



Republic of the Philippines
Department of Migrant Workers

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Department Order/Circular No. 07
Series of 2024

***Constituting the DMW Technical Working
Group for Overseas Filipino Migrant Fishers'
Concerns***

In the interest of the service and pursuant to Sections 2, 5, and 6 of Republic Act No. 11641, a Technical Working Group for Overseas Filipino Migrant Fishers (TWG-Migrant Fishers) is hereby established to ensure that the rights and welfare of Overseas Filipino Migrant Fishers and their families are protected and promoted.

I. *The TWG-Migrant Fishers*

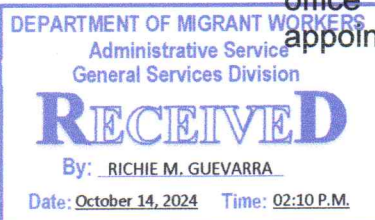
- a. **Composition.** The TWG shall be composed of the following:
Chairperson : Undersecretary for Foreign Employment and Welfare Services

Vice Chairpersons: Assistant Secretary for Pre-Employment Services
Assistant Secretary for Sea-based OFW Concerns
Assistant Secretary for Welfare and Employment
Assistant Secretary for Licensing and Adjudication Services
Assistant Secretary for Finance and Management
Assistant Secretary for Policy and International Cooperation

Members : Two representatives from the migrant fishers (Labor Sector) Two representatives from the Licensed Manning Agency deploying Fishers (Manning Agency Sector) and/or Fishing Shipowner Representative (Shipowner Sector)
MWO-London
MWO-Kaohsiung
MWO-Washington (Hawaii)
MWO-Athens
OWWA Representative
Foreign Stakeholders Relations and Engagement Bureau

Secretariat : Sea-Based Accreditation Bureau

- b. **Representatives.** The TWG, through the Chairperson, shall invite Filipino migrant fishers' labor organizations or civil society groups, organizations of licensed manning agencies deploying Filipino migrant fishers and/or representatives of owners of foreign-flagged commercial fishing vessels with office in the country to nominate their respective representatives for appointment by the DMW Secretary as TWG members.



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appointment by the DMW Secretary as TWG members.

The sectoral representatives must have well-grounded experience and knowledge in recruitment and employment, working conditions, and benefits of migrant fishers in foreign-flagged commercial fishing vessels. They must be available and willing to engage in the review and drafting of regulations, standard terms and conditions of employment, and standard employment contracts.

The appointed representatives shall be subject to recall and replacement at any time upon the sector's recommendation.

- c. **Secretariat.** The Sea-Based Accreditation Bureau shall provide technical and Secretariat services to the TWG and shall perform such other functions as the Chairperson may assign in relation to the work of the TWG.
- d. **Subcommittees.** The TWG, recognizing the need for specialized focus, has the authority to create as subcommittees as may be necessary. Each subcommittee shall be headed by the relevant bureau of the Department and shall have clear area/s of assignment and timelines to complete and submit their assigned task to the TWG for review, approval, and adoption. This approach is intended to ensure efficient task completion and effective resource utilization.
- e. **Bureaus and Divisions.** The Department's bureaus or appropriate divisions, such as the International Migrant Workers Policy Cooperation Bureau (IMWPCB), Internal Cooperation and Labor Market Monitoring Division, and Migrant Workers Protection Bureau, among others, are hereby directed to provide technical support and perform functions as may be required for the expeditious completion of the TWG's work.
- f. **Rules of Procedures and Meetings.** The TWG shall adopt Rules of Procedure observing a Work Plan with clear timeframe to complete the task on or before December 2024. In all cases, the decision shall be made by consensus of all those present in the TWG meeting duly called for the purpose. If the Chairperson cannot obtain a consensus, the issue or issues of concerns with a maximum of three proposed version shall be elevated to the DMW Secretary for his decision.

The TWG shall meet regularly at such frequency as necessary to complete the tasks based on the Work Plan.

Meetings or the convening of subcommittee/s shall be as frequent as necessary to complete their task on time as determined by the TWG.

II. **TWG Terms of Reference (TOR)**

- a. **Work of the TWG.** Pursuant to Section 2 of Republic Act No. 11641 or the "*Department of Migrant Workers Act*" it is the policy of the State to protect and promote the rights and welfare of Overseas Filipino Workers (OFWs).

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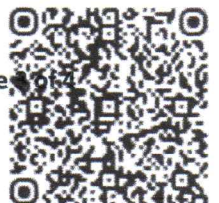
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and their families by (a) ensuring that private recruitment shall meet professional, legal and ethical standards; (b) obtaining the best possible conditions of work that uphold the dignity of Overseas Filipino Workers; (c) providing timely and responsive services to address their needs regardless of legal status; (d) ensuring their participation in the formulation of policies affecting their welfare; (e) providing mechanisms for skills development and reintegration; and (f) progressively aligning programs and policies towards compliance with ratified international conventions and bilateral or multilateral treaties on migration particularly the twenty-three (23) objectives of the Global Compact for Safe, Orderly and Regular Migration (GCM). To carry out the State Policy, the TWG, with ILO Technical Assistance, shall:

- i. Identify the gaps in the existing regulations on sea-based recruitment and deployment (*2016 POEA/DMW Rules and Regulations Governing the Recruitment and Deployment of Seafarers, and Standard Terms and Conditions Governing the Employment of Filipino Seafarers Onboard Ocean-Going Vessels*) as applied to Filipino migrant fishers recruited and deployed onboard foreign-flagged commercial fishing vessels;
- ii. Formulate for issuance by the DMW Secretary the following:
 - ii.a Regulations specific to the recruitment and deployment of Filipino migrant fishers on foreign-flagged commercial fishing vessels;
 - ii.b Migrant fishers' specific Standard Terms and Conditions of Employment onboard foreign flagged commercial fishing vessels; and
 - ii.c Standard Employment Contract for Migrant Fishers (SEC-F). If practicable and necessary, the SEC-F can be flag or destination specific such as for UK and Taiwan or formulated to handle multiple destination countries or the vessel's flag of registry requirements. In case of a UK specific SEC-F, the standards of the host country, including the required accreditation for medical practitioners or clinic that meets the UK standards for medical examination before leaving the Philippines shall be considered.
- iii. Study and recommend, bilateral agreements with countries of registry and fishing grounds to ensure the protection of Filipino migrant fishers, including the ratification of ILO Convention Nos. 188, 181 and the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995 (STCW-F). Explore bilateral agreement for fishers with the UK or the development of a similar annual Philippine-Taiwan Joint Labor Conference (JLC) where bilateral concerns on the employment of Filipino migrant fishers can be tackled with a Joint Technical Working Group.
- iv. Conduct at least two (2) consultations or focus group discussions with key stakeholders in and outside the Maritime Industry Tripartite Council (MITC) particularly with the Licensed Manning Agencies deploying Fishers (LMAF) and workers' representatives, fishers and migrant fishers' groups or associations, and civil society organizations, among others.



b. **Priority areas for inclusion in regulatory review and formulation.** The Priority Areas for regulatory review and formulation shall, among others, include ensuring the following:

- i. The rights and welfare of every Filipino Migrant Fishers during pre-employment, onboard the fishing vessel, repatriation, and re-integration;
- ii. Observance of occupational safety and health standards onboard fishing vessels;
- iii. Address the gaps as and
- iv. The best possible terms and conditions of work that uphold the dignity of Filipino Migrant Fishers.

III. ***ILO Technical Advisory/Assistance***

Pursuant to the terms of the ILO-DMW collaboration on policy development and drafting of regulations and SEC-F, the TWG and its subcommittees shall be provided Technical Assistance by the ILO.

IV. ***Miscellaneous***

- a. **Funding.** All expenses to be incurred for the work of the TWG shall be charged against the general fund of the Department.
- b. **Regular Report to the Secretary.** The TWG shall submit a monthly Progress Report to the Office of the Secretary.
- c. **Effectivity.** This Order/Circular shall take effect immediately and shall remain in effect until revoked or the TWG is dissolved. Accordingly, the TWG is directed to immediately convene upon issuance of this Department Order/Circular.

Mandaluyong City, Philippines. 14 day of October 2024.


HANS LEO J. CACDAC
Secretary

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