

COUNTRY BASELINE UNDER THE ILO DECLARATION ANNUAL REVIEW

Philippines - 2021

*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

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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

The government send its report to the most represented employers' group, i.e., Employers Confederation of the Philippines (ECOP)

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

The government send its report to the most represented workers' group, i.e, Trade Union Congress of the Philippines (TUCP), Federation of Free Workers (FFW), SENTRO, and Kilusang Mayo Uno (KMU).

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

Reports were sent to the sectors through the National Tripartite Industry Peace Council (NTIPC).

OBSERVATIONS BY THE SOCIAL PARTNERS

Employers' organizations

83. Have employers and or workers organizations been consulted in the development and implementation of adopted measures? [6.1]

Yes

95. Did employers organizations comment on the report? [11a]

No

Workers' organizations

83. Have employers and or workers organizations been consulted in the development and implementation of adopted measures? [6.1]

Yes

96. Did workers organizations comment on the report? [11b]

No

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?

As part of the ratification process, we are of the view that it needs a thorough consultation to the social partners assess the national legislation if compliant/aligned with the policies set forth.

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]

Considering that the Philippines is a signatory to ILO Convention No. 144 and in the spirit of social dialogue, all policies under the auspices of the Labor and Employment Department are consulted through the National Tripartite Industry Council. The NTIPC is the main consultative and advisory body mechanism lodged with the Department of Labor and Employment functions primarily as a consultative body where the social partners – labor, employers and government – are provided a venue to discuss relevant policy issuances on labor and employment. Representatives for the labor and employer sectors are appointed by the President, through the nomination of their respective sectors and the Secretary of Labor, while representatives from other government agencies are called depending on the issues at hand.

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 Third National Strategic Action Plan Against Human Trafficking for 2017-2022 (Third StratPlan) essentially builds on the gains of the 2nd National Strategic Plan 2012-2016, which uses similar log frames and key

	<p>result areas (KRAs) for effective monitoring and evaluation of performance. The Third StratPlan also takes into consideration relevant points in the Philippine Development Plan for 2017-2022 and attempts to address remaining challenges in the fight against human trafficking. This Third StratPlan details core programs and planned outcomes per KRAs, namely: (1.) Prevention and Advocacy; (2.) Protection, Recovery, Rehabilitation, and Reintegration; (3.) Prosecution and Law Enforcement; and (4.) Partnership and Networking.</p>
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<p>70. Does the Government collect and analyse statistical data and other information on the nature and extent of forced or compulsory labour? [1.6]</p>	<p>Yes</p>
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<p>71. Please describe these data. [1.6.1]</p>	<p>The Philippine government collects and analyze data concerning forced or compulsory labor. Data covers the status of trafficking cases which were categorized cases under preliminary investigation, cases dismissed and those which were filed in court. These statistics are being published in the annual IACAT accomplishment report.</p>
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Measures taken or envisaged for systematic and coordinated action

<p>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]</p>	<p>The Philippine Government is serious in its efforts to reduce if not eliminate the concerns on trafficking in persons by implementing programs and activities by national agencies concerned. The Inter-Agency Council Against Trafficking (IACAT) is the body mandated by law to coordinate and monitor the implementation of Republic Act No. 9208, or the Anti-Trafficking in Persons Act of 2003, with the Department of Justice as the lead agency. It was formed under section 20 of R.A. 9208, and is composed of the following government agencies and non-government sectoral representatives. The</p>
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	<p>IACAT conducts many different projects geared towards the elimination of trafficking in persons in the Philippines, prevention of the occurrence of trafficking, the protection and rehabilitation of victims and conviction of trafficking offenders. IACAT Official Website: https://iacat.gov.ph/</p>
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Measures taken or envisaged to prevent forms of forced labour

<p>74. Have measures been taken or are measures envisaged for the prevention of all forms of forced or compulsory labour? [2.1]</p>	<p>Yes</p>
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<p>75. If so, please indicate the type of measures, [2.2]</p>	<p>a) Information, education and awareness raising targeting especially people in vulnerable situation and employers,c) Regulation and supervision of the labour recruitment and placement process,f) Promotion of safe and regular migration,h) Capacity building for the competent authorities</p>
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<p>75.f. Please provide a description of measures taken or envisaged:</p>	<p>To address the vulnerability of overseas Filipino workers particularly the female domestic workers, the Philippines has entered into bilateral labor agreements (BLAs) with destination countries and continued to conduct regular dialogue with them to ensure that the rights and welfare of Overseas Filipino Workers are protected. DOLE has also established the OFWs Command Center (OCC) to ensure that OFWs and NOKs concerns/issues are well-taken cared of promptly. This serves as the 24/7 central referral and action hub for all OFW requests for immediate action and assistance. The Overseas Workers Welfare Administration (OWWA) conducts the Country-Specific Pre- Departure Orientation Seminar (PDOS) is an integral part of the over-all program of government to protect the welfare of the OFWs. This is designed to help them cope with adjustment difficulties</p>
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	<p>during the first six months of work or stay at overseas jobsites, as well as hasten the integration into the new environment. It is a whole-day orientation to OFWs consisting of modules on employment contract, country of destination, stages of the OFWs life abroad, health and safety, financial literacy, travel tips, airport procedures and government programs and services. The POEA Anti-Illegal Recruitment Branch through its Legal Assistance Division (LAD) has been successful in shifting to online service delivery as a response to health protocols, without sacrificing the need to provide quality service to our clients. As early as March 2020, with the first Enhanced Community Quarantine (ECQ), LAD has been providing legal assistance services to OFWs and their families through the LAD Online Portal. Developments since then include the roll-out of email and dropbox assistance, limiting face-to-face interactions, but still responding to the needs of OFWs for legal counseling, referral, and case assistance. This year, with the decline in the number of users, we discontinued the use of the dropbox assistance, and instead initiated a quick-submit computer kiosk at the Legal Assistance Division waiting area for those who still opt to go to POEA to seek legal assistance. The call out response has also been fully activated – and lawyers are now conducting a fully virtual clarificatory conference using mobile phones.</p>
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<p>75.f. Please indicate the population groups benefiting from these measures and the relevant forced labour practices:</p>	<p>migrant workers</p>
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Measures taken or envisaged to protect victims of forced labour

<p>76. Have measures been taken or are measures envisaged for the identification, release, protection, recovery and rehabilitation of</p>	<p>Yes</p>
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victims of all forms of forced or compulsory labour? [3.1]	
77. If so, please indicate the type of measures [3.2]	a) Training of relevant actors for identification of forced labour practices,b) Legal protection of victims,c) Material assistance for victims,d) Medical and psychological assistance for victims
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]	a) Information and counselling for victims regarding their rights,b) Free legal assistance,c) Cost-free proceedings,f) Capacity building and enhanced resources for the competent authorities, such as labour inspection, law enforcement, prosecution services and judges,g) Provision for authorities not to prosecute victims for acts which they have been compelled to commit
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
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	Yes

<p>of forced or compulsory labour? [5.1]</p>	
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<p>82. Please briefly describe the modalities of this cooperation. [5.2]</p>	<p>The IACAT cooperates with international organization and other member States in formulating programs and projects that aims to reduce if not eliminate the concerns of trafficking in persons.</p>
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Promotional activities

<p>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]</p>	<p>The Philippines has retained its “Tier 1” ranking in the US Trafficking in Persons Report for couple of years in a row. The Philippines is among the 39 countries placed in Tier 1 and holds the distinction to be the only Southeast Asian country ranked alongside developed countries since 2016. The recognition was made possible through a comprehensive, coordinated and concerted response of all Inter-Agency Council Against Trafficking (IACAT) member agencies to counter trafficking in persons. For more information you may follow the IACAT's official facebook page https://www.facebook.com/InterAgencyCouncilAgainstTrafficking</p>
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CHALLENGES IN REALIZING MEASURES TARGETED BY THE PROTOCOL

<p>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]</p>	<p>d) Social and economic circumstances,e) Political situation</p>
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TECHNICAL COOPERATION NEEDS

Request

<p>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]</p>	<p>Yes</p>
<p>88. If so, please indicate the needs in this area by level of importance (not important, less important, important, most important) [9.2]</p>	<ul style="list-style-type: none"> b) Awareness-raising and mobilization activities => Important c) Collection and analysis of data and information => Important d) Guidance on the development of the national policy and plan of action => Important e) Strengthening the legal framework => Important f) Capacity building for the competent authorities => Important g) Inter-institutional coordination => Important h) Promotion of fair recruitment and placement practices => Important i) Promotion of fair migration policies => Important j) Vocational training, job-creation and income-generation programmes for at-risk populations => Important k) Basic social security guarantees => Important l) Guidance on supporting due diligence => Important

m) Capacity building for employers' and workers' organizations => Important

n) Promotion of freedom of association and collective bargaining to enable at-risk workers to join workers' organizations => Important

o) Exchange of experiences between countries or regions; international cooperation => Important

p) Other => Important