



Republic of the Philippines
Department of Migrant Workers

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BAGONG PILIPINAS

DEPARTMENT ORDER NO. 03
Series of 2024

Prohibition Against Deployment of Filipino Seafarers On Board Ships Which Traversed through the ITF/IBF Designated Warlike and High Risk Zones and Have Been Attacked

Pursuant to Department of Migrant Workers (DMW) prevailing issuances on *Guidelines on the Observance of the ITF/IBF High-Risk and War-Like Zone and Implementation of the Right to Refuse Sailing of Seafarers* and due to the increasing number of attacks against commercial ships involving Filipino seafarers, the DMW hereby issues the following guidelines on the deployment of Filipino seafarers on board ships traversing the prevailing ITF/IBF designated High-Risk and War-Like Zones:

I. Coverage

This Department Order (DO) shall cover all Licensed Manning Agencies (LMAs) and their accredited principals/employers who employ Filipino seafarers onboard ships that traversed, are traversing, or intend to traverse the prevailing ITF/IBF designated high-risk and war-like zones, especially those in the Red Sea, the Gulf of Aden, and surrounding areas/waters, as provided in the prevailing DMW Advisories, where Houthi rebel forces have been reportedly attacking vessels.

II. Strict Observance of the Prevailing ITF/IBF High-Risk and War-Like Zones, the "Right to Refuse Sailing" of Seafarers and Reportorial Requirements

All LMAs and their accredited principals/employers shall ensure strict and faithful compliance with the Guidelines on the Observance of the ITF/IBF High-Risk and War-Like Zones, Implementation of the Right to Refuse Sailing for Seafarers and the reportorial requirements under Department Order No. 01 Series of 2024.

III. Non-Deployment of Filipino Seafarers to Ships Traversing the Prevailing ITF/IBF Designated High-Risk and War-Like Zones Which Have Been Previously Subjected to Attacks

All LMAs and their accredited principals/employers whose ships/vessels have been previously subjected to attack shall be prohibited from deploying Filipino seafarers to the same ships previously attacked that traversed, are traversing, or will traverse in the same ITF/IBF designated high-risk and war-like zones by Houthi Rebel forces and/or other armed groups and in the same high-risk or war-like zones where the previous attack was made, unless they comply strictly and faithfully with the provisions of Paragraph Nos. IV, V, and VI of this Order.

IV. Providing Necessary Security Measures

1. Accredited principals/employers deploying Filipino seafarers onboard vessels traversing the prevailing ITF/IBF designated high-risk and war-like zones shall provide security measures (i.e. maritime security escorts and/or security personnel on-board) to all ships passing through the Red Sea, the Gulf of



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Aden, and the surrounding areas/waters;

2. Accredited principals/employers shall conduct the necessary onboard safety drills to their crew to address piracy, hijacking, terrorism, unmanned attacks and/or other forms of armed violence;
3. Accredited principals/employers through their respective LMAs shall provide a Risk Assessment Report to the DMW prior to the intended voyage of their ships in the prevailing ITF/IBF designated high-risk and war-like zones; and
4. Accredited principals/employers through their respective LMAs shall immediately report to the DMW, through the OFW Welfare Monitoring System (OWMS), any incident of piracy, hijacking, and/or armed violence involving their ships.

V. Monitoring of Deployed Seafarer and Submission of Reports

LMAs and their accredited principals/employers shall ensure strict and faithful observance of the following reportorial requirements:

1. Report the scheduled passage of ships with the complete list of the names of Filipino Seafarers on-board which will be traversing the ITF/IBF High-Risk and War-Like Zones as a significant event in the OFW Welfare Monitoring System (OWMS) immediately upon their deployment or knowledge of such scheduled passage, which in no case shall be later than three (3) days from deployment.
2. Report within twenty-four (24) hours from knowledge of the scheduled passage to ITF/IBF High-Risk and War-Like Zones, the measures undertaken to divert the voyage of the ships to avoid the said ITF/IBF High-Risk and War-Like Zones and, if applicable, providing therein the reasons for failure to successfully divert the voyage thereto.
3. Report within twenty-four (24) hours to the DMW-Seabased Accreditation Bureau and the OWMS (sbhighrisk@dmw.gov.ph), the list of names of Filipino Seafarers on-board who exercised their right to refuse sailing as well as those seafarers who voluntarily decide to continue with the voyage after being properly informed of the risks and their right to refuse to sail, furnishing said Bureau and OWMS with copies of the duly-accomplished *Confirmation of Refusal to Traverse the Red Sea or Gulf of Aden and/or to Other War Risk/Like and High-Risk Zones* or *Confirmation of Continued Voyage Onboard*, as applicable.

VI. Disclosure and Affirmation of Employment

All accredited principals/employers who: (a) operate ships and vessels that were previously subjected to any attack in ITF/IBF designated High-Risk and War-Like Zones and (b) continue to traverse those routes, are mandated to disclose to all Filipino Seafarers to be deployed to said ships and vessels the circumstances of the said previous attack prior to their deployment and provide the seafarers with the means to make timely and informed decisions regarding their deployment, particularly their "Right to Refuse to Sail".

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To this end, the LMAs and the principals/employers shall be required to submit a Disclosure Statement and Affirmation of Employment duly signed by the Filipino seafarer prior to deployment and an Agreement to be meted with a preventive suspension order. Additionally, in cases where the principal fails to inform the LMA in a timely manner that it intends to sail the vessel previously attacked in the same high-risk area, the preventive suspension shall apply solely to the principal and not to the LMA.

VII. Principals/employers whose vessels have no case of attack

Principals/employers whose vessels have not yet been subjected to attacks are hereby directed to undergo a rigid risk assessment and are encouraged to divert their vessels outside the designated warlike and high-risk zones. Nonetheless, if their vessels opt to traverse the ITF/IBF designated warlike and high-risk areas, principals/employers shall ensure that all necessary security measures are adopted including but not limited to engaging the services of naval armed escorts.

VIII. Violation/s, Suspension and Penalties

In addition to the imposition of penalties and sanctions in accordance with prevailing policies, rules, and regulations, LMAs and/or their accredited principals/employers who fail to comply with the provisions of this Department Order may be placed under preventive suspension pursuant to Section 153 (c), Rule VII, Part V of the 2016 Revised POEA Rules and Regulations Governing the Recruitment and Employment of Seafarers, as amended by POEA Governing Board Resolution No. 11, Series of 2021. After due investigation and substantial evidence was presented to prove any violation under the rules, the LMAs and/or their accredited principals/employers shall be further imposed with appropriate penalties under the applicable rules and regulations.

For the information and guidance of all concerned.

City of Mandaluyong, _____.


HANS LEO J. CACDAC
Ad Interim Secretary

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