



Republika ng Pilipinas

Komisyon ng Karapatang Pantao ng Pilipinas

(Commission on Human Rights of the Philippines)

**RESOLUTION
CHR (IV) A2009-053-B**

WHEREAS, the Commission on Human Rights (CHR) has forged a project with the European Commission (EC), entitled, “*Enhancing the Role of National Human Rights Institutions (NHRIs) in the Development of an ASEAN Human Rights Mechanism*”;

WHEREAS, one of the activities identified under the said project is the “**Migrant Workers’ Human Rights Project**”, which covers the four (4) countries of the ASEAN NHRI Forum;

WHEREAS, the objectives of the Migrant Workers’ Human Rights Project, as provided under the Terms of Reference (TOR) for the Philippine component, are as follows:

1. To undertake a study on the situation of Migrant Workers *vis-à-vis* the Philippines as a sending and receiving country;
2. The study shall focus on the role of the Philippine government in the promotion and protection of the rights of migrant workers and their families (both Overseas Filipino Workers [OFWs] and migrant workers in the country); and
3. The study aims to develop a set of policy recommendations that is envisaged to be submitted to the ASEAN Committee on the implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers and discuss the elaboration of an ASEAN instrument on the Rights of Migrant Workers.

Likewise, the following action plan is prescribed for NHRIs to perform:

1. Establish a relationship with the government focal point appointed to the ASEAN Committee and constructively engage in the ASEAN process for the promotion and protection of Migrant Workers in ASEAN on the implementation of the ASEAN Declaration; and

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2. Preparation for the hosting of a regional meeting in **January 2010** in Kuala Lumpur for the ANF members to discuss and submit a joint position for consideration of the ASEAN AMM through the ASEAN Committee on the Rights of Migrant Workers.

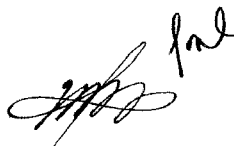
WHEREAS, as a member of the ASEAN NHRI Forum that implements the activities under the EC Project, the Commission sent letter-invitations to three (3) migrant workers organizations for them to submit proposals regarding the said project: Migrant Forum in Asia, Center for Migrant Advocacy, and Migrante International;

WHEREAS, among the three (3) organizations, only two (2) have responded and submitted their respective letter of intent: Center for Migrant Advocacy and Migrante International;

WHEREAS, Migrante International, an alliance of organizations of overseas Filipinos and their families with more than one hundred (100) member organizations in twenty two (22) countries, commits that it will utilize its in-house research expertise and accumulated documentation of their member-organizations, and will coordinate closely with other research institutions, should it be awarded the Migrant Workers' Project. Further, it will use a combination of desk research, key informant interviews and workshops/consultations especially with their regional networks in the country;

Migrante International, had in fact, submitted its proposed general outline, as follows:

1. Basic demographic of the Philippines as a major migrant worker sending country (noting current methodological constraints of the Philippine statistical system regarding OFWs)
 - Profile by: profession/skill, male/female, land/seabased, documented/undocumented, receiving country and province/region of original residence (e.g. migration maps)
2. Economic development significance of migrant workers:
 - General overview of Philippine economy and recent trends: sectors, employment, poverty and incomes, foreign trade and investment, remittances; and
 - Migration costs and benefits at household and macroeconomic levels.



3. Impact of the global financial and economic crisis on migrant workers in general and on OFWs in particular
 - Vulnerabilities recent experience, prospects in period to come
4. Human rights situation of migrant workers:
 - Profile of violations domestically and abroad, and general responses; and
 - Problems and issues encountered by government in promoting and protecting the rights of migrant workers
5. Domestic framework and structures for migrant workers issues
 - Policies, legislation, government agencies, non-government organizations
6. The Philippines and OFWs in the international context: highlighting opportunities and constraints
 - Philippine human rights ratification record;
 - Relevant multilateral and bilateral agreements entered into including migrant worker-specific deals as well as, where appropriate, general economic deals; and
 - Relevant aspects of legal frameworks in receiving countries
7. Case studies of best practices in addressing the situation of migrant workers
8. Recommendations for submission to the ASEAN Committee on Migrant Workers:
 - Set of policy recommendations for ASEAN adoption for both sending and receiving countries to include the role of NHRIs where they exist; and
 - Model ASEAN Human Rights Instrument for Migrant Workers as envisaged in the ASEAN Declaration of the Rights of Migrant Workers

WHEREAS, Migrante International likewise commits itself to comply with the proposed project timeline for deliverables indicated in the Terms of

Reference;

WHEREAS, Migrante International agreed that they be acknowledged as researchers on the Migrant Workers' Human Rights Project, while the Commission shall maintain authorship, as indicated in the same Terms of Reference;


WHEREAS, Migrante International likewise agreed to comply with the other provisions indicated in the Terms of Reference, specifically on copyright and use of research;


NOW, THEREFORE, finding the proposal of Migrante International most satisfactory and in keeping with the essence and substance of the TOR, the Commission hereby **APPROVES** the proposal of the Migrante International and **AWARDS** the Migrant Workers' Human Rights Project to the said organization.

SO RESOLVED.

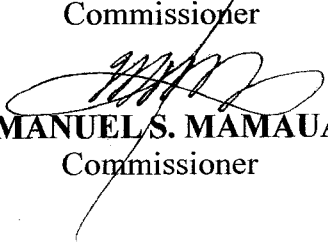
Done this 18th day of May 2009, at Quezon City, Philippines.


LEILA M. DE LIMA
Chairperson


CECILIA RACHEL V. QUISUMBING
Commissioner


MA. VICTORIA V. CARDONA
Commissioner

(ABSENT)
NORBERTO DELA CRUZ
Commissioner


JOSE MANUEL S. MAMAUAG
Commissioner

ATTESTED BY:


MARIA ASUNCION I. MARIANO-MARAVILLA
Commission Secretary