

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila

**SEVENTEENTH CONGRESS**  
FIRST REGULAR SESSION

House Resolution No. 558



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**Introduced by ACTS-OFW Representative Aniceto “John” D. Bertiz, III**

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**A RESOLUTION TO LOOK INTO THE PLIGHT OF OUR OVERSEAS  
FILIPINO WORKERS-HOUSEHOLD SERVICE WORKERS IN KUWAIT  
AND INTO THE OFT REPEATED DEMAND FOR BAN/MORATORIUM ON  
THEIR DEPLOYMENT BY FILIPINO ORGANIZATIONS IN KUWAIT, IN  
AID OF LEGISLATION AND FOR OTHER PURPOSES**

**WHEREAS**, it is the policy of the State to uphold, at all times, the dignity of its citizens, the Filipino migrant workers, in particular; to allow the deployment of overseas Filipino workers only in countries where the rights of Filipino migrant workers are protected;

**WHEREAS**, under the Migrant Workers and Overseas Filipinos Act as amended (R.A. 10022), the Department of Foreign Affairs (DFA) has to certify countries to determine if they had enough protection for Overseas Filipino Workers (OFWs) and this certification should be approved by the Philippine Overseas Employment Administration (POEA) Board, and that to be certified as safe, a country should have existing labor and social laws protecting the rights of workers; is a signatory to and/or a ratifier of multilateral conventions, declarations or resolutions relating to the protection of workers; and has concluded a bilateral agreement or arrangement with the government on the protection of the rights of OFWs;

**WHEREAS**, in pursuit of the national interest or when public welfare so requires, the POEA Governing Board, after consultation with the DFA, may, at any time, terminate or impose a ban on the deployment of migrant workers;

**WHEREAS**, the POEA Board in its resolution on June 28, 2012, approved the certification of 32 countries—including Kuwait—that were earlier deemed “partially compliant” as “compliant” countries after Congress allowed the move while DFA negotiates agreements with these countries to improve OFW safety;

**WHEREAS**, thereafter however, there have been several reports of abuse, maltreatment and rape cases involving our OFWs-household service workers (HSWs) in Kuwait, hence:

- on July 18, 2013, the Kuwait Times reported the call of several Filipino organizations in Kuwait for an immediate suspension and a ban on sending HSWs to Kuwait and the rest of the region amidst increasing rape cases and repeated abuses;

- on May 24, 2014, the Kuwait Times reported that in early 2014, a group of Filipino community leaders led by Sandigan Kuwait President Ann Abunda turned over about 10,000 signatures gathered from Filipinos in Kuwait favoring a call for an immediate suspension of sending domestic helpers to Kuwait, in response to the rising number of maltreatment, abuse and rape cases against Filipinas in Kuwait. The signatures were then turned over to the DFA and the Department of Labor and Employment (DOLE) in Manila by Philippine Consul General to Kuwait Raul Dado;

- on July 12, 2015, Blas Ople Center, a non-government organization (NGO) that assist distressed OFWs called on the government to strengthen protective and welfare mechanisms for our HSWs in Kuwait, citing the case of 22 year old “Almira” who suffered burns and physical deformities as a result of physical torture inflicted by her lady employer in Kuwait, and a rape and abduction case involving a female OFW who was beaten by 2 people and forced into a car driven by a third man; all 3 took her to an open area in Jahra, Kuwait and took turn raping her;

- on August 05 2016, ABS-CBN reported the plea for help to President Duterte of about 500 overseas Filipino workers in Kuwait after the success of the Philippine delegation to the Kingdom of Saudi Arabia to help the 600 or so OFWs, adding that Kuwait has the biggest population of distressed OFWs/HSWs in the Middle East, that some advocacies group had asked for the temporary ban on sending HSWs to Kuwait while enough protection for them is not yet in place, and that Labor Attache Cesar Chaves Jr., had admitted the growing dilemma of accommodation for OFWs with problems;

- on August 25, 2016, the Arab Times reported an alarming rise in the number of distressed HSWs at the shelters; that there are over 220,000 Filipinos in Kuwait and around 154,000 of them are working as HSWs; and that based on the embassy records, around 5 to 10 HSWs run daily to the embassy for help and for every 1 HSW repatriated to the Philippines, around 3 to 5 replace her at the shelter.

**WHEREAS**, despite these reports, POEA has been reluctant to declare a ban or a moratorium in the deployment of our OFWs-HSWs in Kuwait, thus:

- in the May 24, 2014 report of Kuwait Times, the former POEA Administrator Hans Caddac was quoted as saying “We don’t want to engage in drastic measures like banning our workers or temporarily suspending the deployment of our workers - this needs thorough studies because in the past, suspension did not work for us, like what happened in Jordan and Lebanon; it worsened human trafficking and illegal migration. People will go by the backdoor. Banning or suspending deployment of housemaids can be imposed by the government but this is not what the workers want, so they’ll do it their own way. So from our side, we want them to be protected and be documented when they are planning to work or go out of the Philippines.”

**WHEREAS**, the reaction of the recruitment agencies to the demand for ban or moratorium is negative, thus:

- in the August 25, 2016 report of the Arab Times, recruitment agencies have expressed strong opposition to the idea of temporary suspension on the deployment of HSWs to Kuwait. “We believe that moratorium is not the solution to the problem. Our

government should enhance the trainings of our HSWs in the Philippines because there are a lot of incidents in Kuwait that the HSW is homesick and overworked and they need to be trained and introduced to how it is to work in Kuwait,” pointed out Jones Garcia, the President of the Filipino Association of Secretaries of Agencies in Kuwait;

- on October 24, 2016, the Kuwait Times reported the reaction of an officer of Filipino Association of Secretaries of Employment Agencies in Kuwait (FIL-ASEAK) Laila Venturina who cautioned the government on any possible imposition of a moratorium, thus "If they can provide jobs to all Filipinos back home, then go ahead with the moratorium. But they cannot, so why block or stop our countrymen of finding jobs so they can feed their families."

**WHEREAS**, POEA and DFA nevertheless, have been realizing the virtue of imposing the demanded ban or moratorium, per the following reports:

- on August 25, 2016, the Arab Times reported that the Philippine government is exploring the possibility of imposing a moratorium or temporary suspension on the deployment of Filipino HSWs to Kuwait until the rights and welfare of HSWs are fully protected. This was after officials of DOLE and POEA visited Kuwait to check on the condition of some 500 Filipino distressed HSWs who are housed temporarily at the Philippine Embassy shelter in Hateen and POLO-OWWA shelter in Faiha as well as at the Kuwait government operated Migrant Workers Shelter in Jleeb Al-Shuyoukh. Philippine Ambassador to Kuwait Renato Pedro Villa reportedly said that “I’m in favor of the temporary suspension so we can study all the cases and start anew. We all know that Kuwait has its Domestic Workers Law but it still needs to be fully implemented that would greatly benefit our Filipino HSWs and other expat domestic workers.”

**WHEREAS**, these contrasting and developing views on the ban or moratorium have not stopped nor diminished the abuses, maltreatment and rape cases against our OFWs-HSWs; in other words, their exposure to the perils of abuse to their honor and threats to their lives, their future and the future of their families, remain;

**WHEREAS**, the issue on Winston Q8, a company that purports to represent the Ministry of Health of Kuwait, which has conspired with medical clinics to increase the medical testing fees of OFWs, including domestic workers, bound for Kuwait from 2,500 to 8,400 pesos, further strengthens the call to look into the plight of OFWs to Kuwait and the temporary suspension of deployment;

**WHEREFORE, BE IT RESOLVED**, in view of the above, that there is an urgent need to look into the plight of our Overseas Filipino Workers-Household Service Workers in Kuwait and into the oft repeated demand for ban/moratorium on their deployment by Filipino organizations in Kuwait, in pursuance of the State policy to uphold, at all times, the dignity of its citizens, the Filipino migrant workers, in particular; to allow the deployment of overseas Filipino workers only in countries where the rights of Filipino migrant workers are protected; all in aid of legislation.

**ANICETO D. BERTIZ, III**

