

Migration Management in the Philippines

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ABSTRACT

Migration has been a dominant aspect of the Philippine culture, yet people have not fully understood its complexities. Migration in the Philippines dates back as early as the colonial times but this has not been given much attention by the government. Given that it involves our fellow Filipinos, the government has a responsibility to address it directly because of the tendency for our fellow countrymen to be abused. This paper is written not only for research purposes but also for increasing awareness of people regarding migration and for invoking our government to address this pressing issue.

Keywords: Migration, Philippine culture, government

OVERVIEW

Migration refers to the movement of people from one location to another. It can either be movement from one place to another within a country or movement from one country to another. This paper focuses on the latter type of migration and tackles the extent of migration in the Philippines, its management and its relation with development. It answers the following questions: (1) is migration in the Philippines being managed; (2) as a third world country, how should migration be managed; (3) what is the role of the Philippine government in the management of migration; and (4) what should the government do in ensuring that migration is properly managed?

In addressing these questions, the paper begins with some background with regard to the span, trends and causes of migration in the Philippines. Then, it looks into what the government is doing to address the issue. It discusses who handles issues on migration and what laws surround it as well as what the government is doing and should do to manage it. These concerns lead us to the big question of development - how development is achieved given such problems and how these things translate into development.

Migration in the Philippines

Migration has increasingly become a major focus of our time today. People also began recognizing that migration is essential, inevitable and potentially beneficial component of economic and social life of every state and every region (International Organization for Migration, 2005). Asia, being the most dynamic region in terms of labor migration, Philippines being a part of it, has become an eye for the developed countries. "Migration into and within the region takes a variety of forms-tourists, student, refugees, family reunion, labor, business but migration for

economic reasons, particularly labor migration has experienced the most rapid growth (International Organization for Migration, 2005).”

The 1970s marked the heavy flow of migration to high-income countries. But prior to 1970 the current trend of migration was between developed countries. However with the growing disparity in the standards of living, people began looking for alternative sources of income. According to a United Nations study, the population of migrants account for 3% of the total world population (The International Bank for Reconstruction and Development / The World Bank, 2006).

For the Philippines, overseas employment became an official policy in 1974 upon the signing of the Labor Code of the Philippine Government. The main legal system that regulates the activities of private employment agencies in the Philippines are the Labour Code (Presidential Decree No. 442) promulgated on May 1, 1974, the Migrant Workers and Overseas Filipino Act of 1995, and the rules and Regulations Governing the Recruitment and Employment of Workers (International Organization for Migration, 2005).

The Philippines’ Labour Code introduced reforms and innovations in terms of labor administration with the aim of enhancing the protection and rights of Filipino workers. It corrected the inadequacy of existing laws on private employment.

POEA is the country’s primary structure for regulating labor management and migration activities of private recruitment agencies. It creates and implements policies and programs for the systematic deployment of Filipino overseas workers. Some of the operational functions of the POEA include market development and pre-employment services, welfare assistance, licensing and regulation of private recruitment agencies and adjudication of disputes regarding violations on recruitment of workers (International Organization for Migration, 2005).

In terms of the trend, Peter Holmval (2006) was able to provide a very good narrative of Philippine Migration.

“The first recorded Filipino migration was in 1417, when a member of Sulu royalty, Paduka Batara, led a trade mission to China. In the 18th Century, when the Philippines was a Spanish colony, many Filipino seafarers in the Manila-Acapulco Galleon Trade jumped ship. Some settled in Mexico, others found their way to the Louisiana bayous. Our first brush with systematic migration, however, was in 1906, when we started sending sugar cane cutters to Hawaii. By then the Philippines had reverted to the United States after more than 300 years of Spanish rule. To satisfy nationalistic longings of Filipinos, the North American colossus consented to establish a Commonwealth run by the native elite, and that required training in government. Against this backdrop, a wave of scholars called *pensionados* left to attend American colleges and universities (Ang, n.d.).”

“The Philippines have a long history of both international and internal migration. A large apportionment of the international migration has departed to the USA, where 2.7 million out of the 8 million overseas Filipinos were estimated to live, in 2004 (POEA, 2006). The USA was the colonial power of the Philippines from year 1899 until the Philippines’ independence in 1946. The USA’s immigration rules were, during the colonial period, less strict for Filipinos than other Asian citizens and Philippines’ international migration were mostly toward the USA. Students and unskilled laborers were the most common occupations of Filipinos travelling to the USA. Unskilled laborers temporarily moved to Hawaii and the West Coast for work in agriculture. Meanwhile students were spread around the country. USA’s immigration rules became stricter during the 1930s and prevented immigration until after The Second World War. (Liu et al, 1991, p.490-492) The USA allowed old migrants to naturalize to U.S. nationality (around 100 000 were Filipinos) after the Second World War, and at the same time opened up for immigration of US citizens’ spouses and those involved in high-skilled labor. 33 000 migrated to the USA between 1946 -1965, and this group were spouses to US citizens and high-skilled labor. The immigration policies between 1965 and 1985 allowed for larger reunification of families (parents and children were first priority), and the largest part of migrants from the Philippines to the USA were relatives of those who had already migrated. (Liu et al, 1991, p.492; Holmvall, 2006, p.22-23)”

In his narrative, we can see that migration for Filipinos can already be seen as early as its colonial period since immigration rules were less strict, thus there is a steady entrance and exit of migrants.

But with regard to Filipino workers abroad, the first to leave the country are labor migrants. Male went first to the Middle East to work on construction sites and the women as domestic workers for families that had become oil rich and wanted help at home (IOM International Organization for Migration, 2005). Majority of the labor surplus in our country are low-skilled workers thus whenever they move to another country, they are prone to abuse and exploitation (IOM International Organization for Migration, 2005).

In the 1980s there has been an increase in the number of women and men migrants going to the following countries: Japan, South Korea, Pakistan, Bangladesh, and Korea. Women mostly work as dancers, waitresses and hostesses and men in factories as construction workers.

From the trends, we can see that during the 1970s to 1980s, Middle East was the major destination for Filipino migrants. However by the 1990s it shifted to Asian countries. By the start of the new millennium, the destination countries of Filipino migrants became diverse and the common occupation of overseas Filipino

workers are as follows: professional, technical, and related occupations, choreographers and dancers, composers, musicians, and singers, professional nurses, service workers and domestic helpers.

I. Migration Management in the Philippines

As stated in the previous discussion, POEA (Philippine Overseas Employment Administration) is the agency that handles the country's overseas employment. POEA was created through Presidential Decree No. 797 in 1982 to promote and develop the overseas employment program and protect the rights of migrant workers. The POEA shall be with the following agencies in pursuant to Article IV, Section 23 of RA 8042: Department of Foreign Affairs (DFA), Department of Labor and Employment (DOLE), Overseas Workers Welfare Administration (OWWA) (IOM International Organization for Migration, 2005).

“For the Philippines, as a labor-sending country, migration management has always been grounded on the goal to make labor migration work for the benefit of the migrant workers, their families and the society as a whole. Today, this goal has become more imperative particularly because migration for work has proven to have substantial implications on growth and development in the country. Today, Overseas Filipino Workers (OFWs) are regarded as active development agents (Baldoz, 2008).” From this statement, we can see how important it is to look at migration management. As of today, the Philippine state is pursuing its constitutional mandate to afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all (Baldoz, 2008).

In addition, the Philippine government is also committed to maximize the benefits and minimize the costs of overseas employment through mechanisms for the orderly and systematic facilitation and documentation of workers, their employers and agents, and provision of adequate protection to address abuses and exploitation before, during, and after employment (Baldoz, 2008). All of these are embodied in the Labor Code of the Philippines (1975), the Migrant Workers and Overseas Filipinos Act of 1995 or RA 8042 and various laws about migration management. The Philippine government is also dedicated to address recruitment malpractices through anti-illegal recruitment and anti-trafficking measures, both preventive and remedial (Baldoz, 2008) as embodied in the legislations regarding migrant workers.

One of the most notable programs implemented by the government is the Reform Package for protection and promotion of the welfare of Household Service Workers which was cited in the Report on Anti-trafficking by the U.S. State Department as effective preventive measure to address the exploitative and abusive practices against women migrant workers (Baldoz, 2008). On the other hand, with regard to problems regarding labor supply to receiving countries, the government is addressing the issue through a policy of joint cooperation on human resource development and reintegration in our bilateral negotiations with emerging markets

focusing on education and training and other human resource development initiatives (Baldoz, 2008).

II. Problems and What the Government should do?

Migrant Filipinos undeniably experience problems upon their entry in the receiving country. We will now look into the nature of those problems and determine what the government should do to address them.

The problems that most migrants encounter are the following: discrimination, access to employment, unequal treatment and remuneration, freedom of association and right to organize, right to social security provision, right to family reunification, and abuse from their employers. Other problems include the illegal migrants which also causes discrimination.

Discrimination is the major problem that most migrants face. From this problem, other problems arise. For example, a migrant's access to employment is hindered by his migrant status. Some migrants say that even though they qualify and even surpass the qualification of other applicants, they would not be given the position if the employer "learns of their status as migrant workers. A concrete example would come from Asia:

"In Asia there is hardly any freedom and flexibility to choose one's employment. This is because virtually no country has accepted the principle that foreign workers should be guaranteed free access to employment after a certain temporary period of restriction. Domestic workers in Hong Kong, for instance, are given only two weeks – obviously a short period – to find another employer in case of a job loss (IOM International Organization for Migration, 2005)"

From here we can see how discrimination creates more problems for migrants who would want to be able to work.

Another problem is the unequal treatment with respect to remuneration. This should not be practiced because the principle of non-discriminatory treatment is recognized in most labor-receiving countries (IOM International Organization for Migration, 2005). A clear example is in Korea. Foreign workers generally receive wages that are about 40% lower than what are being paid to the same jobs, and trainees are paid about 35 percent lower of the average wage (IOM International Organization for Migration, 2005). We can see that despite all of the prohibitions and laws stating that there should be equal treatment, discrimination in wages still exists in many countries.

Migrants also experience the problem with regard to freedom of association and the right to organize. As stated by the International Labor Organization (1998) these two are fundamental human rights and thus should be

recognized. According to a study of IOM (2005) ““some countries, such as Thailand, make citizenship a precondition for establishing trade unions.” This example clearly shows that migrants are being deprived of their fundamental human rights because they are not citizens. Aside from these, the right to social security provision is not given to migrants. This can be seen in the Middle East where foreign workers are excluded from enjoying the benefits of a social security schemes.

A problem regarding family reunification is also encountered by migrant workers. This is usually experienced by domestic helpers whose bosses tend to abuse and threaten them that if they return home, they would not have any work to return to or they may be killed if they try to leave. From this problem, issue on women rights violation arises - that is when the employer abuses their employees, usually women. Usually, these women are raped by their employers. Another problem in our migration is the continuous increase in the illegal migrants which makes them prone to abuse of their employers. A narrative showed that once the employer knew that the worker is an illegal migrant then discrimination would take place. The problem of families being apart from one another should also be taken into consideration.

After seeing these problems, the question now is, what should the government do in order to address them?

The government has established a four-pronged strategy of regulation, protection, reintegration, and support to families. “**Regulation** involves a number of official interventions to facilitate not only the orderly outflow but also the return of the OFW. It balances workers’ freedom of movement with the constitutional duty to restrain mobility when national interest and workers’ welfare are at stake. The interventions include a licensing system for recruitment agents, accreditation system for employers and their agents, standards for recruitment fees, wages and working conditions, recruitment offenses and penalties, repatriation of workers, standard employment contracts and facilitation assistance of returning workers once the contract expires (Baldoz, 2008).” Regulation also covers issues such as gender-sensitive measure that assure a decent work and equal opportunity for women OFW. Regulations also seek to maintain a good supply of manpower for both local and overseas markets. For instance, a six-month notice instead of one month is required prior to the deployment of skills or professions which are considered critical in supply such as airline pilots and mechanics (Baldoz, 2008).

The second strategy is **Protection** that is afforded in all stages of the migration process. The protection strategy works as follows:” At pre-deployment stage, workers undergo mandatory country-specific pre-employment and pre-departure orientations as part of the “full disclosure” policy to inform workers of labor markets situations and realities, based on the premise that in a free and open society, information is the best weapon for protecting workers and promoting legal migration (Baldoz, 2008).” Also this protection strategy also involves the presence of a Philippine Labor Office (POLO) consisting of Labor attaches, welfare officers, doctors and social workers, and Filipino Workers’ Resource Centers established to

serve as half-way houses in embassies and consulates particularly in countries with big number of OFWs especially those dominated by Filipino women workers.

Third strategy is the **Reintegration** which involves preparing the OFWs to become productive contributors to the domestic economy, either through employment or entrepreneurship, after they have decided to stay permanently in their country. After the migrants' return, they may avail of a reintegration package consisting of loans, counseling, training and retraining, and scholarships, responsive to the personal, economic and community reintegration needs of the returning workers (Baldoz, 2008). The promise of reintegration is something that is looked up to by the migrant workers since most of them would want to have a stable and good life in their country of origin after a few years of working hard abroad.

Support for family is the fourth strategy that refers to assistance in ensuring the well-being of the OFW family as well as building their entrepreneurial capacity consistent with the ideal that eventually the OFWs and their families will no longer prefer overseas work as the only source of incomes. Programs in this area comprise a whole range of interventions that seek to keep family ties stronger despite the distance and build capacities for sustained livelihood (Baldoz, 2008).

The government can also engage in bilateral and/or regional arrangements with the receiving countries because such move will significantly help in addressing major problems of discrimination. The government through the bilateral ties can also enforce strict observance of the rights that migrants should have so as to ensure that migrants be treated equally abroad.

These strategies should be taken into consideration by government for this will surely help address the problems with regard to migration.

- Development from Migration

The prospect of migration being a tool for development remains. Many studies have shown, that migration can provide certain benefits such as: job opportunities to workers which are not available in the home country, regulation in the supply of excess labor in the domestic market and reduction in unemployment, inflow of remittances increase income and may lead to improved human development outcomes for recipients) and foreign exchange, technology, investments and venture capital from diasporas, can contribute to increased trade flows between sending and receiving countries, stimulus to investment in domestic education and individual human capital investments, return of skilled workers may increase local human capital, transfer of skills and links to foreign networks, charitable activities of Diasporas can assist in relief and local community development (Sriskandarajah, 2005).

However these benefits do not assure that it will lead to development, because there are also negative impacts of migration which are: loss of highly skilled workers and reduced quality of essential services, reduced growth and productivity because of the lower stock of highly skilled workers and its externalities, lower return from public investments in public education, selective

migration may cause increasing disparities in incomes in the home country, loss of fiscal revenue from taxation of workers, remittances may diminish over time,

Table 4:1 the Philippines: Channel of transmission (percentage), 1992-2000

<i>Channel</i>	<i>1992-1996</i>	<i>1997-2000</i>
Bank	40	43
Agency/Local office	3	2
Friends/Co-worker	4	1
Door-to-door	17	15
Others (specify)	2	1
Brought home by migrant	34	39

Source: Freund and Spatafora, 2005, p.41 and my own calculations, rounding up single units between 1997 and 2000 make the total percentage not equal to 100.

Inflationary potential of remittances, especially on real estate, in some areas, and

‘culture’ of migration, disincentives to invest locally (Sriskandarajah, 2005). These negative effects and/or impacts of migration will lead us to doubt the statement that migration does lead to development.

In the Philippine context, migration does bring in certain benefits not only to families but also to our economy. This is primarily due to the remittances from our OFWs (Overseas Filipino Workers). Based on the IMF (International Monetary Fund) standards which are being followed by the BSP (Bangko Sentral ng Pilipinas), remittances are composed of the following: “(i) workers’ remittances or transfers in cash or in kind from migrants to resident households in the country of origin; (ii) compensation to employees or the wages, salaries and other remuneration, in cash or in kind, paid to individuals who work in a country other than where they legally reside; (iii) migrant transfers which refer to capital transfers of financial assets made by migrants as they move from one country to another and stay for more than one year (Holmvall, 2006).”

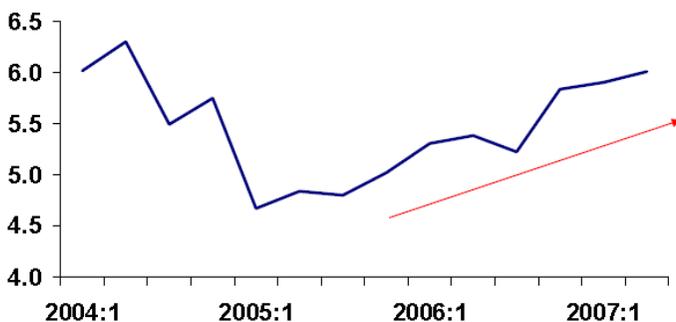
These remittances can come in through different channels. It is also through these channels that remittances create an impact on the economy. Remittances that are transferred through formal channels are preferred by the state over the informal ones due to ease in monitoring. If the state can monitor these remittances properly, then it can work to their advantage. As stated in the earlier part of this paragraph, the formal and informal channels are the two categories of how remittances enter the country. The formal channels are banks or non-bank money transfer agencies which are registered or regulated by authorities to engage in money transfers and informal channels are unregulated transfers (Holmvall, 2006). The informal channels, on the other hand, are advantageous as it is anonymous, swift and has low transaction cost compared with formal channels. Negative consequences of informal channels include the possibility of use for money laundering activities since the government cannot regulate nor monitor the

transactions. However, there is no proof that will indicate that criminal organizations prefer the use of such channels (Holmvall, 2006).

From this table we can see the percentage of how remittances enter the country. The important things to look into now are the effects of these remittances to the Philippines. According to Holmvall (2006), it is clear that there is a large inflow of remittances and this must have short term and long term effects on the economy. Remittances in the Philippines have generated higher earnings for families with overseas workers than for families whose full incomes are from domestic earnings (Holmvall, 2006). From ADB Remittances it stands for about 80 percent of the household income for receiving households in the Philippines and about 55 percent of the households have other incomes other than remittances (ADB, 2004).

For household in the Philippines, remittances are spent mostly on food consumption at home, education, utilities and other households operations, personal care, communications and transportation. This shows that remittances for Filipino families are important because they give them help in terms of providing for the things they need and things that will help them survive. Another important thing that remittances bring in is that it increases consumption of Filipino families which means they help the economy through their spending. This can be seen from the table on personal consumption of Filipinos.

Growth of Personal Consumption Expenditure, 2004 - 2007



Aside from this, another effect of increasing remittances would be in terms of human capital investment such as education and health care. This can be seen in the increasing expenditures of family in terms of education and health care. According to some statistics, family expenditures for education in 2000 increased by 44.0 percent compared to 1997 education expenditures. Another data to prove this can be seen from a study on families with members working abroad which states that: “Based on household index, we have empirically verified that families receiving external remittances, have higher levels of income, and have higher levels of education expenditures compared with households without external remittance

income.” (Tullao, Jr. & Rivera, 2008). As for health care, data on medical care in 2000 was reported at P34.6 billion showing an increase of P4.2 billion or 13.7 percent higher than the 1997 figure of P 30.4 billion.

Remittances also have an impact on the poverty level in the Philippines. “Regarding international migration and poverty in developing countries show that international migration (defined as the share of a country’s population living abroad) exerts a strong negative effect on poverty. Overall, a 10% rise in the share of international migrants in a country’s population is associated with a 1.9% decline in the proportion of the population living below a US dollar-a-day poverty line. They also find that the level of international remittances (defined as the share of remittances in a country’s GDP) is significantly associated with poverty reduction. On average, a 10% increase in the share of remittances in a country’s GDP is associated with a 1.6% drop in poverty incidence (Pernia, 2008)”

But in the Philippines, it is not always a good thing when we think of the remittances and money that our OFWs give us, because the the flight of Filipinos from the Philippines to work and earn money abroad have psychological effects on the individuals and their families as well. An example can be seen in the UNICEF-UNDP Survey which shows that the father’s absence was associated with the child’s behavioural problems: such that 61% of children left behind suffered from psychological problems due to the feeling of abandonment. In the Philippines, it is estimated that between 8.8 and 9 million children, or around 27% of all minors in the country, live separately from one or both parents (Kakammpi, in Parrenas, 2005). Juvenile delinquency problems also arise from the migration of families, as proven by UNICEF’s research indicating that the increase of the juvenile crime rate between 1993 and 2000 is positively correlated to the rise in the number of children who were left behind by their OFW parents, who accounting for nearly 60% of the offenders.

These things will make us think that development is achieved given the positive things that migration provides a third world country like the Philippines. It is well and good that through migration of some Filipinos as overseas workers the cash remittances they bring in the country have a lot of positive effects on our economy and the financial standing of their family. However, the negative effects of migration are often overlooked. Therefore, the question “Does migration bring in development given the negative things it brings with it?” remains.

III. CONCLUSION

All in all, we have seen the different problems of migration and what can be done in order to solve such problems. We have also seen the different impacts of migration both positive and negative. Now, we are left with this question: does migration lead to development? If I am to answer this, I think migration do lead to

development. These negative things are there simply because of the government's inefficiency in doing its proper task given that our citizens leave to earn money abroad.

On the other hand, we could also say that it is not only the task of the government to protect our migrant workers but it is also the task of our migrants to know and understand their rights so as to make sure that they are not easily violated or disregarded.

Lastly, after seeing all of the things that migration can provide not only for the individual Filipino but also for the government, what remains still is how do we usher the age where in development will not be disrupted and will simply continue to move forward allowing the country to reach its highest potential. The saying that goes "development is not something that is done overnight" holds true with the management of migration as it would entail a deep and integrative process that would all boil down to how we can this concept penetrate our way of life.

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