

Multi-lens Analysis of Laws and Policies with Commentaries

The background of the page is a collage. At the top, there's a teal circular shape containing the main title. Below this, a circular area contains a collage of Philippine 50 peso banknotes. Overlaid on the bottom part of this circular area is a white circle containing a large teal number '7' and the word 'CHAPTER' in teal capital letters. Surrounding the '7' and 'CHAPTER' are various small, light orange icons representing different aspects of society, economy, and environment, such as people, buildings, a globe, a truck, and coins.

7 CHAPTER

This section presents the current status of the law/policy, strengths/innovations, gaps/weaknesses and recommendations for policy/law reform of specific laws pertaining to (1) gender, (2) localization, (3) alignment with international migration standards, and (4) applicability to OFs or their families.

Gender Dimensions

Filipino women began migrating in the 1970s to fill the need for English-speaking teachers (James, 1997). However, the demand for female migrants spiked in the late 1980s when health, sales, and domestic service sectors opened in Hong Kong SAR, Singapore, South Korea, Japan, and Taiwan (O'Steen, 2021: 4).

The right to good health, no matter the gender, means equal rights. RA No. 10022 defines “gender-sensitivity” as “cognizance of the inequalities and inequities prevalent in society between women and men and a commitment to address issues with concern for the respective interests of the sexes,” thus recommending gender-sensitive programs and activities. For the protection of women OFWs, it proclaims, “the State shall apply gender sensitive criteria in the formulation and implementation of policies and programs affecting migrant workers and the composition of bodies tasked for the welfare of migrant workers.” As a mandate, it requires the Pre-Employment Orientation Seminar (PEOS) to “inform migrant workers not only of their rights as workers but also of their rights as human beings, instruct and guide the workers how to assert their rights and provide the available mechanism to redress violation of their rights.”

Following are analyses and commentaries on particular laws and issuances (See Annex A Local Laws in 4 Lenses) pertaining to migrant health with a focus on gender.

Table 3. Analyses and Commentaries on Particular Laws and Issuances (Gender Dimensions)

Laws	Analysis / Commentary
RA No. 9710 - Magna Carta of Women, 2009	“Migrant workers” is the term used for Filipinos who are engaged in work in a State of which they are not legal residents. Although they are overseas, it is the duty of the State to ensure their protection and promote their rights and welfare, regardless of status, whether documented or undocumented. Prior to deployment, the State shall provide skills and language training, as well as cultural orientation. While working overseas, the State shall keep abreast with and be guided by progressive developments in human rights of women under international law and design of policies, laws, and other measures to promote the objectives of this Act.

Laws	Analysis / Commentary
	Section 37 provides that a Gender Focal Point Officer shall be in the Philippine Embassies and Consulates. DFA Department Order No. 14-12, s. 2012 (Gender and Development Focal Point System) - Section 4.b states that the GAD Focal Point Officer must have at least five years of experience in working with gender-related matters and has attended intensive training on GAD and GAD-related areas such as Violence Against Women, migration and HIV-AIDS. Before deployment of OWWA Welfare Officers and Assistants, their month-long training includes topics relevant to women's health. When the OFWs return, the State shall promote skills or entrepreneurship development.
RA No. 11223 - Universal Health Care Act of 2018	At the regional level, HIV and mental health medical support can be strengthened through provision of medical experts, health workers, personnel and facilities.
RA No. 10606 - National Health Insurance Act of 2013 (amending RA No. 7875 of 1995)	Public health services are offered "for all groups such as women, children, indigenous people, displaced communities and communities in environmentally endangered areas, the program shall focus on the provision of personal health services. The OFW families benefit from the Health Insurance Act but only to a certain extent as they have to shoulder expenses for medication. Only particular illnesses are covered and this does not include the long years of treatment of mental health.
RA No. 11166 - Philippine Comprehensive Policy on HIV and AIDS, 2018	The Province of Cebu has already implemented an HIV Treatment Hub. This is part of the devolution process whereby dependence on the national office becomes less and less and the capacity of the region, province and cities and municipalities becomes more felt. This is not only true for consultation but access to corresponding medicines as well.
RA No. 11036 - Mental Health Act of 2018	Mental health services shall be provided "respecting individual qualities, abilities, and diversity of background, without discrimination on the basis of physical disability, age, gender, sexual orientation, race, color, language, religion or nationality, ethnic, or social origin" However, there is lack of psychiatrists in the regions, Philippine embassies and/or consulates where OFW population is big.

Laws	Analysis / Commentary
RA No. 10022 - Migrant Workers Act of 2009 (Amending RA No. 8042 or the Migrant Workers and Overseas Filipinos Act of 1995) Omnibus Rules and Regulations of RA No. 8042 as amended by RA No. 10022	The Shared Government Information System for Migration (SGISM) is intended to be implemented through inter-agencies with shared database that tracks past and present gender disaggregated cases involving male and female migrant workers. The Migrant Workers and Other Overseas Filipinos Resource Center (MWOFRFC) will offer gender sensitive programs and activities to assist particular needs of women migrant workers. Within Philippine embassies located in countries with a significant population of Filipino migrant workers, a Migrant Workers and Other Overseas Filipinos Resource Center shall be established, providing a range of gender-sensitive services including counseling, legal aid, welfare assistance, social integration programs, registration of undocumented workers, human resource development, and gender-specific support for women migrant workers, operated jointly by government agencies and staffed by Foreign Service personnel, service attaches, and officers from host countries, with coordination by the labour attaché and a counterpart assistance center at the Department of Foreign Affairs. To enhance migration governance, an inter-agency committee consisting of relevant government departments and agencies, such as the Department of Foreign Affairs, Commission on Filipinos Overseas, Department of Labor and Employment, Philippine Overseas Employment Administration, Overseas Workers Welfare Administration, Department of Tourism, Department of Justice, Bureau of Immigration, National Bureau of Investigation, and National Statistics Office, will establish a shared government information system, with a gender focus, facilitating data exchange and collaboration, including shared master lists, legal case inventories, statistical profiles, information on legal systems and immigration policies, and a tracking system for gender-disaggregated cases, among other relevant information, to better address the needs and rights of migrant workers and overseas Filipinos. DOLE has established the OFW Assistance Information System (OASIS). Limitation: The website is not accessible when checked.

Laws	Analysis / Commentary
RA No. 10364 - Expanded Anti-Trafficking in Persons Act of 2012 (amending RA No. 9208 of 2003)	To prevent illegal recruitment, RA No. 10022 specifies the role of the LGU as: “establish and maintain a database pertaining to a master list of OFWs residing in their respective localities, classified according to occupation, job category, civil status, gender, by country or state of destination, including visa classification, name, address, and contact number of the employer.”
Executive Order No. 273 - Approval of Philippine Plan for Gender Responsive Development (1995-2025), 8 Sept 1995	Gender and Development Program (GAD) is the development perspective and process that is participatory and empowering, equitable, sustainable, free from violence, respectful of human rights, supportive of self-determination and actualization of human potential. The GAD Program focuses on Gender Mainstreaming, making women and men’s concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies, programs and projects in all social, political civil and economic spheres so that women and men benefit equally. Limitation: The website of POEA indicates a GAD program with activities for women’s month but nothing on the promotion of GAD in the stages of overseas employment.
RA No. 8972 - Solo Parents’ Welfare Act of 2000	It is the policy of the State to promote the family as the foundation of the nation, strengthen its solidarity and ensure its total development. Towards this end, it shall develop a comprehensive program of services for solo parents and their children to be carried out by the Department of Social Welfare and Development (DSWD), the Department of Health (DOH), the Department of Education, Culture and Sports (DECS), the Department of the Interior and Local Government (DILG), the Commission on Higher Education (CHED), the Technical Education and Skills Development Authority (TESDA), the National Housing Authority (NHA), the Department of Labor. Limitation: Implementation is ongoing in the Philippines but not among OFs in their countries of work.

Laws	Analysis / Commentary
RA No. 10354 - The Responsible Parenthood and Reproductive Health Act of 2012	Section 3. a. The provision of ethical, medically safe, legal, accessible, affordable, non-abortifacient, effective and quality reproductive health care services and supplies is essential in the promotion of people's right to health, especially those of women. b. The State shall promote and provide information and access to all methods of family planning.
BARMM Executive Order No. 0015 s. 2021 (20 Dec 2021) - Expanding the Bangsamoro Task Force against Trafficking (BTFAT) to Bangsamoro Inter-agency Committee on Anti-Trafficking and Violence against Women and their Children (BIACAT-VAWC)	The Department of Health issued Department Memorandum No. 2023-0142 on April 11, 2023 addressed to all the DOH regional offices (i.e. Centers for Health Development), including the BARMM Ministry of Health, reiterating the provisions in RA No. 10022 on the establishment of Medical Facilities for Overseas Workers and Seafarers (MFOWS) in DOH hospitals. Limitation: This is yet a work in progress.
RA No. 7877 - Anti-Sexual Harassment Act of 1995	LGUs that have ordinances to implement this law include Mandaluyong, Quezon City, Baguio City and Cebu City. Limitation: A more recent and enhanced law has been enacted on gender-based sexual harassment (RA No. 11313 or the Safe Spaces Act of 2019). However, a more comprehensive law against gender discrimination remains as one of the longest-running and slowest-moving in the Philippine Congress. On 20 September 2017, House Bill 4982 made history as the first Anti-Discrimination Bill based on SOGIE that was passed on third and final reading by the House of Representatives (during the 17th Congress). However, this did not become law since a counterpart version in the Senate was not passed, after stiff opposition from some religious groups and conservative senators. Similar bills have been re-filed in the 18th and the current 19th Congresses, but have not progressed until now.

Localization

Below are analyses and commentaries on particular laws and issuances (See Annex A Local Laws in 4 Lenses) pertaining to migrant health with focus on localization.

Table 4. Analyses and Commentaries on Particular Laws and Issuances (Localization)

Laws	Analysis / Commentary
RA No. 10606 - National Health Insurance Act of 2013 (amending RA No. 7875 of 1995)	PhilHealth remains one of the most reliable means in assisting OFs and their family members with health problems. Because PhilHealth is the implementing agency of the Universal Healthcare System. PhilHealth programs are, thus, encompassing in terms of scope and coverage. Every PhilHealth card-bearing Filipino may avail of pertinent PhilHealth programs. To date, PhilHealth is able to reach out to the indigents or the poorest of the poor among our fellow Filipinos. Limitation: Local government units (LGUs) are observed to have been the best mechanism in bringing in people to access PhilHealth services. Many local indigents enter the database of PhilHealth, thanks to the LGUs. Otherwise, they would have remained unregistered sections in the fringes of our society. Some OFWs observed however that since indigent individuals received their PhilHealth cards for free, their membership fee is practically financed by the government. The workers in the formal sector of the economy, those paying their contributions in PhilHealth and considered the backbone of the insurance institution, claim they essentially subsidize the indigents availing of PhilHealth programs. Limitation: Health insurance used to be accessed by OFWs in Saudi Arabia, Hong Kong SAR and Taiwan. This used to be paid by their employers based on their contracts. But the problem with that is that the insurance stops the moment the contract of an OFW is finished. They, therefore, come home without any access to health insurance.

Laws	Analysis / Commentary
RA No. 11223 - Universal Health Care Act of 2018	PhilHealth membership of OFW OWWA Region VII cited a problem of perception on the part of the OFWs vis-à-vis PhilHealth membership: some do not see membership with the health insurance program as necessary while they are at work abroad because their medical needs are covered by the contract and the employer shoulders their medical insurance while they are there. This notion limits the medical benefits the OFW gets to himself/herself. Membership in PhilHealth also covers their immediate family members, thus, unburdening the eligible OFW-member from the financial concerns of hospitalization and medical treatment costs once a family member meets an accident or catches a disease.
RA No. 11463 - Malasakit Centers Act of 2019	The spirit of the law, that is the formation of OFW Desk in every LGU and appointment of a focal, accountable person to head it, has resulted in a new level of operational ties between the OWWA and LGU, in this regard. The pandemic may have provided the immediacy and urgency for this kind of cooperation between the OWWA and LGU (Bohol), but this experience demonstrated that both can take it farther depending on the ability of both institutions' leaders and managers to determine what else needs to be done. Those inactive members of OWWA but who were served in the OFW hospital are beneficiaries of the Malasakit Program of PhilHealth.
RA No. 11036 - Mental Health Act of 2018	Regional facilities for mental health should be upgraded and the number of psychiatrists increased. To help OFWs, DOH established a hotline and/or teleconsulting service for OFWs. One has to dial 1348 and an agent will take the call. During the first year of this system, DOH hired a call center to handle this but that did not prove effective enough because call center agents would not know how to deal with specific concerns of individual OFWs. What the DOH-national did was to train people from the agency to manage the teleconsulting service center, which eventually proved to be much more effective and helpful. The plan then is to cascade this to the different regions starting June 2023.

Laws	Analysis / Commentary
RA No. 11036 - Mental Health Act of 2018	This didn't use to be a major concern. Yes, HIV was given much more emphasis until COVID came. The relatively long quarantine period, 14 days, for every OFW coming home plus the possibility of having contracted COVID when the results of the tests come in, drove a lot of them to mental stress. DOH established a 24/7 hotline or teleconsulting for anyone needing consultation to call. Anyone could dial directly 1348 and receive this service from the agency. This helped but only that much. Mental Health Mental health issues have come to the fore in recent times. More than the teleconsulting services, the number of specialists and those specializing in psychiatry have grown dramatically in the past few years exactly because of the perceived and actual growing need for them. A case in point in this regard is the Vicente Soto Memorial Medical Center in Cebu City. DILG mental health initiative for OFWs So far, DILG does not have a major program for mental health among OFWs, but it does conduct mental health awareness meetings with the help of DOH and OWWA. Mental distress among Overseas Bangsamoro Workers MSSD could hardly cope with the cases of OBWs who are mentally distressed. More professionals are needed. Limitation: This is one of the gaps that the BARMM needs to address – the lack of mental health professionals who could directly assist workers repatriated and are suffering from mental health problems having been traumatized by the OFWs varied circumstances. At present, patients are directed to Davao City for exams and tests or to see mental health specialists. This means not all in need will be given medical attention because corresponding travel expenses for the families of OBW in distress. Such problems are being discussed for appropriate solutions by the Bangsamoro Inter-Agency Council Against Trafficking and VAWC (BIACAV), which includes MOLE, MOH and MSSD.

Laws	Analysis / Commentary
RA No. 10022 - Migrant Workers Act of 2009 (Amending RA No. 8042 or the Migrant Workers and Overseas Filipinos Act of 1995) Omnibus Rules and Regulations of RA No. 8042 as amended by RA No. 10022	However, there is also an issue pertaining to the institutionalization of a coordinative mechanism: most of the representatives vary from time to time, meeting to meeting. There is therefore no consistency in the representation of agencies as alternates vary. Section 16 d. 2. Establish Overseas Filipino Worker Help Desk or kiosk in their localities with the objective of providing current information to their constituents on all the processes aspects of overseas employment. Such desk or kiosk shall be linked to the database of all concerned government agencies, particularly the POEA, for its updated lists of overseas job orders and licensed recruitment agencies in good standing. Joint Memorandum Circular (JMC) No. 2017-0001 - Integrated Policy Guidelines and Procedures in the Implementation of the Inter-Agency Medical Repatriation Assistance Program (IMRAP) for Overseas Filipinos; jointly by 7 government agencies: DOH, DFA, DOLE (OWWA, POEA), DSWD, DILG, Manila International Airport Authority (MIAA), and Philippine Charity Sweepstakes Office (PCSO); signed on 17 June 2017.
RA No. 11641 - Department of Migrant Workers Act of 2021	Memorandum No. 110 effective July 29, 2023 provides, "In the interest of the service and in accordance with the Department Circular No. 02, Series of 2023, the issuance of all forms of OEC for rehires or Balik-Manggagawa shall be free of charge effective July 29, 2023." Cooperation between BARMM and DMW Section 24. The Department of Migrant Workers shall collaborate closely with the Bangsamoro Ministry of Labor and Employment (MOLE) to ensure coordination in the training, protection, and deployment of overseas Bangsamoro workers while recognizing and respecting the authority of the Bangsamoro MOLE in labour, employment, and occupation matters, and clarifying that transferred field offices of the POEA and related offices under the Bangsamoro Organic Law (BOL) are excluded from the coverage of the Act. Efforts on the part of the MOLE-BARMM and DMW to share data that is now underway must be pursued to its successful completion.

Laws	Analysis / Commentary
RA No. 11641 - Department of Migrant Workers Act of 2021	MOLE also provides social benefits to those who are sick, disabled, met accidental or natural death. PhP 200,000 for those who died while at work, while those died of natural causes, PhP 100,000. Since 2020, five families have availed of the first; another eight families have availed of the second. On top of these, there were five beneficiaries who applied for disability assistance and another five for dismemberment assistance since 2020. Each of them received P100,000. MOLE's Overseas Welfare Bureau does everything to disseminate the information about this program. Some gap in information dissemination, however, is noted in the island provinces of Basilan, Sulu and Tawitawi. It is possible program information may not have reached the widest population of OBWs and their families in these areas. During PEOS and PDOS, MOLE-BARMM hands out materials to Overseas Bangsamoro Workers (OBWs) with useful information and contact persons and their numbers Two Bangsamoro Autonomous Acts (BAAs) pertaining to overseas employment have already been passed into law. The first is BAA No. 9, which is aimed at regulating recruitment agencies operating in the BARMM. The second is BAA No. 19 or the act institutionalizing policies for Bangsamoro overseas employment and establishing a standard of protection and promotion of the welfare of OBWs and their families. DOH Department Memorandum No. 2023-0142, on the other hand, would benefit many OBWs who to date still go to Davao for their medical exams because of the absence of accredited counterpart clinics in the BARMM. The Department Order reiterates the need to establish Medical Facilities for Overseas Workers and Seafarers (MFOWS) in DOH hospitals. Meanwhile, EO No. 154 s. 2021 orders the establishment of the OFW Hospital, and the creation of the Inter-Agency Committee on the OFW Hospital.

Laws	Analysis / Commentary
RA No. 11641 - Department of Migrant Workers Act of 2021	With the operationalization of the OFW hospital in Pampanga, it could now provide medical services to the OFs and their dependents. Not only this. Under this EO it's not just responsive through the provision of immediate medical services to the OFs and their dependents; it is also doing proactive activities like information dissemination and scientific research on common diseases among OFs to prevent these as required in Section 2B of the EO. Based on initial research effort, the common disease is hypertension among OFs in Region 3 and most of those afflicted are from the Kingdom of Saudi Arabia, or from Middle East, in general. As of end-March 2023, the OFW hospital has already assisted more than 10,000 OFs, most of whom are outpatients, after almost one year of operation. As of the same period, 40 in-patients were served by the hospital since it started receiving such patients last October 2022. All of those served since the start of the hospital operation were free of charge. Active membership in OWWA is required to avail of the services of the OFW hospital. Limitation: The sustainability of the OFW Hospital remains an issue. It is included in the GAA at the moment, which makes it vulnerable to the discretion of the members of both chambers of the Philippine Congress. The issue of hiring medical personnel particularly nurses - The ratio of nurse to patient is so high that a lot of them are experiencing burn out.
RA No. 11227 - Handbook for OFWs Act of 2018 (amending RA 8042 of 1995, as amended)	The Handbook for OFWs shall serve as a ready reference for migrant workers when they need to assert their rights and responsibilities. It includes the key issues that they need to know in order to maintain decent employment conditions overseas.
RA No. 10801 - Overseas Workers Welfare Administration (OWWA) Act of 2016	OWWA Membership Fee of USD 25, which gives every OFWs access to all programs and services of OWWA. Payment is compulsory for all OFWs leaving the country for the first time.

Laws	Analysis / Commentary
RA No. 10801 - Overseas Workers Welfare Administration (OWWA) Act of 2016	The coverage is two years. Therefrom, membership fee is paid voluntarily. OWWA grants benefits as an exception depending on the cases presented with the required proofs. Limitation: Only active members can avail of the OWWA programs. This policy is implemented in the different regions. Most Overseas Filipinos do not seek membership with OWWA because they think that it is only for OFWs. Those OFWs whose membership have expired and have not been renewed voluntarily by the OF are no longer eligible to avail of OWWA programs and services. MEDplus, for example, is a program meant to match up to a maximum of P50,000 what PhilHealth gives to individual OFW beneficiaries. This, however, covers only those who are active members of OWWA. The Unified Repatriation Assistance Program This is a big help to those OFs who are terminally ill. Coordinative work between OWWA and DOH is secured even before the actual repatriation to ensure smooth operation. From the airport, upon repatriation, the patient is endorsed to DOH, which determines the hospital where the patient is to be brought for treatment and confinement. All necessary information regarding pertinent assistance to the OFWs with terminal illness from PCSO and other agencies are then forwarded to OWWA for coordination. Prior to the COVID-19 pandemic, a multistakeholder group including DOH, DFA, OWWA, to say a few, formulated a set of standard operating procedures should emerging and recurring infectious diseases happen. Limitation: When the pandemic broke out, many of these SOPs became irrelevant considering the actual response to and management of the pandemic.

Laws	Analysis / Commentary
RA No. 10801 - Overseas Workers Welfare Administration (OWWA) Act of 2016	The SOPs have since never been revisited. OWWA-supervised OFW Family Circles OWWA-supervised OFW Family Circles are now based in major cities and towns at the very least. These FCs used to be attached with the National Reintegration Center for OFWs (NCRO), which conceptualized and spearheaded their creation. At present, OFW FCs serve as the frontline information and coordinative mechanism of OWWA vis-à-vis OFWs and the family members they left behind. The role of OFW FCs became more pronounced during the pandemic when closer coordination with OFW families was paramount, primarily those with OFWs being repatriated for various reasons especially health. OWWA of late developed a livelihood program for OFW FCs. Existing Family Circles may apply for a financial grant of up to P1 million for the group's livelihood enterprise e.g. rice retailing, to provide the circle with a means to generate additional income for the officers and members and their respective families. More often than not, OFW FCs are managed by former OFs who settled already back in their respective towns. Some groups have developed certain strengths and skills. For example, FCs in Region IV-a demonstrated skills in building up database of OFs in their corresponding jurisdictions. This started in the pandemic when close coordination was required between repatriated OFs and their families. The OFW FCs served as the mechanism for such coordination under of course the supervision of the local OWWA offices. In the post-pandemic time, OFW FCs chose to sustain the arrangement with line agencies and LGUs, town- and barangay-level alike, for the OF and family concerns. Of late, however, some OFW FCs in the South are preoccupied by the management of their livelihood grants from OWWA, which is understandable. They subscribe to OWWA requirements and timeline as the fund is disbursed to them in several tranches.

Laws	Analysis / Commentary
	They consider this a priority as it is an opportunity for them to transition from earning abroad and use their acquired skills in managing small enterprises here to continue providing for themselves and their families.
RA No. 7111 - Overseas Workers' Investment Fund Act of 1991	The State is to protect and promote the welfare of Filipinos overseas workers; to pioneer and develop innovative means to provide incentives; and to uplift the workers' families' living standards. It is likewise the policy of the State to reduce the foreign debt burden in order to better achieve sustained economic growth by way of tapping the unofficial and informal remittances of said workers.
Executive Order No. 203 - Establishment of an Inter-Agency Committee to develop and implement the Shared Government Information System for Migration (IAC-SGISM), 24 Jan 2000	The establishment of an Inter-Agency Committee (IAC) to develop and implement the Shared Government Information System for Migration (SGISM) was ordered by the EO in 2000. However, it started its work only in August 2010 (according to POEA). Data sharing will involve DFA, DOLE, DOJ and DOT and other agencies. Some initiatives include POEA e-Verification system, Workers Registry, DOLE Skills Data Warehouse, NCMB Online Case Verification Project, OWWA OF membership data and collection reports, POLOs provision of assistance to OFs onsite. Yet, there are only 35 MWOs abroad. In Saudi Arabia where OFs number more than one million, officials are shared with other countries such as Egypt and Sudan. Office sharing is also done among select countries in Europe. Efforts on the part of the MOLE-BARMM and DMW to share data that is now underway must be pursued to its successful completion. Limitation: While there is no doubt about the applicability of the said Executive Order to benefit OFWs one way or another, its implementation at the local level leaves much to be desired. The EO secures the inter-agency collaboration and sharing of OFW info at the national level for better design and planning of most appropriate programs and services to address their conditions and vulnerabilities. How this shared information system for migration worked during the pandemic, which is a test of the system, remains a lingering question.

Laws	Analysis / Commentary
	The pandemic seemed to have underlined that not only information at the national (macro) level is necessary, but rather information at the local (micro) level as well as the pandemic hit the individual OFWs and their families directly. The health dimension of OFWs seemed to have not been included in the shared information system for migration, which probably would have assisted the agencies much better in terms of effectiveness and efficiency in dealing with cases of COVID-19 and other related diseases among OFWs during this medical crisis.
RA No. 9189 - The Overseas Absentee Voting Act of 2003	The system of voting overseas, although now electronically assisted, is still not perfect, if not absent, in areas far from the center. Not all OFWs are registered and are not able to cast their vote. For other OFWs, especially those in the Middle East, when election is held on a non-day off, they cannot vote. Transportation expenses are also a hindrance to their participation to voting.
RA No. 11315 - Community-Based Monitoring System (CBMS) Act of 2019	The Philippine Statistics Authority (PSA) shall serve as the lead agency in the implementation of Community-Based Monitoring System CBMS and shall monitor the data collection by cities and municipalities to ensure adherence to official concepts, definitions and standards of poverty statistics. It involves the generation of data at the local level which serves as a basis in targeting households in planning, budgeting and implementation of government programs geared towards poverty alleviation and economic development. This system merges the methodologies used in data collection activities of all national agencies.
Lucena City (Quezon Province) Ordinance No. 2769 s. 2021 – Creating the Lucena City Migrant Resource Center (MRC), 27 Sep 2021	Migrant Resource Center is established in Lucena City. This can be a model of other cities in Region 4A
Zamboanga City Executive Order No. BC 570-2020 - Guidelines for Returning Overseas Filipinos and Locally Stranded Individuals (LSIs)/ Inbound Travellers, 5 Jun 2020	Guidelines for returning overseas Filipinos and locally stranded individuals / inbound travelers

Laws	Analysis / Commentary
RA No. 10364 - Expanded Anti-Trafficking in Persons Act of 2012 (amending RA No. 9208 of 2003)	LIMITATION: There are regions in the Philippines where trafficking in persons, particularly OFs, are rampant. Although several initiatives have been undertaken, the practice continues, especially in Region 9 where OFs go back and forth to Sabah.
Department of the Interior and Local Government (DILG) Memorandum Circular No. 2020-075 - Establishment of the DILG OFW Desks and Designation of DILG-OFW Desk Officers at the Regions, Provinces, Highly-Urbanized Cities (HUCs) and Independent Component Cities (ICCs), 23 Apr 2020	The main idea is to make the LGU responsive to the needs of the OFWs and the family members they left behind. Highly urbanized cities and a few provinces and towns have established DILG OFW Desks, while some have delegated it to the Public Employment Service Office (PESO). An offshoot of this issuance is the creation of a one-stop shop for OFWs where all the information and needs of OFWs that may be addressed by the LGUs and local counterparts of line agencies may be pooled under this OFW Desk for easy access. This DILG Memorandum Circular calling for the formation of OFW Desk in each LGU may have given impetus to LGU-DMW Memorandum of Agreement. Quezon City recently launched this partnership. The same is what happened in Calamba, Laguna and in San Fernando, Pampanga in Central Luzon. The general purpose of this tie-up is to ensure mechanisms which will guarantee LGU-DMW cooperation in matters affecting OFWs. Limitation: In most cases, the OFW Desk functions are assumed by the Public Service and Employment Office (PESO). The PESO is an employment facilitation service established and maintained by the LGU (or other entities authorized by law) and is linked to the Department of Labor and Employment (DOLE) for coordination and technical supervision. To whom the functions as indicated in the Memorandum Circular would be passed on is left to the discretion of the local chief executive (LCE), or the mayor. In many cases, PESO carries additional tasks with no increase in personnel (and, most likely, compensation). The tasks are concurrent to the mandate of the PESO units. Other agencies such as OWWA welcome such development at the LGU level as there would be focal units to centralize information about OFWs to and coordinate programs and services for them with.

Alignment with international standards

Migrants' preferences may differ based on their skill level and the length of the employment contract. Filipinos respond to labour market needs in both high- and low-skilled categories. The 2018 Survey of Overseas Filipinos reports that nearly 75% of all OFWs are holding low-skilled occupations (O'Steen, 2021:5)

Addressing migrant health requires alignment to international, regional and national laws and policies.

In accordance with the principles and provisions set out in core universal human rights instruments, States have an obligation to protect the human rights of all individuals within their territory, including migrants, regardless of their migration status. More specifically, General Comment 14 on the 'The Right to the Highest Attainable Standard of Health' (the Right to Health) elaborates on Article 12 of the UN International Covenant on Economic, Social and Cultural Rights (IESCR), noting that the right to health extends to migrant populations, including asylum-seekers and illegal immigrants. It addresses not only access to health services but also health vulnerability by recognising the underlying determinants of health such as living conditions, occupational health, impoverishment and discrimination. [Siriwardhana, C B. Roberts and M. McKee. N.d.].

Add to these the International Labour Organization (ILO) conventions on workers' rights, particularly the fundamental labour standards (on freedom of association, equality/non-discrimination, safety and health, abolition of forced labour, elimination of child labour), and the migration-specific conventions (e.g. ILO C97, C143).

The United Nations also has several legally-binding treaties as well as normative instruments, multilateral agreements, procedures and processes that promote and protect the rights and welfare of migrant workers and their families, including the right to health and protection from abuse, violence, and exploitation. A key migration treaty is the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990); this was ratified by the Philippines in July 1995 and served as the basis of the country's migration laws since 1995.



The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) General Recommendation (GR) 27, aims to elaborate on the circumstances that contribute to the specific vulnerability of female migrant workers and their experiences of sex and gender-based discrimination as a cause and consequence of the violations of their human rights.

The UN Committee on the Rights of the Child has also advocated for protection of child rights in the context of international migration (Bryant, 2005).

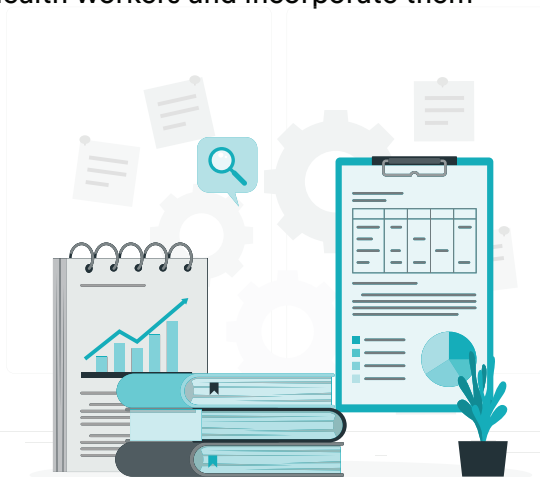
The World Health Assembly resolution on health of migrants promotes a “safe, dignified and healthy migration” process for the benefit of both migrants and their families (WHO, 2010).

The International Organization for Migration (IOM) and the World Health Organization (WHO) have led global efforts to support Member States in enabling migrant-sensitive health systems, adoption of policies and practices to “mainstream migration health” and to ensure realization of the right to health for all migrants and mobile populations (WHO, 2010).

The Global Forums on Migration and Development have also articulated the need for migration-related determinants of health as a key component of global development (Brolan et al., 2013). [Quoted in Wickramage, K., C. Siriwardhana and S. Peiris. p. 2].

The WHO-IOM Report on the 2nd Global Consultation (2017) came up with specific best practice approaches to the development of migrant sensitive health systems include measures to:

- Expedite the process to allow physicians from other countries (including migrants' countries of origin) to practice in the countries of destination and facilitate and prioritize their incorporation into the health systems.
- Use technology (e.g. tele-health) to support services to mobile populations, including the support that providers from the countries of origin can offer in monitoring health problems in a culturally and linguistically sensitive manner.
- Train migrants to become community health workers and incorporate them into health systems that serve populations originating from same country/culture.
- Conduct cultural competency training among health and social work providers.
- Promote exchanges between health professionals from countries of origin and countries of destination.
- Develop and incorporate public health practices such as health



literacy campaigns for migrants, guides to accessing health services, engaging migrants in planning/ implementation of health services, and use of cultural mediators (pp. 69-71).

The Colombo Report adds that aside from the health policies on services, the activities that influence health vulnerability such as labour laws, anti-discrimination laws, asylum processes, and how these then may influence health outcomes can be considered (p. 71).

The Migrant Integration Policy Index (MIPEX) is a migration policy monitoring initiative that could be used to monitor health. It states in its report: “Comprehensive policies to mainstream migrant health have emerged in Australia, Ireland, Norway, Sweden, UAE, UK and UD, while in 33 countries, the health system does not systematically address migrant health issues. . . Beyond policy indicators, MIPEX allows for multivariate analysis to establish the independent effect of policy and other contextual level factors on migrant health outcomes.” (MIPEX, 2020).

Migrant health policies tend to be better developed in countries with more international migrants. Within countries, health services in regions with large immigrant populations tend to be more responsive to migrants’ health needs (e.g. in Austria, Italy, Spain and Switzerland). A country’s wealth, as measured by GDP per capita, also strongly influences scores on the Health strand. Countries that have difficulty providing adequate health services to national citizens seem reluctant to adapt service delivery to the needs of migrants and are more likely to adopt a “one size fits all” approach.

Countries of destination may wish to attract migrants to respond to a labour market need, as with the oil industry in the 1970s or the need for healthcare workers to assist with ageing populations in Japan, Canada, and the United States. A greater ability to control regular and irregular migration motivates hosts. (O’Steen, 2021:5)

Maria Susana V. Ople, the then-Secretary of the Department of Migrant Workers, and head of delegation, said in her opening remarks that the Department of Migrant Workers was the newest agency in the executive department. Its mandate was to regulate access to healthcare and legal aid, allow migrant workers to file complaints and monitor the actions of recruitment agencies. Further, in 2023, the Philippines rolled out a regional mechanism, one of two in Asia, to better implement recommendations from the United Nations and other multilateral organisations. The State sought to respond to the nexus between labour migration and climate change, online illegal recruitment and human trafficking of migrant workers and a lack of awareness of the rights of foreign domestic workers.

The Philippines had signed over 40 bilateral agreements and five multilateral agreements. Most concluded bilateral agreements in the Middle East were for the protection of workers, specifically domestic workers. Agreements in the

Americas were geared more toward skilled labour. All bilateral agreements were enforced. The State party conducted regular meetings with the relevant partner countries. In Saudi Arabia, a working group met weekly to discuss the concerns of migrant workers. The Government intended to include additional areas of cooperation, including emergency plans for migrant workers in times of crisis, reintegration streamlining following the end of a contract and the establishment of aid offices for overseas workers in the countries of destination.

United Nations Human Rights Standards

Following are analyses and commentaries on particular laws and issuances (See Annex A: Local Laws in 4 Lenses) pertaining to migrant health with a focus on alignment with international human rights, health, gender and migration standards.

Table 5. Analyses and Commentaries on Particular Laws and Issuances (Alignment with International Standards)

Laws	Analysis / Commentary
Labor Code of the Philippines, 1974 (as amended) 1987 Philippine Constitution	The Philippine Labor Code is not applicable to foreign countries of work. Relevant to migrant health is: Article II, Section 2. The Philippines renounces war as an instrument of national policy, adopts the generally accepted principles of international law as part of the law of the land and adheres to the policy of peace, equality, justice, freedom, cooperation, and amity with all nations.
RA No. 10022 - Migrant Workers Act of 2009 (Amending RA No. 8042 or the Migrant Workers and Overseas Filipinos Act of 1995) Omnibus Rules and Regulations of RA No. 8042 as amended by RA No. 10022	This law amends and strengthens the State's mandates and obligations (stipulated in the original 1995 law) in protecting the rights and welfare of OFWs and their families, particularly: • Adherence to international conventions, national sovereignty, independent foreign policy, territorial integrity, national interest and right to self-determination as State Policies • POEA to give out travel advisories regarding migration and adherence to international standards on human and worker's rights • DFA to make an assessment of rights and avenues of redress under international and regional human rights mechanisms • Compliance of the State to international laws in the deployment of overseas Filipino workers • Functions of the National Reintegration Center for OFWs (NRCO)

Laws	Analysis / Commentary
	• Deployment of Filipino migrant workers to countries that adhere to international laws • Adherence by DOH -accredited medical clinics to international laws and standards • Rule on the deployment of migrant workers which require that OFWs are deployed only in countries where their rights are protected • Deployment of OFWs to ocean-going ships must comply with international laws and standards to protect the rights of seafarers and sea-based OFWs • Mandate for the POEA and DFA to prepare labor situationers • Role of the DOH in the regulation of medical clinics.
RA No. 11223 - Universal Health Care Act of 2018	“It is a time for celebration in the Philippines. President Rodrigo Duterte has just signed a Universal Health Care (UHC) Bill into law (Republic Act No. 11223) that automatically enrolls all Filipino citizens in the National Health Insurance Program and prescribes complementary reforms in the health system. This gives citizens access to the full continuum of health services they need, while protecting them from enduring financial hardship as a result.” [WHO Philippines] Limitation: In Singapore, work permit holders undergo medical examination by a Singapore-registered doctor prior to starting work with employer. If they are certified as medically-unfit, their work permits will be revoked. Domestic workers undergo medical check-up every 6 months (6ME) to screen for pregnancy and infectious diseases such as syphilis, HIV and TB. (Clarín, personal communication June 15, 2023). OFs with medical condition, who are past the employable age of 40, experiencing urgent family matters return home.

Laws	Analysis / Commentary
RA No. 10606 - National Health Insurance Act of 2013 (amending RA No. 7875 of 1995)	Section 16 of the Act mandates that: “The Corporation shall have the following powers and functions: “(u) To establish an office, or where it is not feasible, designate a focal person in every Philippine Consular Office in all countries where there are Filipino citizens. The office or the focal person shall, among others, process, review and pay the claims of the overseas Filipino workers (OFWs).” The Philippine Overseas Employment Administration (POEA) --now the DMW-- issued Memorandum Circular No. 10 s. 2022 in March 2022 on the Implementing Guidelines on the Expanded Compulsory Insurance Coverage for Rehires and Direct Hires. The enhanced insurance coverage, which will now include returning OFWs, was promulgated during the COVID-19 pandemic in consonance with the goals of the Inter-Agency Task Force on Emerging Infectious Diseases to ensure the safety of the OFWs. No additional cost to the OFW - “The insurance coverage for each OFW shall be secured by the recruitment agency. Non-compliant foreign employers may be disciplined motu proprio or upon the initiative of the OFWs concerned.” Limitation: The health insurance that is paid by the foreign employer to their respective government or private insurance companies is not transferable to the Philippines upon return of the OF.
RA No. 11036 - Mental Health Act of 2018	Teleconsulting / Telemed. This mechanism is crucial especially among those who may have developed mental illnesses as such conditions tend to be stigmatized.
RA No. 11641 - Department of Migrant Workers Act of 2021	The Department of Migrant Workers (DMW) will take over the Assistance-to-Nationals (ATN) functions from Department of Foreign Affairs starting July 1, 2023. Following the agreements with the Department of Migrant Workers, BARMM supports the needs of its Overseas Bangsamoro Workers (OBWs) The case of Kota Kinabalu is very challenging for MOLE-BARMM. It has assisted those who have been repatriated together with MSSD and MOH. Their assistance is hinged on the commitment from those repatriated they will no longer go back to KK for

Laws	Analysis / Commentary
	employment. On the other hand, whether the OFs repatriated from Sudan will return to the country is yet unknown. MOLE-BARMM is allowing those repatriated time to rest and later decide on the matter. It is good to note that inter-agency relationship in BARMM vis-à-vis assistance to the OBWs is alive and working well as attested by the event that happened in Sudan. Some 49 Islamic students, scholars and OFs were affected by the military conflict in the country and had to be repatriated. Inter-ministerial cooperation worked well with the 49 arriving on May 9, 2023. MSSD provided each one assistance of Php10,000. It is expected that 109 more will be repatriated in the following weeks.
RA No. 11227 - Handbook for OFWs Act of 2018 (amending RA 8042 of 1995, as amended)	The first edition of the Handbook for OFWs was launched by POEA in June 2021. Topics such as health and safety awareness, health care / hospitalization, diseases such as HIV/AIDS, MERS-COV, Ebola, COVID-19 and occupational safety and personal hygiene are covered in the handbook, among other topics.
RA No. 10801 - Overseas Workers Welfare Administration (OWWA) Act of 2016	Teleconsulting / Telemed. Adjacent to the conference room in the Office of the Regional Director, OWWA, Region III is a teleconsulting operation catering to OFs from the region. This is very important for the following reasons: • Filipinos don't talk about their physical problems for fear of losing their jobs. • They are used to self-treatment. • Filipinos help each other; self-medication comes from friends who they consider have better knowledge of and experience in the possible ailments they have. • Filipinos prefer to speak with Filipino doctors who they believe sympathize and empathize with them. Limitation: Teleconsulting results are not honored by doctors in countries where OFs are employed (e.g. KSA)

Laws	Analysis / Commentary
Executive Order No. 203 - Establishment of an Inter-Agency Committee to develop and implement the Shared Government Information System for Migration (IAC-SGISM), 24 Jan 2000	The establishment of an Inter-Agency Committee (IAC) to develop and implement the Shared Government Information System for Migration (SGISM) was ordered by the EO in 2000. However, the work started only in August 2010, according to POEA. Data sharing will involve DFA, DOLE, DOJ and DOT and other agencies. Some initiatives include POEA e-Verification system, Workers Registry, DOLE Skills Data Warehouse, NCMB Online Case Verification Project, OWWA OFW membership data and collection reports, POLOs provision of assistance to OFs onsite. Yet, there are only 35 MWOs abroad. In Saudi Arabia where OFs are more than 1 million, officials are shared with other cities and countries like Egypt and Sudan.
ILO C155 - Occupational Safety and Health Convention, 1981 ILO C161 - Occupational Health Services Convention, 1985 ILO C191 - Safe and Healthy Working Environment (Consequential Amendments) Convention, 2023	These are ILO Conventions not ratified by the Philippine government as of September 2023. It is the aim of these Conventions to clarify the roles of employees, employer, and member-national governments and provide regulations applicable to labour in general, but can also be applied to overseas work. Some examples are prevention of accidents, injuries, and the causes of hazards in the workplace. The content of the Conventions may be reviewed in light of their applicability to policies for national policies. Moreover, there may be particular conditions and practices pertaining to migrant health that may guide and be included in drafting of Bilateral Agreements with countries of work of OFWs. Other conventions not ratified are specific to agriculture, fishing or industry where OFWs are found. Health cases of cancer, injury, maternity, likewise pollution, also have specific conventions. • C167 - Safety and Health in Construction Convention, 1988 • C184 - Safety and Health in Agriculture Convention, 2001 • C188 - Work in Fishing Convention, 2007 • C174 - Prevention of Major Industrial Accidents Convention, 1993 • C121 - Employment Injury Benefits Convention, 1964 [Schedule I amended in 1980] • C115 - Radiation Protection Convention, 1960

Applicability of Laws and Policies to OFs and Their Families

The family is not automatically included in most laws and policies pertaining to OFs. “Despite the political discourse on migration rising on the global development agenda, analysts have argued that global migration policies have failed to recognize and adopt a family perspective (Yeoh, 2012), and have called for greater empirical evidence on the health status of migrants and mobile populations (PloS, 2013)” (Qtd in Wickramage, K., C. Siriwardhana and S. Peiris. P. 2).

A focused analysis among older migrants and non-migrants in Europe revealed that the immigrant / non-immigrant gap is bigger in countries with restrictive family reunion policies (Siriwardhana, C B. Roberts and M. McKee, n.d.).

Cabral (2016) also noted that the local public health system in 2016 does not include migrant workers and this is a barrier to health care faced by migrant workers and their families. For instance, “Limited access to public health services and health care increases the risk of the spread of communicable diseases and aggravates many other health problem” (p. 6).

There are programs for OF returnees in all of the regions of the Philippines. For instance, the Bangsamoro Sagip Kabuhayan is a fund extended to Overseas Bangsamoro Worker returnees. PhP 20,000 is broken down as PhP 15,000 for start-up capital, PhP 5,000 for skills training and transportation services. Also worth mentioning is the Bangsamoro Cares, a program for OBWs where MSSD’s social worker assesses the request of a migrant worker and extends assistance that goes up to PhP 50,000 – PhP 80,000 depending on the assessment of the social worker.

Below are analyses and commentaries on particular laws and issuances (See Annex A Local Laws in 4 Lenses) pertaining to migrant health, focusing on applicability to OFs and their families.

Table 6. Analyses and Commentaries on Particular Laws and Issuances (Applicability to OFs and Their Families)

Laws	Analysis / Commentary
Labor Code of the Philippines, 1974 (as amended)	Starting a business in the Philippines upon reintegration may not be attractive to OFs because they have experienced receiving regular salary overseas. Various livelihood programs for returning OFWs of late have been receiving favourable response and avid patronage among returnees. OWWA's livelihood program for OF Family Circles is a case in point as mentioned above. This is more so because projects funded by OWWA are locally operated.
RA No. 9710 - Magna Carta of Women, 2009	The State shall progressively realize and ensure decent work standards for women that involve the creation of jobs of acceptable quality in conditions of freedom, equity, security, and human dignity.
RA No. 10022 - Migrant Workers Act of 2009 (Amending RA No. 8042 or the Migrant Workers and Overseas Filipinos Act of 1995) Omnibus Rules and Regulations of RA No. 8042 as amended by RA No. 10022	Section 16 d. 2. establishes the Overseas Filipino Worker Help Desk or kiosk in their localities with the objective of providing current information to their constituents on all the processes aspects of overseas employment. Such desk or kiosk shall, as be linked to the database of all concerned government agencies, particularly the POEA (now DMW) for its updated lists of overseas job orders and licensed recruitment agencies in good standing. DILG has released issuance for establishment of DILG OFW Desks. Highly Urbanized Cities and a few provinces and towns have established OFW Help Desks, while few have delegated it to the Public Employment Service Office (PESO)
RA No. 11223 - Universal Health Care Act of 2018	DOH Department Order 2021-0496 "Guidelines for Port-to-Port Collaboration for Healthcare for Filipinos in Sabah" This is implemented in Region 9 Centre for Health Development and BARMM for deported Filipinos from and not for Filipinos in Sabah. "The DOH, through its Task Force for the Provision of Health Services to Filipinos in Sabah, and the Ministry of Health (MOH) Malaysia, together with Philippine Embassy in Kuala Lumpur (KLPE) / Assistance to Nationals (ATN) Unit, Department of Foreign Affairs-Office of the Undersecretary for Migrant Workers Affairs (DFA-OUMWA), and Sabah National Security Council (NSC), agreed to strengthen coordination

Laws	Analysis / Commentary
	through Standard Operating Procedures (SOP) for port-to-port collaboration for health care for Filipinos from the Temporary Detention Centers (TDCs) in Sabah.” [IFRC Final Report] LIMITATION: The initiative is temporary. The main driver of the migration from Mindanao is the perception of better livelihood options in Sabah, together with security concerns in some parts of Mindanao that have further challenged peoples’ livelihoods. This is the reason why Filipinos go back and forth to Sabah. In Region 9, those who avail of health assistance are hospitalized in Cotabato Regional Medical Center (CRMC), to which MSSD has access.
RA No. 11959 - Regional Specialty Centers Act of 2023	This is part of the administration’s efforts to establish and institutionalize healthcare centers in the region, ensuring accessible and affordable healthcare services for all DOH-run hospitals are East Avenue Medical Center, Jose R. Reyes Memorial Medical Center, Dr. Jose Fabella Memorial Hospital, National Center for Mental Health, National Children’s Hospital, Quirino Memorial Medical Center, Philippine Orthopedic Center, and Amang Rodriguez Memorial Medical Center, among others. GOCC hospitals, on the other hand, are Lung Center of the Philippines, National Kidney and Transplant Institute, Philippine Heart Center, and Philippine Children’s Medical Center.
RA No. 7875 - National Health Insurance Act of 1995 (as amended by RA 9241 of 2004 and RA 10606 of 2013)	In some regions, OFW families prefer to avail of Indigents Program and not avail of OWWA or PhilHealth benefits (e.g. Regions 4A, 7, 9)

Laws	Analysis / Commentary
RA No. 11463 - Malasakit Centers Act of 2019	This aims to establish Malasakit Centers across the country, provide funds for the medical assistance of indigent and financially incapacitated patients, and consolidate all pertinent programs into one. This seems to be the most widespread and extensive medical assistance of the government thus far in terms of reach, which covers the indigent patients, whether or not s/he is already a member of PhilHealth. It could provide up to P50,000 to an individual patient through the Presidential Social Fund (PSF) via PCSO or DOH. This has universal coverage so OFs and their family members may avail of the benefits from this program.
RA No. 11036 - Mental Health Act of 2018	LIMITATION: Repatriated OFW with mental health problem is brought to the hometown but medication is covered only for few weeks or months.
RA No. 11641 - Department of Migrant Workers Act of 2021	“Reintegration program” refers to a range of measures aimed at facilitating the successful and sustainable return of overseas Filipino workers (OFWs) to Philippine society, encompassing initiatives such as livelihood projects, wellness programs, financial literacy programs, and similar projects, tailored to the individual needs and skills of returning OFWs.
RA No. 10801 - Overseas Workers Welfare Administration (OWWA) Act of 2016	Benefits and services to OFWs (health care) - Within two (2) years from the effectivity of this Act, the OWWA shall develop and implement health care programs for the benefit of member-OFWs and their families, taking into consideration the health care needs of women as provided for in Republic Act No. 9710, or the Magna Carta of Women, and other relevant laws.
RA No. 7111 - Overseas Workers' Investment Fund Act of 1991	This fund has twin purposes as stipulated in the law's policy declaration: “It is the policy of the State to protect and promote the welfare of Filipino overseas workers; to pioneer and develop innovative means to provide incentives; and to uplift the workers' families' living standards. It is likewise the policy of the State to reduce the foreign debt burden in order to better achieve sustained economic growth by way of tapping the unofficial and informal remittances of said workers.” It directly covers all documented OFWs and indirectly their respective families.

Laws	Analysis / Commentary
RA No. 8972 - Solo Parents' Welfare Act of 2000	The State to promote the family as the foundation of the nation, strengthen its solidarity and ensure its total development. Towards this end, it shall develop a comprehensive program of services for solo parents and their children to be carried out by the Department of Social Welfare and Development (DSWD), the Department of Health (DOH), the Department of Education, Culture and Sports (DECS), the Department of the Interior and Local Government (DILG), the Commission on Higher Education (CHED), the Technical Education and Skills Development Authority (TESDA), the National Housing Authority (NHA), the Department of Labor and Employment (DOLE) and other related government and nongovernment agencies.
RA No. 10354 - The Responsible Parenthood and Reproductive Health Act of 2012	The State recognizes and guarantees the human rights of all persons including their right to equality and nondiscrimination of these rights, the right to sustainable human development, the right to health which includes reproductive health, the right to education and information, and the right to choose and make decisions for themselves in accordance with their religious convictions, ethics, cultural beliefs, and the demands of responsible parenthood.
RA No. 1082 - Rural Health Unit Act of 1954	This was passed in 1954 and was meant to cover the whole local population regardless of socio-economic stature.
RA No. 1891 - Health and Dental Services in the Rural Areas, 1957 (amending RA No. 1082 of 1954)	An amendment to RA No. 1082 of 1954, this 1957 amendments were meant to further classify the composition of rural health units from two categories or types as originally conceived in RA No. 1082 to eight categories or types. These amendments do not in any way however change the coverage of beneficiaries for the RHU services.
RA No. 11332 - Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act, 2019	This is a public health issue and therefore covers the whole Philippine population
RA No. 6675 - Generics Act of 1988	The law is universal in coverage and intent.

Laws	Analysis / Commentary
Department of Health (DOH) Administrative Order No. 2013-006 - Guidelines on Rule XI (Role of DOH) in the Omnibus Rules and Regulations Implementing the Migrant Workers Act of 1995 as Amended by RA 10022, 7 Feb 2013	Medical facility for overseas workers and seafarers BAA No. 9, which is aimed at regulating recruitment agencies operating in the BARMM. Not a few of OBWs still go to Davao for their medical exams because of the absence of accredited counterpart clinics in the BARMM. This law addresses this among other issues involved in processing of application for overseas employment.
Department of the Interior and Local Government (DILG) Memorandum Circular No. 2020-075 - Establishment of the DILG OFW Desks and Designation of DILG-OFW Desk Officers at the Regions, Provinces, Highly-Urbanized Cities (HUCs) and Independent Component Cities (ICCs), 23 Apr 2020	Improvement of delivery of services to OFWs and their family members left behind Capacitate the LGU focal personnel in charge of extending services to OFWs for better, more effective and efficient manner. Bigger budget for LGU OFW Desks to enable it to operate much more effectively, broadly and inclusively. This will not only allow LGU OFW Desks to have operating funds for the sole purpose of assisting OFWs, but also for additional personnel if necessary to fulfill its OFW-related mandate. 1. A comprehensive menu of accessible services and benefits for OFWs 2. Comprehensive information as to source and amount of accessible funds for OFWs from All agencies in each locality 3. Streamlining of requirements and making a common set of them for all agencies in the locality to make services and benefits easily accessible for the OFWs and their family members left behind. All these go beyond the one-stop-shop concept and embrace a one-system arrangement for all agencies to subscribe to.



Laws	Analysis / Commentary
DILG Memorandum Circular (MC) No. 2021-015 - Quarantine Protocols of Local Government Units for Returning Overseas Filipinos, 8 Feb 2021	This MC is the implementation at the local levels of two previous issuances from the National Task Force against COVID-19 in August 2020 providing operational guidelines on the management of Returning Overseas Filipinos (ROFs) and the Inter-Agency Task Force for the Management of infectious Diseases (IATF) January 2021 (Resolution No 96, S. 2021) providing guidelines for the testing and quarantine protocols for all persons allowed entry in the Philippines including ROFs Both directly concern Returning Overseas Filipinos including OFWs primarily.
DILG Memorandum Circular No. 2020-087 - Duties and Responsibilities of Local Government Units, DILG, RDs and FOs, PNP and other Concerned in the Management of Returning Overseas Filipinos and Locally Stranded Individuals, 21 May 2020	This DILG MC rolls out the responsibilities of LGUs, DILG officials and the PNP in managing ROFs and Locally Stranded Individuals (LSIs)
DILG Memorandum Circular No. 2020-075 - Establishment of the DILG OFW Desks and Designation of DILG-OFW Desk Officers at the Regions, Provinces, HUCs and ICCs, 23 Apr 2020	One of the functions of the OFW Desk officer in all levels of local government is – “Ensure that LGUs provide all necessary assistance to OFWs.”
DILG MC No. 2018-62 - LGU’s Roles and Responsibilities in the Implementation of the Inter-Agency Medical Repatriation Assistance Program for Overseas Filipinos (IMRAP), 4 May 2018	All local government units are compliant with their roles and responsibilities in the medical repatriation program.
DILG MC No. 2020-006 - Guidelines on the Functionality of Local Committees on Anti-Trafficking and Violence Against Women and their Children (LCAT-VAWC), 20 Jan 2020	This directly concerns women hoping to be productively employed abroad but instead become victims to human trafficking and the threat of and actual violence that ensues from it.

Laws	Analysis / Commentary
Department of Social Welfare and Development (DSWD) Memorandum Circular (MC) No. 16 s. 2022 – Revised Guidelines on Implementation of Assistance to Individuals in Crisis Situation (AICS), 22 Aug 2022	The Assistance to Individuals in Crisis (AIC) provides funding of medical expenses or food and education of dependents. LIMITATION: All beneficiaries must be hospitalized in the Philippines, not abroad
Isabela Province Executive Order No. 03 s. 2022 – Organizing the Isabela Provincial Community-Based Monitoring System (CBMS) Coordinating Board, 9 Mar 2022	CBMS plays an important role in the lives of OFWs once one's family falls under the poverty threshold, which also happens to OFW families when the bread winner, the OFW, is out of work, repatriated for various reasons and does not have alternative livelihood source here.
Lucena City (Quezon Province) Ordinance No. 2769 s. 2021 – Creating the Lucena City Migrant Resource Center (MRC), 27 Sep 2021	DOH Department Order 2006-2019 “Creation of the Department of Health Clinic at the OWWA building.”

