

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

HOUSE BILL No. 5453



Introduced by Congressman JUAN C. PONCE ENRILE, JR.

EXPLANATORY NOTE

There are around 8.6 million to 11 million overseas Filipinos worldwide or 11% of the total population of the Philippines.

About 3,000 overseas Filipino workers (OFWs) are in prison throughout the world for various offenses, 70 percent of whom are facing immigration-related charges according to the Department of Foreign Affairs. According to the Philippine Drug Enforcement Agency or PDEA, there are 630 Filipinos who are in prison worldwide for allegedly acting as drug mules of high profile international syndicates. Further, there are those who were supposed to have been released after being pardoned for serving their sentences but who still languish in jail without repatriation proceedings being commenced.

A total of 330 OFWs who have served their sentences or have been pardoned remain in jails in Saudi Arabia, Africa, United Arab Emirates, Syria, Malaysia, Kuwait, Iran, Hong Kong, Thailand and Bangkok. The OFWs were jailed for crimes including theft, possession of illegal drugs and other drug related cases, selling liquor, immorality, illegal fishing, forgery, prostitution and human trafficking.

There are around 32 countries with significant OFW populations. Remittances sent by OFWs to the Philippines contribute to the country's economy, with a value of more than US\$10 billion in 2005. This makes the country the fourth largest recipient of remittances with India, China, and Mexico in the top list. OFW remittances represent 13.5% of the country's GDP, the largest in proportion to the domestic economy among the four countries above-mentioned. In 2008, overseas Filipinos sent US\$15.9 billion worth of remittances to

the Philippines, up from the US\$14.4 billion in 2007, and US\$13 billion in 2006. In 2009, about US\$17.348 billion in remittances were sent to the Philippines by overseas Filipinos, higher than in previous years.

To date, our embassies and consulates are unable to provide legal services to our OFWs and by the time they do so, some are already on death row. Thus, it is essential that legal desks in every embassy and consulate office of the Philippines be established.

This measure seeks to amend Republic Act No. 7157 by providing a legal desk and a legal hotline in every embassy and consulate of the Republic of the Philippines. Assistance shall be given to all Filipinos abroad, whether documented or not.

Immediate passage of this measure is respectfully requested.



JUAN C. PONCE ENRILE, JR.

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AN ACT

AMENDING THE PHILIPPINE FOREIGN SERVICE ACT OF 1991 BY
PROVIDING A LEGAL AID DESK AND A LEGAL SERVICE HOTLINE IN ALL
EMBASSIES AND CONSULATES AND FOR OTHER PURPOSES

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. A Legal Aid Desk is hereby created in all existing embassies and consulates of the Philippines abroad.

SEC. 2. A Legal Aid Hotline shall likewise be installed in all embassies and consulates where a predominance of the overseas Filipino workers are working, to operate 24-hours every day of the week, including holidays.

SEC. 3. The Legal Aid Desk and the operations of the Legal Aid Hotline shall be under the supervision of the Legal Assistant for Migrant Affairs created under Republic Act (R.A.) No. 8042.

SEC. 4. The President shall not decrease the Legal Assistance Fund created under R.A. No. 8042 without the concurrence of Congress.

SEC. 5. *Implementing Rules and Regulations* – The Secretary of Foreign Affairs, in consultation with the departments and agencies charged with carrying out the provisions of R.A. No. 8042 shall, within ninety (90) days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

SEC. 6. *Repealing Clause* – All laws, decrees or executive issuances and any rules and regulations or any part thereof, which may be inconsistent with any of the provisions of this Act, are hereby deemed repealed, amended or modified accordingly.

SEC. 7. *Effectivity* – This Act shall take effect fifteen (15) days after its complete publication in two (2) newspapers of general circulation.

Approved,