

Annex 23. Cooperation Agreements to Address Equity Issues: Case of the Philippines

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COOPERATION AGREEMENTS TO ADDRESS EQUITY ISSUES

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Presentation Outline

- Managed Migration
- Policy Development Criteria
- Philippine Experiences in Bilateral and Multilateral Agreements
- Conclusions



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Vision and Goal: Managed Migration

- Should facilitate **both**
 - development goals of source countries and
 - efficiency goals of destination countries
- Involves national
 - policy reforms,
 - international agreements,
 - cooperative education program by source and destination country institutions,
 - and health sector development projects.(Commonwealth Secretariat, 2005)



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Migration Related Policy Categories

1. Recruitment, Entry, and Citizenship Policies
2. Licensure and Scope of Practice
3. Welfare and Human Resource Development
4. Retention Policies
5. Re- entry of Migrants (Brain Gain)
 - Permanent
 - Temporary (Brain Circulation)
6. Skill Mix
7. Poverty Alleviation and Social Development



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Policy Development Criteria

1. Should achieve equity and efficiency
2. Promote policy Coherence
3. Promote protection and safety of health Outcomes



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Policy Goals

- Equity – Nurse Distribution
- Effectiveness- MDGs
- Efficiency- Outputs met
- Security – Safety – Attainment of Health Outcomes



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PHILIPPINE BILATERAL/MULTILATERAL AGREEMENTS



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Review of Philippine Bilateral Agreements

Precondition1-Legal Access to Labor Markets

Good Practice Policy Elements:

- Share information in order to better match labor supply and demand
- Build capacity to improve human resource development, technology transfers, and skills training
- Identify all stakeholders and involve countries of origin, NGOs as well as international organizations in the selection and recruitment of workers

(Based on Compendium of Good Practice Policy Elements in Bilateral Temporary Labor Arrangements, Global Forum on Migration and Development, 2009)



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Review of Philippine Bilateral Agreements

Precondition1-Legal Access to Labor Markets

Good Practice Policy Elements:

- Enhance and enable specific types of temporary labor migration, including circular and sector-specific migration
- Enable equal access for women to employment
- Recognize skills and qualifications to facilitate entry into destination labor market
- Address irregular migration with arrangements for legal migration opportunities as an option to restrain irregular movements of people



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Review of Philippine Bilateral Agreements

Precondition2-Protection by improving Work Outcomes and Skills of Migrants

2a. Monitoring and Evaluation of Employment

Good Practice Policy Elements:

- Inform workers of legal migration opportunities and of their rights and obligations
- Protect migrant workers from recruitment fees and high transportation costs
- Guarantee fair work and wage conditions



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2a. Monitoring and Evaluation of Employment

- Facilitate equal access of female migrant workers
- Ease access to financial systems and enhance financial transfers
- Ensure the same health care and social security benefits for migrant workers as for local workers
- Ensure Enforcement
- Integrate monitoring and evaluation measures



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2b. Improving work skills and outcomes

Good Practice Policy Elements:

- Provide pre-departure language training and culture orientation
- Cooperate among countries of origin to protect migrant workers in countries of destination
- Promote inclusion of migrants in society of destination country
- Facilitate family unification



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Precondition 3 – Ensuring temporariness of Migration

Good Practice Policy Elements:

- Ease reintegration and recognition of skills
- Provide for the portability of retirement pensions, social security; health benefits

Miscellaneous Arrangements



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Best Practices specifically for HRH

- RP-UK (2003)
- RP- (DOLE) – Saskatchewan, Canada MOU (2006)
- RP – Manitoba, Canada MOU (2006)
- RP- British Columbia, Canada, MOU (2006)
- RP- Alberta, Canada, MOU (2006)
- RP- Japan (JPEPA) , 2006
- RP-Bahrain MOA (2007)
- RP-UAE MOU (2007)



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RP-BAHRAIN MOA ON HEALTH SERVICES COOPERATION

MOA OBJECTIVES:

- Provide an ethical framework that will guide the recruitment policies and procedures of parties
- Create alliances between healthcare and educational institutions
- Provide reintegration for HRH upon return to home country
- Develop mechanisms for sustainability of HRH development
- Promote the development of health-related research institutions



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RP-BAHRAIN MOA ON HEALTH SERVICES COOPERATION

A. Exchange of Human Resources for Health

1. Recruitment
2. Rights of Workers
3. Capacity Building
4. Mechanisms for Sustainability of the development of HRH
5. MRA on HRH



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- B. Scholarships
- C. Academic Cooperation on HRH
- D. Investments
- E. Technology Cooperation



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STATUS: RP-BAHRAIN MOA ON HEALTH SERVICES COOPERATION

Formulation of Implementing Guidelines

- Exchange of HRH
- Investment Cooperation



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MOU between DOLE and Saskatchewan Province, Canada (2006)

Mutual Development of Human Resources

Saskatchewan companies employing workers deployed under the MOU will provide investments or contributions to be used to improve the education and training of nurses in the Philippines



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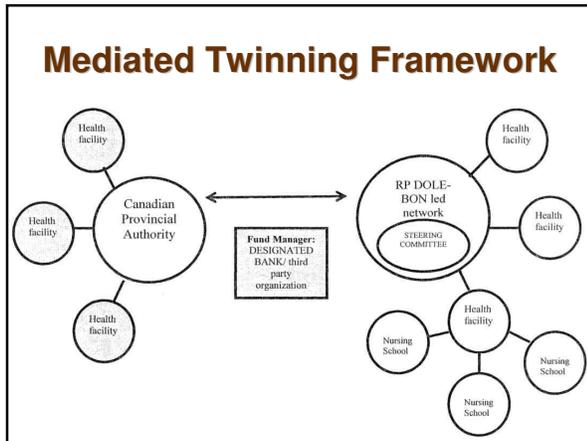
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PRINCIPLES

- Beneficial for source, destination and migrant individuals and families
- Efficient and effective use of investments
- Equity and access to opportunities and resources
- Efficient and transparent governance
- Effective and acceptable collaboration mechanisms



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MOU between DOLE and Saskatchewan Province, Canada (2006)

“ Pay back” Investments in :

- training of replenishment of nurses from facilities where they were recruited (hospitals, public health facilities) – mediated twinning arrangements
- facility-based state-of-the-art training institutes through e.g. Philippine Nursing Education Academy (PNEA)
- information systems and exchange of information
- nursing curriculum development and nursing training quality assurance



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MOU between DOLE and Saskatchewan Province, Canada (2006)

STATUS:

Implementing Guidelines are being drafted by the POEA to cover:

- Implementing mechanisms –structures
- Sharing of Information
- Recruitment Mechanisms
- Financing the MOU
- Monitoring and Evaluation



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MULTILATERAL AGREEMENTS

MOBILITY OF PERSONS

- ASEAN Mutual Recognition Agreement (MRA)
- Asian Framework Agreement for Services (AFAS)
- Mode 4 Temporary Movement of Business Persons



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MUTUAL RECOGNITION ARRANGEMENT

World Trade Organization (WTO) General Agreement on Trade in Services (GATS) ARTICLE VII

- ALLOWS WTO MEMBERS TO RECOGNIZE THE EDUCATION OR EXPERIENCE OBTAINED
- ALL RECOGNITION MEASURES BE REPORTED TO COUNCIL FOR TRADE IN SERVICES FOR TRANSPARENCY



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MUTUAL RECOGNITION ARRANGEMENT

- Harmonization of technical standards as another means of removing/reducing non-discriminatory trade barriers to market access
- Example of harmonization in both years and content of education -European countries have harmonized 55% of degree programmes



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MUTUAL RECOGNITION ARRANGEMENT

RECOGNITION OF DIPLOMAS, QUALIFICATIONS, LICENCES AND CERTIFICATES ABROAD THROUGH MUTUAL OR UNILATERAL PROCEDURES (RECOGNITION AS A FORM OF NATIONAL TREATMENT)

Investment in nursing curriculum development and nursing training quality assurance



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ASEAN MRA

Agreements in Force:

- Nurses
- Physicians
- Dentists
- Engineers

- Implementing guidelines are being drawn up



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Conclusions

- New HRH bilateral agreements – assure inclusion of ethical framework
- Review bilateral labor agreements that can be renegotiated
- Advocacy, for HRH ethical framework at regional and int'l fora



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Conclusions

- Strengthening of internal coordinating mechanism – government agencies, professional associations, private sector, i.e., recruitment agencies



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Conclusions

- Systematic information gathering on policies and models on HRH exchanges and migration at bilateral, regional and international level; ethical codes; return migrant modalities; and technical cooperation



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Conclusions

- Voluntary nature of ethical guides
- Agreements are windows of opportunities to be harnessed and not necessarily guarantee of effective implementation
- Assurance of mutuality of benefits for both Parties
- May provide a model for bottom-up global development!



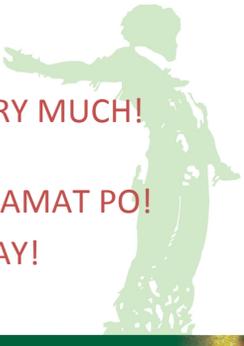
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THANK YOU VERY MUCH!

MARAMING SALAMAT PO!

MABUHAY!



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