

The Philippines as a Role Model: Combatting Human Trafficking in Developing Countries

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I. Introduction

The Philippines for the first time has achieved Tier 1 ranking in the 2016 Trafficking in Persons (TIP) Report published by the United States' State Department, becoming the only Southeast Asian country in Tier 1. The evidence suggests that regional and international institutions have played a huge role in enhancing Philippine government efforts in bringing about this exceptional result. And the Philippines' high degree of engagement in international community is likely to have been caused by its history of American and Spanish rule. Human trafficking is global in nature and scope, is comprised of multiple factors and issues, and requires global, multidimensional solutions. For such a complex problem, international cooperation is essential to proving a comprehensive solution, especially for less developed countries that are short of capacities and resources to tackle the problem on their own.

What other less developed countries should learn from the Philippines' success is that committed efforts and cooperation with other countries and organizations can compensate for weak economic, social and political institutions, in addressing the issue of human trafficking.

II. The TIP Report

The TIP Report has been published by the US government every year since 2000 when the *Trafficking Victims Protection Act (TVPA)* noted the need for global cooperation in solving the problem of human trafficking. The *TVPA* requires the US State Department to update the TIP Report annually. In the Report, countries are categorized along three tiers based on the government's performance in combatting trafficking. The states' compliance with the US standard is further encouraged through the *Interagency Task Force to Monitor and Combat*

Trafficking in Persons established by President George W. Bush pursuant to the *TVPA*. It authorized the US government to impose mandatory sanctions on foreign governments that do not make sufficient anti-trafficking efforts (Emmers et al. 2006). For less developed countries that largely depend on aid from the US, getting the US acknowledge their aid-worthiness is a crucial matter. Therefore, the TIP Report, by naming, shaming and faming states into addressing the issue, motivates poor countries to make counter-trafficking efforts.

As a matter of fact, the TIP Report has been a great incentive for the Philippines to push up its record. The US aid to the Philippines has been steadily rising as its record has improved; it received over \$1 million specifically for the purpose of combatting trafficking in 2006 and additional \$300,000 were provided in 2008 (*U.S. Department of State*). Since 2013, the United States Agency for International Development has granted a total of \$24 million (partially used to improve local governance in combatting trafficking) to the Philippine government through a five-year long project called *the Phil-Am Fund*, intended to assist the Philippine government to address development challenges (*U.S. Embassy in the Philippines*). The US has continued to be the most consistent and reliable partner in the fight against trafficking, and its relation with the Philippines has contributed significantly to the Philippines' progress both directly (in terms of the TIP Report and aid) and indirectly (through colonial legacies as will be discussed later in this paper).

Being a member of the Tier 1 countries in the TIP Report is a strong indicator that Philippine government “has acknowledged the existence of human trafficking, made efforts to address the problem, and complies with the minimum standards of the *TVPA*” (*Trafficking in Persons Report 2016*, 36). The Philippines is the only country to have achieved Tier 1 status in Southeast Asia notorious for its big market for domestic servants and prostitutes. In the next

section, I will discuss the Philippines' past poor record in tackling human trafficking and how it has improved remarkably just within the past decade.

III. The Philippine's Human Trafficking Record

The Philippines, mainly as a source country, had been an active participant in the black industry, especially in the late 20th century (*U.S. Embassy in the Philippines*). In 1999, the Philippines was the second largest exporter of labor and 4th among the top countries of origin of irregular migrants in the world. Among approximately 7 million Filipino overseas workers, 3 million were undocumented (Impe 117). The majority of these illegal migrants were victims of trafficking. In the early 2000s, the U.S. State of Department estimated that between 300,000 and 400,000 women and between 600,000 and 1,000,000 children were trafficked annually, overwhelmingly for prostitution. The rest of the trafficked women and children were exploited in agricultural and industrial fields, forced into debt bondage, domestic servitude and marriage (Leones). The most common destination countries for trafficked Filipinos extend to the Middle East (mainly Kuwait, Saudi Arabia, Qatar), Northeast and Southeast Asia (mainly Hong Kong, Japan, Korea, Singapore) and Western countries (mainly the US, Italy, Australia). The most frequently used transits are Mexico and Thailand. Malaysia, for its geographical proximity, serves as the main country of both destination and transit (*U.S. Department of State*).

We can trace back this thriving trafficking market in the Philippines in the 1990s to the 1980s when global structural adjustment policies were implemented in the Global South. Subsidies were cut and earnings were lost, while foreign debt and unemployment were rising. To compensate for lost revenue, President Ferdinand Marcos (1965-1986) promoted sex tourism and the export of Filipino workers. These policies continue to bring in a huge sum of foreign currencies into the country; in recent years, overseas workers' remittances total \$14.4 billion per

year, equal to 10% of the national GDP (4th in the world behind only Mexico, China and India) (Guth 2010, 158). Such profitability of human trafficking accounts for its persistence around the world.

However, at the turn of the 21st century the Philippines begins to follow a different trend in human trafficking towards progress. According to the TIP Report of 2016, Philippine courts and police have convicted 42 traffickers despite prevailing corruption; charged 5 officials and 2 immigration officers complicit in trafficking; assisted roughly 1,500 trafficking victims; investigated 329 alleged trafficking cases plus 67 sex trafficking cases; and arrested 151 suspected traffickers just in a year (307). In 2016 alone, government agencies conducted a number of anti-trafficking campaigns for migrant workers, and expanded training and awareness events for government officials, prospective employees, and the general public, doubling the number of persons reached. The Philippine government made extra efforts in community education programs on trafficking and safe migration tactics; those were directed towards 6,300 participants. Similar programs have been undertaken by the Philippines agencies in other countries as Hong Kong and Saudi Arabia—two of the top countries of destination (308)

These notable improvements in the Philippines' anti-trafficking regime were, in fact, internationally and regionally supported. The Philippines has constantly taken initiatives to seek cooperation from foreign governments to manage the internal and external flow of trafficked persons since the late 1990s in response to its thriving trafficking industry in the 1980s. Among the poor countries, the Philippines has been the most progressive to deal with the problem since the late 1990s. These progressive policies have been taken either bilaterally or multilaterally through multiple partnerships with countries of destination and transit, and international and regional institutions. From now on I am going to explain how the Philippines' active

participation in international community has considerably enhanced its ability to combat human trafficking.

IV. International and Regional Institutions for Trafficking

The Philippines' turn towards the favorable trend since around 2000 corresponds with the Philippines' increased engagement with the United Nations (UN) as well as other organizations to eliminate human trafficking during the same time period. The Philippines became one of the first countries in the region to start data collection on trafficking cases due to UN funding the *Philippine Center for Transnational Crime's* establishment of a database in 2001 (Pajarito). This funding has enabled other important reforms in the Philippine's trafficking laws and practices, which have eventually made positive impacts on the Philippines' trafficking record. A rich database is crucial in identifying the traffickers, the victims, the trafficking routes, the trafficking measures, the transit and the destination points, and also helping identify effective policies.

The UN's support for the Philippines' as well as others' counter-trafficking efforts also involves its legislations and assistance (i.e. training, funding). The UN *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Girls* and the UN *Convention Against Transnational Crime* are two major international obligations that specifically address the trafficking of human cargo since 2003. Among 12 other countries worldwide, the Philippines is the only state in the region to have joined the anti-trafficking program by the UN *Interregional Crime and Justice Research Institute—Commission on Crime Prevention*. It has successfully led to more rapid assessment of the trafficking incidences and institutional responses in the Philippines (Derks).

Furthermore, the International Labor Organization (ILO)'s *Convention 182 on the Prohibition and Elimination of the Worst Forms of Child Labor* and the *Protocol to the Rights of*

the Child, Slavery of Children, Child Prostitution and Child Pornography have been encouraging the global community to abolish the exploitation of children in general and the trafficked and enslaved children in particular (Samarasinghe). The Philippines's issue with child exploitation in arduous physical labor and sex work had been really serious. The ILO is a UN specialized agency and its policies have promoted human rights norms for children in the Philippines. Due to the spread of such norms, the Philippines was the first country to have ratified an anti-child abuse law in Asia. The law necessitated adult permission whenever a child tries to leave the country, thus making trafficking more difficult (Derks).

The Philippines has also been working with the UN migration agency, the International Organization for Migration (IOM), to conduct an awareness-raising campaigns. In 2000, the IOM carried out the *Trafficking Information Mainstreaming Project* in the Philippines to educate the public about human trafficking through the airing of public service announcements in public movie theaters (Derks). This *Project's* strength lies in that the trafficking education is done in a casual-setting where young people (the majority of victims) often go for leisure. Furthermore, The IOM regularly arranges a series of intergovernmental meetings in East and Southeast Asia, named the *Manila Process*, where participating states discuss potential anti-trafficking activities (Derks).

Another effective policy making institution for the Philippines is the Association of Southeast Asian Nations (ASEAN), which seeks regional solutions for problems its member states share. The ASEAN holds a ministerial meeting at least once every two years to coordinate regional actions on transnational crimes. The *Work Programme* by the ASEAN promotes the exchange of information, law enforcement, and institutional capacity-building. The *Programme* mandates regular conferences and training programs for law enforcement officials and other civil

servants on the post-repatriation, rehabilitation and protection of victims. In addition, the ASEAN has built its own police agency named the *ASEANAPOL* to track traffickers more effectively through cooperation among regional police (Emmers et al.).

The Philippines' advancement into the Tier 1 ranking in the TIP Report in 2016 was the result of its decade long implementation of regionally and internationally oriented policies from the late 1990s to the present. However, my argument may raise the question: Why has international cooperation been strikingly effective in raising the anti-trafficking standard in the Philippines and not in others? It is not the only country that cooperated with multiple countries and organizations to solve the issue of trafficking. The Philippines' neighbor Thailand, for example, has a good diplomatic relation with the US and participates fully in international and regional organizations including the UN and the ASEAN but remains in the Tier 3 ranking (Trafficking in Persons Report 2016).

My answer to this counterargument is that the Philippine' tie to the West is one of the strongest in the world due to their 400 years of intense political, economic and cultural interactions. The Philippines is the only country in Asia that were under both American and Spanish colonial rule (Japan as well had been a colonizer but it is unlikely that it had left a positive impact since its rule lasted only for three years and Japan is one of a few advanced countries left in the Tier 2 status). Its strong ties to the West has likely made the country more susceptible to the import of Western culture that respect human and gender rights, and the rule of law, and oriented the country towards compliance.

V. The Philippines' Colonial Legacies

First, the past US rule over the Philippines (1898-1946) has likely contributed to the Philippine's progress in combatting human trafficking by bringing in the Western culture of

gender equality and democracy. The Philippines is one of the top countries in Asia to recognize women's rights, ranking 7th in the Global Gender Gap Index 2016. Human trafficking for the purpose of sexually exploiting women as prostitutes, pornographic actresses and sex slaves is motivated by the prevalent social norm that perceives female bodies as marketable commodities, which resonates among traffickers and purchasers of women. Men's need to buy female sex is justified in this industry and in part, tolerated in societies that permit the operation of sex businesses, encouraging human trafficking as a result. Promoting women's rights is a step toward eradicating the trafficking industry itself. Also, the Philippines is the Asia's oldest democracy due to its lengthy American influence. Most democracies tend to be more protective of citizens' rights than most non-democracies, which explains the Philippines' progress relative to its neighbors.

Second, the Spanish rule (1521-1898) has contributed to the strong network of civil societies (relative to other developing countries) in the Philippines, which has helped extend access to anti-trafficking resources for the victims. The largest Spanish influence on the Philippines after over 300 years of colonial rule was Catholicism. Today Catholic Churches, with its world-wide networks and authority, provides counselling, referral and crisis care for trafficked victims across the Philippines as well as overseas Filipino workers (Derks). The widespread Catholic Churches in the Philippines had created a fertile ground for civil societies to flourish. Many influential international and regional nongovernmental organizations (NGOs) operate in the Philippines. For instance, the *Coalition against Trafficking in Women* work to abolish sexual exploitation of children and women in all forms. Moreover, most NGOs in the Philippines are strong advocates of women's rights. Strong civil societies are necessary especially for less developed countries with a corrupt or weak government. Victims of trafficking

are more likely to rely on NGOs and their local communities rather than on authorities for their lack of trust in the latter (since often inattentive and corrupt authorities fail to catch the illicit acts of traffickers) (Tingo). So, well-functioning NGOs in the country provide significant relief to the victims.

The combined effects of the high gender equality, long democratic tradition and widespread civil societies, presumably imported from the US and Spain through colonialism, have created a favorable environment for anti-trafficking efforts to succeed in the Philippines. It seems that the lengthy period of colonial rule has established the current solid Philippine-West relation and encouraged the Philippines to participate actively in regional and international community (i.e. the ASEAN, the UN). These colonial legacies are some of the most important aspects of the Philippines' recent success in improving its anti-trafficking regime because it has led to the Philippines' higher compliance to international norms and legislations. And, these legacies continue to push the Philippines towards pursuing internationally and regionally cooperative measures to solve human trafficking.

VI. The Philippines' International/Regional Cooperation Approach

The Philippines' cooperative approach to combatting human trafficking can as well be observed in its active implementation of bilateral agreements with Western and neighboring countries. Some of the most effective ones were signed with Australia, Great Britain, Malaysia, and the US. The Philippines and the first two states have signed an anti-pedophilia cooperation agreement in 1997 to more effectively prosecute cases of sexual exploitation of children. The British police provides trainings for Filipino officers in countering child prostitution and pornography. The US government helped Philippine government organize a meeting called the *Asian Regional Initiative Against Trafficking in Women and Children* in 2000. In this meeting,

proposals to combat trafficking by means of information sharing, cooperation and gender mainstreaming were discussed among participating governments. Finally, Malaysia and the Philippines have agreed to exchange police liaison officers aiming to be on the same page regarding the issue, through the *Memorandum of Agreement* (Derks). Their cooperation is particularly important since Malaysia serves as the most frequently used transits for traffickers due to its proximity to the Philippines.

The Philippine government had passed its most effective counter-trafficking legislation in the past decade to answer to American pressure and to strengthen its ties to international community. The legislation was called the *Anti-Trafficking in Persons Act of 2003 (ATPA)* that established a coordinative system of network among 14 government agencies for collecting data on trafficking cases and for combatting trafficking. Above all agencies created pursuant to the *ATPA*, the *Inter-Agency Council against Trafficking (IACAT)* has produced the most desirable outcomes. It spearheads the capacity development of law enforcement members, civil services and NGOs by holding seminars and workshops and distributing manuals for investigators, prosecutors and labor inspectors to polish anti-trafficking techniques. It should be noted that the passage of the *ATPA* occurred just in a few years after the US began evaluating states' aid-worthiness on the basis of the TIP Report; and that the *IACAT* undertook an extensive capacity-building campaigns in partnerships with NGOs and other organizations that operate internationally (Pajarito).

One example of good leadership who had been especially cooperative with foreign governments and regional/international institutions in the Philippines was Benigno Aquino III (2010-2016). He was the strongest advocate for anti-trafficking reforms in the Philippines' history (Shahani). He was renowned for working in concert with the Philippine's good partners

as the UN and the US. At the end of his term after 6 years of reinforcing the Philippine's anti-trafficking network regionally and internationally, the country reached the highest standard in the TIP Report. The Philippines not only embraces Western anti-trafficking norms and practices actively but it also takes the initiatives to build strong international and regional networks of counter-trafficking campaigns. And its past experiences of colonial rule have most likely disposed it towards its deep engagement with international community, which has led to its robust progress in the TIP Report.

VII. Significance of Commitment

Throughout the paper, I have illustrated the effectiveness of cooperating with multiple actors including international and regional organizations, foreign governments and NGOs in combatting human trafficking. The Philippines willingly employed policies that were either internationally and regionally imposed or internally implemented with external supports. As a result, the Philippines could establish a robust foundation for anti-trafficking campaigns to succeed, including the more effective systems of tracking and persecuting traffickers as well as preventing trafficking and protecting victims. The Philippines' success occurred pretty quickly considering that the amount of time that it fully committed to reducing trafficking was roughly a decade. In my analysis, it was due to the Philippines' lengthy experience in interacting with the West since colonialism. At the time the country began to reform its anti-trafficking institutions, it already had a foundation on which to adapt to Western norms and practices such as respect for women's rights, democratic principles, and civil societies—all crucial in eradicating trafficking.

A valuable takeaway from the Philippine's success is that less developed countries can become the next success story if they are able to make as much commitment as the Philippines did. In order to combat human trafficking, countries should be able to combat the root causes of

the problem such as weak economic and social institutions (gender inequality, poor welfare system, , etc.) and inefficient governance (corruption, weak rule of law, etc.). Most less developed countries are constrained by their lack of ability in unilaterally allocating adequate resources to addressing the root causes of trafficking. The only reason that the Philippines could overcome these hurdles was that it focused its effort on combatting human trafficking more than any other country. And most importantly, it knew that it was difficult, if not impossible, for less developed countries to actualize that without mobilizing international support.

Combatting human trafficking requires the less developed countries to have the capacity to solve wide-ranging issues, which they mostly lack. To make the matter worse, human trafficking is gaining more complexity than ever in its forms and methods. Its complexity is compounded by globalization, which have made the process faster, easier, and more convenient for traffickers. They have better means of transportation and communication, which significantly facilitate the act of trafficking. Globalization has also opened up wage opportunities for women with limited skills associated with households (Samarasinghe). Consequently, human trafficking today involves an increased number of actors as perpetrators, contributors and victims compared to the past when there were less movements of and less connections among people.

Less developed countries need to reach out to their neighbors and global community to respond to the human trafficking crisis coordinately, but it is also of equal importance that they appeal to advanced countries to commit to this issue. It should be noted that while the Philippines did willingly send its workers abroad for money, it could not do so if there was no demand. There is a huge market in the West that welcomes the victims of trafficking for their exploitation. They easily get exploited for their unfamiliarity with the laws, the language, the people, and the customs in the destination countries. Among about seventy thousand Filipinos in

Japan's sex trade, 95% were misled about the nature of work, whereas 97% were lied to about the conditions of their work (Guth 151). Workers from poor countries trafficked to rich countries are attractive to Western employers in search of cheap labor to carry out dirty, demanding, and dangerous jobs. In the case of Filipino workers in particular, they are known to be efficient, obedient, and fluent in English, which make them popular among human traffickers (Impe).

The latest TIP Report for 2016 shows that the global trafficking is a \$150 billion industry, making it the world's third largest criminal enterprise behind the arms and drug trade. At least 161 countries are involved with human trafficking as the source, transit, and destination points. Japan, one of the top recipient countries for Filipino sex workers, has generated \$20 billion—four times more than *Toyota* makes—in revenue through sex business one year (Rahman 58). Since the Western demand directly generates the supply of the victims of trafficking, there is a clear need for the rich countries to manage their own labor market more strictly to cut off the unregulated flow of supplies from the poor countries.

Human trafficking is fundamentally a global problem, which requires as many countries as possible to strengthen their counter-trafficking network (both rich-poor and poor-poor) to combat the root causes of the problem. The Philippines, originally one of the worst-faring countries in dealing with the issue of trafficking, proved its ability to address the issue effectively through a decade long commitment to international and regional anti-trafficking regime. Its success has derived from its understanding that it cannot solve the problem by itself and so it needed to seek assistance and unanimous commitment from other countries. Although the Philippines had some pre-existent institutions to effectively put that idea into practice, which grew out of colonialism, other developing countries have fair chances of pursuing a similar path of success like the Philippines if they become willing to actively reinforce their anti-trafficking

network with their neighbors (that tend to be the most frequently used transits and destination countries), regional organizations (that are specialized in dealing with regional problems), and international organizations (that have the authority and resources of scale in enforcing international legislations and spreading anti-trafficking norms). The commitment of all is essential in ending this global crime network.

VIII. Conclusion

The Philippines had an advantaged foothold to raise the score in the *TIP Record* compared to other less developed countries due to its colonial legacies and more recent active participation in international community. A government's unilateral effort is a necessary but not a sufficient condition for putting an end to human trafficking. For less developed countries with weak economy and poor governance to break the deadlock in their anti-trafficking campaigns, they need to build more meaningful relationship with the West and absorb its democratic values and economic practices that may offset the conditions conducive to human trafficking, as the Philippines did.

The Philippines' achievement is a great leap forward from the perspective of global trafficking, because it will be able to act as a role model for its surrounding countries and eventually promulgate its norms and practices across the world. For that end, the Philippines should continue to work in close coordination with other countries and regional/international organizations to further cut back the number of victims and spread its success beyond its border.

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