

## **IMPROVING GOVERNANCE IN MIGRATION: LESSONS FROM THE PHILIPPINE EXPERIENCE**

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It is my honor to talk about improving governance in migration, drawing lessons from the Philippine experience. International migration has become a permanent feature of the Philippine economy and of many countries. Governments are increasingly becoming aware of the link between migration and development—national, regional or global. They have begun to accept that international migration is a long-term phenomenon and is likely here to stay.

We are pleased that international organizations, civil-society groups and the academe have recognized the Philippines as a model in migration management. Indeed we have had a long, exciting and interesting experience in this field. And we are proud to share this experience with the developing world and the developed nations and to understand the dynamics of migration in the development process.

### **Overview of Philippine Migration History**

The history of Filipino migration is as colorful as our country's past. A 1417 trade mission to China headed by Sulu royalty Paduka Batara is the first recorded history of Filipino migration.<sup>1</sup> In 1763, during the Hispanic

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<sup>1</sup> Ang See (2006). From King to Peasant. The Saga of the Sultan of Sulu. The Manila Times.

period, Filipino seafarers who jumped ship in one of the trade galleons plying the Manila-Acapulco route settled in the bayous of Louisiana.<sup>2</sup> Our first experience with modern migration was the sending of agricultural labor to Hawaii in 1906, then a colony, like the Philippines, of the United States. During what we call the "first wave," Filipinos also arrived on the US mainland as government scholars or *pensionados*, a privilege granted by the US colonial government to the Philippine elite as it sought to establish a Commonwealth run by Filipinos. We also started sending fruit pickers to California and workers to Alaska.

The second wave of modern migration came after the Second World War, when Filipino war veterans who served in the U.S. military migrated to the United States, along with their dependents. Filipino war brides of U.S. servicemen enjoyed the same privilege. The 1960's saw unprecedented reforms in the immigration laws of Canada (1962), the United States (1965) and Australia (1966), reducing restrictions to Asian immigration. Filipino immigration to the US was facilitated by the immigration policy of the Lyndon Johnson administration that encouraged family reunification. Europe also introduced a guest worker program that helped Filipino professionals.

In the intervening period, the US 4-H agricultural program welcomed Filipino workers disguised as "trainees" while the US Navy recruited hundreds

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<sup>2</sup> Bautista (2002). *The Filipino Americans: Their History, Culture and Traditions*. 2<sup>nd</sup> edition

of Filipinos under the Philippines-US Base Military Agreement. US military bases in the Pacific Islands, including the Philippines, hired Filipinos.

The third wave came in the form of contract labor in the 1970s when the Philippines experienced severe unemployment, especially among the professionals. Unemployment rate by 1970 had risen to an annual average of 11.8%. Towards the end of the Marcos rule in 1985, unemployment reached 12.7%, the highest ever in Philippine history. From 1971 to 1975, average underemployment rate was 11.72% of the labor force.<sup>3</sup> The Middle East oil boom in the same period sparked an ambitious infrastructure-building program particularly in Saudi Arabia, that summoned the skills and muscles of Filipino construction and maintenance workers.

The third wave continues to this day with much of the human-resource flow moving to East and Southeast Asian countries like Japan, South Korea, Taiwan and Singapore, the new economic powerhouses. Occupational categories increasingly shifted from construction and engineering to domestic jobs, tourism, service occupations, health care (especially nursing), communications/information technology, and a host of other expertise.

### **Categories of migration flows**

As of December 2006, an estimated 8.23 million overseas Filipinos<sup>4</sup> were working in more than 190 countries in three categories: a)

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<sup>3</sup> 2003 Yearbook of Labor Statistics. Philippine Department of Labor and Employment.

<sup>4</sup> 2006 Stock Estimate of Overseas Filipinos. Commission on Filipinos Overseas

permanent residents or professional immigrants numbering about 3.5 million, found mostly in the United States, Canada, Australia, the United Kingdom and Germany; b) temporary migrants, commonly known as the overseas Filipino workers (OFWs), approximately 3.8 million, in Saudi Arabia, United Arab Emirates, Kuwait, Hong Kong, Japan, and, in recent years, Italy and Spain; and c) undocumented workers, estimated at more than 800,000, who work without official contracts. Undocumented migrants are often exploited and vulnerable to abuse, posing a continuing challenge to the Philippines and the governments of host countries.

### **The Philippine Overseas Employment Program**

To address the problem of unemployment and underemployment and to cope with the shocks of volatile oil prices, the Philippine government launched its first organized overseas employment program in the early 1970s. The Philippine Ministry of Labor wrote a national Labor Code in 1974, which established the Overseas Employment Development Board (OEDB) and the National Seamen's Board (NSB) to govern the recruitment, training and deployment of workers, conduct overseas labor market surveys, and regulate private-sector participation in the recruitment industry. We designed the overseas employment program as a temporary, stopgap measure to reduce unemployment and to address the country's balance of payments problem. President Ferdinand Marcos sought to increase national savings and investment levels and, in the long run, the transfer of skills and technology

among workers, considered essential for the development of our industrial base.

In 1982, the OEDB and the NSB were reorganized into the Philippine Overseas Employment Administration (POEA) to regulate private-sector recruitment, establish work standards, conclude government-to-government agreements for the deployment of Filipino workers, and to adjudicate illegal recruitment cases and other labor disputes.

A key aspect is the concept of joint liability between the Filipino recruitment agency and its foreign principal in addressing worker concerns. This means that the local recruitment agency may be held liable for any breach of the work contract by the foreign employer. Filipinos who work under substandard conditions could sue their local recruitment agencies under Philippine laws. The Labor Code seeks the protection of workers even when they are not on Philippine soil.

The former Welfare Training Fund for Overseas Workers, created to train and maintain a pool of skilled Filipino workers, was also reorganized into the Overseas Workers Welfare Administration (OWWA). This office, utilizing a fixed migrant worker-employer contribution for each contract signed, provides migrant workers additional insurance benefits in the event of partial or permanent disability, or death. Through the years, OWWA has grown to provide members and their dependents, additional benefits, such

as education or retraining scholarships, microfinancing for livelihood projects, medical coverage and small-interest loans, among others.

The Philippines' transition to democratic rule in 1986 encouraged greater participation of the civil society in public policy making, including a greater role in global migration. The academe and nongovernment organizations began looking into the social costs of labor migration that included the breakup of families and the neglect of children. Earlier, it was uncommon for children of school age to have fathers who worked as construction workers in the Middle East or mothers who worked as household helpers in Southeast Asia. Beginning in the 1990s, during the Ramos presidency, the social and domestic problems related to labor migration became more visible and the subject of government action.

### **The Migrant Workers Act of 1995**

The much-publicized execution of Flor Contemplacion, a Filipino domestic helper in Singapore, drew public outcry and condemnation. By no means was Contemplacion the first overseas worker to be arrested, incarcerated and executed. Advances in media technology have magnified the harsh realities of migrant labor. At that time, overseas workers were remitting US\$3.5 billion dollars<sup>5</sup> to the country annually. President Aquino would later call them the country's "modern-day heroes" for helping strengthen the economy and boosting national growth.

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<sup>5</sup> Central Bank of the Philippines.

In 1995, amid calls for a more proactive government action, the Philippine Congress enacted the Migrant Workers and Other Overseas Filipinos Act, two years after the Philippines signed the UN Convention on Migrant Workers and Members of their Families.<sup>6</sup> The Migrant Workers Act improved governance in migration: it created an Office of the Undersecretary for Migrant Workers Affairs in the Department of Foreign Affairs to help provide onsite legal assistance to workers and to establish an assistance-to-nationals fund. The law adopted a “one-country team approach,” placing all labor and welfare attaché services under the supervision of the Head of Mission or the Ambassador.

Under the Act, the government developed a more vigorous policy for government interventions to ensure the safety and wellbeing of Filipino migrants from the time of recruitment, the pre-departure phase, onsite work to their return and reintegration to the mainstream at the end of their employment. The POEA was given the power to ban deployment in countries deemed unsafe because of poor peace and order. However, recruiters and workers found “creative” ways to circumvent the ban. Take the case of the US military in Iraq. While Philippine passports are stamped with the advisory, “not valid for travel to Iraq,” an estimated 6,647 Filipinos<sup>7</sup> are employed in the Baghdad military and civilian installations, partly by entering

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<sup>6</sup> The Philippines signed the 1990 convention on 15 November 1993 and ratified the Convention on 5 July 1995.

<sup>7</sup> Cimatu (September 2007). Report to Senate by the Special Envoy to the Middle East.

through a transit country, such as Jordan, Kuwait or the United Arab Emirates. The government has intensified programs to increase public awareness on the dangers of unauthorized migration. Workers also receive predeparture briefings to orient them about the host countries' laws, customs and practices.

On-site assistance is another key feature of Philippine migration policy. Apart from the Philippine embassies and consulates that protect Filipino nationals, some 27 Philippine Overseas Labor Offices staffed by labor attachés and welfare officers support the Philippine Foreign Service through legal and social services. Contingency planning is embedded in the program, identifying resources, coordination centers and exit strategies in the event of a catastrophe or a civil disturbance. The OWWA is capable of supporting a large-scale repatriation of Filipino workers in the Middle East. In the past, the Philippine government has closely coordinated with the International Organization for Migration and other world relief agencies for the evacuation of OFWs, such as those trapped in the previous Gulf wars and the Lebanon crisis in 2006.

The government has established a National Reintegration Center under the Department of Labor to deliver on-site service and, on the workers' return, to help them learn new skills, or join cooperatives and increase savings, get retraining or skills upgrading, develop and launch a business, receive counseling, and technical assistance that includes credit and

microfinance. With the boom in tourism and business process outsourcing, returning migrant workers are retrained to employ them in these markets.

### **Other legislations affecting overseas Filipinos**

In 2003, President Gloria Macapagal Arroyo signed three important bills into law to increase protection of Filipino migrants against abuse and to restore their political and economic rights. The Anti-Trafficking in Persons Act—in compliance with the Philippines' ratification of the United Nations Convention on Transnational Organized Crime--was enacted, increasing legal remedies against exploitation, such as contract substitution, forced labor, debt bondage, and sexual exploitation, among others.

The Overseas Absentee Voting Act restored the right of overseas Filipinos to vote in national elections in absentia, increasing their stake in the country's political life. The Citizenship Retention and Reacquisition Act enabled former Filipino citizens naturalized abroad to reacquire their Filipino citizenship, invest and establish a business on a level-playing field, and transfer their expertise to their homeland.

### **The Commission on Filipinos Overseas**

While labor migration dominates much of the discourse on Philippine international migration, the picture would not be complete without citing the permanent migrants who make up nearly half of the Philippine diaspora. Nearly 70% or 2.4 million of Filipino overseas permanent residents are found

in the United States, the second largest Asian minority in the US. To a large extent, migration to the US may be attributed to Washington's policy of family reunification that encourages principal immigrants to petition family members to join them in America. Canada, Australia, New Zealand, the United Kingdom and Germany boast migration policies that favor family reunification. Surprisingly, despite the large number of permanent residents overseas, about 55% of remittances<sup>8</sup> to the Philippines originate from the United States.

While the POEA and OWWA focus on temporary or contractual migrants, the Commission on Filipinos Overseas (CFO), which I chair, targets its resources on permanent residents and their families, including Filipinos who depart as spouses or spouses of foreign nationals. We focus on strengthening the political, economic and cultural ties of overseas Filipinos with the homeland and to harness their potential for national development. The Commission also provides advice to the President and the Congress of the Philippines in the development of policies for Filipinos overseas. Much of the recent policies expanding their political and economic rights were incubated in the Commission.

I believe host countries should come to terms with their responsibility to help labor-sending states mitigate the negative consequences of

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<sup>8</sup> Average amount of remittances from 2003 to 2007 coming from the United States as a proportion of the world total remitted by migrants to the Philippines.

migration. Before I get to that, allow me to give an overview of what the future portends for Philippine migration.

### **Future policy directions for governance in migration**

In the beginning, the Filipino overseas labor force was dominated by men. The feminization of migration came about in the 1980s well into the 1990s as more women in Hong Kong, Singapore and other major economies entered the workforce and needed the services of foreign household workers for housekeeping and child-rearing. In Japan, the demand for female entertainers during the mid '80s also changed the gender dynamics of overseas work. Both occupations were susceptible to abuse.

In a 2001 survey by the Asian Migrant Centre for foreign domestic workers in Hong Kong, 22% of Filipino domestic workers reported experiencing abuse, the most common being verbal. The figures were higher for Indonesians and Thais.<sup>9</sup> The Human Rights Watch organization reported even more disturbing cases of abuse in the Middle East. Early this year, the Philippine government banned the deployment of domestic workers to Jordan, citing escalating abuse on women workers.

### **Upgrading human resource development and training**

Believing that the possession of skills is one of the best protections against abuse, the POEA adopted a certification system for household

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<sup>9</sup> Asato (2004). Negotiating Spaces in the Labor Market: Foreign and Local Domestic Workers in Hong Kong. Asian and Pacific Migration Journal, Vol. 13, No. 2, 2004.

workers last year to upgrade their skills and to enable them to enter more desirable labor markets such those in Spain and Italy. The Philippines is also the first in Asia to set a minimum wage standard for househelpers to improve their pay and to minimize exploitation. We could close the market for domestic workers altogether but this could result in unauthorized migration. We prefer a mobile, more highly skilled Filipino workforce in high-value services. This is not a purely outward-looking strategy. Quite the opposite, I believe developing a highly skilled workforce contributes to the creation of an industrial base that would attract foreign direct investment.

### **Using remittances to build migrant entrepreneurship**

A study conducted by the Asian Development Bank in 2004 on overseas remittances noted that the dollars were used mostly for excessive consumption rather than for increasing the productive capacity of the labor-exporting country. The study recommended that more should be done to educate overseas Filipino workers and their dependents on savings and on the productive use of remittances. Moreover, the study also stated that:

“The compensatory nature of remittances presents a moral hazard or dependency syndrome that will likely impede economic growth as recipients would tend to reduce their participation in productive endeavors.”

The challenge for the Philippines in this case is two-fold: first, to provide a business climate conducive for micro-finance and small business startups; and, second, to encourage OFW families and dependents to increase their rate of savings. Our Department of Trade and Industry and the Philippine International Trading Corporation have initiated a desk to assist migrant workers establish small to medium-scale enterprises. Much of the growth in the franchising industry in recent years may be attributed to this policy. The OWWA currently offers low-interest loans to formal OFW family circles to start community grocery stores, among others, for additional income. To sustain these initiatives, we should reduce the business risks for new entrepreneurs, continue financial literacy programs and provide incentives to new business ideas.

### **Encouraging return migration**

It is widely acknowledged that migration tends to produce “counter flows” of returning migrants. Though we have a rich body of work on the Philippine diaspora, a study on return migration remains a neglected chapter in this saga. It is estimated that more than 3,000 Filipinos leave the country everyday. On the other hand, though not accurately recorded, many migrants return after finishing their contract and spending a number of years overseas. This is usually the case for Filipino workers in Middle Eastern countries where permanent stay is discouraged, if not prohibited, altogether.

The enactment of the Migrant Workers and Overseas Filipinos Act provided the administrative machinery to address reverse migration. The law established a Replacement and Monitoring Center in the Department of Labor to hasten the reintegration of migrant workers into Philippine society, to facilitate return to work and to tap their skills for nation building.

In 2007, reintegration efforts were given greater boost with the establishment of the National Reintegration Center (NRC) for OFWs. A one-stop shop and networking hub of reintegration services for OFWs, the Center assists OFWs join the mainstream of jobs and business, taking advantage of their experience and talent. Services for the returning migrants include helping with local or overseas job search; assistance for self-employment or entrepreneurship; counseling and psychosocial services. The NRC also encourages returning workers to share their expertise and investible funds with the community. The NRC has established a full-service package for OFWs, from departure until their return and reintegration to the mainstream.

The government is also actively promoting a retirement program for foreigners and former Filipinos to increase foreign investments into the country. We have the potential to serve the world's graying population because of our facilities and manpower. President Macapagal-Arroyo has ordered the Philippine Retirement Authority (PRA) to develop and promote the Philippines as a retirement haven. Created in 1985, the PRA is mandated

to attract foreign nationals and former Filipino citizens to invest, reside and retire in the Philippines. The PRA said 2,620 principal retirees and dependents enrolled in its retirement program in 2007. This is expected to generate 10,480 jobs.

Parallel to these efforts are programs to use our skilled health professionals to help boost medical tourism. Medical costs in the Philippines are competitive with their foreign counterparts. For example, a heart valve operation costs about US\$48,000 in the United States<sup>10</sup>, while the same procedure could be had in internationally accredited Philippine hospitals for only US\$10,200<sup>11</sup>, about 20% of the cost in the U.S. On the quality of healthcare and the competence of health workers, two private hospitals in metro Manila are accredited by the Joint Commission on the Accreditation of Healthcare Organizations (JCAHO), an independent, nonprofit organization that accredits and certifies more than 15,000 healthcare organizations and programs in the United States. It is also known that the Philippines is the major source of registered nurses worldwide and that Filipinos constitute the second-largest source of foreign-born physicians in the United States, second only to India.<sup>12</sup> More private hospitals are acquiring international accreditation to attract patients from developed countries.

### **Harnessing diaspora philanthropy**

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<sup>10</sup> Agency for Healthcare Research and Quality (2000)

<sup>11</sup> Medical care rates of the Medical City Hospital in the Philippines (2005)

<sup>12</sup> Center for Immigration Studies (1998)

Remittances remain to be the most obvious benefit of international migration. Over the past five years, remittances coursed through formal banking channels accounted for about 9.4% of the country's Gross National Product. The 2004 ADB study on remittances, however, claim that this figure is underreported since informal and traditional remittance practice reduces the actual sum that workers send their families. In addition, current remittance figures do not account for the value of in-kind remittances that migrant workers also bring home.

We have discovered at the Commission on Filipinos Overseas that the migration of Filipinos has produced a greater value more profound than money remittances. The Filipinos also brought their communitarian culture to their country, as Filipino organizations and communities, alumni associations, professional groups, and the like, have multiplied overseas. More than 4,000 Filipino associations overseas, most of whom have retained their roots, support development initiatives such as improvement of community schools, churches, towns and cities. For lack of a better term, the academe and nongovernment organizations refer to this phenomenon as ***diaspora philanthropy***, under which migrant associations organize themselves to bring modernization to the home country.

The CFO's Lingkod sa Kapwa Pilipino (LINKAPIL) or Link for Philippine Development Program was established in 1989 to manage the influx of donations for communities ravaged by the eruption of Mt. Pinatubo and the

disastrous earthquake that rocked Central Luzon in the early 1990s. The program has become a testament to a strong and deep partnership between Filipinos overseas and their country. For almost two decades, the CFO has served as a conduit for more than P2 billion worth of donations<sup>13</sup> to poor and underserved communities. Apart from providing immediate relief to communities affected by natural disasters, the program has provided a channel for migrant associations to create small businesses, rebuild schools, grant scholarships, augment public healthcare institutions and run feeding centers for undernourished children.

Private organizations and foundations are beginning to recognize the importance of these resource transfers; a growing number of migrant initiatives and partnerships are being undertaken without government oversight or assistance. We encourage these transfers. The President has instituted a system of reward since 1991 to recognize outstanding achievements by Filipinos overseas that have benefited a sector, a community or a program that has national impact.

The LINKAPIL program identifies itself with the United Nations Millennium Development Goals in line with the President's agenda to eradicate poverty and hunger, achieve universal primary education, empower women and attain gender equality, and reduce communicable diseases, such as malaria, tuberculosis and HIV.

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<sup>13</sup> About US\$48.7 million at prevailing exchange rate (\$1=P41)

### **Lessons from the Philippine experience**

From a labor-sending country's perspective, let me summarize some of our experience and insights which labor-exporting economies should consider in crafting their migration agenda:

- 1) ***The provision of safeguards for migrant protection is the cornerstone of a labor export policy.*** The protection extended to local labor should also be available to migrant workers. Setting minimum labor standards—wages, working hours, health and safety—is essential. Compliance with international agreements is highly advised. Bilateral labor agreements between the home country and host country helps clear the air, so to speak, and commits them to basic rules and conditions on the duties and responsibilities of workers and employers.
- 2) ***A good labor export policy is founded on a sound human resources development (HRD) strategy and a responsive education policy.*** Migrant workers can effectively compete in the global market if they have the skills demanded by the host countries. A sound HRD strategy ensures that education and training institutions are equipped to produce quality workforce. A key point: the outflow should be managed in a way that the sending

country is not deprived of critical human resources needed for long-term development. A system of retention that rewards "labor patriotism" should be considered. Strengthen the reintegration program to encourage prompt return to the homeland. Volunteerism should help encourage fresh graduates to perform pro bono services in the hinterlands. The investment on the education and training of professionals should return in the form of technology and skills transfer.

- 3) ***A labor export policy should not be used as a substitute for long-term growth.*** Remittances, while providing needed foreign currency, cannot replace trade and agricultural/industrial expansion as a driver of development. Economists agree that while remittances can increase household incomes, they also contribute to inflation and wider income disparity. For this reason, the Philippine growth strategy considers overseas employment as a temporary program as it strives to develop competitiveness in high-end services and a wider industrial base. It is robust trade and industries that offer higher wages to workers. The long-term goal is for the economy to grow at a sustained pace to produce well-paying jobs to every Filipino who needs them. We are working on a future

where overseas jobs become a matter of choice, rather than a matter of force.

- 4) ***International migration, if left unmanaged, incurs grave social costs.*** The employment of fathers, mothers and adults in foreign countries has meant separation for families and isolation of children from one or two parents. Distance, separation and loneliness—according to findings—have resulted in extramarital affairs, neglect of spouses and children. In some families, the older daughters become not only surrogate mothers but also substitute wives—the scourge of incest. Homesickness and loneliness has driven women to suicide or attempts at self-destruction. Foreign culture and strange customs could hurt mental health. The threat of rape and sexual harassment is palpable in many Middle Eastern homes. As a country grows in outmigration, the government must provide a humane policy and environment to address the social costs of migration.

### **The challenge for receiving countries**

A study by the United Nations Population Division showed that populations of more developed countries are projected to become smaller and older as a result of below-replacement fertility and increased longevity.<sup>14</sup>

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<sup>14</sup> Below replacement fertility level indicates that the resident population does not produce enough people to replace those who are no longer part of the workforce (age 65 and older) including that which is lost due to mortality.

The study concluded that in the absence of migration, declines in population size will be greater and ageing would be more rapid. Few believe that fertility will recover sufficiently in the foreseeable future, making population decline inevitable in the absence of replacement migration. Sounding apocalyptic, the study also assumed that projected population decline and population ageing would have “profound and far-reaching consequences, forcing Governments to reassess many established economic, social and political policies and programs, including those relating to international migration.”

The truth be told, most developed countries have ambiguous if not negative perceptions about international migration, when there is very little empirical evidence to suggest that migration, legal or not, causes an undue burden on the host countries’ social services. On the contrary, studies have shown that migrants often occupy jobs that resident nationals shun, such as sanitation, household work, factory work, farm and health services.<sup>15</sup> These are jobs that are clearly essential to public health and safety and to maintaining standards of civility. Of course, the September 11 terrorist attacks on the United States did stir xenophobia, discrimination and paranoia, which cast immigration in a sinister light.

Perhaps the best evidence that labor-exporting countries have failed to enjoy migrant rights from the host nations is the failure to ratify the 1990 International Convention on the Protection of the Rights of All Migrant

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<sup>15</sup> Garson (1999). Where do illegal migrants work? The OECD Observer.

Workers and Members of their Families. As of May 2007, no major migrant receiving country has ratified the convention. Despite having entered into force in July 2003, the convention lacks support from major receiving countries. The same hesitation seems to pervade negotiations under Mode 4 of the General Agreement in Trade-in Services (GATS)<sup>16</sup>, as it remains to be at the tail end of the agenda for liberalization, perhaps because of political sensitivities attendant to the issue.

Labor-receiving countries should realize that problems cannot be addressed by labor-sending nations alone. Stricter border controls and tighter entry rules do not solve illegal migration, they only perpetuate an underground economy for smugglers and traffickers to exploit economic migrants, as shown by the United States' experience with Mexico. It is in the interests of sending and receiving countries to keep migration orderly and managed. Bilateral and international cooperation remains essential.

In October 2008, the Philippines will host the 2<sup>nd</sup> Global Forum on Migration and Development on the theme, "Protecting and Empowering Migrants for Development." The forum shall have three roundtable discussions focusing on migration, development and human rights; the stronger development impact of legal migration; and policy and institutional coherence and partnerships. I believe that the forum should also

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<sup>16</sup> Mode 4 refers to Movement of Natural Persons, defined as the supply of a service by a service supplier of one Member, through presence of natural persons of a Member in the territory of any other Member.

answer the question of how migration governance could be improved on the regional and global levels in two ways:

First, I believe that ***the protection of migrants should be a shared responsibility*** of both sending and receiving countries, since both benefit from this partnership: remittances for the former, and productivity for the latter. Migrant workers are entitled to decent working and living conditions that should include the portability of their social-security benefits. Migrant workers should be free from exploitation and abuse, provided equal and impartial access to judicial and quasi-judicial remedies. Part of this shared responsibility is the recognition that migrants are active agents of development in any country, and that part of the solution lies in reducing emigration pressures from host countries by addressing social concerns and leveraging on remittances to spur development in the sending economies.

Second, we believe that ***legal migration provides a best framework for achieving development in home countries***. This means sending countries should create responsible policies, rules and structures that facilitate orderly migration. Host countries, on the other hand, should strive for greater transparency in their migration framework and labor market needs. As much as practicable, host governments should seek to establish ***“global communities”*** that create linkages between the host and origin nations in training, education, employment and social integration. These global communities serve to enhance the integration of migrants in their host

communities; they also provide a mechanism for their return to their homes and facilitate transfer of skills and technology.

Lastly, we believe that ***receiving countries should take a more proactive role in regional consultative processes to mitigate the consequences of brain drain and to level the playing field in trade in services***. Education is a public investment that sending countries fail to use when their nationals migrate due for higher wages. As such, we feel that remittances do not fully compensate the opportunities that are lost to a developing country. We applaud receiving countries that have adopted reverse brain drain policies or have developed ethical guidelines for recruitment of health professionals.<sup>17</sup> Where a fully liberalized trade in services is untenable, increased trade and foreign direct investment in origin countries may substitute for migration and further reduce emigration pressures through local job creation.

As I draw this presentation to a close, I wish to share with everyone some thoughts about the Filipino diaspora by a Filipina teenager who won the 2004 International Public Speaking Competition in London sponsored by the English Speaking Union. In her winning piece, she said:

“A borderless world presents a bigger opportunity, yet one that is not so much abandonment but an extension of identity. Even as we take,

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<sup>17</sup> This is particularly true in the case of the United Kingdom and Bahrain.

we give back.

"We are the 40,000 skilled nurses who support the UK's National Health Service. We are the quarter-of-a-million seafarers manning most of the world's commercial ships. We are your software engineers in Ireland, your construction workers in the Middle East, your doctors and caregivers in North America, and your musical artists in London's West End.

"Nationalism isn't bound by time or place. People from other nations migrate to create new nations, yet still remain essentially who they are. British society is itself an example of a multicultural nation, a melting pot of races, religions, arts and cultures. We are, indeed, in a borderless world!

Leaving sometimes isn't a matter of choice. It's coming back that is."

Indeed, a very poignant description of the Filipino diaspora from one so young and so hopeful. I hope that my presentation has contributed significantly to our conversation this morning towards moving the global dialogue on migration forward.

Thank you.

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