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2023 Trafficking in Persons Report: Philippines

OFFICE TO MONITOR AND COMBAT TRAFFICKING IN PERSONS

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The Government of the Philippines fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period, considering the impact of the COVID-19 pandemic, if any, on its anti-trafficking capacity; therefore the Philippines remained on Tier 1. These efforts included investigating more trafficking crimes, convicting more traffickers, amending its anti-trafficking law, increasing funding to the Inter-Agency Council Against Trafficking (IACAT), and sentencing nearly all traffickers to significant prison terms. The government approved a new NAP and consulted survivors during its development. Although the government meets the minimum standards, it did not vigorously investigate or prosecute labor trafficking crimes that occurred within the Philippines. The government identified fewer victims and prosecuted fewer traffickers. Corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year.

PRIORITIZED RECOMMENDATIONS:

- Investigate and prosecute traffickers, including labor traffickers and complicit officials, and seek adequate penalties for convicted traffickers, which should involve significant

prison terms.

- Increase efforts to proactively identify and assist labor trafficking victims, including by providing training to law enforcement, social service providers, and labor inspectors on indicators of trafficking.
- Strengthen the capacity of local government units to provide reintegration services for trafficking survivors, including trauma-informed care, job training, and in-country employment.
- Increase support to government and NGO programs that provide specialized care for trafficking victims, including child victims of online sexual exploitation.
- Increase survivor engagement, including by establishing accessible mechanisms for receiving and providing compensation for survivor input when forming policies, programs, and trainings.
- Ensure victims receive court-ordered restitution and compensation ordered through civil judgments.
- Increase resources for anti-trafficking task forces and law enforcement units to conduct timely investigations, coordinated operations, and prosecutions while providing robust victim and witness assistance services.
- Consistently implement the coordinated interagency response to providing services to returning Filipinos exploited in sex and labor trafficking overseas.
- Create a central database for information on illegal recruiters and human trafficking cases to facilitate interagency coordination in detecting, investigating, and prosecuting traffickers.

PROSECUTION

The government slightly increased law enforcement efforts. The Anti-Trafficking in Persons Act, as amended, criminalized sex trafficking and labor trafficking and prescribed penalties of up to 20 years' imprisonment and fines of between 1 million and 2 million pesos (\$17,983 to \$35,967). These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, the government amended the anti-trafficking law, which expanded the forms of exploitation included within the definition of trafficking in persons to include the production, creation, or distribution of child sexual abuse and exploitation materials. The

amendments also expanded the list of acts by private sector entities that constitute facilitation of trafficking and prescribed additional financial penalties for such crimes.

The National Bureau of Investigation (NBI) and the Philippines National Police (PNP) investigated 277 trafficking cases, compared with 168 investigations in 2021. The government prosecuted 139 alleged traffickers – 115 for sex trafficking and 24 for forced labor – compared with prosecuting 298 alleged traffickers in the previous reporting period. The government continued 2,705 prosecutions initiated in prior years. Courts convicted 86 traffickers – 83 for sex trafficking and three for forced labor – compared with 56 traffickers in the previous reporting period. Courts sentenced 80 traffickers convicted under the anti-trafficking act to significant prison terms, ranging from four years to life imprisonment, and fines ranging from 50,000 to 12 million pesos (\$900 to \$215,800). Courts sentenced six traffickers convicted under other laws to prison terms, ranging from a month and a half to up to 40 years' imprisonment, and fines ranging from 50,000 to 1.5 million pesos (\$900 to \$26,975). Courts used plea bargaining in human trafficking cases, particularly those involving the online sexual exploitation of children (OSEC), which significantly decreased the time to reach case resolution and further reduced the potential for re-traumatizing child witnesses in trials, many of which involved traffickers who were family members of the victims.

Corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. The government continued three prosecutions of government officials implicated in trafficking crimes, including a police officer allegedly involved in cyber-facilitated sex trafficking, an immigration official allegedly complicit in the facilitation of trafficking, and a police officer who allegedly helped a suspected trafficker avoid prosecution. Courts convicted a municipal mayor for "use of a trafficked person." The government investigated 233 administrative cases of immigration personnel allegedly involved in trafficking, including some cases initiated in prior years. Immigration officials, especially at lower levels, accepted bribes to facilitate or ignore trafficking crimes, including tampering with or producing fraudulent travel documents. The government established a committee of prosecutors to investigate the administrative cases pending with the Department of Justice (DOJ). The IACAT finalized SOPs, begun in the previous reporting period, on identification and monitoring of trafficking-related corruption cases, which included reporting mechanisms and employee suspension guidelines.

The NBI and PNP led the government's investigative efforts and the IACAT led prosecutorial operations for 25 interagency anti-trafficking task forces (a DOJ-led task force, a national interagency task force, 16 regional task forces, six interagency air and seaport task forces, and

the Bangsamoro Autonomous Region in Muslim Mindanao's task force). Designated prosecutors led the task forces with the assistance of prosecutors who worked on trafficking cases in addition to their regular workloads; they helped enhance law enforcement efforts and ensure the reporting, referring, and filing of trafficking cases. The government added 33 new prosecutors as task force members in 2022, increasing the total number to 433. The amendments to the anti-trafficking law, along with the adoption of an Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act, imposed additional obligations on internet companies to provide information to law enforcement relating to sex trafficking crimes; during the reporting period, law enforcement made numerous subpoena and financial transaction requests pursuant to relevant provisions in these laws, and private internet intermediaries were reportedly increasingly responsive and cooperative. The government engaged in anti-trafficking dialogue, cooperated in investigations, and shared information with foreign governments. As part of the Philippines Internet Crimes Against Children Center, the PNP Women and Children's Protection Center (WCPC) and the NBI Anti Human Trafficking Division (AHTRAD) cooperated with foreign counterparts and an international NGO on trafficking cases, primarily involving OSEC. The PNP operated regional WCPC cyber protection units focused specifically on OSEC crimes and led the investigation of most OSEC cases. An NGO reported the lack of digital forensic personnel and unclear processes within Philippine law enforcement agencies had reportedly delayed intelligence sharing of OSEC cases with foreign counterparts.

In the past, government agencies reported a need for additional anti-trafficking law enforcement personnel, funds for operations, and equipment for forensic analysis of digital evidence due in part to the extremely high volume of cybercrime tips related to OSEC the DOJ Office of Cybercrime received, totaling more than 2.5 million in 2022. Slow moving courts, a need for additional training on handling digital evidence in hearings and trials, and too few prosecutors also hindered the effective and timely prosecution of trafficking crimes. In prior years, NGOs reported police did not take sufficient steps to investigate and arrest purchasers of commercial sex, including foreign sex tourists and those who purchased commercial sex acts from trafficking victims, and often did not question customers who were present during operations in entertainment establishments. The government, in partnership with NGOs and foreign governments, trained police, immigration officers, social workers, prosecutors, and judges on various topics, including anti-trafficking laws, investigative techniques, and victim identification. In June 2022, IACAT signed an MOU with the Anti-Money Laundering Council to increase information sharing and strengthen cooperation in the investigation, as well as prosecution of money laundering and human trafficking cases.

PROTECTION

The government slightly decreased efforts to protect victims. The government lacked a reliable mechanism to consolidate statistics on the total number of victims identified and assisted. However, the government reported identifying 1,277 victims – 740 sex trafficking victims (490 women, 37 men, 148 girls, and 65 boys) and 537 labor trafficking victims (119 men and 418 women) – compared with identifying 1,802 victims in the previous reporting period. The Department of Foreign Affairs (DFA) identified 340 potential Filipino trafficking victims abroad, compared with 248 in the previous reporting period. In addition to victims identified by the government, two NGOs reported identifying 1,177 sex trafficking victims (237 women, 50 men, 629 girls, 204 boys, and 57 LGBTQI+ individuals). An NGO reported law enforcement officers sometimes did not use trauma-informed practices in victim identification and lacked training on victim-centered approaches.

The government assisted 1,822 victims in the Recovery and Reintegration Program for Trafficked Persons (RRPTP), maintained by the Department of Social Welfare and Development (DSWD); some of the 1,822 victims may not have been trafficking victims according to the international law definition. In comparison, the government reported assisting 1,802 victims in the last reporting period. The government allocated 24.78 million pesos (\$445,635) to implement the RRPTP, similar to 24.8 million pesos (\$445,995) in 2021. Authorities referred identified victims to the RRPTP for services, including shelter, provisions of basic needs, medical care, education assistance, counseling, and livelihood assistance. DSWD continued to implement the national referral system and referred trafficking survivors to their community's local social welfare and development office for follow-up services, which observers had noted in prior years, lacked the requisite personnel and resources to provide individualized case follow-up. Adult shelter residents could leave unchaperoned, provided there were no threats to their personal security or psychological care issues. Specialized assistance services, as well as reintegration follow-up services and job training and placement, were inadequate to address the needs of adult trafficking victims. DSWD could provide foreign national victims temporary shelter and psycho-social intervention, and could coordinate repatriation with the relevant foreign embassies. The government operated 44 residential care facilities that provided services to victims of crime, including trafficking. Of these facilities, 24 served children, 13 served women, four served older persons, one served men, and two operated as temporary processing centers. The government completed construction of a shelter for men in region nine where armed conflict continued; however, the shelter did not have funding and was not operational. The government considered victim

preference when determining the appropriate shelter and adult victims could choose not to reside in a shelter. IACAT operated a center in metro Manila which served as a specialized shelter for trafficking survivors and a one-stop service center for reporting potential cases of trafficking and providing referrals without the need for victims to contact multiple agencies. In 2022, the center assisted 227 trafficking victims, including 66 children, compared with 482 victims, including 83 children in 2021. Two NGOs reported assisting 611 victims without government support.

DFA collaborated with the IACAT and its member agencies to provide services for repatriated Filipino trafficking victims. Social workers from the Department of Migrant Workers (DMW) were present in Philippine diplomatic missions in Hong Kong, Kuwait, Malaysia, Qatar, Saudi Arabia, South Korea, and the United Arab Emirates (UAE). DFA allocated 1 billion pesos (\$18 million), the same as in 2021, for the Assistance to Nationals Fund (ATN), which provided assistance such as airfare, meal allowance, shelter, medical care, and other services for overseas Filipino workers (OFWs), some of whom were trafficking victims. DFA dispersed 435,128,126 pesos (\$7.8 million) from the ATN, compared with 62.8 million pesos (\$1.1 million) in 2021. In 2022, DFA assisted 340 trafficking victims identified by overseas missions, compared with 431 in 2021. The DMW is responsible for assisting distressed overseas Filipinos and their families, and assisted 735 victims of trafficking or illegal recruitment, compared with 679 in 2021. Social services provided to OFW trafficking victims included coordination with the host government, contract buy-out, shelter, provision of personal necessities, medical aid, financial assistance, payment of legal fees, repatriation, and referral to appropriate agencies. Following the rape, beating, and murder of a Filipina domestic worker in Kuwait in January 2023, the government suspended the accreditation of new recruitment agencies and first-time workers who sought employment in Kuwait, but did not impose a complete ban on sending other workers to Kuwait.

Seven regional task forces had victim-witness coordinators who provided trauma-informed support and assistance to victims, including by providing continuous support throughout the criminal justice process; the coordinators supported 337 victims, compared with 476 in 2021. DOJ operations center personnel could provide transportation and security protections for victims to participate in case conferences and hearings. Sixty-one trafficking victims entered the witness protection program in 2022 (one in 2021), which included housing, livelihood and travel expenses, medical benefits, education, and vocational placement. Thirty-seven trafficking victims received financial assistance through the victims compensation program; and 237 trafficking victims received assistance throughout the duration of their participation in criminal proceedings. Police and prosecutors used recorded child victim interviews at the

inquest stage and in some trials, which reduced the number of times officials interviewed victims and the potential for re-traumatizing children who served as witnesses. The government used financial and digital evidence to prove trafficking and OSEC crimes in court, reducing the reliance on victim testimony and decreasing potential re-traumatization of child victims. The government did not report any orders of restitution paid by traffickers to trafficking victims, and NGO observers reported that while judges awarded victims restitution, victims almost never received it in practice and courts lacked effective mechanisms to collect damages from traffickers.

PREVENTION

The government increased efforts to prevent trafficking. IACAT led the government's anti-trafficking efforts and met four times. The 2022 anti-trafficking law amendments increased the number of IACAT member agencies from 14 to 29, which included 26 government agencies, three NGOs, and survivor members. The OSAEC act expanded IACAT's functions to include OSEC cases and created the National Coordination Center against OSAEC and CSAEM. The government allocated 90.77 million pesos (\$1.6 million) to the IACAT Secretariat's budget, compared with 68.4 million pesos (\$1.2 million) in 2021. The government consulted survivors in the development of its Fourth National Strategic Action Plan Against Trafficking in Persons 2023-2027 and approved it in December 2022. IACAT drafted a separate action plan to address trafficking in Philippine offshore gaming operators (POGOs), travel to the UAE, and visa issues. The government, in partnership with civil society, conducted awareness raising activities targeting school-aged children, airport personnel, local officials, Indigenous communities, and the public.

The Department of Labor and Employment overseas labor officers reviewed OFWs' labor contracts and assisted with labor contract violations and allegations of abuse. The Philippines Overseas Employment Administration (POEA) DMW filed 1,037 administrative charges against licensed recruitment agencies for disallowed practices and cancelled 26 agencies' licenses, compared with 868 charges and 18 cancellations of agencies' licenses in the previous reporting period. The government maintained bilateral labor agreements with various destination countries on the recruitment of migrant workers and the protection of their rights. International organizations reported the high volume of employment contracts requiring verification by POEA and the Philippine Overseas Labor Office caused delays in the issuance of overseas employment certificates required for departures. The Bureau of Immigration (BI) Travel Control and Enforcement Unit screened departing passengers and

deferred the departure of 32,834 passengers (13,805 in 2021), including 392 potential victims of trafficking – some unknowingly headed to cyber scam operations – due to incomplete or suspicious travel documents or misrepresentation. BI stopped 48 foreign registered sex offenders from entering the country.

IACAT and the Commission on Filipinos Overseas operated a dedicated trafficking hotline; which received 2,487 calls and resulted in 34 trafficking cases and 18 identified victims, referring all cases to law enforcement and all victims to services. PNP and WCPC also operated hotlines, and the DFA Office of Migrant Workers Affairs maintained a HELP Facebook page for Filipinos working abroad who were in distress for their families to request assistance. The government did not provide anti-trafficking training to its diplomatic personnel. The government did not provide anti-trafficking training to its troops prior to their deployment as peacekeepers. The government did not prohibit recruitment fees. The lack of a centralized database tracking illegal recruitment and human trafficking hindered the government's efforts to prevent trafficking and hold traffickers accountable. The government did not make efforts to reduce the demand for commercial sex acts. The government did not report measures to prevent trafficking in its supply chains.

TRAFFICKING PROFILE:

As reported over the past five years, human traffickers exploit domestic and foreign victims in the Philippines, and traffickers exploit victims from the Philippines abroad. Traffickers exploit women and children from rural communities, conflict- and disaster-affected areas, and impoverished urban centers in sex trafficking, forced domestic work, forced begging, and other forms of forced labor in tourist destinations and urban areas around the country, and traffickers exploit men in forced labor in the agricultural, construction, fishing, and maritime industries, sometimes through debt-based coercion. Family members sell children to employers for domestic labor or sexual exploitation, and hundreds of thousands of children involved in selling and begging on the streets are vulnerable to trafficking. One study found that approximately 50,000 Filipino children are employed as domestic workers in the Philippines, including nearly 5,000 who are younger than the age of 15. A significant percentage of working children face hazardous working conditions, including in mines, factories, and farms, where they likely experience indicators of forced labor. Indigenous persons and many of the approximately 340,000 IDPs in Mindanao are at risk of trafficking, including through fraudulent promises of employment. Non-state armed groups operating in the Philippines, including the Communist Party of the Philippines' New People's Army, the

Maute Group, the Abu Sayyaf Group, and the Bangsamoro Islamic Freedom Fighters, unlawfully recruit and use child soldiers – at times through force – for combat and noncombat roles. In previous years, the AFP allegedly unlawfully recruited and used children in support roles; however, there were no reports of recruitment or use during the reporting period. Non-state supporters of ISIS have exploited women and girls in sexual slavery in the Philippines. Orphans and unaccompanied children are vulnerable to recruitment by armed forces and nonstate groups.

Each year, the government processes approximately 2.3 million employment contracts for Filipinos to work overseas in nearly 170 countries. Traffickers exploit a significant number of Filipino migrant workers in sex or labor trafficking in numerous industries, including industrial fishing, shipping, construction, manufacturing, education, home health care, and agriculture, as well as in domestic work, janitorial service, and other hospitality-related jobs, particularly in the Middle East, Europe, and Asia, but also in all other regions. Saudi and Omani diplomats exploit Filipino workers in domestic servitude in Europe and the United States, and there are reports of perpetrators physically abusing or murdering Filipino domestic workers in Kuwait. Traffickers, typically in partnership with local networks and facilitators and increasingly using social networking sites and other digital platforms, recruit unsuspecting Filipinos through illegal recruitment practices such as deception, hidden fees, and production of fraudulent passports, overseas employment certificates, and contracts to exploit migrant workers in sex and labor trafficking. Traffickers fraudulently recruit dozens of Filipino domestic workers to work in the UAE but instead have transported them to Damascus for forced domestic work. Using tourist visas available in Middle East countries where many Filipinos work in household service jobs, traffickers lure children from remote areas of Mindanao and other regions then sell them to employment sponsors who exploit them. Traffickers use student and intern exchange programs and fake childcare positions, as well as porous maritime borders, to circumvent the Philippine government and destination countries' regulatory frameworks for foreign workers to evade detection. Traffickers often exploit Filipinos already working overseas through fraudulent employment offers to work in another country. Traffickers sometimes take advantage of the absence of adequate immigration personnel at smaller airports in the Philippines. Observers report traffickers are increasingly using "intra-company transferee" and "short-term visitor" visas – both legitimate and fraudulent – to facilitate the travel of Filipino engineers and undergraduate students to Japan, where traffickers subsequently exploit them in forced labor in factories.

Sex trafficking frequently occurs in tourist destinations, such as Boracay, Angeles City, Olongapo, Puerto Galera, and Surigao, where there is a high demand for commercial sex acts.

Child sex trafficking remains a pervasive problem, typically abetted by taxi drivers who have knowledge of clandestine locations. Many sex tourists in the Philippines are convicted or charged sex offenders or pedophiles in their home countries and are most commonly citizens of Australia, Japan, New Zealand, the United Kingdom, and the United States with an increasing number of reports from Canada, Morocco, Iraq, and Denmark. Filipino men also purchase commercial sex acts from child trafficking victims. Law enforcement information indicates that the Philippines is one of the largest known sources of OSEC, in which traffickers sexually exploit children, individually and in groups, in live internet broadcasts in exchange for compensation wired through a money transfer agency by individuals most often in another country, including the United States, Australia, Canada, and the United Kingdom. The traffickers are often parents or close relatives who operate in private residences or small cyber cafes, and many child victims, girls and boys, are younger than 12 years old. Identified hotspots for this form of sex trafficking in Luzon and Visayas include Iligan, Lapu-Lapu, Pampanga, Quezon City, Malabon, Pasig, Taguig, and Caloocan. Reports cite a nearly 265 percent increase in unconfirmed reports of online child sexual abuse during the pandemic. Economic impacts of the pandemic, combined with an increased amount of time children spent at home, resulted in an increasing number of families forcing their children into online sexual exploitation. Traffickers exploit People's Republic of China (PRC) national and other Asian women in commercial sex in locations near POGOs that cater to PRC nationals; however, in 2020 the pandemic resulted in a massive departure of PRC nationals employed in offshore gaming operations, resulting in decreased reports of sex trafficking among this community.

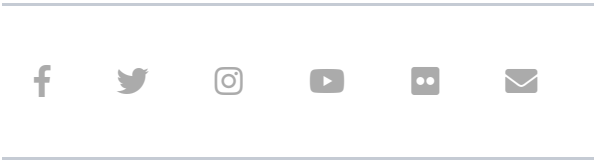
Traffickers exploit Filipino nationals in forced labor in cyber scam operations located primarily in Burma, Cambodia, and Laos. Traffickers also exploit victims from Southeast Asia, in forced labor in cyber scam operations at POGOs. PRC nationals employed in the Philippines at worksites affiliated with the PRC's Belt and Road Initiative were vulnerable to forced labor. Some officials in law enforcement, immigration agencies, and other government entities are allegedly complicit in trafficking or allow traffickers to operate with impunity. Some corrupt officials allegedly accept bribes to facilitate illegal departures for overseas workers, operate sex trafficking establishments, facilitate production of fraudulent identity documents, or overlook illegal labor recruiters. Reports in previous years asserted police conducted indiscriminate or fake law enforcement actions on commercial sex establishments to extort money from managers, clients, and victims. Anecdotal reports indicate police and local government units exploit individuals – who voluntarily surrender to officials running the government's anti-drug campaign – to forced labor. LGBTQI+ individuals frequently experience discrimination and are vulnerable to trafficking. Natural disasters and climate-

induced displacement significantly increases Filipinos’ vulnerability to trafficking due to a loss of livelihood, shelter, or family stability.

TAGS

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