

Report on the PH implementation of the following resolutions, covering 01 August 2018 to date:

- Resolution 73/146 “Trafficking in women and girls” (PH is the main sponsor);
- Resolution 73/148 “Intensification of efforts to eliminate all forms of violence against women and girls: sexual harassment” (PH co-sponsored); and
- Resolution 73/149 “Intensifying global efforts for the elimination of female genital mutilation (PH co-sponsored).”

PH implementation of UNGA Resolution 73/146 “Trafficking in women and girls”, covering 1 August 2018 to date:

1. Current trends and concerns

The country is no longer just a source but is now also a destination and transit country for trafficking.

Sex and labor trafficking continue to be the most common form with variance in the mode of commission. There is an observed proliferation in the use of online platforms for purposes of recruitment, enticing and advertising victims such as chat apps and social media sites.

Victims are mostly young females from low income families. Women and children from rural communities, conflict- and disaster-affected areas, and impoverished urban centers are most vulnerable to sex trafficking, domestic servitude, and other forms of forced labor around the country, while men become victims of forced labor and debt bondage in the agricultural, fishing, and maritime industries.

PH as a source country for trafficking

Young women mostly from low income families are the usual victims of trafficking, especially those who are made to work as household service workers in the Middle East. Though trafficking knows no religion it has been observed that most of the Filipinas recruited as household service workers (HSWs) are from the far flung areas of Mindanao as it could be more acceptable to Middle East employers to hire workers of their religion.

To circumvent deployment procedures of the Philippine government, as implemented by the Philippine Overseas Employment Administration (POEA), they are made to transit through countries that do not require visas for Filipino tourists. Once at the destination country, they will seek employment to facilitate the change in their visas from tourist to working. However, victims are often brought to countries other than to their intended destinations. For example, a victim with a valid visa for entry to the UAE is sent to Sudan, Tajikistan, and Iraq. Other victims are brought legally to a labor-receiving country such as Kuwait, but then subsequently brought to a neighboring country such as Saudi Arabia and Bahrain or even to Europe by their employer and continue to work there with no valid working visa.

There were also reports of unabated human trafficking activities involving third country recruitment of OFWs to work illegally in Russia, Turkey, China, Iraq and Poland. Filipino nationals travel to Turkey and Morocco from Hong Kong which does not require a visa for Filipino nationals to work illegally as household service workers.

Filipinas are also being trafficked to China by way of Vietnam, which again does not require a visa for Filipinos to visit. The latest cases involved Filipino female nationals who were **paid to be impregnated through artificial insemination and deliver a child for a fee (surrogates)**. Some enter China as tourists and remain to illegally work as household service workers.

Internal human trafficking also remains a major concern in certain areas in the Philippines that are known as “red light districts” which attract foreigners who wish to engage in “sex tourism.”

For **online sexual exploitation of children (OSEC)** cases, a 2019 study conducted by the Anti-Money Laundering Council entitled “Child Pornography in the Philippines: Evaluation using STR data from 2015 to 2018” validated the observation that incidence of OSEC is high in places where there are a number of remittance centers operating. Hotspots like Iligan, Lapu-Lapu, Pampanga, Quezon City, Malabon, Pasig, Taguig and Caloocan are the places where actual OSEC cases were filed.

The study noted some common red flag indicators (i.e. international remittances, usually in small amounts, using money service businesses) in the financial transactions that may be linked to OSEC. The study also identified the top source countries where funds mostly came from as well as top locations in the Philippines where funds are mostly received. Top source countries include USA, Australia, Canada and UK; while beneficiary locations include Cavite, Cebu, Caloocan, Pampanga, Cagayan de Oro and Bulacan.

The above top source countries are consistent with the data of the Bureau of Immigration of the most alerts from local and foreign law enforcement agencies (LEAs) concerning identified and/or suspected “child sex tourists” who are also from USA, UK, and Australia.

PH as a destination country for trafficking

The influx of **Philippine Offshore Gaming Operators or POGOs engaged in online gambling companies** based in the Philippines that cater to foreign customers, mostly Chinese nationals, has contributed to the unprecedented increase in trafficked online gaming workers from China and Chinese prostitution dens in the country.

Most of these workers do not have the prerequisite work documents and have not been briefed about Philippine labor and immigration laws. Because of their irregular status, these workers are subjected to exploitation and unfair labor practices. This underscores the need for the Philippines to pass its own anti-human smuggling law, while also strengthening government efforts to address trafficking in persons from China to the Philippines.

Further, there is an increasing proliferation of prostitution dens where victims are mostly foreign nationals. In the last quarter of 2019 to February 2020, the Philippine National Police (PNP) has reported a total of 185 foreign nationals identified and rescued in relation to intensified anti-trafficking operations against hotels, condos, spas and establishments managed by Chinese nationals.

Based on the report, most victims entered the country as tourists but end up working as sex workers/ prostitutes. Some of them are directly recruited by a friend while others are already engaged in this kind of work.

PH as a transit country for trafficking

The Philippines is also a transit hub for connecting flights (i.e.: TWN-MNL-LAX, etc.). As such, there are instances that transiting foreigners using fraud/fraudulently acquired travel documents (i.e.: passports, entry visas, etc.) are intercepted by BI while in the airports.

2. Target measures taken for groups of women and girls facing multiple forms of discrimination

The Philippines remains committed in addressing trafficking of women and girls. The government continues to implement multiple and sustained efforts in the prevention of trafficking especially Filipino migrant workers, protection and assistance of trafficking victims, including those overseas, and prosecution of traffickers.

The Inter-Agency Council Against Trafficking (IACAT), created by virtue of Republic Act No. 9208 (Anti-Trafficking in Persons Act of 2003), is the lead coordinating body in overseeing and monitoring the implementation of the Government's anti-trafficking efforts. It is composed of the Secretaries of Justice and of the Social Welfare and Development as Chair and Co-Chair, respectively, with several government agencies and non-government organisations, including the Ople Policy Center, as members.

In response to the challenge, the third National Strategic Action Plan Against Trafficking in Persons (2017-2021), while retaining the 4Ps approach (prevention, protection, prosecution, partnership), now focuses on key thematic issues such as online sexual exploitation of children (OSEC), forced labor, organ trafficking, and prostitution, pornography, cybersex trafficking, and sex tourism.

A comprehensive research study on Trafficking of Women in Conflict Affected-Areas of ARMM and Zamboanga, Basilan, Sulu, and Tawi-Tawi is currently being undertaken by the Office of the Presidential Adviser on the Peace Process (OPAPP) to address issues concerning younger women.

In an effort to address various anti-trafficking issues and concerns, the following were issued:

1. The **proposed creation of a new Department for overseas Filipinos** with an envisioned mandate that includes its membership and participation in the IACAT. The Department of OFWs bill has passed the Lower House in March 2020 and is being deliberated at the Senate.
2. The **IACAT Plea Bargaining Advisory No. 1, series of 2019** was signed by the Secretary of Justice and Chairperson of IACAT on 27 December 2019. The very first Advisory on Plea Bargaining in cases filed under Republic Act No. 9208, as amended, will guide Prosecutors on the appropriate use of plea bargaining in human trafficking cases, honoring the rights of the victim, the accused, and the interests of the State. Successful plea bargain agreements are recognised to significantly reduce the cost of administering justice, allowing for the sustainable and timely prosecution and adjudication of human trafficking cases.
3. In 2019, the **Task Force Against the Trafficking of Overseas Filipino Workers** was created to help monitor and support cases involving the trafficking of our OFWs, with active NGO participation and private sector partnerships for aftercare services for the victims. The Task Force is also using technology via an online case monitoring system to ensure coordinated action on TIP cases involving OFWs. The online monitoring case system is directly under the control and supervision of the IACAT Secretariat. The head of the OFW Task Force is the IACAT's Executive Director. The Blas Ople Center represents the OFW sector in the Task Force. As a result of the creation of this Task Force, there is closer

coordination in the monitoring of cases of human trafficking as referred by Philippine Embassies abroad, and as gathered from information coming from the families of the victims

4. The **establishment of the Social Welfare Attaché (SWA)** at the Department of Foreign Affairs and Philippine Embassies in countries with high concentrations of OFWs to intensify the program and administrative component of the International Social Welfare Services for Filipino Nationals (SWSFN) as mandated by Republic Act No. 11299 approved by President Rodrigo Roa Duterte on 17 April 2019
5. The Philippine Internet Crimes Against Children Center (PICACC), a collaborative international effort to combat child online exploitation across the Philippines by law enforcement through an enhanced global response was inaugurated on 27 February 2019. The PICACC is composed of the Philippine National Police Women and Children's Protection Center (PNP WCPC), the National Bureau of Investigation Anti-Human-Trafficking Division (NBI AHTRAD), the Australian Federal Police (AFP), and the United Kingdom National Crime Agency (UK NCA); in partnership with non-government organization, International Justice Mission (IJM)
6. The DILG issued Memorandum Circular No. 2020-006 for the implementation of the new Guidelines in Monitoring the Functionality of Local Committees on Anti-Trafficking and Violence Against Women and Their Children (LCAT-VAWC) **on** 20 January 2020. The said Memo Circular directs all Provincial Governors, City/Municipal Mayors, BARMM Minister of Local Government, DILG Regional Directors and Field Officers, and other concerned agencies and instrumentalities to assess the functionality of and strengthen the LCAT-VAWC as the primary mechanism to address TIP and VAWC. This is in response to the need to effectively assess the performance of LCAT- VAWC to serve as basis for policy and capacity development to strengthen the capability of LGUs in combating TIP and eliminating violence against women and children
7. Support to the **Global Compact on Safe, Orderly and Regular Migration**, a guide for States on all matters related to migration, including violence against women migrants and trafficking of women and girls, which was adopted on 18 December 2018 by the United Nations General Assembly during its 73rd Session.

3. Impact of measures taken and results achieved

Justice served in the time of COVID

An American man, David Timothy Deakin was convicted for large-scale qualified trafficking in persons three years after he was arrested on allegations of sexually abusing children and selling footage of the abuse online by the Philippine court on 28 May 2020 while the country was in community quarantine. The promulgation of the verdict was done through videoconferencing, making Deakin the first foreigner to be convicted of trafficking offenses through online proceedings in the Philippines. Deakin was sentenced to life imprisonment and ordered to pay a fine of P2 million and to pay each of his victims P500,000 for moral damages and P100,000 as exemplary damages.

Impact of the Global Compact on Safe, Orderly and Regular Migration

Two (2) overseas Filipino workers won their case against five (5) Filipino women, two (2) Filipino men, and a Bahraini policemen who were found guilty of human trafficking and sexual exploitation and sentenced to seven (7) years imprisonment in Bahrain. The detained Filipinos, as expatriates, will be deported after serving their sentence.

A first of its kind, the case highlights the international collaboration of the Philippines and the Kingdom of Bahrain in combating human trafficking and addressing crimes concerning migrants. Objective 23 of the Global Compact on Migration, *strengthening international cooperation and global partnerships for safe, orderly and regular migration*, was used as a platform for the international cooperation and partnership.

The case was made possible by the commitment of the Labor Market Regulatory Authority (LMRA) of the Kingdom of Bahrain, and the Philippine government agencies, the Department of Foreign Affairs, the Philippine Embassy in Manama, the Inter-Agency Council Against Trafficking, the Department of Justice, the National Bureau of Investigation, and the Blas F. Ople Policy Centre.

4. Monitoring and evaluation

The National Action Plan is implemented through the four KRAs of prevention, prosecution, protection and partnership. Every year, a monitoring and evaluation exercise is conducted by the IACAT to assess the implementation of action plan, together with IACAT member agencies. Work and financial planning activities are also regularly conducted to ensure that specific programmatic items are undertaken. Likewise, the action plan serves as the basis for the IACAT in requesting budget allocation.

The Memorandum Circular No. 2020-006 for the implementation of the new Guidelines in Monitoring the Functionality of Local Committees on Anti-Trafficking and Violence Against Women and Their Children (LCAT-VAWC) directs all Provincial Governors, City/Municipal Mayors, BARMM Minister of Local Government, DILG Regional Directors and Field Officers, and other concerned to assess the functionality of and strengthen the LCAT-VAWC as the primary mechanism to address TIP and VAWC.

5. Budgets allocated for implementation

The budget for the programs to address trafficking significantly increased compared to the previous years.

In 2019, the budget of the IACAT Secretariat was increased by 16%, from Php 80,393,000.00 in 2018 to Php 92,895,000.00 in 2019 in response to its forthcoming activities including the work of its Task Force Against the Trafficking of OFWs.

Also for 2019, the Department of Social Welfare and Development has allocated Php 24,399,000.00 budget for the Recovery and Reintegration Program for Trafficked Person. This excludes the budget for the DSWD residential care facilities.

For the implementation of the Anti-Illegal Recruitment Program, POEA was allotted Php 2,000,000.00. For the operations of the 1343 Actionline against Human Trafficking, printing of information materials and implementation of IACAT-ADVOCOM, CFO was allotted Php 3,093,414.65. The Department of Foreign Affairs' Assistance to Nationals Fund was allotted Php 1 billion pesos for assistance to all overseas Filipinos in distress in including trafficking

victims, and the Legal Assistance Fund, Php 200 Million pesos, for the legal assistance to all overseas Filipinos in distress, including trafficking victims.

6. Collaboration with relevant stakeholders.

The Philippine government works closely with various stakeholders:

- International cooperation such as that between the Government of Republic of the Philippines and Government of the United Arab Emirates through a Memorandum of Understanding on Cooperation in Combating Human Trafficking. A trailblazing document that brings together the agency point of contacts of both governments and provide a platform for a more regular and transparent information exchange and sharing of best practices on the prevention and protection of trafficking victims. The MOU will likewise promote cooperation and assistance in repatriations and rehabilitation of victims of trafficking, with special attention to minors or child victims. Further, this will foster a better understanding of the complex issues surrounding the realities of both governments both as sending and receiving states for migrant workers who more often than not become victims of trafficking.
- Cooperation with other countries in the investigation and prosecution of TIP cases through the Mutual Legal Assistance Treaty (MLAT).
- Training on strengthening prosecution with the International Justice Mission (IJM) in partnership with the U.S. DOJ Office of Overseas Prosecuting Development, Assistance, and Training (US DOJ OPDAT) and Digital Freedom Network conducted two (2) batches of Prosecuting Online Sexual Exploitation (POSE) Training for 2019. POSE training module includes casework and subject matter experts from the Philippines and United States specializing in digitally investigating and prosecuting Online Sexual Exploitation of Children (OSEC). The course objectives are to (1) support effective law enforcement and prosecution of OSEC, and (2) help frontliners maximize obtaining and presenting digital evidence. support comes in securing the participation of resource speakers from the Philippines and attendance of the invited Prosecutors by securing the necessary Travel Authority, as well as support on funding requirements for some of the training expenses particularly the dinner of the participants.
- Participation in broad networks such as the Safe and Fair Project Philippines, which focuses on women OFWs, both land and sea-based, at all stages of labour migration (pre-migration, transit, onsite, return), aims to make labour migration safe and fair for all women in the ASEAN region. The Project led by the tripartite-plus (multi-stakeholder) body, National Project Advisory Committee (NPAC) with the Overseas Workers and Welfare Administration as chair and the Philippine Commission on Women as the Vice-Chair, aspires to respond to all forms of violence against women and girls, particularly domestic and family violence, sexual and gender-based violence, human trafficking, and sexual and economic (labour) exploitation.

7. The impact of and responses to COVID-19

The Philippine government remained vigilant in the implementation of measures to prevent trafficking and protect trafficking victims with more people around the world staying at home as part of community quarantine and physical distancing guidelines brought about by the COVID-19 pandemic.

The government encourages the community to remain vigilant and immediately report to authorities all forms of abuses, particularly against children and women, through the government hotlines.

Operations against sexual exploitation of children during COVID-19

Despite the threat of COVID-19, the Philippines continues to combat trafficking-in-persons especially to children who are vulnerable to online sex trafficking and might be trapped with abusers and traffickers at home due to lockdowns across cities in the Philippines. Since the start of the pandemic, multiple operations against trafficking on minors were undertaken by the Inter-Agency Council Against Human Trafficking (IACAT), the Philippine National Police's Women and Children Protection Centre (WCPC), the National Bureau of Investigations Anti-Human Trafficking Division, the Department of Social Welfare and Development and other partner agencies.

The operations that led to the arrest of the suspects and the victims' rescue were a result of the continued partnership in the Philippine Internet Crimes Against Children Center (PICACC). The PICACC, a model for an enhanced global response against OSEC, is a cooperation among local and international law enforcement, namely, the PNP-WCPC, the NBI-AHTRAD, the Australian Federal Police, and the United Kingdom National Crime Agency (UK NCA), in partnership with non-government organization, International Justice Mission (IJM).

On 06 April 2020, even with the lockdown of the province of Cebu, the WCPC and local Police of Lapu-Lapu City arrested a 25 year old woman and her partner for online sex trafficking. The suspects were allegedly live streaming the sexual abuse of a minor child and selling sexual exploitation materials to Alan Dennis Wolff, a US-based child sex offender who has been sentenced last December 2019 for online sexual exploitation in the US. The minor child was rescued in July 2019 and is currently under the care of the Department of Social Welfare and Development (DSWD) Region 7.

Last 22 April 2020, another 25 year old woman was arrested for alleged cybersex trafficking of minors in a province in Luzon. Seven (7) minors, including her four (4) children were rescued by the WCPC and Anti-Cyber-Crime Group, together with the United States Homeland Security Investigations and the International Justice Mission (IJM), despite the island's enhanced community quarantine.

On 14 May 2020, a 34-year-old female was arrested while three children were rescued from online sexual exploitation in Central Luzon. Two of the children -- ages 14 and six years old -- are biological daughters of the arrested suspect. The other one, an 11-year-old girl, is the suspect's step-daughter who was left in her care.

A week after, on 21 May 2020, law enforcers arrested a 28-year-old woman in Butuan City for offering to live stream the sexual abuse of children and an adult for cash. Seven victims and 6 other children suspected of having been abused by the woman were taken by authorities and given trauma-informed crisis intervention by the regional office of the Department of Social Welfare and Development.

Repatriation of Possible Trafficked Victims for the United Arab Emirates

Since the outbreak of COVID-19, the Department of Foreign Affairs has been facilitating repatriations of overseas Filipinos affected by the pandemic from all over the world. As of 5 June 2020, a total of 35,395 overseas Filipinos have been repatriated.

Among these repatriations were the arrival of 30 overseas Filipinos, including four (4) minor children from Dubai, United Arab Emirates. All of them are possible victims of illegal recruitment and human trafficking.

The Department of Foreign Affairs, through its Office of the Undersecretary for Migrant Workers Affairs continues its efforts to repatriate overseas Filipinos to ensure their safety and protection against COVID-19. Repatriates who are trafficked or possibly trafficked are immediately referred to and coordinated with IACAT upon arrival at the airport for debriefing and counselling, and eventually, for proper investigation and appropriate action on their cases.