

Country study

Analysis of labour migrants' vulnerabilities to trafficking in persons and labour exploitation in the Philippines

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Trafficking in persons and labour exploitation: A political economy analysis

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About this publication

This publication was produced as an output of a research partnership between ASEAN-ACT and ODI. The research involved conducting an applied political economy analysis to understand the dynamics of labour exploitation and trafficking in persons in Southeast Asia, for the purposes of: 1) improving the evidence base for ASEAN-ACT and partners' programming and policy engagement; and 2) developing and implementing a process for feeding that evidence into ASEAN-ACT and partners' programming and consultations on a regular basis.

The purpose of this research is to advance understandings of the vulnerabilities of labour migrants to exploitation and trafficking. This can contribute to improved response capabilities of state agencies and international programmes to address these issues and strengthen protection and support for labour migrants and victims of trafficking in persons.

Phase 1 of the research project includes four country studies: Cambodia, Laos, Thailand and Vietnam. Phase 2 of the research project includes four country studies: Indonesia, Myanmar, Malaysia and the Philippines.

This Country Study is one of four countries assessed in Phase 2. Thematic briefs distil findings from across the country studies on key cross-cutting issues.

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Acronyms

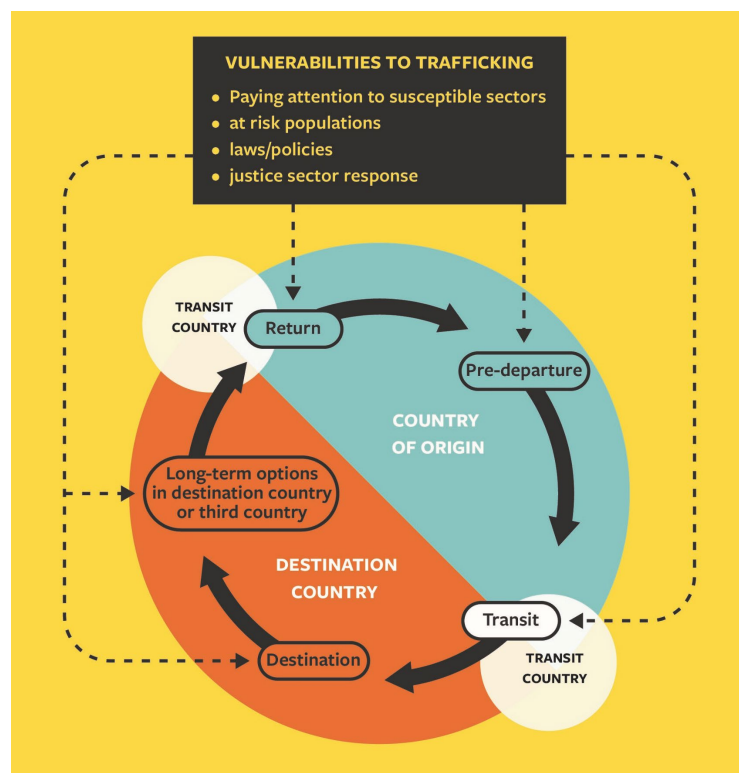
ACFID	Australian Council for International Development
AHTRAD	Anti-Human Trafficking Division of PNP
AMLC	Anti-Money Laundering Council
ASEAN	Association of South East Nations
ASEAN ACT	ASEAN Australia Counter Trafficking
BCPC	Barangay Council for the Protection of Children
BI	Bureau of Immigration
CALABARZON	Cavite, Laguna, Batangas, Rizal, and Quezon
CSO	Civil Society Organisation
DILJ	Department of Interior and Local Government
DMW	Department of Migrant Workers
DOJ	Department of Justice
DOLE	Department of Labour and Employment
DSWD	Department of Social Welfare and Development
FTC	Fair Training Centre
GBV	Gender-Based Violence
IACAT	Inter-Agency Council Against Trafficking
ILO	International Labour Organization
IJM	International Justice Mission
IOM	International Organization for Migration
KII	Key Informant Interview
LGU	Local Government Unit
MCAT	Municipal Council Against Trafficking
NBI AHTRAD	National Bureau of Investigation Anti-Human Trafficking Division
NBI	National Bureau of Investigation
NGO	Non-Government Organisation
ODI	Overseas Development Institute
OEDB	Overseas Employment Development Board
OFW	Overseas Filipino Workers
OSAEC	Online Sexual Abuse and Exploitation of Children
OWWA	Overseas Workers Welfare Administration
PACGOR	Philippine Amusement and Gaming Corporation
PCTC	Philippine Centre for Transnational Crime
PDOS	Pre-Departure Orientation Seminar
PEOS	Pre-Employment Orientation Seminar
PNP	Philippine National Police
POEA	Philippine Overseas Employment Administration
POGO	Philippine Offshore Gaming Operator
POLO	Philippine Overseas Labour Offices
PSA	Philippine Statistics Authority
RA	Republic Act
SDG	Sustainable Development Goal
TIP	Trafficking in Persons

Executive summary

In Southeast Asia, labour migration offers many positives, but migrants may also fall victim to exploitation or trafficking in persons (TIP). Vulnerability to exploitation and TIP is caused not only by lack of knowledge, skills or capacity but is also shaped by structures, institutions, power and interests. Addressing exploitation therefore requires understanding how these dimensions sustain vulnerabilities.

This country study on the Philippines is part of a series of ASEAN country studies seeking to understand what shapes labour migrants' vulnerabilities to exploitation, including TIP. The Philippines is primarily a migrant-sending country, with approximately 10% of the population abroad. While not all of these are migrant workers, remittance flows are an important component of the Philippine economy.

Figure 1 Map vulnerabilities to trafficking along the labour migration cycle



Source: ODI, 2024

Methods

An analytical framework was developed to unpack vulnerabilities to exploitation (including trafficking) facing labour migrants at each stage of the labour migration cycle (see Figure 1). A political economy approach was used to examine how these vulnerabilities are shaped, underlining the role of formal rules and laws, informal practices and social norms, as well as power, interests and incentives related to labour migration and TIP.

Context

The Philippines has a population of 109 million. According to the 2020 Census, almost 45% of the population are aged between 15 and 39 years, which creates a large demand for jobs. While unemployment is 4.8%, underemployment stands at 14.1%, driving many to seek better paid work abroad. The Philippines is a diverse country, characterised by multiple ethnicities and languages. While the agricultural sector once provided employment to the majority, it has been gradually overtaken by the services sector.

The Philippines is formally democratic, but is heavily influenced by a small, wealthy elite. With decentralisation, significant power is held outside Manila, and the Local Government Unit (LGU) is independent in seeking to provide social services to local constituents. Corruption is also a perennial problem.

Labour migration has been an important economic feature since the 1970s, when policies were crafted to support the emigration of skilled Filipino workers. Numbers of Overseas Filipino Workers (OFWs) have continued to grow, although government policies have also shifted away from exporting labour, instead seeking to manage migration and protect labour migrants. One consequence of this shift in policy has been the creation of a larger role for recruitment agencies.

Although there is legislation to protect workers, and the government is active in negotiating with destination countries and ensuring that workers are protected, the large number of Filipino workers abroad makes it inevitable that there are some gaps in protection.

The state has promoted an appealing rhetoric of OFWs as modern-day heroes to encourage migration. In addition, families pressure migrant labourers to provide for them. Despite this, there are also social costs to migration, particularly for women, who must balance their responsibilities as providers and as carers.

Labour migration patterns and pathways

The number of OFWs peaked at 2.2 million in 2019, and while numbers fell during the COVID-19 pandemic, they are now rising again. In 2021, there were 1.83 million workers abroad, mostly migrating through formal channels, of whom just over 60% were

women. Filipino women are raised with the expectation that they will make sacrifices for the family, and are willing to take risks in order to support them.

Women primarily work abroad as domestic workers in other Asian countries and the Middle East, as well as North America. Men often seek work abroad in manufacturing, construction, agriculture and on fishing vessels. The isolation on offshore fishing vessels is even more extreme than in domestic work, as mechanisms for inspections and reporting are almost non-existent.

Most of those who are working in such sectors come from poorer, rural areas, and have low levels of education. Some may have sought work in towns but if they are unsuccessful, they seek work abroad.

Because of the large numbers of overseas workers from the Philippines, there are many destination countries. However, there are two primary methods of migrating – by air, usually from Manila, or via sea from Zamboanga – where there is the formal ferry route to Sabah. ‘Back-door’ routes are also used via Zamboanga, Tawi-Tawi, or Palawan.

A newer trend has been the deceptive recruitment of educated Filipinos into scam centres in Cambodia and Myanmar, where workers groom victims online to encourage investment in fraudulent schemes. Like the growth of scam centres elsewhere in Southeast Asia, the online gaming sector in the Philippines has also been linked to labour exploitation, and there are increasing reports of exploitation in scam centres in the country.

Recommendations

Although the Philippines has broad TIP provisions that include forced labour, slavery, involuntary servitude and debt bondage, both in the Philippines and abroad, there is value in a nuanced approach that expands on the standardised response to human trafficking.

- Support the sub-national response to labour trafficking.
 - Build the capacity of regional taskforces and share lessons among taskforces.
 - Expand the Justice Zones to new areas, monitor their effectiveness and identify areas for improvement.
 - Build a more robust referral mechanism that ensures LGUs in departure regions are not providing disproportionate support.
 - Increase the capacity of LGUs to engage in preventative measures.
- Strengthen the Response of the Government of the Philippines to human trafficking abroad.

- Ensure that Department of Migrant Worker attachés in Philippine embassies are trained in victim identification and are aware of the support available.
- Bring embassies into the process of approving recruitment agencies in destination countries.
- Continue to Support the Criminal Justice Response to Trafficking.
 - Apply asset recovery mechanisms to confiscate the proceeds of crimes and provide compensation to victims of trafficking.
- Encourage Private-Sector Engagement on Human Trafficking.
 - Social media platforms should be encouraged to adopt a duty of care regarding advertising opportunities for overseas work.
 - Bring the Philippine Amusement and Gaming Corporation (PAGCOR) into the Inter-Agency Council Against Trafficking (IACAT) to increase coordination and communication.
 - Revive IACAT engagement with the transport sector to create a role for airlines, ferries, buses and taxis in identifying victims and referring to appropriate authorities.
- Strengthen the regional response to trafficking, specifically in relation to scam centres.

1 Introduction

Human trafficking is a complex problem, which therefore poses many challenges to effective policy responses. The dimensions and dynamics that affect human trafficking cut across political, economic, social and cultural institutions and structures. It is ultimately about exploitation and coercion by powerful interests, while those who are vulnerable to being trafficked are often among the most marginalised and voiceless in society. In the context of the Sustainable Development Goals (SDGs), particularly targets 16.2, 16.3 and 8.7¹ and the ‘leave no one behind’² agenda, it is imperative to pay attention to these most marginalised groups. Analysis of interventions that seek to tackle human trafficking to date has found some successes, particularly in developing policy and awareness of the problem. However, fundamental challenges remain in protection and prevention responses, as well as effective governance and justice. Some of these barriers are well recognised while others are more ambiguous. Some are documented and some only implicitly understood.

In Southeast Asia, migrant workers – the largest category of migrants globally – are among the most vulnerable to human trafficking. There is high demand for workers in some countries in the region, and a supply of workers in countries with fewer job opportunities who are willing to migrate for work (Oliver, 2019; Testaverde et al., 2017). While these migrants may willingly embark on their journey, they are vulnerable to exploitation at every stage. This is especially the case for those whose migration is not formal – namely those who travel outside existing visa regimes or through unofficial brokering services. This makes them irregular or undocumented in the destination countries, with fewer protections than those who migrate formally since reporting to the authorities entails the risk of deportation, extortion or criminalisation (Chantavanich et al., 2013). Even migrants using formal channels are not exempt from exploitation (Bylander, 2019). In many countries, the response to human

1 The SDGs were agreed in 2015. The targets applicable to labour trafficking include 16.2: end abuse, exploitation, trafficking and all forms of violence and torture against children; 16.3: promote the rule of law at the national and international levels, and ensure equal access to justice for all; and 8.7: take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms.

2 ‘Leave no one behind’ is central to the SDGs, forming a commitment of all UN Member States to eradicate poverty in all its forms, end discrimination and exclusion, and reduce the inequalities and vulnerabilities that leave people behind and undermine the potential of individuals and of humanity as a whole.

trafficking has focused on sexual exploitation, which has meant that few people have been officially identified as victims of labour trafficking (Weitzer, 2014). The nature of labour trafficking is also less understood, both by policy-makers and organisations that support victims.

The ASEAN region is interconnected by labour migration because of the disparities in economic and industrial development between member states, and the relative ease of irregular movement between them, although some migrant workers also go beyond the region. The demographic differences between ASEAN countries with labour surplus and demand means that labour migration will continue to be a striking feature of labour markets and societies in the region for some time to come. However, there is a dearth of practice and policy-oriented approaches that integrate the complexity of labour migration with concrete recommendations on how to mitigate vulnerabilities to trafficking among labour migrants and how victims of trafficking can be afforded greater protection and legal agency.

Given this complexity, this country case study is one in a series that reviews the structural governance and political economy factors affecting labour migrants' vulnerability to human trafficking. This includes understanding the political economy of the structural, institutional and political constraints and enablers that shape prevention and protection capabilities, as well as advancing knowledge about the pathways to reduce victims' vulnerability and improve their protection capacity, voice and agency.

In the Philippines, labour migration became a tool to promote economic development in the 1970s, with successive governments actively promoting the migration of Filipino workers to other countries. While this is no longer government policy, there are still large numbers of Filipino workers abroad, making a significant contribution to the economy. Around 10% of Filipinos are outside the country,³ and while not all of these are migrant workers,⁴ overseas Filipino workers (OFWs) are making significant remittances to support their family in the Philippines.

Migrating for work is a choice, albeit often a constrained choice, influenced by family members, social structures and myriad other factors. Since migrant workers have limited control over their working conditions, the Government of the Philippines has at times taken strong action to protect its workers abroad, including banning travel to countries that offer limited protections. However, because Filipinos often work in hidden sectors, such as domestic work and fishing, there are limits to the government's influence. While measures have been taken to regulate workers engaged in fishing and domestic work, monitoring and ensuring compliance is difficult as there is

³ Interview, IACAT, Manila, April 2023.

⁴ There are also large numbers of Filipino residents and the broader diaspora who send remittances, but are not OFWs.

limited control in destination countries, and even less in the case of fishing because the jurisdiction is unclear. Newer sectors targeting a different demographic of worker – scam centres – are also hidden, making their workers' more vulnerable.

This country case study assesses the key political economy factors that affect vulnerability to human trafficking in labour migration with a focus on policy, governance, regulatory and justice dimensions of prevention and protection and on the legal agency of migrant workers and trafficked persons, in order to provide recommendations for policy and programming on labour trafficking.

The Philippines is primarily a source of labour migrants, with OFWs in many different countries. Rather than focusing on migration corridors, the case study engages with some of the key sectors in which Filipino workers are engaged – domestic work, fishing and the newer cases of scam centres. The research also engages with the methods of travelling from the Philippines, including the primary air routes, the ferry to Sabah, as well as the 'back door' route to Sabah. The Philippines has also recently become a destination country for labour exploitation, initially linked to the Philippine Offshore Gaming Organisations (POGOs), and now also the rise of scam centres, which are also examined. The study engages with the vulnerabilities at each stage of the journey in relation to these migration corridors – pre-departure, the journey to the destination, experiences in the destination country, and on return to the Philippines.

2 Methodology

2.1 Political economy

This case study is part of a series commissioned by the ASEAN-Australia Counter-Trafficking Program (ASEAN ACT), which was interested in understanding the vulnerabilities of labour migrants in particular, as distinct from sex trafficking which has tended to be of greater interest, recognising that there can be an overlap between the two (Weitzer, 2014: 7).⁵ The research began by developing an analytical framework that sought to unpack the structural features, formal and informal rules, power relationships and interests that shape vulnerabilities of labour migrants to trafficking at each stage of the labour migration cycle. Using this framework as an organising device, a literature review and key informant interviews were undertaken in the Philippines. In addition, workshops were held to distil and test findings with ASEAN ACT and the wider research team who were undertaking identical country studies in Indonesia, Malaysia and Myanmar concurrently (studies in Cambodia, Laos, Thailand and Vietnam were undertaken in the first phase).

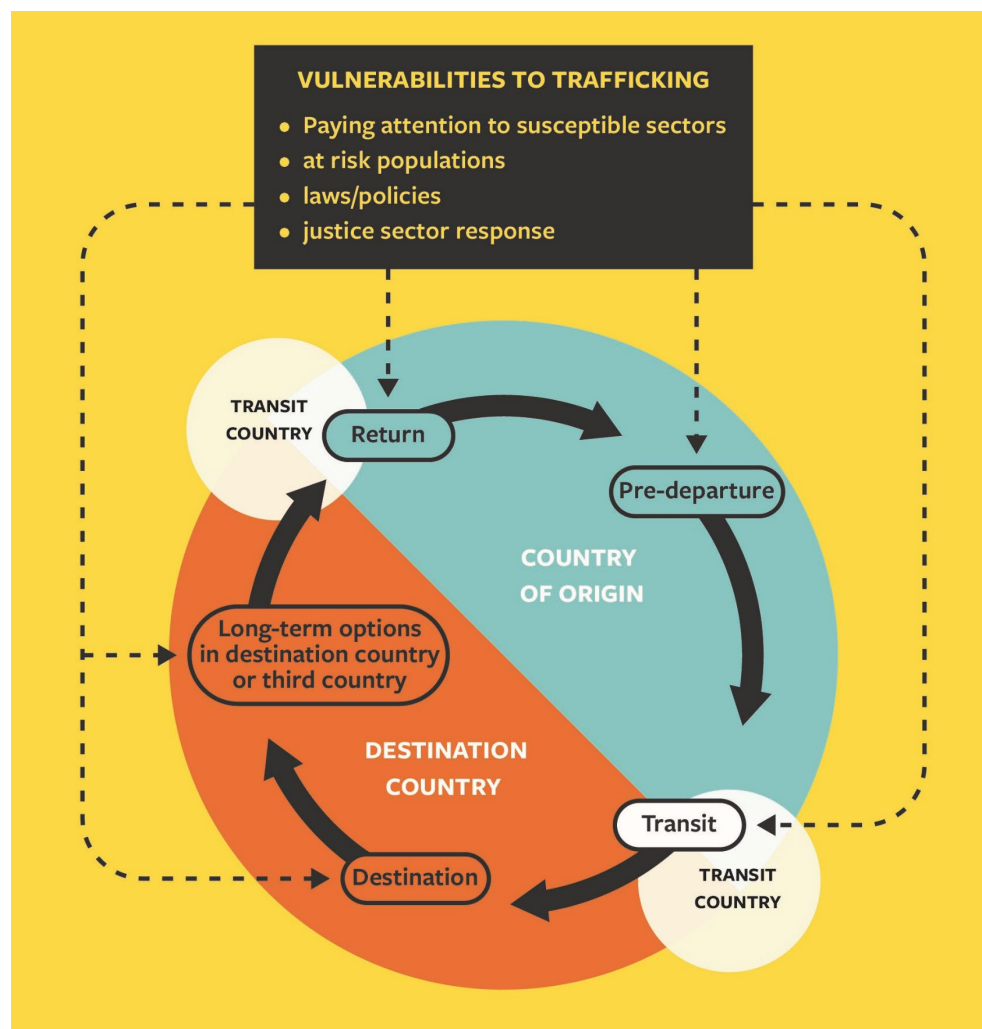
The research used a political economy approach to examine how vulnerabilities to trafficking are shaped at each stage of the migration cycle. The political economy lens reveals the role and interlinkages across formal institutions, law, informal rules and practices as well as wider social norms related to labour migration and trafficking in persons (TIP) in the region. It also engages with the incentives, interests and distribution of power among different actors, how these shape behaviour and strategic choices. Importantly, the political economy lens examines how these dynamics shift as relationships, rules and practices (formal and informal) change over time. It also identifies opportunities to advance change that supports improved prevention and protection capabilities in addressing vulnerabilities to trafficking.

Vulnerabilities to trafficking were identified and mapped at each stage of the labour migration cycle: pre-departure; transit; arrival in destination country; long-term options in destination or third country; and return (possibly involving transit) (Bisong and Knoll, 2020). Analysis then examined what context-specific factors enable or

⁵ Given this focus on the risks of trafficking for labour migrants, this case study does not deal with sex trafficking, although this being a sizeable problem. This is despite the fact that sex trafficking can also be understood as a form of labour exploitation, given its increasingly accepted framing as 'sex work'.

sustain the vulnerabilities identified at each stage, as well as beginning to note potential opportunities for change (see Figure 1).

Figure 2 Mapping the vulnerabilities to trafficking along the labour migration cycle



Source: ODI, 2024

2.2 Desk review

A review of academic and grey literature was conducted at the outset. The desk review assisted in finalising the analytical framework, based on the key political economy elements that were identified in the Philippines. The desk review established that because of the large number of destination countries for OFWs, it was more relevant to focus on sectors of employment.

While the sector does not determine the level of exploitation, sectors were used as a means to identify the broader factors that contribute to exploitation. There are several sectors which employ large numbers of Filipino migrant workers in multiple countries. Focusing on the methods of recruitment, transport and facilitation in those sectors provided an avenue to analyse labour migration dynamics

more widely, as migrants use similar approaches in many countries. In addition, the Philippine government has developed sector-specific policies to address risks of exploitation – for example, regulatory frameworks have been developed for domestic workers, and for seafarers.

Accordingly, the desk review engaged with the vulnerabilities that have been identified in relation to the two different types of labour migration – more traditional sectors, such as domestic work and fishing, and newer forms of labour migration that are deceptive, where migrants end up in scam centres. The review also contributed to identifying the relevant stakeholders, with a view to planning key informant interviews (KIIs).

2.3 Fieldwork

The research team conducted interviews with a wide range of stakeholders focused on labour migration and trafficking in the Philippines, in Metro Manila and Zamboanga. As the country's national capital region, Metro Manila, comprising Manila and Quezon City is the most popular exit or transit point for migrant workers, which also makes it a key hub for labour trafficking. Zamboanga was selected as a second location, as it is recognised as the 'back door' exit point, for those unable to depart from Manila, or other international airports. From Zamboanga, there are many routes to Sabah, with varying levels of vulnerabilities. Interviews were also conducted in Tawi Tawi, one of the island nodes along the 'back door' route.

Participants were identified through purposive sampling to ensure the representation of a cross section of key stakeholders. They included relevant government departments and institutions (12), international organisations (1), non-government organisations (NGOs) providing support to trafficking victims (5), recruitment companies (1), and returned migrants (2). In total, 21 interviews were conducted. Findings from the interviews were analysed thematically through the political economy lens, drawing out vulnerability to trafficking at each stage of the labour migration cycle, considering the role and perspective of the participants.

2.4 Ethics

The research was guided by the Australian Council for International Development (ACFID) Principles and Guidelines for Ethical Research and Evaluation, as well as ODI's Research Ethics Policy. As the research focused on persons of concern from vulnerable populations, notably victims of trafficking in persons (TIP), it was important to observe ethical procedures. This included sensitivity in research design, including the location of interviews and focus group discussions (FGDs), including how participation was structured. Informed consent was based on the local context, varying between written and verbal consent. Attention was also paid to data protection

and ensuring the participants' anonymity. Where direct quotes have been used in the study, identifying features have been removed, and pseudonyms used. The methodology and ethics assessments for country fieldwork were approved by the ODI Ethics Review Committee.

2.5 Limitations

Interviews were conducted in the two locations set out above. Because of the decentralised nature of the anti-trafficking response in the Philippines, these do not provide a complete picture, but nevertheless provide insight into the practices both in the metropolitan centre and regional areas, using a specific regional area as an example. Because few victims of trafficking report their cases, and either return home or travel abroad for new jobs, there was limited access to returned migrants. However, interviews with NGOs provided insight into their experiences.

3 Political economy context

The population of the Philippines is 109 million, of whom almost 45% are between 15 and 39 years of age according to the 2020 Census. This demographic creates a large demand for jobs. As of January 2023, the unemployment rate was 4.8%, but the underemployed rate was 14.1% (PSA, 2023). Accordingly, many Filipinos seek employment abroad.

There is legislation to protect workers, and the government appears to be active in negotiating with destination countries and ensuring the OFWs are protected. However, the large number of Filipino workers abroad makes it inevitable that there will be gaps in protection.

The number of OFWs peaked at 2.2 million in 2019, and while the number declined during the COVID-19 pandemic, they are now rising again. In 2021, there were 1.83 million workers abroad, mostly travelling through formal channels – only 3.6% were estimated to be working without a visa (PSA, 2022).⁶ Of these OFWs, 60.2% were women and 39.8% were men (PSA, 2022).

The primary destinations for OFWs are Saudi Arabia (24.4%), the United Arab Emirates (UAE) (13.2%), Hong Kong (7.5%), Taiwan (6.7%) and Kuwait (6.2%) (PSA, 2022). Most OFWs originate from Calabarzon (15.9%) and Central Luzon (15.5%), followed by Central Visayas (9.8%), Ilocos Region (8.9%) and the National Capital Region (8.3%) (PSA, 2022).

3.1 Political system and history

The Philippines became independent in 1946, following occupations by Spain and the US, on which its institutions have been modelled. President Ferdinand Marcos, who was first elected in 1965, introduced martial law in 1972 in response to growing communist uprisings, ushering in a dictatorship that lasted until 1985. While democracy has prevailed since then, traditional land-owning elites still have significant influence. Timberman (2019) describes how the country's ruling elite are responsible for 'limiting the fiscal base' and in 'co-opting, corrupting, and intimidating' the various levels of its bureaucratic structures. This small, wealthy elite are able to turn control over economic resources into political power, either directly, or by influencing state policy (Cielo, 2022).

⁶ These statistics may not be entirely reliable, as it is difficult to account for 'hidden' workers.

Due to decentralisation, significant power is held outside Manila. The country is in the process of full devolution following the Mandanas Ruling, and the Local Government Unit (LGU) is independent in its efforts to provide social services to local citizens. The role of the national government is to craft policies, increase resources, and train LGUs for them to effectively carry out their local programmes, activities, and services, including those related to TIP. Some government programmes will not be devolved, however, since services that require inter-LGU and inter-agency referral systems, such as the Recovery and Reintegration Program for Trafficked Persons (RRPTP), will remain managed nationally.

Corruption has been a perennial problem. The Transparency International Corruption Perceptions Index ranks the Philippines as 116 out of 180 countries (TI, 2022). Criminal activities, including smuggling, illegal gambling, drugs, TIP and money laundering have become a prominent feature of the Philippines' political economy (Timberman, 2019). Accordingly, successive presidents have taken a hard line on crime and corruption, most recently the Duterte administration (2016–2022). Ferdinand Marcos Junior, elected in 2022, is expected to pursue many of the same policy goals (EUI, 2023).

3.2 Economic factors

Labour migration has been an important economic tool since the 1970s, when policies were crafted to support the migration of skilled Filipino workers to address labour demands from economically advanced nations (Pellirin, 2022). In May 1974, the Labor Code of the Philippines under Presidential Decree No. 442 was signed by President Ferdinand Marcos. In this law, the state was given the sole authority to manage recruitment and placement of workers through the Overseas Employment Development Board (OEDB). In addition, direct hiring was not allowed during that time and remittances were deliberately made a requirement⁷ (Siracusa and Acasio, 2004). To increase migration, the state became an active marketer of Filipino workers.

In the 1990s, the government changed how labour migration was managed. Rather than focusing on the 'export' approach to labour surplus, the government shifted to 'managing' it (Van Impe, 2000). To achieve this, it passed the 'Migrant Workers and Overseas Filipinos Act of 1995', to better manage the exodus of Filipino labourers. According to Van Impe (2000), the Philippine government 'categorically' declared that 'it [would] no longer promote' labour migration as a tool for economic development. However, the

⁷ Section 2, Executive Order 857 of 1982 (which is no longer in effect) set out the proportion of salary that was required to be remitted to the Philippines. For example, for mariners, construction workers, doctors, engineers, teachers, nurses and other professional workers provided with board and lodging as part of their employment, 70% of their salary had to be remitted. For professional workers who did not receive board and lodging, domestic and services workers and others had to remit 50%.

Philippines was already one of the largest sending countries for labour migrants globally (BIICL, 2020). One result of this change was that the Ministry of Labor and Employment no longer played a key role in approving employment contracts and agreements. This role was shifted to the private sector, encouraging the growth of recruitment agencies.⁸

Labour migration has continued at a high level. Some analysts attribute this to globalisation (Perante-Callina, 2010; Gross, 2017), while others point to insufficient jobs in the country (Gross, 2017; UNICRI and AIC, 1999). Regardless, the contribution of remittances to the Gross Domestic Product (GDP) of the Philippines is significant. In 1995, remittances were 6.3% of GDP, peaking at 12.8% in 2005 (World Bank, 2023). While the value has declined since then, it was still 9.3% of GDP in 2021, and the increase of electronic money-transfer facilities means the actual volume of remittances is much higher.

The shift away from state-managed labour migration as a tool of economic development created a significant opportunity for the private sector. While recruitment agencies claim they do not charge placement fees for migrants seeking work abroad, they have expanded their services beyond approving and managing contracts to make the industry profitable. Recruitment agencies generate revenue by charging for training and housing aspiring migrants during this process – either direct, or arranging work in Manila to cover their expenses, with some agencies deducting these fees from salaries once workers are deployed.⁹ There are also hidden fees charged to migrants, either not recorded or disguised as other costs.

The Philippine economy is rapidly growing, by 7.6% in 2022 – the fastest rate since 1976 (Biswas, 2022). If the country continues its current trajectory, it is expected to be one of the largest emerging economies in the Asia Pacific by 2033 (Biswas, 2022). While poverty has fallen by two thirds between 1985 and 2018, income inequality is high – only 14% of national income is shared by the lowest 50% of earners (World Bank, 2023). The quality of education varies by income group, and inequality of opportunity constrains upward mobility (World Bank, 2023).

3.3 Social factors

The Philippines is a diverse country, with multiple ethnicities and languages. While the agricultural sector was once the largest employer, it has been gradually overtaken by the services sector. Farmlands have been broken up as part of the Comprehensive Agrarian Reform Program, and the growth of rural populations added further pressure as farmland has been used to build housing (Briones, 2021). The reduction of the agricultural sector, combined

⁸ Interview, NGO, Manila, April 2023.

⁹ Ibid.

with the growth of the service sector and rapid urbanisation, has resulted in significant rural–urban migration that has created overpopulated cities. Rather than address these challenges, social norms encourage Filipinos to work abroad.

For instance, the government has promoted an appealing rhetoric of OFWs as *'bagong mga bayani'* (modern-day heroes) (Perry, 2016), a contested description. Parry-Davies (2020) referred to migrant workers as modern heroes engaged in modern forms of slavery. The label is intended to entice more Filipinos to engage in labour migration for economic gain (Parry-Davies, 2022).

Another social driver of labour migration is the family. Migrating overseas for employment is viewed as a self-sacrifice, seen as 'a product of reciprocal and relational exchanges' (Lennox, 2022). Filipinos working abroad can be likened to a 'sacrificial lamb'. Lennox (2022) calls this as 'socially approved sacrifice'. The idea of a family member working overseas denotes prosperity irrespective of the economic benefits it offers (Lennox, 2022).

There is, however, also a social cost to working abroad. The trend is primarily for women to migrate, sacrificing themselves for the family, and they are willing to take risks to increase how much they can remit to their families. While they are being celebrated as modern-day heroes, they are also perceived as a cause of social problems, being referred to as absentee mothers (Parmanand, 2022).

3.4 Institutional context

3.4.1 Formal rules: policy and legal framework

The Philippines has an extensive policy and legal framework to counter trafficking and protect migrant workers.

The 1987 Philippine Constitution, under its state policy (s. 18), affirms its obligation to protect the rights and welfare of its workers. Furthermore, Article 13 Section 3 of the constitution mandates the state to provide full protection to labour, including OFWs, whether in organised or unorganised arrangements.

The Philippines is party to the 2000 United Nations Convention Against Transnational Organized Crimes, and two of its Protocols, on Trafficking in Persons and Smuggling of Migrants.¹⁰ The Philippines was the first country among ASEAN member states to enact legislation to combat trafficking in persons (Fresnido, 2012). One of the government's earlier milestones was to declare 1997 as the year

¹⁰ The UN Convention against Transnational Organized Crime has three protocols: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; the Protocol against the Smuggling of Migrants by Land, Sea and Air; and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition. The Philippines has ratified the protocols on Trafficking in Persons and Smuggling of Migrants, but is not signatory to the Firearms protocol.

of Anti-Trafficking of Migrant Workers, three years before the UN conventions on TIP were agreed.

Through Proclamation No. 976, s. 1997, the Philippine government recognised that millions of Filipinos are heavily dependent on overseas employment. It also underscored the vulnerability of migrant workers to trafficking, and called for government agencies and various sectors of society to work together to eradicate trafficking of migrants.

Specific legislation includes:

Republic Act No. 8042, Migrant Workers' and Overseas Filipinos Act of 1995

This law was enacted in order to institutionalise the policies of overseas employment and to set standards for the protection and promotion of the welfare of migrant workers, their families, and Filipinos overseas in distress. The law allows deployment of OFWs only to countries where their rights are protected. In addition, the law criminalises illegal recruitment, defined as 'an act of canvassing, enlisting, contracting, transporting, utilizing, hiring, procuring workers and includes referring, contact services, promising or advertising for employment abroad, whether for profit or not, when undertaken by a non-license or non-holder of authority'.

Republic Act No. 9208, Anti-Trafficking in Persons Act of 2003

The first legislation, which according to Dela Serna et al. (2017) was the country's 'turning point' in its quest to combat trafficking, is the Anti-Trafficking in Persons Act of 2003. This law articulates what constitutes trafficking and identifies the basis for documenting and categorising cases that involve trafficking. It also criminalises trafficking as an offence punishable by law. Sections 4 and 5 of the Act summarise what constitute acts of trafficking and acts that promote trafficking. Through this law, the Inter-Agency Council Against Trafficking (IACAT) was established in order to coordinate, monitor, and oversee the implementation of the Anti-Trafficking in Persons Act. The council is chaired by the Department of Justice with the Department of Social Welfare and Development as co-chair. This body coordinates the implementation of services at the LGU level, which is important because of the decentralisation discussed above.

Republic Act No. 9231 Worst Forms of Child Labour, 2003

The law provides for special protection to children from all forms of abuse, neglect, cruelty, exploitation and discrimination, and other conditions prejudicial to their development including child labour and its worst forms. This measure includes the implementation of a preventive and crisis intervention programme for child who are abused, exploited and discriminated, gravely affecting their survival and normal development. It penalises the engagement of children in worst forms of child labour.

Republic Act No. 10022, Amendment of Migrant Workers and Overseas Filipinos Act of 1995, adopted in 2010

In 2010, RA 8042 was amended by RA 10022. The amendment was principally to strengthen bilateral or multilateral relations with host countries to ensure better standards of protection and promotion of the welfare of migrant workers, their families, and distressed overseas Filipinos.

Republic Act No. 10364, Expanded Anti-Trafficking in Persons Act of 2012

The Anti-Trafficking in Persons Act was amended in 2012 to strengthen policies in eliminating trafficking in persons, especially women and children. It added institutional mechanisms to protect and support survivors and to penalise violators.

The amended law defines 'forced labour as the extraction of work or services from any person by means of enticement, violence, intimidation or threat, or use of force or coercion including deprivation of freedom, abuse of authority or moral ascendancy, debt bondage, or deception including any work or service extracted from any person under the menace of penalty'. In this new definition, the phrase 'any work or service extracted from any person under the menace of penalty' is an addendum.

The amended legislation also includes a definition of slavery and involuntary servitude: 'as a condition of enforced and compulsory service induced by means of any scheme, plan, or pattern intended to cause a person to believe that if he or she does not enter into or continue to be in such condition, he or she or another person would suffer serious harm or other forms of abuse or physical restraint, threats of abuse or harm, coercion including depriving access to travel documents and withholding salaries, or the abuse or threatened abuse of the legal process'.

Republic Act No. 10906, The Anti-Mail-Order Spouse Act of 2016

The law prohibits the business of organising or facilitating marriages between Filipinas, colloquially called 'mail-order brides', and foreign men. This measure replaced the Anti-mail Order Bride Law of 1990, because it was circumvented by basing match-making agencies in destination countries rather than in the Philippines.

Republic Act (RA) No. 11862 or the Expanded Anti-Trafficking in Persons Act of 2022

This recently passed legislation added new clauses to further protect individuals from becoming victims of trafficking. One of the salient features of the law is to penalise internet intermediaries that allow their infrastructure to be used for promoting TIP. It also penalises financial intermediaries whose remittance services are being used to facilitate trafficking in persons. Under the law, LGUs are mandated to

pass a local ordinance to combat TIP and other forms of exploitation at the local level. LGUs are also mandated to come up with preventive educational programmes to educate the public about the nature of the crime and the available services that are provided to TIP victims/survivors.

Additional legislation focuses on online sexual abuse and exploitation of children, and violence against women and children.

While legislation is enacted at the national level, the response is devolved to the LGUs – discussed below under key actors.

In addition to legislation, there are also specific policy frameworks developed to respond to human trafficking, specifically when linked to labour migration.

The Philippines has launched the 4th National Strategic Action Plan Against Trafficking in Persons (2023–2027) with four key result areas and an accompanying monitoring, evaluation and learning framework: prevention and advocacy; protection and reintegration; prosecution and law enforcement; and partnership and networking. This builds on the previous three National Strategic Action Plans. The first focused on sharing of best practices, evidence-based awareness programmes, safe and inclusive migration, labour practices and policies, and awareness and advocacy plans to combat all forms of trafficking. The second focused on quality protection, reintegration, and appropriate support services. The third focused on identifying and rescuing more TIP victims and improving prosecution especially at the local level. The fourth National Strategic Action Plan aims to network and partner especially with LGUs to improve the TIP response, including providing gender equality, socially inclusive and victim-sensitive responses to victims of trafficking.

On 6 June 2023, IACAT approved the Revised Guidelines on Departure Formalities for internationally bound Filipino passengers after public consultation and validation.¹¹ Departure formalities differ depending on the type of traveller, whether tourists or OFWs, among others. The basic requirements are a passport, valid for at least six months from the date of departure, an appropriate valid visa, where required; a boarding pass; and a confirmed return or round-trip ticket, when necessary.

There are two levels of inspection. During the primary inspection, the Filipino passengers are given clearance to depart when they are able to present complete and proper travel documents and sufficiently establish their declared purpose of travel.

¹¹ At the time of publication, the revised guidelines were temporarily suspended by the Senate pending clarifications from IACAT. Despite this, the requirements for travellers remain the same as these were required in the previous guidelines which remain in force in light of the suspension of the revised version. IACAT is awaiting their next scheduled hearing in the senate.

However, the immigration officer may defer the departure or endorse secondary inspection if a Filipino passenger is found to have a doubtful purpose of travel, or improper, insufficient, fraudulent, falsified, or tampered travel or supporting documents, or is a potentially trafficked or illegally recruited person.

During the secondary inspection, the immigration officer considers the initial assessment made at primary inspection, the full circumstances, and allows the departure only of passengers who are able to sufficiently establish their travel purpose through extensive interview and additional supporting documents.

Separate departure formalities are also set for OFWs. First-time OFWs need to present their Overseas Employment Certificate, valid and appropriate employment visa and their employment contract. There are also separate but less stringent requirements for direct hires, 'balik mangagawa' (OFW returnees), and OFWs with special travel exit clearance.

3.4.2 Informal rules

The dynamics and perceptions of trafficking are shaped by several factors in the Philippines. At the elite level, negotiations between political dynasties distract from the needs of the wider population, which creates their need for self-sufficiency – a need that is encouraged by narratives on the importance of OFWs. As part of that self-sufficiency, prospective OFWs weigh up the risks against the need to improve their economic situation. The ability to migrate is supported by political elites, as it increases resources through remittances, and it provides an outlet for Filipinos to access resources from outside their province.

As discussed above, the Philippines continues to be dominated by elites, with key families influencing informal rules within the country. There are multiple cases where members of the same family occupy key government positions, which means they have discretion over local resource allocation (Mendoza et al., 2022). The lack of political competition reduces the incentive for politicians to perform well and increase benefits for their constituents (Panao, 2016; Rossi, 2014). This has been connected to a reduction in economic growth and provision of public goods (Ali, 2016; Tusalem and Pe-Aguirre, 2013); and has been found to be more evident in the more remote provinces, which experience deeper poverty and underdevelopment (Mendoza et al., 2016). In contrast, the presence of independent economic elites in Luzon weakens the level of capture (Mendoza et al., 2022).

There are two key concepts specific to the Philippines that influence the behaviour of aspiring and actual labour migrants. The first ensures that Filipinos believe their life is influenced by fate or destiny. The 'bahala na, or come-what-may attitude, was originally a linguistic expression, signifying leaving something or someone in the care of

God' (Gripaldo, 2005), although Gripaldo (2005) argues that the concept has evolved to have multiple meanings, including whatever will be will be; someone will take care of me; do what you want, it's up to you; it does not matter; let it be; and go with it, but this comes with consequences. These different uses highlight different levels of distance from the negative consequences of behaviour – extending from an assumption that everything will be all right to acknowledging that there are risks.

Regarding labour migration, many migrants are aware of the risk of trafficking, but consider it to be minor given the large numbers that migrate from the Philippines. As one informant noted, many would still prefer to 'cross that bridge when they come to it', and if they are exploited, acknowledge that they were not one of the lucky ones.

The second concept that influences the behaviour of Filipinos, and particularly the response to trafficking, is 'pakikisama'. This means getting along with the people in one's immediate environment, but also means that harmony is valued over justice, which deters trafficking victims from pursuing cases (Saito, 2013). This concept also deters migrant workers from complaining about poor treatment.

In addition, Filipinos have a strong sense of filial responsibility, where parents, particularly mothers, feel they need to provide the best opportunities for their children, even if this means travelling and working abroad, and being criticised for leaving their children behind. This is reinforced by patriarchal values that shape gender roles, placing a double burden on women as carers as well as income earners.

The preoccupation of political elites with wealth and power creates an environment where bureaucrats are also seeking to increase their resources, which encourages corruption. Corruption is a significant problem in the Philippines, and it has been worsening since 2014. In 2022, the country ranked 116 out of 180 countries in Transparency International's Corruption Perception Index. Corruption among Bureau of Immigration (BI) officers has been a particular problem.

In 2021, 45 BI officers were dismissed as part of the investigations into what was called the Pastillas scam, where bribes were paid to facilitate the entry of Chinese nationals to work for Philippine Offshore Gaming Operators (POGOs). There are also cases of BI officials having been arrested for facilitating the outward movement of Filipinos. In January 2023, three BI officers – two from Ninoy Aquino International Airport in Manila, and one from Clark International Airport in Pampanga – were arrested for involvement in human trafficking, with suspected links to syndicates operating in Cambodia and Myanmar (CNN Philippines, 2023).

3.5 Key actors

3.5.1 Government and state agencies

Many government agencies play a role in the response to human trafficking.

Under the leadership of the Department of Justice, the Inter-Agency Council Against Trafficking (IACAT), which consists of 24 government agencies and three non-government organisations (NGOs), is mandated to formulate a comprehensive and integrated programme to prevent and suppress trafficking and to oversee and monitor the implementation of the country's anti-trafficking measures.

Among its many functions, IACAT is primarily responsible for coordinating the implementation of the programmes and projects of the various member agencies aimed at abating TIP in the country and ensuring that implementation at the LGU level is consistent (Gana, 2001). IACAT has produced a manual on the prosecution of TIP cases. This includes measures on detecting TIP cases and the arrangements that law enforcement agencies have to follow before filing such cases. It also contains best practices in prosecuting cases as well as summary of actions done in TIP prosecution (IACAT, 2020).

IACAT oversees and monitors the implementation of its programme at the local and regional levels, where there are counterpart local inter-agency councils and taskforces on human trafficking.¹² Because governance is decentralised, IACAT conducts monitoring at the local government level to ensure that TIP-related programmes and activities are well implemented. To date, 57 of the 81 provinces across the country have a provincial committee on anti-trafficking and violence against women. This is replicated in 127 cities (88%) and 1,489 municipalities (83%). A total of 38,811 barangays (villages) (92%) established a Barangay Council for the Protection of Children (BCPC).

The government has various programmes for victims of trafficking, including livelihoods assistance, skills training, assistance to attend court hearings, shelter, psycho-social counselling, medical assistance and education support (IACAT, 2020). Provision of these services relies on the LGU. In terms of capacity building, between 2012 and 2020, IACAT organised 507 training sessions involving a total of 38,077 government officials/personnel and 48,782 NGO

¹² The Regional Inter-Agency Committee Against Trafficking in Persons and Violence Against Women and Children (RIACAT-VAWC) as well as the Local Committee against Trafficking in Persons and Violence against Women and Children (LCAT-VAWC) have been established at the provincial and city/municipality levels pursuant to the Joint Resolution of the Inter-Agency Council Against Trafficking (IACAT) and the Inter-Agency Council on Violence Against Women and Their Children (IAC-VAWC) adopted by IACAT on June 14, 2006 and by IAC-VAWC on June 20, 2006. The LCAT-VAWC through the local social workers and in coordination with the barangay officials shall identify communities and families that are vulnerable to trafficking for purposes of providing appropriate interventions. They shall also recommend ordinance to implement local programs and interventions on anti-trafficking.

workers and private-sector representatives (IACAT, 2020). At the sub-national level, the regional offices of the Department of Social Welfare and Development (DSWD) handle the recovery and re-integration of victims of trafficking.

In addition to IACAT, there are also structures within other government departments that are responsible for dealing with TIP issues.

The Philippine National Police (PNP) – Women and Children Protection Center (WCPC) initiates investigation and counter-trafficking intelligence gathering following statements or affidavits from victims of trafficking, migrant workers or their families who have knowledge or information concerning cases involving trafficking in persons. The PNP-WCPC also conducts investigations and operations against offenders of violence against women and children (VAWC) and TIP as well as initiating necessary actions against these offenders, and effecting their arrest to ensure prompt prosecution. Further, the PNP has commissioned its Women and Children's Desk to handle cases of TIP at the local level. The PNP leads on surveillance, investigation, and arrest of individuals and persons with alleged involvement in trafficking.

The Bureau of Immigration monitors departing Filipinos, seeking to detect those who are travelling informally with the intention to work. The Bureau has the power to apprehend suspected traffickers in the airport.

The National Bureau of Investigation (NBI) through the Anti-Human Trafficking Division (AHTRAD) engages in surveillance to monitor and investigate recruiters, travel agencies and other actors suspected to be engaged in trafficking in persons. The NBI-AHTRAD coordinates with other agencies on the detection and investigation of traffickers.

The PNP also engages in surveillance, investigation and arrest of persons suspected of being engaged in trafficking, focusing more on individual cases than the NBI, which handles complex cases. The police have also established a system for receiving complaints and calls to assist trafficked persons and launch rescue operations. While there is a distinct role for the NBI and the PNP, in reality there is significant overlap on cases.

The Department of Justice (DOJ) leads on the prosecution of perpetrators of human trafficking, and also has a mechanism for free legal assistance for victims of trafficking in coordination with DSWD, the Integrated Bar of the Philippines, and other NGOs and voluntary groups. Even so, there have been difficulties for Filipino migrants seeking to access assistance. In addition, this has not been available to foreigners identified as victims of scam centres in the Philippines. The DOJ is also responsible for conducting training on handling trafficking cases for the relevant prosecutors.

The Commission on Human Rights conducts advocacy and training on anti-trafficking, and monitors government compliance with human rights obligations in its response to trafficking in persons, particularly the criminal justice response and support to victims of trafficking.

The Department of Migrant Workers, created upon the enactment of Republic Act 11641 on December 30, 2021, is the government executive department mandated to protect the rights and promote the welfare of OFWs. Its core functions include overseas employment regulation and reintegration and the promotion of empowerment and protection of OFWs through capacity and knowledge development.

The department took over some of the powers and functions of merged government agencies, namely the Philippine Overseas Employment Administration, Office of the Undersecretary of Migrant workers' Affairs of the Department of Foreign Affairs, Department of Labor's International Labor Affairs Bureau, Philippine Overseas Labor Offices (POLO), and the National Maritime Polytechnic (NMP), the National Reintegration Centre for OFW (previously under Overseas Workers Welfare Administration) and DSWD's Office of the Social Welfare Attaché.

The Philippine Center on Transnational Crime (PCTC) has a mandate to formulate and implement programmes of action for the prevention and control of transnational crime, which includes trafficking in persons. Its strategic framework focuses on key areas including information sharing, strategic research, law enforcement cooperation, capacity building and international cooperation.

The Anti-Money Laundering Council (AMLC) assists the IACAT and law enforcement agencies in the financial investigation of trafficking cases as a predicate offence of money laundering. It has the power to issue freeze orders and institute civil forfeiture proceedings against traffickers' assets.

The Overseas Worker Welfare Administration (OWWA) is mandated to develop and implement welfare programmes and services to OFWs and their families. They provide a repatriation programme, social benefits including death and disability assistance, and a reintegration programme (namely, skills training, entrepreneurship development training, business loans, and livelihood assistance).

DSWD also provides for rehabilitation and reintegration, through the provision of temporary shelter, counselling, and livelihood projects. The Department of Health provides medical and psychological help when necessary.

The mandate of the Department of Labour and Employment (DOLE) is to implement rules and guidelines related to employment of Filipinos in the country and overseas. The department is also expected to monitor, document, and report cases of trafficking in persons.

There are government entities that have supportive but equally important roles in managing TIP. This includes the National Commission on the Role of Filipino Women, which is tasked to assist and participate in the formulation and monitoring of policies related to TIP, particularly in women.

The Department of Interior and Local Government (DILG) is responsible for establishing a systematic mechanism for information and prevention campaigns to inform prospective labour migrants about their rights and the schemes for the prevention of trafficking so they can individually minimise the risks of being trafficked.

LGUs are expected to monitor and document trafficking cases. They also have the power to cancel licenses of establishments that violate laws relevant to TIP. The LGUs are also expected to implement information campaigns against TIP in coordination with the Department of Interior and Local Government, the Philippine Information Agency, and the Department of Migrant Workers, and other relevant agencies and NGOs.

3.5.2 International organisations

The International Organization for Migration (IOM) partners with DOLE to manage labour migration. This includes policy and expert advice to DOLE, the development of policies, legislation and administrative functions, promoting worker orientation at all phases of the migration cycle, enhancing the labour market and the capacity to harness the development potential of remittances, and developing mechanisms for ethical recruitment.

The International Labour Organization (ILO) is implementing its Decent Work Country Programme in the Philippines to promote the creation of decent jobs and improve labour market governance. The ILO supports the development of social partners' capacities, particularly of employers' and workers' organisations, to effectively participate in development processes and influence economic, social and governance policies. Underlying the ILO's initiatives are continuing efforts to assist the Philippines in the ratification and application of international labour standards.

3.5.3 Civil (international NGOs and others)

The Philippines has several NGOs that are supporting migrant workers or engaging in advocacy to improve their protection and prevent and respond to trafficking. Most of these NGOs operate at the national level (or within Metro Manila). Although many migrant workers in need of assistance access this directly from state agencies rather than relying on NGOs, the Philippines Returnee Survey found that of migrants seeking assistance, 48.1% went directly to the relevant state agency, 38.6% sought assistance from the Philippine Embassy, Consulate or Overseas Labour Office, while only 1% sought assistance from NGOs – 0.7% from NGOs in the

Philippines and 0.3% from NGOs in the destination country (IOM, 2023).

The **Blas Ople Policy Centre and Training Institute**, an NGO accredited by the Securities and Exchange Commission and Commission on Human Rights, has been working on human trafficking for 18 years. The organisation advocates for the rights and welfare of migrant workers and aims to build the capacity of public and private institutions to be able to develop policies and programmes that will benefit Filipino migrants, including victims of trafficking. Programmes focus on the empowerment and protection of migrants, policy reforms concerning migrants, and corporate responsibility to eliminate trafficking. It sits as a council member of IACAT as the NGO sectoral representative for OFWs.

The **Eleison Foundation** supports victims of trafficking and gender-based violence through its 'Barug' ('to strongly stand up' or 'to be independent') programme, an economic empowerment programme for survivors of trafficking and their family members. The programme promotes a culture of 'savings' among family members, and the foundation matches the savings of its programme members. As part of the programme conditions, 'family members can use the money for education, medical care, emergency need, housing repair, and employment-related expenses'. It also provides financial literacy training to its members.

The **Solidarity Center** aims to promote awareness about the causes and extent of trafficking for forced labour worldwide. Its services cover prevention, protection, prosecution, and partnerships. In the Philippines, the Center collaborates with groups including trade unions to support advocacy in advancing labour rights and freedom of association. It provides capacity building and legal assistance, and specifically targets workers in the construction, platform-based delivery, and manufacturing sectors.

The **International Justice Mission (IJM)** in the Philippines works in four major areas, which include rescue operations. It also assists the government in identifying and removing child victims of OSAEC. It also assists in investigations, particularly in assisting the police authorities to gather evidence in order to prosecute criminals involved in OSAEC, and helping prosecutors in building a case through available evidence. IJM also provides assistance to OSAEC survivors by providing them after-care programmes such as vocational classes and therapy. IJM is also a member of IACAT as the NGO sectoral representative for children.

Migrante International aims to promote migrants' rights and dignity and implements programmes and services to fight all forms of discrimination, exploitation and abuse among OFWs. It also helps organise OFWs so that they can be empowered and demand rights for jobs and fair wages. It helps in advancing a self-reliant economy in order to curb forced migration. Its programmes include rights and

welfare, campaigns and advocacy, education and research, networking and lobbying, and international solidarity.

Renew Foundation is an international Christian NGO established to empower woman survivors of human trafficking and sex work in the Philippines. Its programmes and services are anchored in freedom, faith in Christ, and economic opportunity with Filipino women and children who are survivors of trafficking. It envisages the end of human trafficking through advocacy, networking, and education.

Dubbed 'She W.O.R.K.S.', **Made in Hope Philippines** runs a non-formal training programme for women survivors of trafficking for sexual exploitation. This programme has four major objectives, the first of which is to provide leadership and mentoring capacities for woman survivors. Second, it provides income-generating livelihood or employment assistance to enable women to become financially independent. Third, it encourages women to become advocates for women's issues and concerns, including human trafficking. It also provides educational assistance to the children of woman survivors.

The **Exodus Road**, a US-based NGO, works in the Philippines by coordinating with law enforcement authorities in the investigation of cases in areas with high incidence of human trafficking. Its major work includes training and education, intervention, and after-care. It trains law enforcers and anti-trafficking practitioners regarding prevention and response to human trafficking. It likewise trains investigators in the identification of victims, in building cases effectively, and in using technology and covert approaches. It also provides after-care services to help survivors in the healing process.

An NGO based in the Philippines, the **Fair Training Center (FTC)** provides training in order to end forced labour among migrant workers. It prepares potential migrants for work and overseas life. It has developed an innovative curriculum that aims to reduce the termination rate of first-time domestic workers. This NGO is being supported by Fair Employment Foundation.

The **Development Action for Women Network (DAWN)** is a non-profit organisation established in 1996 to assist distressed women migrants and their families in the promotion and protection of their rights and welfare. Its programme includes developing aspiring migrant women's skills (sewing, weaving) while awaiting their deployment to host countries, which can range from two to six months. Their clients also include wives of migrant fishers.

There are some civil society initiatives operating at the local level. For example, in Zamboanga, there is an NGO-run shelter for victims of trafficking, which is dependent on grant funding, which has been difficult to obtain.

3.5.4 Recruitment agencies

The Department of Migrant Workers licenses recruitment agencies and has an online list of agencies with active licences, of which there are currently 1,109.

For unskilled migrants, the recruitment agency does not charge a fee as this is paid by the employer. The agency assists in the application for national government identification for applicants, as many do not already have this, conduct medical checks and facilitate the training and pre-orientation, which is usually in Manila. The agency purchases the ticket, and this is charged to the employer. As discussed above, other fees may be charged by recruitment agencies, such as for training and associated fees, or hidden fees.

For skilled workers, the worker pays the placement fees, which vary widely depending on sector, the visa required and the country of destination. Fees may be paid in advance, such as for migration to Hong Kong and Japan, or they may be deducted from the first several months' salary, such as in Singapore.¹³ For training, language courses and the ticket, these fees average PHP 30,000 [USD 550]. The recruitment agency assists in the preparation of documents, but the migrant worker is responsible for applying and paying for identification and medicals, where required.

While the agencies are required to provide pre-departure and pre-employment orientation free of charge, they boost their revenue by offering other related services, such as computer rental for prospective migrants. In the past, 'manning or recruitment agencies' were not allowed to provide training such as the NCII (National Certification II). However, in recent years, many have been operating both as a recruitment and training agency, which allows them to charge for accommodation and other costs while prospective migrants participate in training.

3.5.5 Others

There are 600 national trade unions, industrial federations and plant-level unions in the private and public sectors in the Philippines, but they represent less than 10% of the workforce (ILO, n.d). Trade unions have tended to distance themselves from overseas employment and migrant workers' labour conditions (Ogaya, 2020). This is because the area of jurisdiction is overseas and they mainly focus on domestic concerns. Trade unions have also avoided a focus on domestic workers in the Philippines because it is an informal employment sector. However, the working group to implement the ILO 189 Convention for Decent Work for Domestic Workers (C189) brought together unions representing domestic workers in the Philippines, and NGOs advocating for domestic workers abroad (Ogaya, 2020).

¹³ Interview, recruitment agency, Zamboanga, April 2023.

4 Labour migration patterns

4.1 Key factors explaining migration

The drivers of labour migration are primarily economic, specifically the limited work opportunities in the Philippines and the potential for better opportunities abroad. Respondents highlighted that factors include a need to support families, better job prospects and a desire for adventure. There is also an element of pride and status. Families with a child working abroad are seen as successful and upwardly mobile.

4.2 Labour migrant profiles

Gender is a key factor in trafficking for labour exploitation. First, there are more women working abroad – as stated earlier, women make up just over 60% of OFWs (PSA, 2021). They are also more likely to experience abuse. Of instances of abuse reported to the Gulf Cooperation Council, 75% involved female OFWs (Baclig, 2021). Filipino women are also raised with the expectation that they will make sacrifices for the family, and they are willing to take risks in order to support their family.¹⁴ Women primarily work abroad as domestic workers in other Asian countries and the Middle East, as well as North America. In 2021, the Philippine Statistics Authority reports that of woman OFWs, 65% are involved in elementary occupations, which includes domestic work, followed by 17% in service and sales sectors.

Men are also vulnerable to trafficking for labour exploitation, and often seek work abroad in manufacturing, construction, agriculture and on fishing vessels. The isolation on offshore fishing vessels is even more extreme than in domestic work, as mechanisms for inspections and reporting are almost non-existent.

Everyone working in the sectors above tend to come from poorer, rural areas, and have low levels of education. Some may have migrated to urban centres to find work, but when they are unsuccessful, seek work abroad. Underemployment is also a factor, as workers can earn more for the same work abroad in many cases.

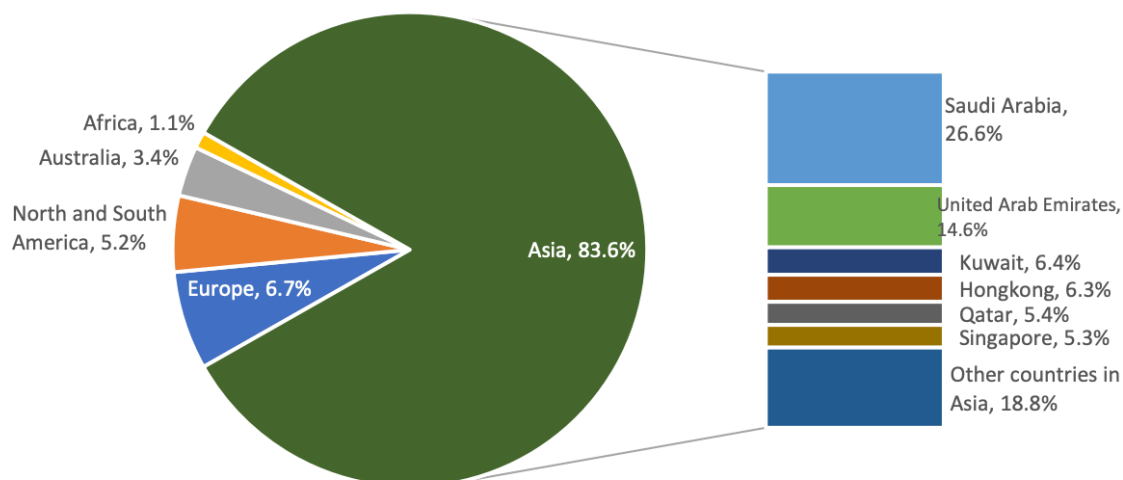
4.3 Labour migration destinations

Because of the large numbers of OFWs, there are many destination countries (see Figure 1). There are two primary methods of migrating – via air, or via sea from Zamboanga – where there is the formal

¹⁴ Interview, NGO, Manila, April 2023.

route by ferry to Sabah. The ‘back-door route is also used via Zamboanga, Tawi-Tawi, or Palawan.

Figure 3 Percentage distribution of OFWs by place of work



Source: PSA, 2022

4.3.1 Air routes

Air travel is the migrant workers’ main form of transport. The Philippines has eight international airports, but the labour migrants travelling abroad mainly use the terminals of Ninoy Aquino International Airport in Manila and Clark International Airport in Pampanga.

OFWs who have gone through recruitment agencies and are registered with the DMW usually travel by air.

In addition, many prospective migrants travel by air to other Asian countries, where they do not require a visa, because of the time it takes to travel through formal processes. These migrants are not documented as OFWs, which makes it more difficult to access services and assistance if they experience exploitation.

Since 2010, the Philippines has established departure formalities to prevent human trafficking by screening outbound Filipino passengers. Immigration officers determine whether travellers, particularly those on tourist visas, are legitimate tourists, or are intending to work abroad without the required approvals and travel documents. If the reason for travel is doubtful, the Bureau of Immigration can ask for supporting documentation relevant to the purpose of travel and defer the departure if the passenger fails to present the necessary documents. As the Philippines Constitution enshrines the right to travel, the practice of deferring passengers’ departure was challenged in the Supreme Court. In 2011, the Court ruled that ‘the exercise of one’s right to travel or freedom to move from one place to another as assured by the Constitution, is not

absolute'; it can be suspended 'in the interest of national security, public safety or public health' (Hwang, 2021). In June 2023, the IACAT Revised Guidelines on Departure Formalities for International-Bound Filipino Passengers were approved.¹⁵

While corruption is a problem linked to all methods of human trafficking, it has been a particular problem with air routes. BI officers arrested for accepting bribes to facilitate trafficking have been based at international airports in the Philippines.

Another trend has been the use of counterfeit passport stamps. Workers are recruited on social media, met at the airport by a facilitator, who takes their passport and inserts a counterfeit stamp.¹⁶ The Bureau of Immigration is aiming to digitise stamps to make this more difficult.

4.3.2 Ferry from Zamboanga to Sabah

A second popular method is the sea route from Zamboanga to Sabah, the entry point to Malaysia. Many migrants travelling as tourists see this as an easier way to leave the country than the airports, even though the same databases are used. There is also the potential of the 'back door' route if migrants' departure is deferred.

At the port, the Overseas Passenger Assistance Desk is set up before passengers proceed to the Bureau of Immigration desks. This desk is manned by the Zamboanga Sea-Based Anti-Trafficking Task Force, particularly the law enforcement agents and social workers, and seeks to identify potential victims of trafficking, which are then flagged for further assessment by the Bureau of Immigration.

4.3.3 'Back door' routes

Common among undocumented migrants, the 'back door' route has been used as a convenient exit from the Philippines to enter Sabah. Once in Sabah, many seek work locally, while for others it is a transit point to reach Brunei, Indonesia, Thailand, Cambodia, or destinations further afield.

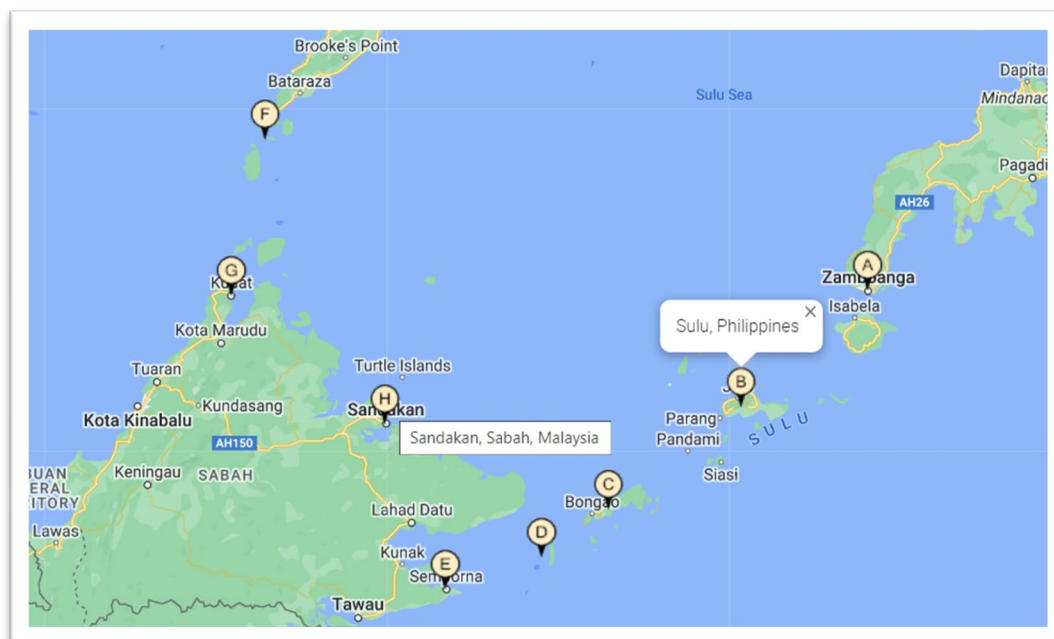
Exiting via Zamboanga is popular but also difficult. Migrants can take a ferry to Tawi-Tawi and hop from one smaller island (for example, Sitangkai, Taganak, Turtle Island, Sulu, and Basilan) to another. In 2023, more than 300 Filipinos from all over the country were intercepted in Tawi-Tawi alone. The local Municipal Inter-Agency Council Against Trafficking (MIACAT) conducts daily operations to monitor passengers of small boats going to Sitangkai. One member

¹⁵ As noted above, at the time of writing, the guidelines had been temporarily suspended by the Senate, pending clarifications by IACAT.

¹⁶ Interview, BI, April 2023.

of the MIACAT interviewed stated that providing services and handling TIP cases has been costly to the LGU.¹⁷

Figure 4 Nodes on the ‘back door’ route



Source: Author, 2024

4.4 Labour Migration Sectors

4.4.1 Domestic work

Since the mid-1980s, large numbers of women have become OFWs, mainly working as domestic workers. As already stated, in 2021, just over 60% of OFWs were women – the majority working as domestic workers, a significant increase from the 12% 1975 (PSA, 2022; Sayres, 2007). Demand for foreign domestic workers has been driven by rising prosperity in many Asian countries, as well as the Middle East, and an increase of women in the workforce, creating a need for additional support at home (Sayres, 2007). Domestic workers also experience the highest rates of exploitation – forced labour is 2.7 times higher than other occupations (Two six technologies et al., 2022).

Following complaints of mistreatment of domestic workers in specific countries, the Government of the Philippines has banned the recruitment of OFWs to certain countries. This has included Lebanon in 2006, Jordan in 2008, Saudi Arabia in 2011 and Kuwait in 2018 and 2023 (Shivakoti et al., 2021). Some countries, such as Canada, Hong Kong and Singapore responded to this ‘labour diplomacy’ by introducing agreements on the treatment of workers; while others

¹⁷ Interview, MCAT, Tawi-Tawi, May 2023.

retaliated by increasing workers from other countries, or banning new Filipino workers (Napier-Moore, 2017).

In addition, bans on workers have resulted in an increased reliance on irregular routes. This includes action on the part of migrant workers, who are still eager to work, recruitment agencies, which can profit more because there is no oversight of recruitment to banned countries, and from employers, who are willing to pay to continue hiring Filipino workers (Shivakoti et al., 2021). For example, the ban on travel to Lebanon resulted in recruiters offering employers a menu of 'formulas' for arranging workers' arrival; for Filipinas this usually involved travel through Gulf countries, and not all workers were aware they were travelling to a country that was banned (ILO, 2016).

The bans and the informal practices that follow increase the migrant workers' vulnerability to exploitation, because there is less oversight and no protections in place. When workers are deceived on arrival in the destination country, this equates to trafficking, organised by the recruitment agencies involved. Clearly, not all workers will be exploited in the destination country.

Filipinas recruited to be domestic workers abroad are supposed to be over 24 years.¹⁸ Hong Kong, Singapore and Taiwan accept female workers between the ages of 24 and 39 as first-time OFWs, and from 24 to 42 with experience of working abroad, with a minimum of being a high-school graduate, but preferring some college-level education.¹⁹ Since many new recruits lack official documentation and proof of age, recruitment agencies assist in acquiring it, including passports; and there are also reports of informal recruiters falsifying the age of aspiring workers to meet the requirements.²⁰

Jobs in the Middle East (Jordan, Qatar, Saudi Arabia, UAE), as well as Bahrain and Malaysia, advertise a monthly salary of USD 400, for 12-hour days, with one day off.²¹ However, this is difficult to enforce. A survey conducted by Mission for Migrant Workers found that 15% of domestic workers had been physically abused during employment and 2% were sexually assaulted or harassed. Nearly half said they worked more than 16 hours a day, and some were asked to work on their day off. Some reported not having enough food to eat, and not having a proper bed or privacy at night.

The treatment of domestic workers varies depending on their employer. In one case, a domestic worker was abused by her employer and not paid for seven or eight months. When she complained to the recruitment agency in her country of employment, she was sold on to another agency. Although she wanted to go home, because the agency had paid for her, they needed to recover their fees. Her next employer was concerned about her wellbeing,

18 Interview, recruitment agency, Manila April 2023.

19 Poster in recruitment agency.

20 Interview, social worker, Zamboanga, April 2023.

21 Poster in recruitment agency.

and took her to the hospital for a check-up, where she was diagnosed with Schizophrenia. This employer allowed her to return home because of her illness.²²

Box 1 An account of domestic workers in Syria (affidavit of complaint – case ongoing)²³

By the time she was 30, Martha had worked as a domestic worker in Syria for 13 years. She was 16 when she left the Philippines. In 2008, an illegal recruiter went to her community recruiting young women. Martha decided to leave school, and work abroad. She travelled to Manila with the recruiter to process her application; and was taken to the recruiter's house to have her photo taken. Her photo was then placed in the passport of another applicant who could no longer travel because she was pregnant. This also ensured that Martha met the age requirement. She was never informed where she was going to be deployed. After some months, a man took Martha to the airport and gave her the passport and her ticket. She discovered she was travelling to Damascus, but did not know where this was. Martha was also given cash to give to an immigration officer, which she paid after checking in. Once in Syria, Martha was paid USD 125 a month. She was neither allowed to talk to another domestic worker in the same building nor to use her mobile phone. After being slapped by her female employer eight months into her placement, she attempted to escape but was unsuccessful. During her stay in Syria, Martha was assigned to different employers.

4.4.2 Fishing

Fishing is another common industry for Filipino workers, with an estimated 4,335 migrating to work aboard commercial fishing vessels with foreign flags each year (ILO, 2023). This is a small proportion of Filipino seafarers, which includes crew on all forms of vessels, with an estimated 345,517 seafarers deployed in 2021 (MIA, 2021), but the level of exploitation is significantly higher (ILO, 2023).

Fishers from the Philippines working abroad as OFWs earn a monthly salary of USD 250, on yearly contracts according to the Philippine Overseas Employment Administration (POEA) (Asis, 2020). Taiwan is the main destination for fishing. However, in many cases, work in the fishing industry is not documented, and fishers are recruited by other fishers, which makes it hard to track them.²⁴ In an extreme case identified in September 2022, 36 Filipino fishers were rescued from two industrial fishing vessels in Namibia. The fishers sometimes worked for 36 hours straight with only two meals a day and four hours' sleep, and their passports and seamen's books were held by the captain (Jaymalin, 2023). While Namibia is not a usual

²² Interview, NGO, Manila, April 2023.

²³ Taken from affidavit.

²⁴ Interview, IACAT, Manila, April 2023.

destination, it highlights how far afield Filipino migrant workers may be deployed.

While fishers sign contracts, conditions are difficult to monitor once they are at sea. Many report poor living and working conditions, abuse from captains and long hours, which contribute to accidents on board (Asis, 2020). In addition, there are often deductions from salary for food and accommodation, but few fishers receive payslips, so these charges are not clear (Asis, 2020).

Although beyond the scope of this study, there is also similar exploitation in the fishing industry occurs in the Philippines. For example, in a recent case, 123 trafficking victims were identified in Sulu in September 2023, forced to use drugs to work long hours (see Sadongdong, 2023).

4.4.3 Offshore gaming in the Philippines

The Philippines Offshore Gaming Operators (POGOs) – Chinese-owned companies that operated offshore gaming from the Philippines – peaked in 2019, but the shutdown of operations in March 2020 because of the COVID-19 pandemic resulted in many leaving the country. There are now 36 licensed companies, but also many more operating without a license.

POGOs have had a reputation for the exploitation of foreign, mostly Chinese, workers. However, a lack of communication between law enforcement and the Philippine Amusement and Gaming Corporation (PAGCOR), the body which regulates the gaming industry, has created difficulties in suspending the licenses of companies taken to court for the exploitation of workers.

Due to the proliferation of POGOs in 2018 and 2019, some BI Officers took advantage of Chinese nationals who were coming to work in the Philippines irregularly. A total of 45 BI officers were dismissed by the Ombudsman for their involvement in the Pastillas scam, which involved extortion in exchange for a Philippine visa. Named after a popular Filipino milk sweet ‘pastillas,’ the cash is placed in the sweet wrapper to conceal the bribe. In exchange, Chinese nationals can enter the country without following the standard immigration formalities.

There appears to be a link between POGOs and the creation of scam centres. Particularly as many POGO operations were closed, there are suspicions that the facilities continue to be used for scams.²⁵ In February 2023, one POGO licensee was reported to be involved in a crypto scam. PNP have filed a case, and PAGCOR has suspended the licence pending the investigation. Further raids were conducted in June 2023. In one case, against Xinchuang Network Technology Inc., the company was implicated in human trafficking, cryptocurrency and ‘love scams’. Five Chinese nationals were arrested, with 1,534

²⁵ Interview, NGO, Manila April 2023.

Filipino workers and 1,000 foreign workers identified as suspected victims of trafficking (Thomas-Akoo, 2023).

4.4.4 Scam centres

Individuals are recruited into what are presented as legitimate jobs in digital marketing or customer service, and then forced to work in scam centres. These centres use migrant labourers to form online relationships with people in other countries, who are then scammed, by for example encouraging them to invest in fraudulent cryptocurrency transactions.

In call centres, workers are supposed to build relationships with clients and offer investment in cryptocurrency. The crypto companies are legitimate, and the client can research them, but the avenues for investment are fraudulent and once individuals invest, they cannot access their investment and all communication channels with the call centres are disconnected.

The Philippines is primarily a recruitment hub for scam centres, with multiple reports of individuals deceived into working in these centres in Cambodia, Myanmar and other ASEAN countries. With the departure of many POGOs from the Philippines, the infrastructure has also been used for scam centres.²⁶

Filipinos are a particular target for recruitment because they speak English, and so can target individuals in Australia, the US and elsewhere. Individuals targeted have some university education, are computer-literate, have decent English and would pass as a tourist when questioned by the Bureau of Immigration, often because they have travelled overseas before.

For example, Flor,²⁷ a Philippine national, responded to an ad on Facebook for a customer service representative in Thailand.²⁸ She travelled to Bangkok on a tourist visa; this is a straightforward process, as Filipinos do not require visas to enter other ASEAN countries temporarily. But once she arrived in Bangkok, she was met by an escort, who transported her to Myanmar.²⁹

Ridwan, an Indonesian national, applied to work in the Philippines as a digital marketer. He was greeted by an escort at the airport, who guided him through the Bureau of Quarantine and Immigration counters. He was then taken to an apartment building near the airport, where he was instructed to scam Indonesian nationals, targeting them on Tinder, Facebook and Instagram, building a romantic relationship, and encouraging them to invest in cryptocurrency (PNA, 2023).

²⁶ Interview, Philippines, April 2023.

²⁷ Pseudonyms are used in this section.

²⁸ Interview, Philippines, April 2023.

²⁹ Interview, Philippines, April 2023.

Some workers have managed to leave the centres by buying their freedom or promising to recruit others to replace them. In the Philippines, an Indonesian worker in a scam centre who wanted to leave was required to pay PHP100,000 [US \$1,800] to cover the expenses of transporting him to the Philippines (PNA, 2023). There are also cases where workers are told they need to find their own replacement as a condition of leaving.

For workers who refuse to engage in scams, there are reports of food being withheld, or electrocution.³⁰ Six Filipino victims who worked in Myanmar mentioned in their affidavit that they were assigned and locked in separate rooms, their passports and mobile phones were confiscated, and they were subjected to physical harm. They were also asked to contact their families back home to raise ransom in exchange for freedom.³¹ Moreover, the centres are located in remote areas in Cambodia and Myanmar, which makes escape difficult.

While the Philippines is primarily a recruitment hub, there are also reports of scam centres operating in the Philippines, with other nationalities targeting their own nationals. As mentioned above, with the departure of many POGOs from the Philippines, the infrastructure has been used for scam centres.³² For example, in April 2023 Indonesians were identified in several buildings in Manila engaging in 'love scams' targeting other Indonesians (Patag, 2023). Since then, over 4,000 victims, of diverse nationalities, have been identified in scam centres in the Philippines. Because the Philippine government lacks the capacity to process these cases, the majority have been deported, which means they are unable to return (Damicog, 2023).

Recruitment to scam centres is a form of trafficking for forced criminality, as the workers are scamming clients. In addition, there are cases where if workers want to leave they have to provide their own replacement, making them a recruiter.³³ The deportations of victims by the Philippines also breaches the non-punishment principle for trafficking victims, as they will be banned from travelling to the country in the future. They may also face punishment or sanction on return to their own country.

30 Interview, Senator's Office, Manila, April 2023.

31 IACAT Facebook page

32 Interview, NGO, Manila April 2023.

33 Interview, IACAT, Manila, April 2023.

5 Vulnerabilities experienced by labour migrants

The vulnerabilities of migrant workers result in high levels of exploitation, which equates to human trafficking. A recent survey of OFWs found that 26.4% experienced forced labour (Two six technologies et al., 2022).

5.1 Pre-departure

A lack of decent job opportunities in the Philippines means that many aspiring migrant workers are willing to take risks for decent, better-paid work. The demographics of migrants are not a significant determinant of their vulnerability, however. Victims of trafficking include women, men and children from rural communities, conflict- and disaster-affected areas and impoverished urban areas (USAID, 2022). This gives a sense that economic need creates vulnerabilities, and increases risk-taking behaviour, but as discussed above, young, college-educated and employed Filipinos are also being targeted by the scam centres because of similar aspirations to improve their life.

Many migrant workers go into debt to fund their travel. There is a correlation between indebtedness and exploitation, with those in debt experiencing higher rates of forced labour of varying severity, compared to those who are not (Two six technologies et al., 2022). Levels of indebtedness also increased as a result of the COVID-19 pandemic, because of increased costs and inability to work and/ or travel. In a 2022 survey of OFWs, 49% were in debt, with 62% of those indicating it was a result of COVID-19 (Two six technologies et al., 2022).

In addition, families will sell assets and land to send a family member abroad, which creates pressure to earn enough to buy land, houses and assets to replace those that were sold. This attitude is linked to 'bahala na', discussed above, the idea that it is better to take risks than to stay in the country with no employment opportunities.

Recruitment agencies are not supposed to charge fees to migrants applying to work abroad, according to Philippines law, but there are still costs involved. For example, migrant workers need to attend training in Manila before departure and need to cover the costs of

their stay. The time from when an aspiring migrant commences the recruitment process, and their departure with appropriate documentation, is lengthy. When families need additional income quickly, this may not be a viable option. Perhaps to mitigate this challenge, some recruitment agencies offer incentives to new recruits, such as cash, rice and groceries, that can support families until the worker is deployed.³⁴

While the processes the recruitment agencies use to facilitate the employment of migrant workers appear to be worker-friendly, there are several loopholes that can be exploited by unregistered, or illegal, recruiters.

Recruitment agencies will facilitate the application for government identification documents, which are necessary to apply for a passport, as many living in rural areas will not have birth registration documents. There have been cases where illegal recruiters have encouraged or coerced applicants to lie about their age or name in applying for these documents to ensure they are eligible for work. This is particularly the case for under-age workers.³⁵ In one case reported by one of our informants, a 14-year-old worker had a fake passport showing she was 18.³⁶ As many aspiring migrant workers lack official identification documentation, the production of fraudulent documents that meet the requirements for migrating was described as a common tactic of informal recruiters.³⁷

In addition, the conditions for deferring departure of international-bound passengers have created an industry for the production of false diplomas and other documentation to facilitate travel as tourists.

There are also challenges in distinguishing between legitimate recruitment agencies and unregistered recruiters. Recruitment agencies visit rural areas to recruit workers – knocking on doors and pitching the potential of working abroad. However, illegal recruiters also use the same tactics, and may be indistinguishable from legitimate recruiters. There are mechanisms to check the legitimacy of a recruiter through the DMW, but many aspiring applicants may not know this exists, or do not have internet access.

The growing distance between workers and their recruiters makes it harder for aspiring migrants to know who they are dealing with. This is evident in recruitment to the scam centres, where individuals respond to an online advertisement. But even in traditional sectors, there are cases of individuals being in contact with their recruiter by phone and text message. This makes it harder to identify illegal recruiters and increases the risks to migrant workers.

34 Sign at recruitment agency, Zamboanga.

35 Interview, DSDW, Zamboanga, April 2023.

36 Ibid.

37 Ibid.

5.2 Journey

Although large numbers of migrant workers travel through formal mechanisms, many travel within the region without a visa. The ASEAN Framework Agreement on Visa Exemption allows visa-free travel within ASEAN member states for 14 days, after which the migrant becomes irregular, which creates a vulnerability to exploitation as they seek work. In addition, if exploitation does occur, such migrant workers are less likely to seek assistance for fear of being deported and being unable to continue working. The impact of deportation is discussed in more detail below.

Corruption at the border can result in migrant workers being allowed to travel to countries the Government of Philippines has banned. For example, there has been a ban on migrant workers travelling to Lebanon, because the country does not provide adequate safeguards for workers. However, 4,000 workers were identified in the country. While some migrant workers will claim to BI officers that they are travelling to another ASEAN country, potentially after being coached by their recruiter, it is assumed that the recruiters have bribed some officers to allow some to travel to banned countries.³⁸

The risk that BI officers will defer departure has also increased the role for facilitators, which are linked to illegal recruiters to ensure that migrants are allowed to board. Where previously migrants would have travelled on a tourist visa, which creates its own vulnerabilities, discussed below, passing through the screening of immigration officials may require additional assistance. This reduces migrants' own control over their journey, as they become more reliant on facilitators. While the facilitator may only provide documents, they have some knowledge of the migrants' journey, which can be passed on to others.

At the Zamboanga International Seaport, when the immigration officer defers migrants' departure, their second option is the 'back door' route through the islands in Sulu or Tawi-Tawi. This route relies on facilitators to provide transport and assist the migrant in reaching Sabah. This makes them more vulnerable because the multiple nodes in the journey, they are travelling on smaller vessels which means they are more isolated and susceptible to extortion.

When the Philippines has issued bans on the deployment of OFWs, particularly domestic workers, to certain countries, this has not stopped their recruitment. Recruiters charge employers a higher cost to transport OFWs via circuitous routes. For example, Filipinas going to work in Lebanon as domestic workers have been moved through other Gulf countries, although this also creates a risk that employers will deduct these costs from their salary (ILO, 2016).

³⁸ Interview, NGO, Manila, April 2023.

5.3 In the destination country

The vulnerabilities experienced in the destination country depend on the sector and the means by which the migrant travels.

For irregular migrants that have travelled without a visa or arrived in Sabah through the ‘back door’ route, their lack of legal status creates their greatest vulnerability. Employers can take advantage of this by providing poor working conditions, withholding wages and threatening to report workers to the authorities. If irregular workers are identified by authorities in the destination country, they are often detained in immigration detention centres. In Sabah, this can be for long periods in overcrowded centres. In 2022, 150 Filipino detainees died in Malaysian immigration detention (Asia Nikkei, 2023). During a period of detention, workers are unable to send remittances. Being deported also damages their immigration record and may prevent them from travelling abroad in future.

The primary sectors that employ workers from the Philippines also create vulnerability. All of the sectors discussed above are hidden. Domestic workers are working in private homes, fishers are on vessels at sea, and even workers in scam centres are in remote locations or Special Economic Zones (SEZs). This makes it difficult to seek help and creates an environment where the employer has significant power over the workers’ wellbeing.

Particularly in Middle Eastern countries, where domestic workers are governed by the Kafala (sponsorship and labour control) system, there are extreme risks of exploitation, as the employer has significant control over their employee’s movement and rights. While some countries, including Qatar and Saudi Arabia, claim to have dismantled the Kafala system, the changes do not apply to all workers, with domestic workers excluded from reforms (HRW, 2020).

Even when migrant workers have travelled through legitimate means and have a contract that was signed in the Philippines, there are multiple cases where this is replaced on arrival with a contract that pays significantly less, wages are withheld, and they are forced to hand over their mobile phones (Begum, 2014).

For individuals recruited from Muslim provinces in the Philippines, there is an expectation that they will be treated well in Muslim countries, which makes migrant workers more trusting.

As discussed above, there are high levels of abuse, and there have also been many cases of employers having killed Filipina domestic workers. In January 2023, a Filipina domestic worker in Kuwait was killed by her employer’s son (Ewe, 2023). A reported 196 Filipino migrant workers have died in Kuwait since 2016, with 80% of the deaths linked to physical abuse (Inquirer, 2023).

In many cases, visas are tied to a particular employer. As a result, if a worker wishes to leave their employment, the only option is to

return home. There have been instances where OFWs seek assistance from the counterpart recruitment agency of the one that recruited them initially, but rather than assisting them in returning home, they will place them with another employer, even though that is a breach of their visa and puts the worker at risk.³⁹

In Sabah, there have been many cases where passports are confiscated and withheld until they expire. As the Philippines has no consular presence in Sabah, this makes migrant workers extremely vulnerable, as they would be treated as illegal migrants if detected by Malaysian authorities.⁴⁰ As a result, they need to comply with their employer's demands or escape.

Being identified as an illegal migrant in Sabah results in being held in immigration detention for an extended period. Migrants will then also have a record of illegal migration, which will make it extremely difficult to migrate for work legitimately in future.

Interviewees also noted that employers have accused domestic workers who wish to leave of committing crimes, such as theft. In Syria, Filipina domestic workers arrived at the Philippines Embassy seeking assistance to return home after fleeing their employers. Because their employers accused them of crimes, there was confusion over whether they were victims or criminals, and they were held in the Embassy for over a year while their cases were resolved.⁴¹

There are also cases where OFWs who have travelled through formal channels are recruited to a third country.

In many contexts, poor communication skills also create vulnerabilities for migrants. In Malaysia, NGOs have created online complaints mechanisms for migrant workers to register exploitative working conditions. However, many parts of Sabah lack connectivity, as do many fishing vessels. For women working as domestic workers, their phones may be confiscated, and they may be prevented from calling home, for fear that they will complain about working conditions, salaries and potentially abuse or exploitation.

5.4 Return to the country of origin

Many individuals do not report their cases. One informant, for instance, stated that 'I wasn't trafficked, I just wasn't one of the lucky ones'.⁴² When these workers return home, they often reapply to recruitment centres, as the same factors that influenced their original decision to migrate are unchanged.

³⁹ Interview, NGO, Manila, April 2023.

⁴⁰ Interview, government agency, Zamboanga, April 2023.

⁴¹ Interview, NGO, Manila, April 2023.

⁴² Ibid.

There is also a sense of failure on return if migrants return too quickly. Some of these workers do not return home, but remain in Manila, either to seek work there, or try again.

Even for OFWs who have completed their term of employment, the remittances and savings are less than they expected. Many OFWs expect to be able to buy a house when they return, but as they do not earn as much as they anticipated it takes much longer to achieve their goals.⁴³ This is particularly difficult when assets have been sold to facilitate travel.

While individuals recruited to scam centres have demanded assistance, there is also an element of shame as victims believe this should not have happened to them, since graduates should have known better.

For the small number of migrants that do seek support when they return home, what is available differs depending on which province they are from, and there are rarely enough resources to support all victims of trafficking who do come forward. However, some provinces have developed mechanisms to handle increases in cases. In Zamboanga for instance, the Department of Social Welfare and Development often relies on external social workers as surge support.⁴⁴

There are many children in Sabah who are effectively stateless, as they were born to Filipino parents who overstayed and had become undocumented (Chong, Benedict, and Baltazar, 2023). For Filipino workers in Sabah, renewing documentation is difficult as there is no consular office in the region. According to the Department of Statistics of Malaysia, there are about 800,000 non-citizens in Sabah including undocumented migrants and stateless persons, a large proportion of whom are Indigenous.

For Chinese nationals who have been working in POGOs in the Philippines, being deported to China is dangerous, as they are considered criminals for having worked in the gaming industry and are at risk of being arrested.

43 Interview, Fair Training Centre, Manila, April 2023.

44 Interview, NGO, Zamboanga, April 2023.

6 Response measures and protective possibilities

6.1 Formal mechanisms

The Philippines has a substantial body of legislation and policy frameworks. In addition, the government also has mechanisms to support OFWs from pre-departure to reintegration. While these mechanisms engage with the formal recruitment pathway, there is little awareness among OFWs of support to address labour exploitation.

Despite the legislation and policy frameworks, government support provided to OFWs is not systematic or consistent. Because of the devolution of government responsibilities, the response is developed and implemented by regional and local governments which vary in capacity and political will. There are taskforces in several regions, but their capacity varies. For example, the DSWD in each region is required to provide support to victims of trafficking, but they may not have enough social workers, and need to rely on additional social workers from universities and NGOs.⁴⁵ Justice Zones have been established in some regions, including Zamboanga, to facilitate collaboration between police, prosecutors and other actors in the criminal justice sector, but as yet these are not comprehensive.

There have been several prosecutions related to labour trafficking – 62 cases initiated in 2022, and five convictions (US, 2022). However, these cases mostly focus on low-level actors in the criminal chain. Many interviewees referred to syndicates, which understood the departure formalities and developed strategies to circumvent them, but there are no investigations into larger groups. In addition, despite the media attention on the cases of corruption in the Bureau of Immigration, the cases are still pending (US, 2022).

Initiatives have been introduced to deter further corruption, however. The BI conducts lifestyle checks to detect possible complicity of officials in trafficking and irregular border movements. To ensure proper handling of cases, the BI interviews complainants and takes sworn affidavits. They also review CCTV footage, investigate paper trail transactions, interview witnesses to the crime and filing of

⁴⁵ Interview, NGO, Manila, April 2023.

criminal and administrative cases to the Office of the Ombudsman (Canlapan, n.d.).

Philippine Embassies or posts in destination countries are responsible for providing support to OFWs, but this support varies. In Taiwan, for example, the Philippines authorities have been quite attentive to the needs of OFWs. However, there are cases where domestic workers have been held after their employers have accused them of committing crimes,⁴⁶ and others where conditions are poor. In May 2020, a migrant worker died in an embassy shelter in Lebanon, allegedly through suicide. This incident came after 26 domestic workers complained about mistreatment at the embassy shelter (Barkawi, 2020).

To increase reporting of cases, the government also launched the 1343 Actionline against Human Trafficking, which serves as a platform to report cases, ask for referrals, or to respond to inquiries from victims and their family. Through this hotline, reporting of cases and referrals can be unified and referrals can be made systematically.

OWWA oversees pre-departure orientation, which informs migrant workers of the grievance mechanisms available to them. While many seek assistance directly with relevant state agencies, those who do not cite distance from embassies, long queues for help, lack of government support, the cost of documentation required to apply for assistance, COVID-19-related constraints, a fear of asking for help, and fear of their employer (IOM, 2023).

6.2 Informal mechanisms

Recruitment agencies play a significant role in responding to trafficking and ensuring protection, but the agencies and support offered vary in quality. Each agency has a counterpart in the destination country, which may be able to provide shelter to workers who have left their employer. However, there are instances where these recruitment agencies have found further employment for workers, even though this breaches their visa conditions. This arises because recruitment agencies are businesses designed to profit from supplying workers. There are also cases where workers want to find different employers or continue working after their visa has expired.

While the Philippine Government has a reputation for 'rescuing' workers from dangerous work situations, there are not always the resources to do this, and they rely on recruitment agencies to bring workers home.⁴⁷ However, this is publicised as a government effort. This is linked to the 1995 legislation that places more of the burden on recruitment agencies to protect and provide services.

46 Interview, NGO, Manila, April 2023.

47 Ibid.

DSWD is responsible for the welfare needs of returned trafficking victims, but this depends on their budget in each region. Challenges arise in regions that receive multiple returnees from other regions that require support, and do not wish to return to their region of origin.⁴⁸

The informal mechanisms to protect workers have developed to address shortfalls in the formal response. NGOs also fill the gap and challenge the government to better protect migrants.

6.3 Voice and Agency: Capacity of CSOs and Labour Migrants

Civil society organisations (CSOs) play a key role in protecting migrant workers. The most wide-ranging organisation is Migrante International, an association of migrant workers that has a presence in most countries with Filipino workers,⁴⁹ to give a voice to exploited workers. The organisation was formed in 1996, in response to the public outrage following the execution of Flor Contemplacion in Singapore, having been convicted of murdering another domestic worker and a child. Flor did not receive adequate support from the Philippine authorities, which prompted many protests from Filipino migrants, and the formation of Migrante International took the organising of migrants to a global level. The organisation is critical of government policy and engages with legislators in the House of Representatives. Migrante International also organises grassroots campaigns, such as protests and actions, and files cases to hold rights violators accountable.

Other groups also provide support for migrants abroad. For example, Kaagapay Ako Ng Bawat OFW assists migrant workers in the Middle East, and reports receiving thousands of requests daily from migrant workers – in relation to contract violations, excessive working hours, inadequate food, physical and emotional abuse (Ewe, 2023). Other organisations are sector-specific. For example, in Taiwan the Yilan Migrant Fisherman Union includes Filipino fishers, and is part of the Human Rights for Migrant Fishers coalition, also based in Taiwan (Asis, 2020).

Other NGOs seek to help migrants to better prepare for their labour migration. For example, the Fair Training centre gets prospective migrants to outline their ‘dream’, what it is they are migrating to achieve, and understand how long it will take to achieve those goals.⁵⁰

Larger NGOs working on migrant rights and counter-trafficking at the policy level tend to be located in the capital, with limited outreach to different regions. At a local level, NGOs provide some services. For example, in Zamboanga, there is one shelter for trafficked children,

48 Interview, local government, Tawi Tawi, May 2023.

49 Migrante International does not yet have a presence in Africa or Latin America.

50 Interview, Fair Training Centre, Manila, April 2023.

the only one in Western Mindanao, operated by an NGO – Katilingban sa Kalambuan (KKI). The organisation has been completely reliant on donor funding, and with recent challenges following a change in donor priorities, it has established a farm to create some income.

Three NGOs – International Justice Mission (IJM), Blas Ople Policy Centre and Coalition against Trafficking of Women Asia Pacific – are members of IACAT that represent the children, overseas Filipino workers, and women’s sector respectively. As part of IACAT, they play a role in monitoring and overseeing implementation of the Anti-Trafficking Act, as well as influencing the policy environment, especially in the sector they represent.

Compared to other countries in the region, the Government of the Philippines is open to input from civil society to improve its policy and practices on labour trafficking and exploitation. This was particularly evident when IACAT responded to the recommendation in the 2022 US State Department TIP Report to consult affected communities. The development of the 4th National Strategic Plan on Trafficking in Persons involved consultation with affected communities, particularly marginalised groups.⁵¹

⁵¹ Interview, IACAT, Manila, April 2023.

7 Conclusions

7.1 Conclusion

There is strong political will to address TIP in the Philippines, as reflected by the country's legal and policy frameworks. The mechanisms to prevent and respond to labour trafficking are continually evolving, particularly the institutions tasked with protecting migrant workers. For example, the newly created DMW is unique in migrant-sending countries. In addition, the President has issued a directive to intensify education on the risks of migration. Despite this strong political will, trafficking still occurs.

7.1.1 Key Blockages to Addressing Vulnerabilities

There are several blockages to addressing the vulnerabilities to labour trafficking. Within the Philippines, the response is decentralised because of the system of devolved governance. As a result, prevention and protection mechanisms are not systematic. The need for individuals to find work quickly to address economic difficulties also means they are less likely to follow the processes that are established to address their vulnerabilities and ensure they are protected during their deployment. The rise of social media as a recruitment tool adds a newer challenge, as the distance between the recruiter and the worker creates opportunities to avoid identification.

Corruption at the exit points from the Philippines also makes it easier for illegal recruiters to take advantage of willing workers. These nodes in the migration chain are seeking to take advantage of aspirations to work abroad as a means to profit from them. While this is not directly connected to exploitation and abuse in destination countries, it disrupts the existing formal systems of protections and creates vulnerability.

Once the journey is underway, additional blockages arise in the destination country as avenues for redress may not be accessible or known. Depending on the migrant's status, there is also a risk of being identified as illegal and being detained. Particularly if they have been exploited, this can deepen their trauma. In several countries there is inadequate consular support, and challenges in identifying victims, particularly when their employers have accused them of crimes. Recruitment agencies in destination countries also facilitate the movement of OFWs to third countries, often without the knowledge of the Philippine embassy in the final destination, and without documentation, which makes it difficult to assist migrants when they are exploited.

When exploitation does occur, the government relies too heavily on recruitment agencies to bring OFWs home. But as recruitment agencies are in the business of deploying Filipino workers for profit, they are reluctant to do so. Once they have returned home, the length of time it takes to pursue a case deters many from filing a complaint, as they believe it will be a cumbersome process.

While human trafficking is a significant priority in the Philippines, as there is an eagerness to maintain the Tier 1 ranking in the US TIP report, responses to OSAEC have been prioritised over other forms of TIP, with support from the US government because of its high prevalence.

7.1.2 Key Drivers for Change

There is a large constituency for change in the Philippines since because there are so many migrant workers, and many families have a member working abroad, this creates demands for better government protection. This was evidenced in the case of Flor Contemplacion discussed above and has been harnessed by NGOs to engage in public action.

With the rapidly evolving trafficking into scam centres, the media and diplomatic concern has brought significant attention to these patterns. While domestic workers may put their mistreatment down to fate, or not being one of the lucky ones, the Filipinos targeted by scam centres abroad are educated and have opportunities available to them on their return to the Philippines, and many are willing to demand assistance, which is evident in the number of rescues. This may shift the wider perception of what is considered acceptable treatment for workers in other sectors.

IACAT has released its 4th Strategic Plan, which brings together all stakeholders focused on TIP. IACAT has also developed an advocacy and communications plan, to increase public understanding of trafficking risks, including more recent threats linked to the scam centres.

7.2 Recommendations

Labour trafficking cases are complex as there is no clear line when exploitation and abuse are defined as trafficking and it is difficult to identify a specific perpetrator. Although the Philippines has broad TIP provisions that include forced labour, slavery, involuntary servitude, debt bondage, even when there is no movement, there is value in a nuanced approach that expands on the standard response to human trafficking.

Areas that require more attention in the Philippines include:

Support the Sub-national Response to Labour Trafficking

- Regional taskforces require further capacity building to ensure there is a systematic understanding of their responsibilities in relation to labour trafficking, and that they have the mechanisms in place to respond appropriately. There is potential for sharing lessons among taskforces, facilitated by IACAT.
- The Justice Zones strengthen the criminal justice response to human trafficking. The Government of the Philippines should be supported to develop justice zones in more regions across the country. Currently, there are 12 Justice Zones launched in the cities of Quezon, Cebu, Davao, Angeles, Bacolod, Naga, Calamba, Balanga, Baguio, Zamboanga, Tagaytay, and Puerto Prinsesa. Among the cities, only Zamboanga City was launched as a trafficking-free Justice Zone. There may be consideration of expanding and implementing sensitive provision of justice, monitoring of the Justice Zones for effectiveness and identifying areas for improvement in the legal and organisational framework as well as in the coordination efforts among the relevant participating agencies of the Justice Zones' structure.
- There is a need for a more robust referral mechanism to ensure that LGUs whose constituents are exploited in another LGU receive the necessary services, and to ensure the burden is not disproportionately on LGUs in areas where migrants depart from the Philippines.
- Increase the capacity of LGUs to engage in preventive measures, including community-based information dissemination.

Strengthen the Response of the Government of the Philippines to Trafficking Abroad

- Ensure that Department of Migrant Workers (DMW) attachés in Philippine Embassies in destination countries are trained in the identification of victims and the services available. In addition, services provided at embassies, such as temporary shelters, need to be appropriate and sufficiently resourced to provide assistance, with relevant protocols in place.
- Bring embassies into the process of approving counterpart recruitment agencies in destination countries, conducting checks and accrediting approved agencies to work in collaboration with DMW and the Philippines recruitment agencies.

Continue to Support the Criminal Justice Response to Trafficking

- In some cases, compensation has been sought from employers and traffickers, but even when this is ordered, there have been difficulties in ensuring victims receive their payment. There is scope to expand this practice using asset-recovery mechanisms to confiscate the traffickers' assets. The use of electronic money platforms to transfer compensation and proceeds of crime to victims needs to be explored to remove the need for bank accounts.

Encourage Private Sector Engagement on Human Trafficking

- Social media platforms are increasingly used to recruit workers, particularly for scam centres. Such platforms should be encouraged to adopt a duty of care regarding advertising opportunities for overseas work.
- Because of the controversies related to labour trafficking and POGOs, it would be useful to bring PACGOR into IACAT, even if only in an associate role. There at least needs to be better communication between law enforcement investigating cases of exploitation and PAGCOR to ensure licences are not suspended unnecessarily once cases have been resolved.
- There is a role for airlines and potentially other forms of transport, such as ferries, buses, taxis and the Grab ride-hailing service in identifying trafficking victims. IACAT coordination with the transport sector should be revived to provide training for the airline personnel, including those involved in check-in, and cabin crew, and other transport-sector staff, to identify signs of trafficking and possible trafficked victims. There would need to be appropriate internal reporting mechanisms.

Strengthen the Regional Response

- Establish an implementation mechanism for the ASEAN Declaration on Trafficking for Forced Criminality and strengthen regional cooperation to address the proliferation of scam centres.

References

- Ali, A. (2016) *Do political dynasties hinder development? Evidence from a natural disaster*. Working Paper No. S-89207-PAK-1 (<https://www.theigc.org/wp-content/uploads/2017/07/Ali-2016-Working-paper.pdf>).
- Asia Nikkei (2023) 'Malaysia admits 150 foreigners died in detention last year' (<https://asia.nikkei.com/Politics/Malaysia-admits-150-foreigners-died-in-detention-last-year>).
- Asis, M.M.B. (2020) *Filipino, Indonesian and Vietnamese fishermen on Taiwanese fishing vessels: Summary of research findings* (<https://www.icmc.net/future-of-work/report/05-philippines/>).
- Baclig, C. E. (2021) 'Women bear the brunt of heightened risks for OFWs'. *Inquirer*, 29 July (<https://newsinfo.inquirer.net/1466363/women-bear-brunt-of-heightened-risks-for-ofws?ref=hir.harvard.edu>).
- Barkawi, B. (2020) 'Philippines investigates suicide of a maid at embassy shelter in Lebanon'. Reuters (<https://www.reuters.com/article/us-lebanon-migrants-suicide-trfn-idUSKBN2300SD>).
- Begum, R. (2014) *For migrant workers, shattered dreams*. New York: Human Rights Watch (<https://www.hrw.org/news/2014/10/24/migrant-workers-shattered-dreams>).
- Bisong, A. and Knoll, A. (2020) *Mapping private sector engagement along the migration cycle*. EDCPM Report. Maastricht: EDCPM.
- Biswas, R. (2022) 'Philippines on track to become one trillion dollar economy by 2033', S&P Global Market Intelligence (<https://www.spglobal.com/marketintelligence/en/mi/research-analysis/philippines-on-track-to-become-one-trillion-dollar-economy-by-2033.html#:~:text=The%20Philippines%20economy%20grew%20at,USD%20one%20trillion%20by%202033>).
- British Institute of International and Comparative Law (2020) *Determinants of anti-trafficking efforts case study: Philippines*. London: BIICL.
- Canlapan, N. (n.d.) 'Investigative practice in immigration corruption cases in the Philippines' (<https://www.unafei.or.jp/publications/pdf/GG7/philippines.pdf>).
- Chantavanich, S., Ito, M., Middleton, C., Chutikul, S. and Thatun, S.S.(2013) 'On the move: Critical themes in migration in Southeast Asia' in S. Chantavanich, C. Middleton and M. Ito (eds.), *On the move: critical themes in migration in Southeast Asia*. Bangkok: International Organization for Migration and Chulalongkorn University.
- Chong, A.M., Benedict, S.J., and Baltazar, M.A. (2023) 'Sabah's stateless issue: Navigating a complex legal landscape for basic rights' *Focus*, 111, 5-8.

- Cielo, C. (2022) 'Social inequalities and political organization in the Philippines', in H.J. Burchardt and J. Leinius (eds.), (*Post-)colonial archipelagos: Comparing the legacies of Spanish colonialism in Cuba, Puerto Rico and the Philippines*. Ann Arbor: University of Michigan Press.
- Damicog, J. (2023) '75 foreigners "involved in scams" deported – BI' (<https://mb.com.ph/2023/9/24/75-foreigners-involved-in-scams-deported-bi>).
- Dela Serna, M., Ferrer, R., & Abocejo, F. (2017) 'Trafficking in persons in Cebu City, Central Philippines'. Paper presented at the International Conference on Studies in Arts, Social Sciences and Humanities (SASSH-17), 26-27 January 2017, Cebu.
- Economist Intelligence Unit (2023) 'Philippines economy, politics and GDP growth summary' (<https://country.eiu.com/philippines>).
- Ewe, K. (2023) 'She left home to work 5,000 miles away, but was killed and abandoned in a desert'. *Vice News*, 1 February (<https://www.vice.com/en/article/y3p89m/she-left-home-to-work-5000-miles-away-but-was-killed-and-abandoned-in-a-desert>).
- Fresnido, Z. (2017) 'A comparative analysis of the Philippine and Malaysian legal systems against trafficking in persons' *Thammasat Review*, 15 (Special Issue), 71-92.
- Gana, S. (2001) 'The fight against human trafficking in the Philippines' (https://www.unafei.or.jp/publications/pdf/RS_No109/No109_5_VE_Gana.pdf).
- Gross, S. (2017) 'Human trafficking in the Philippines: Victim acquisition and exit strategies'. Master's Thesis, Master of Criminal Justice Administration, Middle Tennessee State University (<https://jewlscholar.mtsu.edu/server/api/core/bitstreams/cfcb9552-f99b-4262-82a0-a1bc338242d3/content>)
- Gripaldo, R. M. (2005) 'Bahala na : A philosophical analysis'. In Filipino Cultural Traits: Claro R. Ceniza Lectures. Council for Research in Values and Philosophy. (https://www.researchgate.net/publication/238082707_BAHALA_NA_A_PHILOSOPHICAL_ANALYSIS1)
- Hwang, M.C. (2021) 'Exit denied: women losing the right to leave in the Philippines'. *OpenDemocracy* (<https://www.opendemocracy.net/en/beyond-trafficking-and-slavery/exit-denied-women-losing-the-right-to-leave-in-the-philippines/>).
- IACAT (2020) 2020 Accomplishment Report. Manila: IACAT.
- International Labour Organization (2016) *Intertwined: A study of employers of migrant domestic workers in Lebanon*. Geneva: ILO.
- International Labour Organization (ILO) (n.d.) *Workers' and employers' organizations in the Philippines* (<https://www.ilo.org/manila/areasofwork/workers-and-employers-organizations/lang--en/index.htm>).
- ILO (2023) *ILO, EU, Stella Maris partner to protect Filipino migrant fishers* (https://www.ilo.org/manila/public/pr/WCMS_888794/lang--en/index.htm).

- Inquirer (2023) 'Monsters in Kuwait', *Philippines Daily Enquirer*, 31 January (<https://opinion.inquirer.net/160691/monsters-in-kuwait>).
- International Organization for Migration (IOM) (2023) *Accelerating access to remedy: Promising practices to enhance access to remedy for migrant workers in South-East Asia*. Geneva: IOM.
- Jaymalin, M. (2023) 'DMW probes trafficking of Pinoy fishers in Namibia', *PhilStar Global* (<https://www.philstar.com/nation/2023/03/29/2255285/dmw-probes-trafficking-pinoy-fishers-namibia>).
- Lennox, A. (2022) *Labour and exploitation: Employment and work in Mindanao*. Abingdon: Routledge.
- Maritime Industry Authority (MIA) (2021) *Marina Statistical Report, 2017-2021* (<https://marina.gov.ph/wp-content/uploads/2022/06/2017-2021-MARINA-Statistical-Report-1.pdf>).
- Mendoza, R.U., Beja, E.L., Venida, V.S., Yap, D.B. (2016) 'Political dynasties and poverty: measurement and evidence of linkages in the Philippines' *Oxford Development Studies*, 44(2): 189-201.
- Mendoza, R., Yap, J., Mendoza, G.A. Jaminola, L., & Yu, E.C. (2022) 'Political dynasties, business, and poverty in the Philippines' *Journal of Government and Economics*, 7: 10051.
- Napier-Moore, R. (2017) Protected or put in harm's way? Bans and restrictions on women's labour migration in ASEAN countries. ILO Regional Office for Asia and the Pacific: UN Women Regional Office for Asia and the Pacific. (<https://asiapacific.unwomen.org/en/digital-library/publications/2017/06/protected-or-put-in-harms-way#:~:text=This%20study%20includes%20a%20policy,to%20Malaysia%20for%20domestic%20work.>)
- Ogaya, C. (2020) 'The rights movement for domestic workers in the Philippines: Its local and transnational path to decent work. *Revue Internationale des Etudes du Développement*, 2(242): 169-189.
- Oliver, M. (2019) *Social protection for migrant workers in ASEAN: Developments, challenges and prospects*. Bangkok: International Labour Organization.
- Panao, R.A.L. (2020) 'Beyond flypaper: unconditional transfers and local revenue generation in the Philippines, 1992-2016' *International Journal of Public Administration*, 44(15): 1341-1354.
- Parmanand, S. (2022) 'The many faces of care: A comparative analysis of anti-trafficking approaches to domestic work and sex work in the Philippines' *Ethics and Social Welfare*, 16(2): 129-143 (<https://doi.org/10.1080/17496535.2022.2070234>).
- Parry-Davies, E., (2020) 'Modern heroes, modern slaves? Listening to migrant domestic workers' everyday temporalities' *Anti-Trafficking Review*, 15, 63-81 (<https://doi.org/10.14197/atr.201220154>).
- Patag, K.J. (2023) 'Hontiveros: Hundreds of foreigners duped into working in Manila "scam hubs"', *PhilStar Global* (<https://www.philstar.com/headlines/2023/04/19/2260091/hontiveros-hundreds-foreigners-duped-working-manila-scam-hubs>).

- Pellerin, G. (2022) 'Existing beyond ourselves: Civil society in anti-labor trafficking efforts in the Philippines'. Master's Thesis, Department of Sociology, Memorial University (<http://research.library.mun.ca/id/eprint/15490>).
- Perante-Calina, L. (2010) Philippine response to curb human trafficking of migrant workers. Semantic Scholar. (<https://api.semanticscholar.org/CorpusID:131122488>).
- Perry, N. (2016) 'The promise and pitfalls of unilateral pressure to combat human trafficking: U.S. pressure on Israel, the Philippines, and Thailand'. PhD Dissertation, Northeastern University (<https://repository.library.northeastern.edu/files/neu:cj82p5266/fulltext.pdf>).
- Philippines Statistics Authority (2022) 2021 Overseas Filipinos (Final Results) (<https://psa.gov.ph/statistics/survey/labor-and-employment/survey-overseas-filipinos#:~:text=The%20number%20of%20Overseas%20Filipinos,1.77%20million%20estimate%20in%202020.&text=The%20number%20of%20Overseas%20Contract,from%201.71%20million%20in%202020>).
- Sadongdong, M. (2023) '123 victims of human trafficking saved in Sulu – Navy' (<https://mb.com.ph/2023/9/20/123-victims-of-human-trafficking-saved-in-sulu-navy>).
- Saito, I. (2013) "Pakikisama": A Filipino trait' (<https://core.ac.uk/download/pdf/268585067.pdf>).
- Sayres, N.J. (2007) *An analysis of the situation of Filipino domestic workers*. Geneva: ILO.
- Siracusa, C. and Acacio, K. (2004) 'State migrant-exporting schemes and their implications for the rise of illicit migration: A comparison of Spain and the Philippines' *JIMI/RIMI*, 5(3), 321-342.
- Shivakoti, R., Henderson, S. and Withers, M. (2021) 'The migration ban policy cycle: a comparative analysis of restrictions on the emigration of women domestic workers' *Comparative Migration Studies*, 9: 36.
- Testaverde, M., Moroz, H., Hollweg, C.H. and Schmillen, A. (2017) *Migrating to opportunity: Overcoming barriers to labor mobility in Southeast Asia*. Washington, DC: World Bank.
- Timberman, D. (2019) *Philippine politics under Duterte: A midterm assessment* (<https://carnegieendowment.org/2019/01/10/philippine-politics-under-duterte-midterm-assessment-pub-78091>).
- Transparency International (TI) (2022) *Corruption Perceptions Index* (<https://www.transparency.org/en/cpi/2022>).
- Tusalem, R. and Pe-Aguirre, J.J. (2013) 'The effect of political dynasties on effective democratic governance: evidence From the Philippines' *Asian Politics & Policy*, 5(3): 359–386.
- Two Six Technologies, University of California, Los Angeles, and the Global Fund to End Modern Slavery (2022) *OFW voices: A study of forced labor among transnational migrant workers from the Philippines* (<https://www.qfems.org/wp-content/uploads/2022/08/TwoSix-Final-report-Philippines-OFW-Study-2.pdf>).
- United Nations Interregional Crime and Justice Research Institute (UNICRI) and the Australian Institute of Criminology (AIC) (1999) *Global programme*

against trafficking in human beings' rapid assessment: Human smuggling and trafficking from the Philippines.
(<https://www.aic.gov.au/sites/default/files/2020-05/rapid-assessment-human-smuggling-and-trafficking-from-the-philippines.pdf>).

USAID (2022) *Countering trafficking in persons in the Philippines: An ecosystem approach using weak-signal analysis*. Washington, DC: USAID.

US State Department (2022) *Trafficking in Persons Report*. Washington, DC: US State Department.

Weitzer, R. (2014) 'New Directions in research on human trafficking' *The ANNALS of the American Academy of Political and Social Science*, 653: 6-24.

World Bank (2023) *Overcoming poverty and inequality in the Philippines: Past, present and prospects for the future*. Washington, DC: World Bank.