWA regional offices around the country which implement NRCO reintegration programs. At the Post, Filipino nationals seeking assistance are not distinguished whether they are OWWA members or not. Distinction is only made when assistance would involve use of OWWA funds as such funds are supposed to cater only to contributing members of OWWA.

The project beneficiaries under the ILO-EU funding did not only include workers from Romania who were processed legally but encountered labour problems on-site, but also those who were trafficked. *(Director V. Tornea, OWWA-NRCO)*

On whether the civil society has the capacity to deliver reintegration services in the manner they are delivered by OWWA-NRCO and Batis (R. Casco, IOM)

30. As for Batis, it is really difficult to find civil society organizations (CSOs) outside Metro Manila whose programs & services are targeted to victims of trafficking, illegal recruitment and irregular or exploitative migration. At the local level, what it does, as part of the project strategies, is to engage with local partners (e.g. the local government units, the provincial social welfare and development office, or those at the municipal or city levels that can provide psychosocial services). For economic services, assistance is obtained from the local governments as well through the Provincial Cooperative and Enterprise Development Office, Provincial Trade and Industry Office, among others. In other cases, links with cooperatives or micro-finance institutions that are experts in the field of enterprise development are made. *(A. Anolin, Batis)*

On having enough government funding for the Philippine reintegration programs for migrants (Mr. Edwin Bustillos, Alliance of Progressive Labor)

31. The Philippine Government has the 2Billion Reintegration Program, partly financed by OWWA and partly by two government development banks. The program is managed by

NRCO. This loan facility for migrant workers is offered not only to facilitate return and reintegration of migrant workers but also for the purpose of creating employment opportunities in the country. Some 100 projects which were funded through this loan facility, for instance, have generated some 900 jobs.

32. The government's reintegration program looks forward to the eventual return of migrant workers. Preparation starts even before workers leave for abroad, while they are at the job site, and upon their return. Migrant workers are prepared for reintegration even before they leave through the Pre-departure Orientation Seminar (PDOS). Part of the PDOS curriculum is the importance of savings. On site, OWWA offices and embassies provide trainings and seminars on savings, investment opportunities (not necessarily starting a business, but investment instruments e.g. mutual funds, investment trust funds, treasury bills), and entrepreneurship ventures that are available in the country. The Philippine Overseas Labor Office (POLO) and OWWA's regional offices in the country have the list of investment priorities by area as identified by the Department of Agriculture and the Department of Trade and Industry. Through this list, migrant workers will be informed about business opportunities available for them and their families left behind. Preparation also involves the families left behind through financial literacy campaigns

33. What the project was able to show, nonetheless, is that a small capital given to the returning migrants can make a difference in their lives as exemplified by the returned women migrant workers from Romania. For some, such a small amount may not be enough to start an economic venture; these women showed otherwise. With little capital, they were able to demonstrate that it can work and help them regain their lives. While some migrants opt to be employed, these women chose to be self-employed, put up their own business, ran it, and generated employment for others. (*Dir. Tornea, OWWA-NRCO*)

On remittances having more impact on development (Mr. E Bustillos)

34. Maximizing the benefits of the migration and development nexus is the vision for many including Batis Center for Women. For a very long time, it has been working at the national level, trying to engage with policy makers and legislators to enact policies and measures to mitigate the massive migration of Filipinos for overseas work. But labour migration seems to stay and will not change next year or the years to come, unless destination countries would not need migrant workers anymore. If this happens, it will, at the same time be a problem not just for the government but for everyone who is working on the issue of return and reintegration.

The project has given Batis and other partners the opportunity to engage with the local government and to influence their development policies by increasing awareness of the development potential of remittances and by helping them understand that OFW remittances and savings can be managed and generate more economic activities on the ground. (*A. Anolin*)

On establishing peer support groups in the Philippines, how they could be sustained and the means to make returned migrants open themselves to support each other (Ms. Matthuna Chetamee, Project Coordinator, Foundation for Women)

35. Forming peer support groups will inevitably require conduct of group activities that will give returned migrants opportunities to learn together and share stories with each other. It also increases their awareness and skills on providing moral support to the distressed migrants in their own communities. The migrants' self-help groups are also encouraged to be part of the federation of migrant workers at the provincial level so they can be channels of information and support to other migrants. (A. Anolin)

36. In the case of the returned Filipino women sewers from Romania, they have already established a bond among each other as they were together during their ordeal in Romania. When called for a case conference, they were allowed to share their experiences under a managed environment with help from experts who facilitated the process. OWWA tapped external experts in this particular instance and in other activities or interventions that required professional facilitators. It was observed that in the course of sharing their experiences, they coached each other. A leader also emerged from the group and became the group's focal person while they were assisted to be organized. The focal person also catalyzed the helping process among themselves. (V. Tornea)

On motivating returning migrants in the Philippines to become partners in their own development, specifically in accessing programs for economic reintegration (Ms. Chetamee)

37. Innovation and flexibility are necessary and crucial to motivate returnees to be involved in economic reintegration programs. Field trips to women-led enterprises were organized with assistance from key national government agencies and relevant local offices, to show different possibilities and innovative ventures (e.g. organic-processed products) to returning migrants. According to Batis, the readiness and skills of returned migrants are often the factors that must be taken into account when developing economic reintegration plan for them, especially when they wish to venture into enterprise development.

On per capita cost per migrant and the budget of the NRCO to fund reintegration initiatives (Technical Education and Skills Development Authority)

38. Batis said that it is very difficult to estimate the cost as it would depend on the readiness and inclination of the returning migrants. There is no 'one-size-fits-all' economic reintegration approach. Not everyone is inclined or has the capacity to start a business; some are more suited to become employees. Incentives for companies that will hire returned migrants must be explored. In Palayan, Nueva Ecija (Philippines), for instance, the Local Incentives Code provides tax incentives to city businesses hiring at least 5 OFWs while OFW-led enterprises on the other hand, gets 50% tax break from local taxes. Efforts should be made to inspire successful migrants to invest in their local communities and also for local businesses to provide employment opportunities to those who are not so successful in their migration experience. This means that the cost will depend on whether the reintegration program is focused on enterprise development or employing the returning migrants locally. (A. Anolin)

39. In the case of OWWA-NRCO, the entrepreneurial development training for returning migrants involves one to two day session, with external trainers hired for the purpose. For the *Balik Pinay*, *Balik Hanap-buhay* program, skills trainings are provided for free and starter kits are given after the training. The whole process costs about USD 200. For those who wish to put up their own businesses, start-up capital assistance is provided at approximately

USD 240 for an individual recipient and USD 2,400, at a minimum, for a group enterprise.
(Dir. Tornea)

On the Pre-departure orientation Seminar (PDOS), contents and key topics to help migrants arrive at an informed decision (Ms. Jatuporn Wongkaew, Labour Specialist, Thailand Overseas Employment Administration)

40. The Pre-Departure Orientation Seminar (PDOS) aims to prepare the workers for overseas work. It comprises among others: a) understanding respective terms and conditions of the employment contract; b) the working conditions at the country of destination; c) the basic labour laws in the destination countries; and d) contact details of service providers including the Philippine Embassy and labor offices in the destination countries. For household service workers or domestic workers, OWWA provides a language and culture familiarization course that runs for three days. For certain destination countries such as Taiwan, the training requires five full days.

41. PDOS has a reintegration component through the modules on financial planning, saving schemes, maximizing the use of foreign currency and engaging families in financial planning.
(Dir. Tornea)

On Thailand's debt payment restructuring; timing to get all actors to be involved and act (Ms. Jennifer de la Rosa, ILO-Manila)

42. The Thai government has adopted a scheme, as explained in the presentation, to help indebted farmers including those who migrated and returned still heavily indebted. For the cases under the project, it took only a month for the district office to act on the complaints. This relatively quick action could be attributed to the availability of supporting documents. The government negotiated with three banks as partners and it was easier to get bank approval if the migrant worker maintains an account in any of these banks. (Ms. Sikharin Singsakorn, Project Coordinator, Thailand)

Session 3: Seeking justice at home and beyond borders

Chair: Atty. Jaime Gimenez,
Deputy Administrator for Licensing and Adjudication
Philippine Overseas Employment Administrator (POEA)

Presentation 1: Establishing a case at origin and destination

How the Philippine Government, through the Department of Foreign Affairs (DFA) and OWWA (and later, with support of the ILO-EU Project) assisted the women returnees in seeking justice, including recovery of compensation against their recruiters and exploiters in Romania and in the Philippines

*Speaker: Atty. Cesar Chavez
Social Welfare Attaché
Overseas Workers Welfare Administration (OWWA)*

43. Atty. Chavez presented the case of 78 Filipino women who were recruited and employed as sewers in a garment factory in Romania, about 500 kilometres from the capital Bucharest. The employment contracts stipulated USD 400 monthly salary, net of food and

accommodation, medical benefits and social security contributions. The women workers complained about the reduction of the monthly salary to USD 250 and sub-standard accommodation. The employer likewise imposed a daily quota on each worker and paid them on a per-piece basis when the workers did not reach the quota. The workers rendered overtime services to reach the quota. The overtime services, however, were not paid.

44. The Philippine Department of Labor and Employment (DOLE) advised the Philippine Embassy in Bucharest to exhaust all administrative remedies but that resulted in a stalemate. DOLE ordered the Overseas Workers Welfare Administration (OWWA) to deploy a welfare mission to assist the workers. On request of the Philippine Government, the Ministry of Labour of Romania conducted a labour inspection and found 13 contract violations. Conciliation and mediation efforts likewise failed.

45. As part of the legal remedies, three cases were filed in different courts or bodies, in two countries. In Romania, OWWA hired a Romanian lawyer and instituted a labour case for contract substitution, non-payment of overtime services and work performed on holidays and other violations of the terms and conditions of the contract. The case is pending, and the Philippine Embassy and OWWA are monitoring the progress. In the Philippines, a case was filed for money claims against the recruitment agency before the National Labor Relations Commission (NLRC). Under Philippine laws, the recruitment agency is jointly and severally liable with the foreign principal or employer. The case was resolved in favour of the Filipino workers, awarding them more than One Million US Dollars in refund for the unexpired portion of the contract, placement fees and damages. Each worker was supposed to receive USD 9,000, but the judgment has yet to be satisfied. A case was likewise filed at the Philippine Overseas Employment Administration (POEA) for recruitment violations such as excessive placement fees and misrepresentation. The POEA initially suspended the license of the recruitment agency until it was finally cancelled and the recruitment agency closed.

46. The workers obtained loans to fund their requirements for overseas employment in Romania, with such loans secured by post-dated checks issued by them in favour of the lending companies. The loans were not paid as they returned prematurely. The lending companies instituted criminal action against the women for issuing unfunded checks. Some of these cases were archived or disposed off following a compromise agreement resulting from the conciliation and mediation processes. OWWA, through the project, assisted the women in these cases, including the filing of a criminal case for illegal recruitment against the agency.

47. The speaker stressed on the issue of court jurisdiction and ‘forum shopping’ in filing cases. Romania is one of the European countries that allows a case to continue once it already acquires jurisdiction over the case, even if another case has been filed in other jurisdiction. That made OWWA’s legal team to file a case in Romania first. The trial of the case in Romania, however, was delayed due to a question of venue, specifically on whether the case should be filed and heard in Bucharest or in a court that covers the job site. The hearing was set in early 2013 but the Philippine Government requested to set the hearing on an earlier date and to allow the presentation of the employment contracts signed in the Philippines and an accountant’s report in lieu of the actual testimony of at least two of the workers. The requests are pending, but if denied, the Philippine Government will have to send two of the workers to testify. In the case before the NLRC, the court ruled against acquiring jurisdiction for the reimbursement of repatriation costs as according to it, the case falls within the jurisdiction of

the regular courts. OWWA lawyers, however, disagreed but decided not to appeal the ruling as the claim for damages and other reimbursement could be jeopardized.

Presentation 2: Obtaining compensation for victims of labour exploitation and trafficking (The Thai berry pickers case)

How a group of Thai returnees has been assisted in obtaining legal compensation from recruiters for the damage they have suffered as a result of deceptive recruitment and exploitative work situation

*Speaker: Ms Siriwan Wongkietpaisan
Private Lawyer
Thailand*

48. Ms Wongkietpaisan started her presentation by providing an overview of the recruitment processes in Thailand. She said that there are five legal channels to be able to work abroad. These are: a) through government to government arrangements; b) through private employment agencies; c) direct hiring by employers; d) as trainees; and e) by self-arrangement. Recruitment fees can be collected only by recruitment agencies; for all other modes, no fees should be paid by the worker as the employer should cover all the costs. But due to lack of knowledge of existing regulations, jobseekers pay fees for all types of channels to a broker. Moreover, recruitment fees charged by brokers and recruiters are often higher than what the law specifies. Other than this, the speaker added that Thai migrant workers also face a lot of problems at destination. These include lower salaries than what is stated in the employment contract and long working hours, among others.

49. Legal remedies available for Thai migrants include filing criminal charges before criminal courts for cases involving fraud or deceit, and labour cases in a labour court involving violations of the Recruitment and Job Seekers Protection Act and the Labour Protection Act.

50. Through the project, the speaker handled the claims for unpaid salaries and recovery of recruitment fees of more than a hundred Thai migrants who have returned from Sweden as berry pickers. The workers were hired directly by the employer registered as a company in Thailand. The employer collected 75,000 Baht from each worker, even if law specifies that no recruitment or placement fees should be charged by an employer who directly hires workers. Only recruitment agencies could charge and within the limits allowed by law. The employer also asked the jobseekers to sign a contract, telling them that it will be used to exempt them from paying income tax in Sweden. The resource person stressed that an employer would claim that it operates as a recruitment agency when they collect recruitment fees and as employer when they ask the jobseekers to sign employment contracts.

51. Upon arrival in Sweden, the workers covered the costs for their food and accommodation, as well as rental charges for vehicles they use in going to and from berry picking. These were supposed to be covered by the employer.

52. When they returned to Thailand, the workers complained before the Ministry of Labour, which in turn, had ordered the employer to pay the outstanding wages to the workers as well as the return of recruitment fees they paid. The employer refused to pay and even instituted criminal charges against the workers for filing false complaints. With support from the ILO

Project and the Thai Labour Campaign and with the speaker acting as counsel for the workers, 118 of the returned workers pursued labour cases against several companies. Many of the workers agreed to settlement offers of the employers, with the criminal charges against them withdrawn.

53. The speaker presented a similar case involving Thai workers recruited for work in Spain. The workers were offered a salary between 50,000 and 60,000, and for a contract period of five years. Recruitment fees were collected from the workers in the amount of 480,000 Baht each. They worked for only a year and returned. Money claims were filed before a labour court to recover recruitment fees and unpaid salaries. Some of the workers agreed to settlement.

54. From these cases, the speaker identified several lessons learned in obtaining justice for workers, such as:

- a) Migrant workers often lack the will to pursue court action as they find court proceedings very complicated. They also view it as a financial burden as they will spend for their transportation in going to court to attend hearings. It will also mean loss of income on their part for every hearing they attend. Yet, they are already overburdened with other urgent concerns like repayment of loans.
- b) Migrant workers do not know a lot about labour law and their rights as migrant workers. They also lack knowledge about helpline network from which they can ask for help. The Thai workers assisted by the project gained more awareness of their rights as overseas workers as they went through the court proceedings. Through the project support in their legal battle, workers realized the importance of collecting and keeping documents (e.g. bank transfers, contracts) which can be used later as evidence.
- c) Recruitment agencies will always use existing laws in their favour and hire competent lawyers to turn the case against Thai overseas workers. Thus, strengthening workers organization is very important as legal support group for migrant workers.

Presentation 3: Establishing a multi-disciplinary team (MDT) in Petchabun Province to protect the rights of Thai workers

How to bring together different agencies with different mandates and expertise to closely work together in Multi-Disciplinary Teams (MDT) toward a common goal of providing better protection and assistance to out-bound and returning migrant workers

*Speaker: Ms Piengpahp Withyachumnarnkul
Chief of Foreign Relations Division
Ministry of Labour, Thailand*

55. A Multi-Disciplinary Team (MDT) was organized in the Province of Petchabun, one of the project's target areas in Thailand. The objective of the MDT is to monitor and protect the rights of Thai migrant workers through the cooperation of 15 different agencies with different mandates and fields of expertise. Thai returnees often face problems of debts, social and psychological problems. These are aggravated by their inability to reach out for help. Thus,

the speaker highlighted the importance of increasing the level of awareness of Thai workers on lifelines for assistance.

56. The speaker explained the processes undertaken by the MDT in comprehensively addressing the migrant workers' concerns in Petchabun. First, the MDT conducted a community survey in the target communities to collect relevant data and information of migration and other related problems. The findings were presented to relevant provincial administrators in order to generate commitment and support to address the problems identified in the survey concerning legal matters, social welfare, informal debt and skills training for self-employment. A workshop was organized for the MDT members which provided them an opportunity to reach a common understanding of different inter-related problems and devise mechanism to support returned migrants. The workshop also led to the identification of the roles and responsibilities of each agency. Each agency was assigned a specific responsibility according to its mandate and area/s of expertise. Case conferences were held that involved analysis of the elements of the situation /cases presented and the proposed solution through a multi-disciplinary team approach. The reports of case conferences were submitted to the provincial and district working groups. The MDT cooperated in responding to several problem areas requiring multi-disciplinary approach, such as: a) legal assistance, b) informal debts settlement, c) social welfare; and d) vocational skills development.

57. The MDT assisted 33 Thai returnees who were able to claim compensation in the total amount of 64,000 USD. Some returnees were assisted in settling their debts through bank loans with low interest rates.

58. As a result of project interventions in the province, a network of service providers was created; coordination among key actors has improved; and a more comprehensive approach to service delivery was modelled.

59. Key factors for these achievements were the use of the case conference method as a way to identify problems and needs of returned migrants; the bottom-up approach which entails fact-finding through community survey about the issues and problems of Thai overseas workers; and assistance of good facilitators who are knowledgeable, skilled, experienced in bringing about cooperation. The speaker ended by stressing the effectiveness of the MDT as an approach to helping returned migrants and recommended its institutionalization throughout Thailand.

Open forum

On existence of a bilateral agreement between the Philippines and Romania, especially with respect to standard procedures on labour issues (Ms. Suthasinee Kaewleklai, Thai Labour Campaign)

60. There exists no bilateral labour agreement between the two countries, at least during the time when the incident happened. (Atty. Chavez)

On the presence of a network of NGOs for Filipinos in Romania (Ms. Amornrat Thamrongchote, Labour Specialist, Department of Employment, Thailand)

61. There is no large Filipino migrant population in the whole of Romania as it is a new labour market for Filipino workers. There is only less than 500 Filipino workers in Romania. They are mainly found in construction and garment industries as well as in domestic work, usually with the members of the diplomatic community. The Philippine Government has not yet established a network of NGOs advocating for workers' rights in Romania. The government relies on the reports of the workers and the Philippine Embassy in Romania. (Atty. Chavez)

On determining legal cause of action in the country of destination. (Ms. Jatuporn Wongkaew, Labour Specialist, Thailand Overseas Employment Administration)

62. OWWA adopts conciliation as an initial strategy to settle the dispute with employers. That, however, did not work in the case of the Filipino sewers in Romania. OWWA opted to make the employer and the agent liable by instituting appropriate case/s against them. OWWA retained the services of a Romanian lawyer who was referred by the Romanian labour ministry. (Atty. Chavez)

On leaving as trainees for overseas work and their benefits under Thai laws (vis-à-vis the Philippine experience that trainees receive less salaries and benefits than contract workers)

63. Thai workers applying as trainees are sent by a company based in Thailand to a destination country where the mother company is located, usually for a period of six months. The workers receive their salary in Thailand according to what they should receive based on Thai laws and training allowance while in the host country. In other words, they receive remuneration in both places. (Ms. Withyachumnarnkul)

On engaging the services of private counsels to assist migrant workers even to irregular migrants (Ms. Cheng Benitez, Commission on Filipinos Overseas)

64. Private lawyers who provide legal assistance to migrant workers must have specialization in labour and human trafficking laws. NGOs should work closely with the lawyer in order to provide the latter with a better understanding of the case. There are matters that workers could hardly articulate. It is also important that coordination is made with relevant government agencies for appropriate assistance. Her experience working with the Ministry of Labour and the Ministry of Social Development and Human Security, together with the ILO, has demonstrated the value of cooperation for the benefit of migrant workers. (Ms. Vongkietpaisan)

On the limits of Philippine law against the jurisdiction of countries hosting Filipino workers and possible loopholes in the country's regulatory regimes on overseas employment. (Executive Director Grace Tirona, Commission on Filipinos Overseas)

65. By law, OWWA is mandated to provide all the assistance that OFWs may need to be able to enforce the employer's contractual obligations. In performing such task, assistance is given with due regard to, and respect for, the existing laws of the destination countries. OWWA maximizes the legal remedies that are available in the country of destination and carefully studies the same to obtain a favourable judgment for Filipino workers.

66. In the Romania case, a violation of the Philippine anti-trafficking law was not instituted as the case did not squarely meet the elements of the offense of trafficking. A trafficking offense requires the presence of all the following elements: a) the acts, b) the means employed, and c) the exploitative purpose. In the said case, all the elements were present except the element of exploitative purpose. The exploitative purposes enumerated in the law on trafficking in the Philippines are limited to prostitution, other forms of sexual exploitation, slavery, forced labour, donation of organs. There is no specific mention of labour exploitation, unless the conditions of the workers would be tantamount to forced labour or slavery. Although the law of trafficking does not require the consummation of the exploitative purpose, the intent to exploit is difficult to prove, especially when actual exploitation does not fall on any of those enumerated by law. An amendment of the law may be necessary to include labour exploitation and other types of exploitation as exploitative purposes.

67. The returned migrant women from Romania may, however, file a case for illegal recruitment against the Philippine recruitment agency as the prescriptive period for filing such a case is five years from the time the offense is committed. The only problem that is seen to affect the outcome of the case is the issue of jurisdiction if the ground to be relied upon is contract substitution. Following the principle of territoriality in criminal law, an offense must be committed in the country for the Philippine courts to exercise jurisdiction over the case. It has to be remembered that in the Romania case, the contract substitution occurred in Romania and not in the Philippines; in which case, a question could be raised as to whether the Philippine court could acquire jurisdiction over the case. Hence, it may be proper to review the laws on illegal recruitment and trafficking in person to address these legal issues. (Atty. Cesar Chavez)

68. The session chair intervened by explaining that in all cases involving migrant workers, there are always two legal jurisdictions involved: the jurisdiction of the origin country and the jurisdiction of the destination country. This issue of jurisdiction gives rise to complexities in the legal processes. As both countries are sovereign, one cannot intervene or encroach on the jurisdiction of the other.

Session 4: Enhancing migrant protection at international, national and sub-national levels

Chair: Undersecretary Alicia R. Bala
Policy and Program Group
Department of Social Welfare and Development

Presentation 1: Mainstreaming migration and development in local development plans

How local stakeholders at the Provincial level cooperated to develop and agree on a Migration and Development Strategic Plan (2011-2016), and how this Plan will be integrated in the overall local development plan of the Province of La Union

*Speaker: Ms Rosalinda P. Bayan
Regional Coordinator
Kanlungan Center Foundation, Inc.*

69. Ms. Bayan began her presentation by explaining the urgency and relevance of mainstreaming migration and development (M & D) agenda into the local development plan

of the province of La Union. With the rising poverty incidence in La Union, many are forced to work and find greener pastures abroad, making overseas migration as an integral part of the economy of La Union. The province has the highest share of households that are highly dependent on remittances in the Ilocos region. In 2009 alone, 6 Billion Pesos was generated as household savings from remittances of migrant workers from the province, a resource which remains unrecognized and underutilized. While systems for the protection of migrant workers are already in place, they remain inadequate in many areas and despite noteworthy efforts, potential migrant workers remain vulnerable to recruiters and traffickers. The mainstreaming of migration and development into the local development plan was seen to make migration safer for migrants and more beneficial for the province.

70. Through the collaboration of Kanlungan, *Bannuar ti La Union* (an organization of former OFWs and their families) and the Provincial Government of La Union, with support from the ILO-EU Project, the La Union Migration and Development Strategic Plan was developed and adopted. The plan seeks to address issues along the following main areas: a) Promotion and defense of the basic and inherent rights of migrant workers; b) Prevention of human trafficking and illegal recruitment; c) Development of local economy; d) Organization of migrant workers and families; and e) Capacity building and advancement of program implementers and service providers as well as advocates.

71. Ms Bayan stressed the following challenges in developing and mainstreaming the migration and development plan: a) the openness of the provincial government to acknowledge the problems on recruitment and reintegration and the potentials that migration could bring to improve local economy and its readiness to integrate these issues in local governance and development planning processes; and b) the organizational capacity of Kanlungan to partner with local government in a huge undertaking such as this.

72. To address these challenges, Kanlungan and Bannuar, in consultation with the Provincial Government and ILO representative, had to define in clearer terms the ideological, political and organizational (IPO) trajectory of mainstreaming as the main strategy by conducting local studies and consultations with national and local stakeholders. The tactical plan was formulated and made operational using the IPO framework and approach. Kanlungan and Bannuar sought the basis of ideological unity, the practice points of convergence and the internal organizational functioning of the involved.

73. The ILO-EU Project and Kanlungan partnership had the following outcomes: a) a study or research on the situation and challenges of labor migration in the province of La Union; b) a mapping of migrant workers from the province; c) the approved strategic provincial plan of action on migration and development; d) the creation of the Provincial Migration and Development Committee under the Provincial Development Council; and e) the recognition of the contributions of *Bannuar Ti La Union* in the pursuit of the rights and welfare of women migrant workers and families and the *ad hoc* formation of *Balabal* (emerging organization of victim-survivors).

74. Kanlungan identified the following as lessons learned in the implementation of the action at the local level: a) Migration and Development could only thrive through an expansive organization of women and men migrant workers; b) Migration and Development has to support the advancement of the social movement of migrant workers; c) Building partnership with government institutions and non-government organizations based on the principles of

utmost respect, full trust and strong sense of togetherness; d) Strategies and methods of work are interconnected; e) Practical translation of the mission must bear fruits for the empowerment of women and men migrant workers; and f) Support for the continuing reintegration of returning migrant workers must be complemented by efficient organizational machinery.

Presentation 2: Institutionalizing multi-sectoral coordinated action at the national level to enhance recruitment practices and protect migrant workers

How three relevant ministries and migration-related institutions in Thailand came together to address recruitment malpractices and improve mechanisms to support the return and reintegration needs of migrant workers from Thailand

*Speaker: Deputy Director General Sinee Chongchit
Department of Employment
Ministry of Labour*

75. Thailand is a country of origin and a country of destination, with more than 2 million inbound migrant workers and 150,000 Thai workers travelling to work abroad. Although these migrants are entitled to the legal protection under the law, they remain at risk to different kinds of exploitation. Thus, the Department of Employment (DOE) sees the importance of providing protection to these workers from exploitation.

76. DDG Chongchit said that in 2010, DOE issued the “3rd of August Declaration for Work with Dignity” which aims to reduce recruitment fees, suppress unlawful recruitment agencies, and protect the rights and welfare of overseas workers. As a result of the Declaration, a) 87 recruitment agencies adopted the declaration; b) officials were trained in migration and trafficking issues; c) a fast track lane to provide service to migrant workers at the airport was opened; d) 10 recruitment agencies were punished for misbehaving and whose registration papers were cancelled; e) the Employment and Jobseekers Protection was reviewed for the purpose of extending its protection to both local workers and migrant workers.

77. On May 25, 2011, a Letter of Understanding (LOU) on improving recruitment practices and protection of migrant workers between the ILO and DOE was developed which aims to seek more effective measures to protect Thai workers working abroad as well as migrant workers working in Thailand. The implementation of the cooperation framework which is attached to the LOU had the following outcomes:

- a) Establishment of a technical task force with members from the three key ministries responsible for the governance of overseas migration - Ministry of Labour, Ministry of Social Welfare and Human Security and the Ministry of Foreign Affairs. The task force provides advice on policy level, receives reports on the implementation of the plans, and enhances coordination in the provision of effective services.
- b) Creation of a platform for sharing of experience and expertise among recruitment-agency attendees (e.g. challenges, problems when they recruit workers, recommendations) through training workshops.
- c) Adoption of a Code of Conduct for Thai recruitment agencies sending workers abroad. Thirty-six (36) recruitment agencies forged an agreement to respect and

follow the principles on the Code's 12 areas of concern. The DOE will create a network of recruitment agencies to further operationalize the Code of Conduct.

- d) Creation of an on-line information system for migrant workers that has the capacity to receive complaints, provide information on working abroad which is useful for decision making for jobseekers and support the officials with relevant information regarding cases and complaints.
- e) A study on monitoring and grievance procedures that became the framework for developing the on-line information system mentioned above. In the process of the review of the 10 sample cases, two abusers were sentenced and imprisoned while four other cases are pending trial.

78. There are several lessons learned in the implementation of the ILO-EU project, but the work with the recruitment agencies was emphasized. Providing recruitment agencies with a venue to discuss issues affecting their ranks vis-à-vis national policies on overseas employment, they can be effective partners in the protection of migrant workers. Through such an approach, the standardization of recruitment practices for the protection of migrant workers started.

79. As follow through, DOE will develop guidelines or a handbook for officials who will receive complaints and train them to strengthen their capacities. It will also promote maximum use of the on-line system.

Presentation 3: Developing linkages and cooperation in countries of destination to improve delivery of services to distressed Filipino migrants, including victims of trafficking in persons

How Philippine authorities, trade unions and service providers in destination countries could cooperate in the provision of assistance to migrant workers

*Speaker: Ms Elsa Ramos-Carbone
ILO Consultant*

80. Ms Ramos-Carbone began by citing the recommendation during the Service Providers' Meeting in Tagaytay City (Philippines) in April 2010 on the need for a more structured and coordinated service delivery system in the Philippines and in Europe in order to address more effectively the needs of migrant workers. Drawing from this recommendation, the project conducted a study with the following objectives: a) to examine existing services and delivery systems available to distressed Filipino migrants in the Philippines, Italy, and France; and b) to identify key challenges and propose guidelines for cooperation and coordination among service providers in the Philippines and in the host countries. France and Italy were chosen as France has the highest proportion of irregular workers, while Italy has one of the highest numbers of Filipino migrant workers in Europe. In both countries, there is an active presence of service providers and trade unions with strong experiences on addressing the needs of migrants in distress, making both countries a good subject for study.

81. The speaker stressed that it is not correct to say though that links do not exist. Partnerships have developed but as most of them are only *ad hoc*; they also end when

missions end or when somebody leaves a station or is transferred to another. This could be avoided if systems to facilitate coordination are in place.

82. As part of the processes, meetings and consultations were conducted in Manila, Paris and Rome and desk reviews of papers, reports and publications were undertaken.

83. In the process, the following emerged as commitments of partners and stakeholders:

a) In the Philippines:

- Inform their (participants) respective agencies/organizations of the study, with a view to giving concrete follow-up to the proposals, as appropriate.
- Strengthen the existing coordination among them, while recognizing that establishing formal procedures and processes may take time; in the meantime, use these proposals to set up “road maps” for the future.
- Ensure an effective cycle of transmission of knowledge and experience within their agencies/organizations, in particular among policy-makers.

The resource person noted that in the Philippines there is already by law a system of coordination among the service providers. Moreover, owing to this, she emphasized that it is not easy for bureaucracies to have a coordination system but cited the trafficking database as a very good example that will potentially bring about this systematic coordination.

b) In France

- Philippine migrant organizations, under the aegis of the Philippine Embassy to develop and produce a ‘Guide to Filipino migrants in France,’ with ILO support.
- Philippine service providers and migrants associations to start collaboration with French trade unions (CGT, CFDT and FO) to assist Filipino migrant workers in precarious situations.
- Philippine migrants organizations to call a meeting of their members and the wider community to inform them of these initiatives, including concretizing cooperation with trade unions, in particular on labour rights education and legal assistance.
- French trade unions to inform their organizations of the study and raise their awareness about Philippine migrants, their situation and their contribution to their host country.
- Contacts with French NGOs, notably those mentioned in the report, to be initiated by Philippine migrants organizations to share information on services provided to migrants in need/ distress and discuss possible collaboration.

The resource person highlighted that in the meeting at the Philippine Embassy in France, three major trade unions sent their top people in-charge of migration. She emphasized the importance of the meeting because the perennial problem of lack of information on what is available for free to migrant workers regardless of their status as migrants (regular or irregular) was addressed. She related that the ILO-EU project funded the development of a more reader-friendly guide for Filipino migrant workers by a team of writers from the Filipino community in France. The meeting also led to a commitment to have regular meetings between the trade unions in France and the migrant workers organizations as well as

the establishment of a committee of migrant workers solely aimed at addressing the needs of Filipino migrants in France.

c) In Italy

- The ILO Office in Rome to convene a follow-up meeting between the ILO tripartite constituents and NGOs in Italy on the one hand, and the Philippine mission and the migrants' associations, on the other.
- The Philippine missions in Rome and Milan to compile and update list of Italian authorities at national, regional and municipal levels that provide assistance to migrant workers.
- Migrant associations should be strengthened to provide assistance to Filipino migrants in need/distress apart from organizing social activities, become more active in political discussions and events concerning migrant workers, and affiliate/confederate organizations for accreditation purposes.

The resource person noted the strong commitment of the trade unions in Italy to support the migrant workers concerns' which led ILO Office in Rome to convene a meeting to begin the process of a more systematic relationship between and among trade unions and Filipino migrant service providers.

In both France and Italy, the resource person related that there is a great admiration towards the Filipino migrants that they can take care of themselves. On a negative note, the Filipino migrants do not integrate themselves well in the society. They do not participate in the development of migration policies in general and contribute to the over-all struggle of the migrants. Thus, there is a need to strengthen the migrant associations for them to be actively involved in discussions about, and mobilization for, the promotion of migrants' rights in general.

84. She affirmed what Ms Bayan said in her presentation that participating in the over-all migration struggle while in the host countries will make it easier for return migrants to integrate when they go back to their countries of origin because such participation already gives them the experience of struggling for their rights.

Open forum

On a possibility for OWWA to provide scholarships to children of Filipinos, for instance, in Italy and France, to study law and later on become as legal advisers to address legal issues confronting migrant workers abroad (Undersecretary Tirona)

85. OWWA scholarships are offered only for baccalaureate degrees and only for children of overseas Filipinos. Priority is given to children of OFWs who are not earning much from overseas employment in the chosen poorest of the poor provinces in the country to avail of the 1,200 scholarships. In terms of courses, the thrust is geared towards science and technology courses where a few take up while job opportunities are aplenty. (OWWA Administrator Carmelita Dimzon)

CLOSING CEREMONY

86. Mr Robert Larga summarized the meeting and thanked all implementing partners for their commendable work, leading to the achievement of project objectives.

87. Mr Mauro Libatique, Jr. of the Provincial Planning Development Office (PPDO) of the Provincial Government of La Union expressed the LGU's recognition of the efforts of the civil society, especially Kanlungan and Bannuar Ti La Union as well as the International Labour Organization, in the integration of the migration and development agenda into the local development plan of La Union. He affirmed the role of the LGU in the migration and development agenda and expressed continuing commitment in terms of providing an enabling environment in which the rights of migrants and their families will be respected, promoted, and protected in the province of La Union.

88. Ms Marilou Maceda, a project beneficiary of the ILO-EU project, is one of the returned women migrants who have experienced untoward labour migration experience in Romania. She expressed gratitude to all the project implementors who have made it possible for herself along with others to rebuild their lives after going through a negative migration experience. With the various reintegration services of the government and the implementing partners, they managed to regain their dignity again.

89. The conference ended with a message from OWWA Administrator, Ms Carmelita Dimzon. She emphasized the government's reintegration programs aimed at making the return of migrant workers more beneficial for their families and for the country in general.

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