

**Report of Visit to Saudi Arabia
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House Committee on Overseas Workers Affairs’ (COWA) Fact Finding Mission to Saudi Arabia, January 8-13, 2011

COWA Delegation:

1. Rep. Walden F. Bello, Chair of COWA (Akbayan Party List)
2. Rep. Carmen Zamora-Apsay, Vice Chair (Compostela Valley District)
3. Rep. Emmeline Aglipay, Member (Diwa Party List)
4. Rep. Crescente Paez, Member (Coop-Nattco Party List)
5. Ellene A. Sana, Consultant (Center for Migrant Advocacy) (Date of Visit: January 10-15, 2011)

Background:

On November 2009, a COWA delegation visited Saudi Arabia, Jordan and the UAE to look into the situation of OFWs and probe into reports of rampant illegal recruitment and trafficking. A report was released containing a set of recommendations to address the various issues and concerns of OFWs particularly the migrant domestic workers.

As a follow through and for the purpose of acquainting the new members of COWA in the 15th Congress, the committee, with the approval of the House Speaker, approved a resolution to send a second COWA delegation visit to Saudi Arabia from January 8-13, 2011. I was included as part of delegation, acting as consultant to the COWA Chair. (I raised my own funds to cover the costs of the trip. CMA partners in KSA arranged for my accommodation with OFWs.)

The Congress delegation left for Saudi on January 8. I followed 2 days later, on January 10, 2011.

Schedule and Itinerary:

Date, Time, Venue	Activity	In charge/Groups Met	Remarks/ Comments
Jan 10, Monday, 18.45 Jan 11, 1.15am; 7am; 8.40am	Departed Manila for Jeddah via Riyadh – arrived in Riyadh 1,15am, departed Riyadh, 7am, arrived in Jeddah 8.40am	Labatt Valenciano and VC Roussel Reyes in Riyadh; PCG & POLO Jeddah; SOS Team –Charles and Bong	I travelled alone instead of joining the COWA team on January 8 because my visa was released only on Monday, January 10.
Jan 11, 9am PCG- POLO Jeddah	Briefing/ Orientation of PCG and POLO Jeddah	PCG, POLO Jeddah	From the airport, I proceeded directly to the PCG-POLO office
	Visit and Dialogue with some 80 distressed women housed at BK	COWA team	PCG-POLO people left COWA alone to dialogue with the distressed migrants
	Lunch	PCG-POLO Jeddah	During lunch, I

			arranged to meet briefly CMA SOS Patnubay cases-- Teresita Santos and mother of Cielo and invited them to attend the dialog later in the afternoon
	Ocular of Khandara Bridge where undocumented migrants of various nationalities hang around in the hope of being picked up by immigration police and be scheduled for repatriation, at KSA government's cost	PCG and POLO	I rode with Charles and Bong who provided me valuable and critical inputs on the situation of undocumented migrants. As we passed by the bridge, we saw a lot of women in makeshift tents. They looked Filipinos but they could be Indonesians as well. Unfortunately, we did not stop to interact with them and proceeded to the hajj terminal where undocumented OFWs are allowed to stay, as arranged by PCG until they are repatriated. It was quiet and empty when we got to the place so we proceeded to Ballad
	Ocular visit of Ballad to get acquainted with the area frequented by OFWs	PCG-POLO;	I rode with Charles and Bong who provided me valuable inputs along the way and while going around Ballad. OFWs started to gather around the team as COWA members continued to chat with them until we were told by the guard to leave the area.
	COWA team proceeded to the deportation area to meet the male OFWs scheduled for deportation	PCG-POLO	Unfortunately we lost the convoy so we instead made a quick stop at Charles to take a quick shower
	Dialogue with Filcom	PCG-POLO	After the dialogue, I

			introduced to Cong Aglipay Cielo and her mother to present briefly the case of Cielo and to request support from Cong Aglipay. CMA will coordinate with Cong Aglipay re the case.
	Dinner with PCG POLO	PCG POLO	
Jan 11, 22.30 Jan 12, 0.15	Departed for Dammam Arrived in Dammam; welcome by POLO ERO and presented briefly the proposed itinerary for the day	PCG POLO POLO ERO/PE-POLO Riyadh	COWA checked in at Hotel; I stayed with host family arranged by SOS SMS team
Jan 12, 9am	To BK to meet and dialogue with distressed migrants	POLO-ERO; PE-POLO Riyadh	It was a heart rending session as the distressed OFWs shared their horrid stories of exploitation and abuse
	Lunch at La Paz Batchoy	POLO-ERO, PE-POLO Riyadh	
	Meet-Dialogue with OFW workers of MMG (Mohammad Al Mojil Group)	POLO-ERO, PE-POLO Riyadh	There are more than 8T OFWs employed in MMG, comprising 51% of its total workforce. MMG is focused n construction projects within the oil, gas and petrochemical industry
	Meet with Reconciliation Committee for the Eastern Province re OFWs in Detention, specifically the case of OFW Dondon Lanuza on death row		Only Cong Walden and Cong Paez went to this meeting; the rest of us continued the dialogue with the MMG workers
International Philippine School in Al-Khobar (IPSA)	Dialogue with Filcom	POLO-ERO, PE-POLO Riyadh	More than 150 OFWs were in attendance
	Farewell Dinner	POLO-ERO, PE-POLO Riyadh	
	Departure for Manila by COWA;	POLO-ERO, PE-POLO Riyadh	I stayed one more night with my host family in

			Dammam for my 7am flight to Riyadh the following day; my host family took me to the airport
Jan 13, 7am; arrived 8am	Departed Dammam; arrived in Riyadh;	POLO Riyadh; SOS team	Proceeded to host family as arranged by SOS SMS Riyadh Team
2pm	Visit BK Riyadh; dialogue with Welof Burayag, BK Staff; Dialogue with BK Women	POLO-OWWA Riyadh	
	Ocular of Batha and Riyadh City Proper (Kingdom Tower)	POLO OWWA Staff	
	Dinner	POLO OWWA Staff	
9pm – 2am	Informal Chats with OFWs who visited me in the house of my Host family	Host Family	Listened to life stories of OFWs in Saudi
Jan 14 10am	Visit POLO Office; ocular of POLO; meeting with Labatt Valenciano, Asst Labatt and DSWD Representative	POLO-OWWA	Discussed issues and concerns of OFWs and of POLO-OWWA office
	Lunch	POLO OWWA	
	Meet with SOS Team and Local Hires	SOS team	
	Dinner	POLO OWWA Staff	
	Ocular and Dinner	POLO OWWA Staff	
Jan 15, 0410am	Departure for Manila	POLO OWWA Staff	

Introduction.

It was a dream come true for CMA to finally make that visit to Saudi Arabia. We have been wanting to do that for some years now, even going to the extent of requesting the assistance of then Philippine Ambassador to Saudi Bahnamir Guinomla and former DFA undersecretary for migrant workers affairs Jose Brillantes. At that time, I managed to go only as far as the Saudi embassy in Makati and meeting briefly the Saudi Ambassador to the Philippines. Finally, under the 15th Congress COWA, I was fortunate to be included in the Congressional COWA team, as COWA Chair consultant, who visited KSA.

Post-Christmas, I received a call from Congressman Walden informing me that Speaker Belmonte has approved the request for a COWA delegation visit to Saudi with me included as consultant. We were really excited albeit apprehensive because time was so short to make the preparations for the

trip slated for January 8-13.

First Hurdle—Availability of Funds. After our visa applications were submitted to the Saudi embassy, I was informed by Congressman Walden that Congress would cover only the expenses of the Congress representatives and that staff and consultants who would join the trip would have to raise their own funds. My immediate reaction was to concede since I did not have the required funds. Cong Walden however reassured me a little when he said that he would try to raise funds for me! At the same time, when I consulted with the Migrant Forum in Asia about it, William Gois, the MFA regional coordinator informed me that MFA could cover my airfare under the MFA Parliamentarians and West Asia programs. That was a relief for me and Cong. Walden.

Second Hurdle – Saudi Visa. The trip was scheduled on Saturday, January 8. The visas of the Congress representatives except mine were released on Friday afternoon. I was informed that mine could be released only on Monday since I was using a regular passport. Since the Saudi program was only for a few days, a delay could make a lot of difference so again I contemplated on not going anymore if I would miss on any of the programs. I spoke to Cong Walden about it and proposed that I be allowed to stay behind and extend my stay in Saudi until January 15 even if the team would go back to Manila on January 13. Cong Walden agreed with my two days extra in Saudi which would still be part of the COWA visit, albeit sans the Congress representatives. Back on the visa issued, as I was waiting for my visa, I was informed through channels that the request of the Philippine embassy to the Saudi Ministry of Foreign Affairs for visa was approved without problems in Saudi. Hence the PE Embassy in Riyadh could not understand why my visa was released much later.

Saudi, Here I come! With the approval from the COWA chair, my flight schedule was revised, skipping Riyadh as the first stop and proceeding directly to Jeddah to catch up with the program of the COWA team. I picked up my visa on my way to the airport on Monday, January 10.

Impressions and Observations of my first very brief visit to KSA.

Saudi is a country like no other. *Kakaiba sya talaga.* Immediately, I felt it as Saudia airlines made its first stop over in Dammam to unload passengers from Manila. It was announced that passengers NOT disembarking in Dammam should stay in the plane while those who were getting off should get their boarding passes ready for inspection. I said to myself, I thought boarding passes were inspected before passengers were allowed to board the plane and not after.

Staying in the plane while other passengers disembarked – I have not experienced this for a long while. Usually, passengers would be asked to disembark from the plane and stay in the transit area. I also observed that most of the women passengers put on their abayas before getting off the plane. It made me uneasy because I did not have any abaya with me. I was only relieved when I received a text message from our Labor Attached in Riyadh, Labatt Valenciano, assuring me that he would meet me at Riyadh airport.

As we waited in the plane, I peeped through the window and noticed that Saudia planes have “God bless you” printed on them which I found interesting given that Saudi is a Muslim country. I could not recall of other airlines that have similar prints on their planes.

As we prepared to take off for the completion of the journey to Riyadh, the cabin crew played the Prophet Muhammad’s prayer to wish us a safe journey, which again, to my knowledge, is not a common practice by other airlines.

Arrival in Riyadh: I was happy to see people from the PE-POLO Riyadh as I disembarked from the

plane in the early hours of Tuesday, around 1.15am. They immediately assisted me with immigration procedures, baggage claim and rechecking in of the same for the 7 am trip to Jeddah. Since I was in the company of the PE-POLO Riyadh, I was assured that I would be fine even if I was not wearing an abaya since my abaya was already taken to Jeddah.

Labatt Valenciano kindly invited me to their house so I could get a bit of rest before the next flight. I went, slept for two more hours and woke up at 5.30am. Labatt suggested that I borrow his wife's abaya on my way to Jeddah. That was my first abaya! I was wearing it when we went back to Riyadh airport for the Jeddah trip.

Women in Abayas! All women in public places in Saudi Arabia, especially in Riyadh, MUST wear the abaya and the veil. For some women, the so-called “:ninjas”, the only exposed part of their body were their eyes.

Security check at the airport was also quite interesting because all must go through it, in separate compartments of course, for men and for women. In other countries, one goes through the enclosed security check ONLY at random. Not a Must. In Saudi, twice, I had to go through it.

In the plane, I was not sure if it was only my imagination, but I observed that preferred seating for women passengers were with or beside other women. I was seated beside a man though.

Saudi is the epitome of the word vast! The country is huge, vast! According to OFWs it is 6x bigger than the Philippines in terms of its land area! Its total population as of July 2010 is 25.7 million, 5.5 million of whom are non-Saudi nationals. This would include the more than 1 million Filipinos.¹

The roads are wide, seemingly stretching endlessly. Most of the signs are in Arabic although major road signs have English translation. Vast stretches of desert lands still await development, an indication of still many construction projects in the offing. In Riyadh, close to the international airport, ongoing, almost round the clock, is the construction of a 94 sq km university city Princess Nourah bint Abdul Raman University for women.²

The malls and public places are also very interesting. The multinational fastfood chains are quite visible and look the same as what we have in Manila, only that in Saudi there will be separate entrances for men, women and family customers! There are rolling or moveable dividers for customers who would require more privacy than the usual and would want to be totally oblivious of the outside world. The dividers will totally enclose their tables, away from the 'prying eyes' of the public. There are shopping malls where there are lifts exclusive for women as there are floors exclusive for women also, where women sales persons do not wear the abayas.

While signature shops for clothes, shoes and the likes are available, hand-sewn and custom-made dresses are still preferred by the rich and famous in Saudi. We have a good number of dressmakers, weavers and tailors in the Kingdom.

It was also amazing that public commercial establishments completely cease operations and activities at prayer times (salah). Malls open and close much later than the usual malling hours in the Philippines.

Saudi is a place where women have restricted mobility. They are not allowed to drive their own vehicles. They cannot be seen in public in the company of men who are not their blood relations or

¹ http://en.wikipedia.org/wiki/Saudi_Arabia

² A steel scaffolding collapsed in the construction site on January 24, 2011, injuring several workers including 2 Filipinos; 3 workers were confirmed dead. January 25, 2011 Press release by Department of Foreign Affairs, Manila

spouses. For many companies and establishments, transportation is made available to men and women migrants. There are buses but very few. Taxis are available also but can be risky for women if they will be by themselves. And for the domestic workers, their chance of seeing the outside world again after their confinements in the households will all depend on their employers.

Saudi Houses. The houses have high concrete walls. The gates are always closed. One cannot see from either direction –inside or outside of the houses. The architectural design and lay out of Saudi houses are pretty much the same too as dictated by the weather (sand storm proof) and the gender segregation (with two separate entrances for the men and the women, two receiving areas, etc.).

Housing arrangements depend on one's civil status. There are accommodations for families and for single persons. Sometimes, single migrants stay with migrants with families, especially if they are kins. Most establishments also provide housing and accommodation for migrants.

Despite the social restrictions however, OFWs in Saudi are able to find ways to stay connected with each other, in more ways than one. In Riyadh, Filipino shops, eateries, remittance centers and similar activities are concentrated in Batha. Many migrants also stay in Batha for their accommodation. In Riyadh, the counterpart of Batha is Ballad where OFWs and other migrant nationalities go to for their various needs and services.

Saudi police keep the peace. They can be relied upon to defend the rights of migrants. They can arrest abusive employers and rescue migrants in distressed.

Apart from the police, I heard stories of and saw mutawwas or religious police in Riyadh. I was told you could spot mutawwas easily as they are in white gowns that do not reach the heels and they have long beards. Freed dictionary³ described them as those who “have the power to arrest unrelated males and females caught socializing, anyone engaged in homosexual behavior or prostitution; to enforce Islamic dress-codes, and store closures during the prayer time. They enforce Muslim dietary laws, prohibit the consumption or sale of [alcoholic beverages](#) and [pork](#), and seize banned consumer products and media regarded as un-Islamic (such as CDs/DVDs of various Western musical groups, television shows and film). Additionally, they actively prevent the practice or proselytizing of other religions within Saudi Arabia, where they are banned.[\[3\]\[4\]](#)”

OFWs, especially non-Muslim Filipinos, often “get into trouble” for “violating the code of conduct and social norms in Saudi” as seen by the mutawwas.

For a non-Saudi person, a visitor or a migrant, especially women, and non-Muslim, who will not be familiar with the “prescribed code of conduct and social integration in Saudi”, Saudi can mean trouble for them. For some others however –both men and women – they said they like living in Saudi. They feel safe and secure in Saudi. *Tahimik daw. (Peaceful)* They said to survive and even enjoy Saudi, one must observe the laws and the so-called ways of life in Saudi or must know at least how to go around these social policies and norms. And one more things, for the millions of OFWs, one more attraction is the tax-free nature of their economy, that the gross salary is the net salary. .

Filipinos in the Kingdom of Saudi Arabia.

Saudi is home to more than a million OFWs and their families. For almost 4 decades of Filipino labor migration, Saudi has remained the top destination of OFWs. It also ranks fourth as a destination of women domestic workers. According to former Ambassador Antonio Villamor, 70% of the OFWs in Saudi are categorised as professionals and middle level to high skilled workers. The

³ <http://encyclopedia.thefreedictionary.com/Mutawa>

other 30% comprise the low skilled such as domestic workers. In terms of problems though, the 30% predictably are the more vulnerable and less protected by labor and social laws. The Saudi labor law does not cover domestic workers.

OFWs in the Kingdom of Saudi Arabia: Facts and Figures.

Particulars	Overall Ranking
# and % of KSA Population Est, July 2010	21% of 5.5M migrants in KSA from a total KSA population of 25.7M
Estimated Population of Filipinos in KSA	1,159,003 (354 permanent residents; 1,138,649 OFWs; 20T undoc); KSA OF Population is 13% of total population of Filipinos overseas; ranks 2 after the US ⁴
Consistently Number 1 in annual deployment of rehires and new hires	44% of 2009 deployment to Middle East or 28% of total land-based deployment in 2009
Ranks 1 among countries in terms of number of annual deployment	# 1
Ranks 4 th in total annual deployment of domestic workers/ household service workers	#4
Ranks 1 in total annual deployment of Nurses	9,965 with Singapore a far 2 nd at 745 (2009)
Ranks 2 nd in total annual deployment of Teachers next to the US	#2
Ranks 1 in total annual deployment of IT professionals	#1
Ranks 4 th in total annual deployment of caregivers	# 4
Ranks 2 nd for yrs 2003-2008 after US and 3 rd next to US and Canada in 2009 in annual remittances	# 2 with 2009 remittance of US\$1,470,5761,000
Domestic Workers under the jurisdiction of the PE Riyadh ⁵	115,980 (constitute 40% of total # of women migrants)

Problems, Issues and Concerns of OFWs.⁶

Labor-Related cases (collectives or group of workers and individuals) include the following: illegal deduction for iqama fees, visa fees and other fees that must be borne by the employer; delayed salaries; accommodation problems; long working hours; contract substitution; verbal abuse; illegal termination; physical abuse

Police Cases include the following: homicide; murder; drug trafficking; rape; liquor trading and consumption; absconding; “immorality, homosexuality and prostitution”; illegal assembly; forgery; embezzlement; gambling

Welfare Cases include occupational and non-occupational injury; sickness, vehicular accidents; death; undocumented status/ run aways

Summary Cases of Distressed Filipinos in Saudi by end of December 2010. . .

⁴ Estimates of Filipinos Overseas, December 2009. www.cfo.gov.ph

⁵ DFA Semi Annual Report to Congress July-December 2009

⁶ www.patnubay.com

A. Report from the Consulate and POLO-OWWA in Jeddah which covers Jeddah, and parts of Western region – Makkah, Madinah, Assir, Al Baha, Tabuk, Jizan and Najran.

Particulars and Number	Description	Number	Male	Female
Death Penalty Cases involving 11 Filipinos	Could be meted out with death sentence; all involve loss of lives; accused have been provided with lawyes;	7 with 11 persons	11	0
163 detention cases	21% are immorality; 19% are for drug use or drug trafficking; 10% for use, sale or making liquor; 10% are theft	163	124	39
20 Repatriation cases		20		
12 Hospitalisation/ Medical cases		12		
6 Rape Cases		6		
3 Maltreatment Cases		3		
248 Labor-Related cases		248		
173 Shipment of Remains		173		
48 Burial of Remains		48		
2,453 Consulate assisted repatriation from January - December 2010		2,453		
5,211 Undocumented Filipinos have registered with POLO-OWWA as of December 2010 to request assistance for repatriation	Fund requirement for their repatriation: Tickest @ SR1,600/pax Stay at @ Hajj Seaport terminal @ SR10/pax;x30 days; SR14/paxx30 days; Incidental expenses = SR,119,520 or US\$3,231,872	5,211		

B. Summary of Cases as reported by POLO-OWWA Eastern Province.

January – December 2010.

Particulars and Number	Description	Number	Male	Female
Maltreatment		221		
Delayed/ Non-payment of Salaries		717		
Contract violation/ Substitution		511		
Poor working/Living Conditions		140		
Health/Medical problems		48		
Personal Problems		49		
Immigration/ Document Related		292		

Particulars and Number	Description	Number	Male	Female
problems				
Sexual Abuse		74		
Rape		16		
Others (end of service benefits, whereabouts, financial support to families left behind)		1019		
Repatriation of Human Remains		93		
On Site Repatriation		868		
Welfare Related Visitations (to hospitals/ Clinics; Prisons; Detention/Deportation Centers; Work/ Camp Sites; Temporary Shelter		6,244		

The Case of Migrants Domestic Workers in Saudi Arabia:

At the time of the COWA visit, the FWRC in Riyadh has some 126 distressed female migrants, the majority of whom are domestic workers. The youngest is 20 years old while the oldest is 74 years old. In terms of stay at the shelter, the longest stay thus far is 271 days while the shortest is 2 days. The migrants are run aways from their employers, most of whom are domestic workers. The second oldest in the group, at 63 years old, arrived in Saudi in 1997 and was admitted in the Center in November 2010. They await resolution of their cases that include non-payment or delayed payment of salaries, maltreatment, sexual abuse, long working hours, problems with documents and immigration, personal problems, contract substitution and homseickness. Some 53 of them have already exit visas but awaiting tickets so they can be repatriated soon. Most of the women migrants were not aware of the HSW policy reforms. Neither were they aware of the new law RA10022. Many of the domestic workers were victims of contract substitution and reprocessing.

In the center in Jeddah, we spoke with some 80 distressed women. They have similar stories to tell. In Al Khobar, there were only 5 distressed migrants staying at the shelter.

As the women await for the resolution of their cases and/or issuance of exit visas or tickets, a nagging issue that makes them quite restless is the uncertainty of their status and their ardent desire to continue to send some money back home. Once they stay in the Center, they cannot work for a living anymore since they must stay in the center. Hence it is not surprising that other women who have absconded from their employers would opt to remain outside the Center to do odd jobs on the side while they still can just so they can have some money to send back home. But this is very risky as they can be apprehended by authorities anytime.

One idea we proposed to the women is for them to discuss their situation collectively, be clear on how they can remain productive while awaiting resolution or progress in their cases and if possible, to engage in some income-generating activities that can be facilitated by the POLO OWWA.

An issue that should be looked into is the allegation of corruption surrounding the tickets for migrants scheduled for repatriation. This is manifested in the case of Riyadh where it was alleged that before a distressed migrant is admitted to the Center, she has to assure first the Center that she has already the ticket or the funds for the ticket for her repatriation. If they answered in the negative, it was alleged that they would not be admitted to the Center. In the case of Jeddah, it was

alleged that it was the Saudi government that provided the tickets for most of the distressed migrants repatriated in batches, some under the amnesty program of the Saudi government.

Undocumented OFWs in Saudi Arabia. Despite serious immigration controls in Saudi Arabia, there is an estimated 20,000 Filipinos in undocumented status. To date, as shared by the post in Jeddah, more than 5,000 OFWs have already enlisted themselves for voluntary repatriation in order to avail of the amnesty program of the Saudi government issued in September 2010. It should be clarified however that the amnesty applies only to overstaying visit visa visitors and those who went for hajj or umrah purposes. Those who do not fall under these categories are subject to regular immigration procedures.

Undocumented status is brought about by many reasons one of which is absconding or running away from the employer and not reporting immediately their status to the police. Another is when a Muslim overstay their Hajj visa or when they come for umrah or when they over stay their visit visa.

To address more humanely the issue of undocumented migration, the Jeddah Consulate negotiated with the Saudi Authorities to access the facilities of the Seaport hajj terminal for the undocumented migrants to stay in while awaiting deportation proceedings. The Consulate covers the accommodation and lodging fees per worker brought to the hajj terminal at SR25 per person per day. This was the so-called Egyptian model following the example of the Egyptian government regarding their efforts to assist undocumented Egyptians in Saudi. The arrangements with the Hajj terminal is intended to provide deportees with more humane treatment and dignity rather than seeing them loitering under the Kandara bridge.

For workers who run away from abusive employers, failure to report immediately their situation can indefinitely delay their access to justice in Saudi Arabia. Under the Kefala system, the immigration sponsor who also serves as the original employer of the worker, has the sole authority to decide on the entry and exit of the worker to and from the Kingdom.

Filipinos in Detention. As reported by the posts, we have a significant number of OFWs languishing in various jails around the Kingdom. They are jailed for various offenses. More than seven of these cases can be meted out with death sentences as these all involved the loss of lives. Due to limited human and financial resources, jail visits, hiring of counsel are constrained.

Programs and services of government for OFWs, Return and Reintegration Issues. Despite existence of various programs and services to benefit migrants and their families, a good number of OFWs in Saudi have not been able to access, avail of, and much less, maximise the benefits of such programs and services. One reason is the lack of information on these programs and services. Another is the red tape that goes with availment of such. Third could be plain scepticism and the lack of trust in government that indeed the programs will work for the benefit of migrants. A fourth is confusion as programs by various agencies seem to overlap. Agency turfing exacerbates the situation as the agency only takes care of its own concerns.

Currently, the following agencies collect fees as well as provide programs and services for OFWs:

1. OWWA – collects US\$25 for the welfare fund contribution, either from the recruitment agency or directly from the worker in exchange for: accidental and death benefits, repatriation, scholarship for family members and OFWs themselves; livelihood loans which require collaterals and charge a total of some 14% interest per annum; OFWs have many unresolved questions with OWWA fund management, its organizational structure and its programs. They know too well that OWWA has become the kitty fund of Malacanang. What is amoral there is that the OWWA fund is 100% workers funds! It was the OFWs in Saudi

that spearheaded a global campaign in 2003 that called for transparency and restructuring of OWWA. This serious concern for OWWA by OFWs in Saudi was affirmed in CMA's 2008 online survey to restructure OWWA, with majority of the OFW respondents originating from Saudi Arabia. . .

2. Philhealth –universal coverage at P900 per year per OFWs for health and medical insurance benefits; for active migrants, availment of Philhealth is minimal since most are covered by health insurance onsite as provided by foreign employers (as mandated by host government). Philhealth develops programs and allocates funds purportedly to benefit OFWs and their families but sans broad and timely information campaigns. Philhealth coverage for OFWs started only in 2005 following the transfer of medicare from OWWA to Philhealth. The transition though was not very smooth and it would not be surprising if many OFWs to date remain unclear on the Philhealth programs and benefits.
3. Pag ibig – universal Pag ibig coverage was mandated by RA9679 which was adopted by the 14th Congress in 2009. The law was quite new and it took OFWs by surprise when POEA started to collect Pag ibig contributions from OFWs late 2010. Understandably, there is a need for aggressive information campaign on Pag Ibig and its programs and services which include savings, short term loans and housing loans..
4. SSS – to date, this is voluntary; but SSS is currently doing a study to make it universal coverage also; there is an increasing awareness also on the urgency of forging bilateral social security agreements to complement the SSS voluntary subscription
5. National Reintegration Center for OFWs – institutionalised in RA10022 to seriously provide a viable alternative to migration and cut the vicious cycle of migration; Small grants, skills trainings and loans with collateral are available to migrants who have returned to the country for good. Inadequate information on the programs and services. OFWs have yet to see if the NRCO will be able to sustain its current initiatives. The NRCO idea has been off and on since 2002!
6. TESDA Programs to upgrade skills and training on vocational and technical courses may be availed of through scholarships.
7. Mandatory Insurance as provided for in RA10022 – adds further to the confusion as it mandates enrolment of OFWs by the agencies to cover nine areas.

Foreign Service Post and POLO-OWWA Personnel:

A. Jeddah:

Consulate ATN Section in Jeddah for Western Region – 1 Section (ATN) head; 8 Regular DFA personnel; 8 locally-hired personnel to oversee concerns of some 400,000 OFWs in the Western Region or a ratio of 1:50,000 OFWs; 2 personnel handle detention or a ratio of 1:82 detainees

POLO-OWWA Jeddah is headed by a Labor Attache with 1 Assistant Labatt, 1 Welfare officer; 5 Administrative Staff and 5 Local hires.

B. POLO – OWWA Eastern Province is headed by a Labor Attache; together with 1 welfare officer; 5 Admin Staff; 4 translator/Interpreter/ writer; 1 driver. The office takes care of the concerns of 371,468 Filipinos

C. Riyadh:

POLO-OWWA is headed by a Labor Attache and assisted by 2 Assistant Labor Attaches, 1 DSWD; 4 local hired interpreter/translators/writers/case workers; 4 welfare officers; 2 admin staff; 2 drivers

ATN on the other hand has the CDA, ATN head, 5 other embassy staff and officials and

representatives of various attached agencies.

The case of Local Hires in POLO-OWWA in Saudi. While local hires for ANS enjoy social security protection, the same could not be said of the local hires by POLO and OWWA. They are entitled only to a monthly lumpsum of US\$1,400 that is meant to cover everything else. There is no end of service benefits for them. It is only very recently that DOLE made available medical-health insurance benefits to local hires. One other scheme is to enrol the local hires with OWWA even if they are not categorised as OFWs! DOLE's inability to extend social security protection to local hires is being attributed to the constraints in the GAA law and the DBM guidelines.

Saudi Arabia on Labor and Human Rights Standards. As a member of the United Nations, Saudi Arabia is a State Party to several UN and ILO Conventions including Convention 100 (Equal Remuneration Convention) and C111 Against Discrimination (in terms of employment and occupation) and the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Convention for the Elimination of Racial Discrimination. However, Saudi domestic laws, practices and attitudes leave much to be desired especially in upholding and protecting the rights of migrant workers in general and migrant domestic workers in particular, and they continue to experience discrimination, exploitation and abuse. The ILO Standards Committee has been, for many years now, calling on the Saudi government to enact a National Equality Policy to address discrimination between men and women and against migrants.

RP-Saudi Relations is manifested quite strongly, according to former Philippine Ambassador to Saudi Antonio Villamor in 3 main areas, namely: “the Mindanao peace process, the Organization of Islamic Conference (OIC) and candidatures to the United Nations and other international bodies,” Saudi also remains one of the leading trade partners of the Philippines in the Middle East registering a two-way trade volume of US\$3.6B in 2007. Conversely, Saudi Arabia supplies 60% of the oil needs of the Philippines⁷.

Reflections

The Saudi way of life, customs and traditions are very different for non-Muslim Filipinos in the Philippines. To be able to get by and survive Saudi, it is important that the visitor/ OFW gets a basic orientation on Saudi.

Filipinos, particularly women migrants, are found in the most precarious living and working conditions, as domestic workers as they are also found in the high end of the job market as managers, supervisors and in other middle-to high level skilled job categories in Saudi. Filipinos are preferred by local and multinational companies to other migrant nationalities. Yet, in some establishments like the King Faisal Hospital, salary grade is determined by one's passport. For Filipinos, the entry level monthly salary ranges from SR3,500 to 5,000 with a ceiling of SR12T. On the other hand, US passport holders' entry level salary is SR14T! What Filipinos do then is to fly to Europe or America and secure a US or European passport and then go back to Saudi where they become eligible to salary grades for US and/or European workers! This wage discrimination apparently is the norm in Saudi –it is unequal pay for equal work or the so-called third country nation phenomenon. There are only very rare cases when a Philippine passport holder is acknowledged with a Western qualification.

Domestic workers are exploited globally. However, the social organization in Saudi, gender discrimination compounded by the strict social norms and practices as dictated by the Saudi culture make exploitation and slavery-like living and working conditions for migrant domestic workers

⁷ Philippines, Saudi bound by strong ties – envoy. Arab News First Posted 17:01:00 06/12/2008. inq7.net

more endemic to Saudi and perhaps in the whole of the Gulf countries.

Saudi does not observe the Vienna Convention provisions on Consular relations and does not make it its obligation to inform the foreign embassies and consulates in Saudi of arrests made against their nationals. Jail visits are subject to negotiations with authorities.

Cars purchased/acquired by Ofws cannot be brought home to RP. When OFWs leave the Kingdom, OFWs have to dispose of their vehicles properly.

The kefala or sponsorship system restricts migrants' mobility, undermines their labor and social rights in Saudi and gives enormous power to employers/sponsors to control the workers. Everyone who enters the Kingdom is subject to issuance of a visa by a sponsor. The same sponsor is responsible for the issuance of the exit visa. The No Objection Certificate (NOC) goes hand in hand with the sponsorship system.

The number of cases and incidents of "immorality" is alarming. Incidents of rape and gang rape are similarly disturbing. Filing of charges against perpetrators of human rights violations is no easy task for people not familiar with the law and courts of Shariah.

The OAV, despite being implemented thrice already, does not seem to interest the majority of Filipinos in Saudi. A big factor is their frustration with the RP government.

Saudi is the center of Islam and this can be enough reason for some Muslim Filipinos –men and women alike –to aspire to visit and stay in the holy land.

Recommendations

Strengthen Bilateral RP _Saudi Relations:

1. RP Government should vigorously pursue bilateral platform of relations and negotiations for the rights and welfare of OFWs and strive to forge a binding bilateral agreement with Saudi; to secure status of our offices in Saudi; must work for the recognition of the POLO in Al Khobar; for Ksa to allow to set up Philippine Consulate in Al khobar; for BK in Riyadh to be accorded formal recognition to ensure safety and security of the Center as well as the women housed there. RP Government should renegotiate terms of employment for Filipino nurses to minimise discrimination against them vis a vis nurses of other nationalities.
2. RP should develop its relations with Saudi in a more holistic and balanced manner putting premium to protection of our people – without whom, Saudi would not have developed as it has today. Saudi is RP's leading trading partner in the Middle East. Conversely, we import 60% of our petroleum needs from Saudi. Our policy makers and diplomats should take this into consideration with the perspective of advancing the rights of our OFWs in the Kingdom.

Embassy/ POLO/FRWCs as centers of Care and service.

1. The rights of Local hired workers of POLO should be addressed; their rights and entitlements as workers and public employees of the Philippine government must be guaranteed. Government should provide adequate, responsive and timely human and material resources particularly to PE in Riyadh to attend to cases pending in Courts and those on appeal (higher court that hears cases on appeal are only in Riyadh)
2. PDOS for Saudi-bound workers must be given by those who have been to Saudi and are

quite familiar with the way of living in Saudi. PDOS for Saudi-bound workers must be strictly enforced. OWWA should revisit the PDOs curriculum for Saudi to ensure efficacy and responsiveness, There should be emphasis on gender sensitivity, women's rights and social norms in Saudi. Dilemma – how do we impart information re rape and how to bring perpetrator to justice? Under shariah law? Do we say, for rape cases, evidence (and even witnesses) is a must hence preserve the evidence???)

3. Review the mandatory insurance coverage of RA10022 as this could adversely impact on workers who have been gainfully employed in Saudi for many years.
4. DOLE, OWWA and POEA should revisit/ review the verification process vis a vis the kefala system to strengthen protection of OFWs and to ascertain identity of real employer of OFWs. The DOLE agencies in Manila and POLO/FWRCs should coordinate very closely
5. FSPs, POLOs and other attached agencies should actively seek and develop good and productive relations with Filcom groups; Frontline employees of the FSPs should be properly screened to ensure that they are people-friendly.
6. Harmonise programs of government for OFWs; strengthen inter-agency cooperation, transparency and support to each other, e.g. Philhealth, Pag-ibig, Reintegration, SSS, etc....DOLE agencies and DFA agencies and FSPs
7. RP Government should conduct periodic performance and financial audits of the posts and personnel, and should devise a mechanism to regularly involve/consult the OFWs communities.
8. For FSPs to set up feedback mechanism (e.g. suggestion/ comments box).
9. For FWRCs, assess/evaluate concept as OWWA program and operations/guidelines, including income generating activities. Consider plight of runaways from rescue to the time they have to stay at BK. Look at particularly the alleged required money for ticket prior to acceptance to BK in Riyadh while such is not required in Jeddah.

Upholding the Dignity and Well being of Women migrants particularly domestic workers:

1. RP should discourage recruitment and deployment of domestic workers to Saudi. This must go hand in hand with provision of viable job options in the Philippines and elsewhere. In parallel, RP should continue its advocacy and support for the adoption of an ILO Convention for Decent Work for Domestic Workers.
2. A serious assessment of the HSW policy reforms should be undertaken to determine the efficacy and responsiveness of these policies vis a vis protection of women domestic workers. These should be harmonised with protection provisions provided for in RA10022. We should take cognizance of initiatives by POLO-OWWA to make the verification process more effective and responsive vis a vis protection of domestic workers.
3. The implementation of a more realistic HSW policy reform, taking in the innovative and creative approaches by POLO in verification work can become more effective in discouraging deployment of domestic workers to Saudi than imposing an open ban policy

To the International Community:

1. The ILO Community particularly the ILO Standards Committee should exert more efforts to compel Saudi to adopt a National Equality Policy and work for the elimination of discrimination between men and women, and migrants on the basis of race, colour, sex, religion, political opinion, national extraction or social origin. De facto discrimination in wages on the basis of one's nationality should be eliminated.
2. The international community should exert efforts for Saudi to observe the CEDAW Committee's recommendations to do away with male guardianship of women that severely

hampers women's mobility.

3. To reiterate the recommendations of the ILO Standards Committee in 2009 addressed to Saudi Arabia, to wit:
 - (i) *to launch an investigation into the foreign sponsorship system, including an examination of the allegations of abuse raised before this Committee;*
 - (ii) *to follow up in a concerted manner issues relating to discrimination of migrant workers, including examining the occupations in which migrant workers are employed, their conditions of employment, and the particular situation of female domestic workers; and,*
 - (iii) *to make addressing discrimination against migrant workers an important component of the national equality policy.*

4. For the Philippine government to pursue sustained efforts in strengthening the unity among origin countries of migrants, especially domestic workers, to strengthen their bargaining negotiations vis a vis Saudi Arabia; For the Philippines to maximise the Colombo process platform and the Gulf Forum platform for purposes of engaging Saudi Arabia and the other GCC countries.

Post-Saudi Visit Activities:

1. Met up with POEA adjudication director (OIC) to follow up on the status of tickets of BK-Riyadh wards with exit visas. January 19. Is now in touch by SMS with at least two wards in BK Riyadh
2. Met up with NRCO deputy director de Vries and his staff to follow up on programs and services that may be availed of by distressed Innovative workers who were repatriated from Saudi recently January 19.
3. Followed up Saudi SOS Team for files of a rape case referred to Cong Aglipay during the Jeddah visit
4. Will meet up with DOLE Sec Baldoz on January 25 with Riyadh based SOS member cum TFC correspondent on the issue of Local Hires in Saudi
5. Posted in CMA's OFW online communities the privilege speech of Cong Aglipay; news reports of feedbacks from Saudi trip by Cong. Apsay and Cong Paez and Cong Walden.

Annexes:

1. COWA Communication to DFA re Delegation Visit To Saudi Arabia
2. Preliminary report of Cong. Walden Bello. January 26, 2011
3. "Sexual Prey in Saudi Jungle", Article by Cong Walden Bello in the inq7.net
4. Privilege Speech of Cong. Emmeline Aglipay on the Plight of Domestic Workers in Saudi Arabia
5. Blog Entry on Ellene's Visit to Saudi Arabia by Julie Javellana
6. Selected Photos of Visit