

COUNTRY BASELINE UNDER THE ILO DECLARATION ANNUAL REVIEW

Philippines - 2023

THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY LABOUR Protocol of 2014 P029 to the Forced Labour Convention

REPORTING

Fulfillment of Government's reporting obligations

Yes

Involvement of Employers' and Workers' organizations in the reporting process

91. When preparing its report, did the Government consult? [10.1]

c) The competent authorities

92. To which employers organizations was the report sent? [12] Please provide the list

A copy of this report is forwarded to the most representative organizations of employers organization (Employers Confederation of the Philippines (ECOP).

93. To which workers organizations was the report sent? [13] Please provide the list

A copy of this report is forwarded to the most representative organizations of workers, i.e., Trade Union Congress of the Philippines (TUCP), Federation of Free Workers (FFW), Kilusang Mayo Uno (KMU), and Samahan ng mga Nagkakaisa at Progresibong Manggagawa (SENTRO).

94. Please describe the consultation process(es). [10.2]

OBSERVATIONS BY THE SOCIAL PARTNERS

Employers' organizations

83. Have employers and or or workers organizations been consulted in the development and implementation of adopted measures? [6.1]	Yes
84. Please provide details and provide any relevant URL(s) [6.2]	
95. Did employers organizations comment on the report? [11a]	No
96. Did workers organizations comment on the report? [11b]	No
97. Please provide URL(s) to the responses and comments of the employers and workers organizations to the above questions, if you have received them	

Workers' organizations

83. Have employers and or or workers organizations been consulted in the development and implementation of adopted measures? [6.1]	Yes
84. Please provide details and provide any relevant URL(s) [6.2]	
95. Did employers organizations comment on the report? [11a]	No
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EFFORTS AND PROGRESS MADE IN REALIZING MEASURES TARGETED BY THE PROTOCOL

Ratification

Ratification intention

61. If you have ratified Convention No. 29 but not the 2014 Protocol to Convention No. 29, what are the prospects for ratification of the Protocol?

Likely

62. What, if any, are the impediments to the ratification of the 2014 Protocol to Convention No. 29?

Existence of a policy and or plan of action for the suppression of forced or compulsory labour

63. Is there a national policy and plan of action aimed at realizing the principle of effective and sustained suppression of all forms of forced or compulsory labour through prevention, victim protection and access to remedies? [1.1]

Yes

65. Please also indicate the manner in which employers' and workers' organizations have been consulted. [1.3]

IACAT, the lead coordinating body responsible for overseeing and monitoring implementation of the government's anti-trafficking efforts and which the secretaries of DOJ and DSWD chaired and co-chaired respectively, met regularly to share information and coordinate policies. Three NGOs participated as members of IACAT, which also involved additional NGOs, private sector representatives, and survivors in technical working groups and other fora. In partnership with an NGO, IACAT created a working group that met to consider the creation of a formal council for trafficking survivors to advise and make recommendations to the government on anti-trafficking policies.

66. Does the Government envisage adopting a national policy and/or plan of action in this regard? [1.4]

67. Does the Government wish to receive ILO assistance in developing a national policy and/or plan of action in this regard? [1.4b]

68. Is there a national policy and plan of action setting out measures and specific action for combatting trafficking in persons for the purposes of forced or compulsory labour? [1.5]

Yes

69. Please describe these measures. [1.5]	The Philippine Government has consistently demonstrated its commitment to eliminate human trafficking. This commitment is exemplified by a comprehensive range of legal, policy, and strategic initiatives in place. At the forefront of these initiatives are the following: 1. National Strategic Action Plan Against Trafficking in Persons 2023 - 2027," symbolizing the nation's commitment to eliminating forced labor and safeguarding the rights and dignity of all individuals. The action plan is designed to maximize strategic results, ensure operational flexibility, and establish a thorough monitoring and evaluation framework which is structured around four "End of Strategy Outcomes" (EOSOs) to be achieved within the five-year timeframe. These outcomes are categorized under key result areas (KRAs): EOSO 1 - Prevention (KRA 1), EOSO 2 - Protection (KRA 2), EOSO 3 - Prosecution (KRA 3), and EOSO 4 - Partnerships (KRA 4).
70. Does the Government collect and analyse statistical data and other information on the nature and extent of forced or compulsory labour? [1.6]	Yes
71. Please describe these data. [1.6.1]	IACAT is managing and maintaining the Prosecutor's TIP Case management System (PTCMS), a web-based intranet application used by different Anti-Trafficking Task Forces (ATTF) to assist the prosecutors in monitoring, handling, and managing of TIP cases. The PTCMS collects and stores TIP cases including labour trafficking filed before the Prosecutor's Offices and in Court nationwide. The IACAT uses the Integrated Case Management System (ICMS) to efficiently monitor cases of human trafficking and the delivery of reintegration services to victim-survivors of trafficking. This improves the services provided to the public by providing efficient monitoring of complaints of trafficking filed by Overseas Filipino Workers (OFWs). It also responds to the need for a centralized database containing relevant information regarding illegal recruitment and human trafficking. Currently, on-going training roll-out is being conducted for various end-users to be familiarized on navigating the system.
72. Does the Government envisage collecting data on forced or compulsory labour? [1.6.2]	
Measures taken or envisaged for systematic and coordinated action	
64. Please describe the measures envisaged, the established objectives and the authorities responsible for the implementation, coordination and assessment of these measures. Please provide any relevant URL(s) [1.2]	Republic Act No. 11862 or the Expanded Anti-Trafficking in Persons Act of 2022. This legislation serves to reinforce the existing Anti-TIP legal framework by amending two pivotal acts: R.A. No. 10364 (Expanded Anti-Trafficking in Persons Act of 2012) and R.A. No. 9208 (Anti-Trafficking in Persons Act of 2003).

	4.1 Republic Act No. 10361 or An Act Instituting Policies for the Protection and Welfare of Domestic Workers. The Act provides for the protection of domestic workers against abuse, debt bondage, and worst forms of child labor. It sets minimum standards for wages, hours and days of rest, and other benefits for domestic workers including social security and public health insurance. It also provides for mechanisms for quick response to abuses and accessible means to redress grievances. The law derived guidance from the Domestic Workers Convention, 2011 (No. 189). The measures enshrined in the Act are also meant to provide a strong basis for the Philippine Government to negotiate bilateral agreements with host States to protect the interest of Filipino women domestic workers abroad. 4.2 Philippine Program Against Child Labor (PPACL) Strategic Framework 2023-2028. Contains the program goal, impact, and end-of-program outcomes as well as cross-cutting themes which will guide the National Council Against Child Labor and its partners.
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Measures taken or envisaged to prevent forms of forced labour

66. Does the Government envisage adopting a national policy and/or plan of action in this regard? [1.4]?	
74. Have measures been taken or are measures envisaged for the prevention of all forms of forced or compulsory labour? [2.1]	Yes
75. If so, please indicate the type of measures, [2.2]	a) Information, education and awareness raising targeting especially people in vulnerable situation and employers, b) Strengthening and broadening of the coverage of legislation, particularly labour law, c) Regulation and supervision of the labour recruitment and placement process, d) Supporting due diligence by the public and private sectors, e) Addressing the root causes that perpetuate forced labour, f) Promotion of safe and regular migration, g) Education/vocational training, h) Capacity building for the competent authorities, i) Promotion of freedom of association and collective bargaining to enable at-risk workers to join workers' organizations, j) Basic social security guarantees.
75.a.,f. Please provide a description of measures taken or envisaged:	Development of a comprehensive awareness and advocacy plan that is tailored to all current and emerging forms of trafficking and all types of victims. 2. Strengthen information and awareness on TIP targeted to first-time job seekers, as well as campaign against illegal recruiters through employment agencies and/or hiring services. 3. Involve/engage/mobilize private sector in combating TIP through capacity building and advocacy campaign. The Philippine Government created the Department of Migrant Workers or DMW pursuant to Republic Act No. 11641. The Act strengthens and streamlines the delivery of services to migrant workers throughout the full cycle of

	migration, from pre-employment up to their return and reintegration. Last January 2023, the DMW also took over the operation of the Overseas Filipino Workers Hospital or the OFW Hospital in the province of Pampanga, which was created in order to serve as a medical facility, including diagnostic center, primarily for the welfare of OFWs and their qualified dependents. In order to expand and improve on the health services offered to OFWs, the DMW partnered with the University of the Philippines – Philippine General Hospital (or UP-PGH) in March 2023.
75.f. Please indicate the population groups benefiting from these measures and the relevant forced labour practices:	Men, women, children and indigenous people who may be potential victims of labor trafficking, particularly labour trafficking involving OFWs and migrants.
Measures taken or envisaged to protect victims of forced labour	
76. Have measures been taken or are measures envisaged for the identification, release, protection, recovery and rehabilitation of victims of all forms of forced or compulsory labour? [3.1]	Yes
77. If so, please indicate the type of measures [3.2]	h) Specific measures for children, j) Other
Measures taken or envisaged to facilitate access to remedies	
78. Have measures been taken or are measures envisaged to provide victims of all forms of forced or compulsory labour with access to remedies? [4.1]	Yes
79. If so, please indicate the type of measures, [4.2]	i) Other
80. Please indicate whether the measures aimed at providing access to justice and remedies apply to all victims of forced or compulsory labour, irrespective of their presence or legal status in the national territory. [4.3]	Yes
Non-prosecution of victims for unlawful acts that they would have been forced to carry out	
79.g. Please provide a description of measures taken or envisaged:	

Cooperation with other Member States, international / regional organizations or NGOs

81. Does the Government cooperate with other member States, international and regional organizations, or non-governmental organizations to achieve the effective and sustained suppression of forced or compulsory labour? [5.1]

Yes

82. Please briefly describe the modalities of this cooperation. [5.2]

The Philippines has been active in pursuing bilateral labor agreements (BLAs) with various countries to further strengthen and promote the protection of the rights and welfare of its migrant workers. As of date, the Philippines has signed a total of forty-six (46) BLAs (40 of which are currently in effect while 6 have already expired) and five (5) Regional/Multilateral Agreements.

ASEAN-Australia Counter Trafficking (ACT). The ASEAN-ACT is a 10-year investment that continues Australia's long running collaboration with the ASEAN and its member states to end human trafficking in the region. The program principally works on strengthening the justice sector's response to human trafficking, while opening up new partnerships with allied government agencies, civil society and business. ASEAN Plan of Action Against Trafficking in Persons, Especially Women and Children.

Manila International Dialogue on Human Trafficking The Manila Dialogue is a platform for continuing conversations on TIP, participated in by various local and international organizations, government agencies, and foreign missions in the Philippines.

Promotional activities

90. Please provide URL(s) to any new information on efforts made to respect, to promote and to realize the principle of effective and sustained suppression of forced or compulsory labour through prevention, victim protection and access to remedies. [14]

<https://iacat.gov.ph/>

<https://batangmalaya.ph/>

Special initiatives or Progress

85. Please describe any significant changes which have taken place since your last report (for example, changes in the legislative and institutional framework, launching of major programmes, new data, changes in the number of

persons in forced labour who have been identified, released and protected, penalties imposed on perpetrators). [7]

CHALLENGES IN REALIZING MEASURES TARGETED BY THE PROTOCOL

According to the social partners

Employers' organizations

86. What are the main obstacles encountered by your country with regard to realizing the principle of effective and sustained suppression of all forms of forced labour through prevention, victim protection and access to remedies? [8]

a) Lack of awareness, b) Lack of information and data, d) Social and economic circumstances, e) Political situation

Workers' organizations

86. What are the main obstacles encountered by your country with regard to realizing the principle of effective and sustained suppression of all forms of forced labour through prevention, victim protection and access to remedies? [8]

a) Lack of awareness, b) Lack of information and data, d) Social and economic circumstances, e) Political situation

According to the Government

86. What are the main obstacles encountered by your country with regard to realizing the principle of effective and sustained suppression of all forms of forced labour through prevention, victim protection and access to remedies? [8]

a) Lack of awareness, b) Lack of information and data, d) Social and economic circumstances, e) Political situation

TECHNICAL COOPERATION NEEDS

Request

87. Does your Government think that it should establish technical cooperation activities with the ILO or pursue those that already exist for the prevention and effective suppression of forced or compulsory labour, victim protection and access to remedies? [9.1]

Yes

88. If so, please indicate the needs in this area by level of importance (not important, less important, important, most important) [9.2]	b) Awareness-raising and mobilization activities => Most Important c) Collection and analysis of data and information => Most Important d) Guidance on the development of the national policy and plan of action => Most Important e) Strengthening the legal framework => Most Important f) Capacity building for the competent authorities => Most Important g) Inter-institutional coordination => Most Important h) Promotion of fair recruitment and placement practices => Most Important i) Promotion of fair migration policies => Most Important j) Vocational training, job-creation and income-generation programmes for at-risk populations => Most Important k) Basic social security guarantees => Most Important l) Guidance on supporting due diligence => Most Important m) Capacity building for employers' and workers' organizations => Most Important n) Promotion of freedom of association and collective bargaining to enable at-risk workers to join workers' organizations => Most Important o) Exchange of experiences between countries or regions; international cooperation => Most Important p) Other => Most Important
89. Please provide additional information on the top three needs that you have identified in the elimination of forced labour or compulsory labour. Please provide URL(s) to any other information you may deem necessary.	1. Further support to ensure coordinated efforts among key government agencies and organizations to strengthen effective enforcement of related laws and policies. 2. Improve awareness of key players and implementers. 3. Need to identify priority areas to work on considering the resources constraints.