

# Tropical tuna social risk profile

Forced labor, human trafficking, and hazardous  
child labor risks

Philippines, Fishing and Processing

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SEAFOOD SOCIAL RISK TOOL V2

## **Disclaimer**

The Seafood Social Risk Tool has been prepared for information purposes only, and is not intended to constitute business, legal, market, financial or investment advice. The Seafood Social Risk Tool is designed to serve as an informational resource and does not override legislation or internal policies or procedures. It is recommended that all users of the Seafood Social Risk Tool seek independent legal advice. The Monterey Bay Aquarium Foundation shall not be responsible to any party related to its use or interpretation of the information contained in the Seafood Social Risk Tool.

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# About the Seafood Social Risk Tool

The Seafood Social Risk Tool profiles seafood production systems around the world and identifies areas within those systems that are at higher risk of containing forced labor, human trafficking, and hazardous child labor to help businesses begin to focus their efforts to improve human rights and labor conditions.

The tool includes more than 80 indicators of risk based on publicly available evidence of forced labor, human trafficking, and hazardous child labor abuses in seafood supply chains as well as an analysis of information about risk factors correlated with these abuses. This information is packaged into risk profiles specified by species and country of origin designed to help businesses better identify the potential for human rights abuses in their supply chains so they can take the first steps toward improving conditions for seafood workers.

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The Seafood Social Risk Tool was created in partnership with the Monterey Bay Aquarium, Sustainable Fisheries Partnership, Liberty Shared, and a team of human rights experts.

Monterey Bay Aquarium's Seafood Watch program raises awareness of important ocean conservation issues and empowers seafood consumers and businesses to make choices for healthy oceans.

Sustainable Fisheries Partnership is a US-registered nonprofit that operates globally to rebuild depleted fish stocks and reduce the environmental and social impacts of fishing and fish farming. The organization works by engaging fishery stakeholders and seafood businesses throughout the supply chain to promote the sustainable production of seafood.

Liberty Shared aims to prevent human trafficking through legal advocacy, technological interventions, and strategic collaborations with NGOs, corporations, and financial institutions globally.

To learn more about Seafood Watch, to view our seafood recommendations, or to view the Seafood Social Risk Tool, [visit SeafoodWatch.org](https://www.seafoodwatch.org).

## Overview

The Philippines is a major global producer and exporter of tropical tuna. The Philippines tuna fishing fleet operates mainly in the Western and Central Pacific Ocean, including on the high seas and in the Exclusive Economic Zones of the Philippines and Papua New Guinea. Catches consists mainly of skipjack tuna and smaller quantities of yellowfin and bigeye tunas.<sup>i</sup> Both fishing and processing activities are centered in General Santos City (often referred to as GenSan) on the island of Mindanao. Tuna fishing and processing are major economic activities that generate substantial employment in the Philippines; over 200,000 people work in the tuna value chain in GenSan alone.<sup>ii</sup> In addition, tuna is the Philippines' largest seafood export by value, accounting for 45% by volume of the country's seafood exports in 2019.<sup>iii</sup> Nearly 120,000 Metric tons (Mt) of tuna products were exported in 2019 at a value of US\$478 million.<sup>iv</sup> The main tuna export is canned tuna.<sup>v</sup>

## Base risks of forced labor, human trafficking, and hazardous child labor in the country in general

*This risk profile was developed before the 2022 presidential election and may not reflect changes since then.*

The Philippines is a middle-income country with generally robust legislation for labor issues and migration. As a major sending country for migrant laborers in the region and globally, including substantial numbers of seafarers and fishers, out-migration is especially regulated. However, enforcement of labor legislation is ineffective.<sup>vi</sup> A lack of resources within law enforcement agencies and corruption within the national police force and judicial system hinder enforcement of human trafficking, forced labor, and child labor laws.<sup>vii,viii</sup> Although the law provides for collective labor rights, there are restrictions in place, including limitations on organizing by foreign national or migrant workers.<sup>ix</sup> Furthermore, there are serious concerns over violations of human rights and collective labor rights in the country. The International Trade Union Confederation (ITUC) highlights severe intimidation and violence against trade union representatives and the US Department of State has reported on concerns over extrajudicial killings and persecution of human rights defenders.<sup>x,xi</sup> As such, the base risk of human rights violations in the Philippines appears to be significant. Moreover, the Philippines suffers from food insecurity<sup>xii</sup> despite its middle-income country status, and there are substantial inequalities in income and access to services, leaving some communities and individuals very vulnerable to economic shocks and continuous poverty. While on a downward trend, over 16% of the population in the Philippines still lives below the national poverty line.<sup>xiii</sup> Poverty and inequality are factors that likely increase the vulnerability of workers to forced labor, human trafficking, and hazardous child labor.

# Adjusted risks of forced labor, human trafficking, and hazardous child labor in the country's seafood supply chain

Risks of forced labor, human trafficking, and hazardous child labor in the Philippines seafood industry are high. Both forced labor and hazardous child labor have been identified in the Philippines' seafood industry.<sup>xiv,xv</sup> However, much of the available information is now outdated and there is limited public evidence to understand the situation in recent years. Where detailed descriptions of labor violations in the seafood industry have been found, they relate to hazardous child labor in deep sea fishing.<sup>xvi,xvii</sup>

Available evidence also suggests that there are significant risks of forced labor and human trafficking, as well as concerns about child labor, in the Philippines tuna industry. Indicators of forced labor and human trafficking, including reports of debt bonding and abusive working conditions, were found in tuna fishing and processing, and there are reports of fishers being forced to fish illegally in Indonesian waters and then abandoned by the boat owners when vessels were impounded by authorities.<sup>xviii,xix</sup> Anecdotal evidence obtained through interviews with workers suggests that child labor is also present in handline tuna fishing and tuna processing.<sup>xx</sup> Risk factors identified in tuna fishing include extended periods at sea, the use of transshipment, and a lack of formal working agreements.<sup>xxi</sup> In tuna processing, risk factors include the widespread use of recruitment agents and temporary work contracts.<sup>xxii</sup>

Widespread problems with illegal fishing, including the encroachment of industrial vessels into municipal waters set aside for small fishers,<sup>xxiii,xxiv</sup> where most tuna fishers in the Philippines operate, also contribute to the risk of forced labor, human trafficking, and hazardous child labor as dwindling catches and profits make small-scale fishers more vulnerable to exploitative practices.

Nonetheless, the Philippines tuna industry has taken steps towards improving its sustainability, often in collaboration with the government and other external actors, for example, adopting the Greenpeace tuna cannery ranking tool in 2018. Certification to standards addressing social criteria has also been reported: 12 Philippines tuna purse seine fishing vessels achieved Responsible Fishing Vessel Standard (RFVS) certification and a tuna processing plant achieved certification to the Seafood Processing Standard (SPS) in November 2021.<sup>xxv</sup> Moreover, the Philippines has put in place legislation based on the Work in Fishing Convention, 2007 (No. 188) through the Department of Labor and Employment (DOLE) Order 156-16,<sup>xxvi</sup> though the country has not yet ratified the convention.

In addition to using tuna landed by the domestic fleet, the tuna processing industry in the Philippines imports raw materials from other countries, including Papua New Guinea and Taiwan.<sup>xxvii</sup> As a result, human rights risks related to tuna fishing by the supplying countries may be introduced into the Philippines supply chain. For example, Taiwan has had documented cases of forced labor in their fleets.<sup>xxviii</sup>

# Summary of evidence of forced labor, human trafficking, and hazardous child labor in the seafood supply chain

## Country-level indicators

- Forced labor and human trafficking of adults and children into commercial sexual exploitation, domestic service, forced begging, agriculture, and maritime industries.
- Hazardous child labor in mines, factories, and farms.

## Seafood industry-level Indicators

- Reports of forced labor and hazardous child labor in the Philippines' seafood industry, specifically in fishing and deep-sea fishing, respectively.

## Fishing indicators

- No direct evidence of forced labor, human trafficking, or hazardous child labor in the Philippines' tuna fishing industry was found.
- Indicators of forced labor, including abusive working and living conditions, have been repeatedly linked to work on board tuna fishing vessels.
- Anecdotal evidence of child labor in handline tuna fishing.

## Processing indicators

- No direct evidence of forced labor, human trafficking, or hazardous child labor in tuna processing in the Philippines was found.
- Indicators of forced labor, including abusive working conditions and indebtedness, have been linked to work in tuna processing.
- Anecdotal evidence of children aged 16 years working in tuna processing, although the evidence is insufficient to say whether this is child labor or hazardous child labor.

# Summary of factors that affect the likelihood of forced labor, human trafficking, and hazardous child labor in the seafood supply chain

## Factors that increase the likelihood

### Country-level indicators

- The Philippines is regarded as one of the ten worst countries in the world for the realization of workers' rights by the 2021 Global Rights Index.

- Limited legislation is in place to specifically protect foreign migrant workers in the Philippines and there are restrictions on the ability of foreign migrant workers to change employers.
- Gaps in the Department of Labor and Employment's mandate and a lack of resources, including a low number of labor inspectors, hinder the ability of the Philippines to effectively enforce laws on trafficking, forced labor, and child labor.
- The country failed to take law enforcement action against officials complicit in labor trafficking and child labor.

#### Seafood industry-level indicators

- Corruption and ineffective enforcement of fisheries-related legislation leading to unsustainable fishing practices and the destruction of small-scale fishers' livelihoods.
- The Department of Labor and Employment does not undertake labor inspections of fishing vessels and there are an insufficient number of labor inspectors overall.
- At-sea fishery workers lack access to a functional grievance mechanism.

#### Fishing indicators

- Unclear or informal worker contracts and poor working conditions appear widespread on-board tuna vessels.
- Widespread IUU fishing leading to declining catches in coastal waters forces tuna vessels further out to sea for longer periods of time and makes small-scale tuna fishers more vulnerable to exploitation.
- Extended periods at sea for tuna purse seine vessels and the use of transshipment have the potential to restrict fishers' access to shore and reduce opportunities for monitoring of labor conditions.
- Workers on tuna handline vessels are typically recruited through informal channels and work agreements are verbal.

#### Processing indicators

- Widespread use of casual contracts and subcontracting through employment agencies and cooperatives is found in the tuna processing industry.
- Lax age verification measures when hiring workers during the peak season.
- Import of tuna raw materials for processing from other countries in the Asia-Pacific.

### Factors that decrease the likelihood

#### Country-level indicators

- Robust labor legislation, including regulation of employment agencies.

- Higher rates of outward-migration versus in-migration.
- Access to social protections for both emigrant and immigrant workers.
- Significant, sustained efforts by the government to eliminate human trafficking, despite the impacts of the Covid-19 pandemic.

### Seafood industry-level indicators

- DOLE Regulation 156-16 provides a comprehensive framework for working and living conditions on-board commercial fishing vessels. Coupled with the wider national legislative framework on labor and employment and migration, the labor regulations in the Philippines seafood industry are comprehensive.

### Fishing indicators

- The Philippines tuna fishing fleet generally targets healthy fish stocks.
- The Philippines Government has taken measures to address IUU fishing, prompting the European Commission to withdraw the 'Yellow Card' against the Philippines in 2015.
- Workers on tuna purse-seine vessels are typically hired through formal recruitment processes and vessels are often owned by larger, vertically integrated companies indicating a potential level of oversight.

### Processing indicators

- Despite casualization of the tuna processing workforce, the industry provides stable employment over time for people in remote areas where opportunities are limited.
- Filipino nationals make up most of the tuna processing workforce, reducing risks associated with a significant foreign migrant workforce.

## Fishing

The tuna fisheries of the Philippines operate primarily in the Western Pacific Ocean, and to a lesser extent in the Indian Ocean, and are regulated by the Western and Central Pacific Fisheries Commission (WCPFC) and the Indian Ocean Tuna Commission (IOTC), to which the Philippines is a member of both.<sup>xxx</sup> Six species of tuna are caught in commercial volumes by the Philippines.<sup>xxx</sup> Of these, the most commercially important species are yellowfin, skipjack, and bigeye tuna. National fisheries statistics for 2018 to 2020 show that skipjack tuna accounted for nearly 26% of fisheries production in the Philippines by volume in Metric tons (Mt).<sup>xxxi</sup> Over that same period, yellowfin tuna accounted for approximately seven percent, and bigeye tuna accounted for around one percent of national fisheries production.<sup>xxxi</sup> By value, skipjack tuna accounted for nearly 28% of the total commercial fisheries production for 2018 to 2020, yellowfin tuna accounted for around 12%, and bigeye tuna accounted for around 3.5% of total fisheries production value.<sup>xxxi</sup> In 2020, the



main producing region for skipjack tuna and yellowfin tuna was Soccsksargen in south-central Mindanao, with production concentrated in the province South Cotabato, and the main producing region for bigeye tuna was Bicol Region in south Luzon, with production concentrated in the province Sorsogon.<sup>xxxiv</sup>

Tuna fishing vessels in the Philippines' fleet range from small-scale vessels around 3 gross tonnage (GT) to 20 GT, medium sized vessels of 20 GT to 150 GT, up to large-scale vessels over 150 GT, with purse seine vessels reaching over 1,000 GT.<sup>xxxv,xxxvi</sup> Tuna is caught using purse seine, ring net, longline, and handline gear. Purse seine, ring net, and handline gear account for most of the tuna catch.<sup>xxxvii</sup> Philippines waters are divided into "municipal waters" (within 15 km from shore), which are designated for small-scale fishing by vessels of 3 GT or less, and fishing grounds outside municipal waters that are open to larger scale industrial vessels. Over 98% of the Philippines' tuna fleet are small vessels operating within the municipal waters of the Philippines.<sup>xxxviii</sup> Larger vessels also fish the high seas and within the exclusive economic zone (EEZ) of Papua New Guinea (PNG). Previously, larger vessels from the Philippines also fished in Indonesian waters, but measures by Indonesia to address illegal, unreported, and unregulated (IUU) fishing have restricted fishing there.<sup>xxxix</sup> Total landings are split nearly fifty-fifty between the small-scale tuna fleet and the large-scale/commercial tuna fleet.<sup>xl</sup>

## Processing and Trade

Tuna is landed, sorted, and graded in ports around the Philippines. The port city of General Santos (GenSan) in Mindanao is known as the "tuna capital" of the Philippines. Around one-third of tuna caught by the Philippines is unloaded in the GenSan Fish Port Complex, where seven out of the country's eight tuna canneries operate.<sup>xli,xlii</sup> The tuna processing industry in the Philippines relies mostly on raw materials caught by the domestic fleet, but also imports chilled and frozen tuna from other countries, including Papua New Guinea (23%), Taiwan (2%), China (2%), Kiribati (2%), and Vietnam (1%).<sup>xliii</sup>

Tuna is the Philippines' largest seafood export by value. In 2019, 119,955 Mt of fresh/chilled/frozen, smoked/ dried, and canned tuna products were exported worth US\$478 million.<sup>xliv</sup> The country's main tuna export is canned tuna.<sup>xlv</sup> Skipjack tuna is primarily used for canning, while yellowfin and bigeye are processed as fresh, frozen sashimi grade tuna. The Philippines primarily produces canned tuna and fresh, frozen tuna for export to the European Union, United States, and Japan. By volume, nearly 13% (nearly 15,000 Mt) of tuna exports from the Philippines were sent to Japan and 12% (over 14,000 Mt) were sent to the United States in 2019.<sup>xlvi</sup> Within the EU, Spain received nearly 15% (nearly 4,500 Mt) of the Philippines' exports of fresh/chilled/frozen tuna and Germany received nearly 31% (nearly 27,000 Mt) of exports of prepared/preserved tuna in 2019.<sup>xlvii</sup>

# Due Diligence for Tropical Tuna in the Philippines

## Important Country-Specific Considerations

- Tuna fishing and processing are major economic activities with over 200,000 people working in the tuna value chain.
- Food insecurity remains an issue despite the Philippines' middle-income country status, with substantial inequalities in income and access to services, leaving some communities and individuals vulnerable to economic shocks and continuous poverty.
- As a major sending country for migrant laborers globally, out-migration is especially regulated, but enforcement of labor legislation is hindered by a lack of resources and corruption within law enforcement agencies and judicial system.

## Suggested Due Diligence Priorities & Questions

### Worker Demographics

While on a downward trend, over 16% of the population in the Philippines still lives below the national poverty line. Poverty and inequality are factors that likely increase the vulnerability of workers to forced labor, human trafficking, and hazardous child labor.

1. What is the proportion of temporary and contract workers to permanent workers?
2. What is the proportion of young workers (15-18 years old) in the workforce? What age screening processes are in place to prevent the employment of underage workers? What protocols are in place to protect young workers from workplace hazards?

### Contracts

Casual or informal worker contracts appear widespread on-board tuna vessels, while subcontracting through employment agencies and cooperatives is found in the tuna processing industry.

1. Do workers have a written contract or other formal working agreement?
2. Are contracts written in a language that workers understand?
3. Are workers given the opportunity to choose between permanent employment status and temporary contracts?

### **Complaints Mechanisms**

The International Trade Union Confederation (ITUC) highlights severe intimidation and violence against trade union representatives and the US Department of State has reported on concerns over extrajudicial killings and persecution of human rights defenders.

1. What are the factors influencing fish workers' participation, or lack thereof, in trade unions? What are you doing to institutionalize worker organization and collective bargaining in your supply chain?
2. Do workers in your operation/supply chain have access to 3rd party monitors such as trade union representatives or onboard observers?
3. Are there procedures to document, track, and resolve workplace grievances and complaints?

### **Activity at Sea**

Indicators of forced labor have been repeatedly linked to work on board tuna fishing vessels in the Philippines.

1. How long do tuna fishers typically stay at sea? Are fish workers able to take shore leave when they return to port?
2. Is there traceability back to the vessel, and do you know what working conditions are like on the vessel? Have working and living conditions on board vessels been subject to inspection?
3. Do tuna vessels engage in transshipment at sea? If so, how is it regulated and observed? How would modifying transshipment activity impact your supply chains?

## Philippines: Country-level indicators

Indicator	Description	Sources
Poverty levels in a country	<p>Human Development Index</p> <p>HDI Value (2019): 0.718</p> <p>HDI rank (2019): 107<sup>th</sup> of 189 countries ranked</p> <p>The Philippines' HDI value for 2019 places it in the “high human development” category and positions it 107<sup>th</sup> out of 189 countries and territories. The Philippines' HDI value for 2019 is below the average of 0.753 for countries in the high human development group and below the average of 0.747 for countries in East Asia and the Pacific. The Philippines show progress against each of the HDI indicators for income, health, and education from 1990 to 2019. However, when the Philippines' HDI value is discounted for inequality, it falls to 0.587, a loss of 18.2 percent due to inequality in the distribution of the HDI dimension indices. The average loss due to inequality for high HDI countries is 17.9% and for East Asia and the Pacific it is 16.9%.</p>	<p><a href="#">UNDP Human Development Index (HDI)</a></p> <p><a href="#">UNDP Global Human Development Indicators Country Profile: Philippines</a></p>
	<p>Poverty headcount ratio at national poverty line (% of population): 16.7% (2018)</p> <p>The poverty headcount ratio for the Philippines is substantially higher than that of its neighboring countries:</p> <ul style="list-style-type: none"> <li>• Indonesia (2019) 9.4%</li> <li>• China (2019) 0.6%</li> <li>• Vietnam (2018) 6.7%</li> </ul>	<p><a href="#">World Bank</a></p>
	<p>Global Hunger Index (2021):</p> <p>The Philippines ranks 68<sup>th</sup> out of 116 qualifying countries. With a score of 16.8 out of 100, the Philippines suffers from a level of hunger that is ‘moderate’.</p> <p>The Philippines ranking on the GHI matches closely with that of neighboring Indonesia (rank 73, score 18.0) and</p>	<p><a href="#">Global Hunger Index (GHI)</a></p>

Indicator	Description	Sources
	<p>Vietnam (rank 61, score 13.6). China scores less than 5 and has a low hunger level.</p> <p>Note: GHI is scored on a 100-point GHI Severity Scale, where 0 is the best score (no hunger) and 100 is the worst (where <math>\geq 50</math> is 'extremely alarming').</p>	
Country's position in the regional economic power system	<p>Comparing HDI ranking to other countries in the region</p> <p><b>Philippines</b></p> <ul style="list-style-type: none"> <li>HDI Value (2019): 0.718</li> <li>HDI rank (2019): 107</li> </ul> <p>Neighboring countries:</p> <p><b>Indonesia</b> HDI Value (2019): 0.718 HDI rank (2019): 107</p> <p><b>Vietnam</b> HDI Value (2019): 0.704 HDI rank (2019): 117</p> <p><b>China</b> HDI Value (2019): 0.761 HDI rank (2019): 85</p>	<a href="#"><u>UNDP Human Development Index (HDI)</u></a>
	<p>Comparing its recent economic growth to the general economic growth rates in the region</p> <p><b>Philippines</b> GDP Growth (annual %): -9.573 (2020)</p> <p>Neighboring countries:</p> <p><b>Indonesia</b> GDP Growth (annual %): -2.07 (2020)</p> <p><b>Vietnam</b> GDP Growth (annual %): 2.906 (2020)</p>	<a href="#"><u>World Bank Databank figures on annual economic growth</u></a>

Indicator	Description	Sources
	<p>Migration data</p> <p>Net migration rate (immigrants minus emigrants per 1,000 population) for Philippines is -0.6 (2020).</p> <p>Net migration number (immigrants minus emigrants) in the 5 years prior to 2020 is -335.8 thousand.</p>	<p><a href="#">IOM Migration Data Portal.</a></p>
	<p>Regional migration trends and patterns</p> <p>There is very limited labor migration into the Philippines. The Philippines is predominantly a sending country rather than a destination country for migrants, with over 10 million citizens abroad (roughly 10% of the population). These outward migration patterns are driven by several decades of government policies designed to encourage temporary labor migration by Filipino workers. Filipino migrants live and work around the world, mostly in the Middle East and Asia. In 2015, the Middle East received the largest share of Filipino migrants at 64%, followed by Asia with 28%. The top ten destination countries were Saudi Arabia, United Arab Emirates, Qatar, Kuwait, Oman, Bahrain, Singapore, Hong Kong, Taiwan, and Malaysia. A notable proportion of Filipino migrant workers are women destined for work in the domestic services sector.</p> <p>The Philippines economy is heavily dependent on remittances, ranking third after India and China in terms of volume at USD 26.9 billion in money transfers in 2016. The Migration Policy Institute notes that the reliance on these remittances may have delayed the implementation of reforms needed for the protection of Filipino migrant workers. Nonetheless, the government is increasingly focusing on ensuring the safety and welfare of Filipino migrant workers as exemplified by the launch of the RA 10801, which supports the Overseas Workers Welfare Administration, and amendments to recruitment industry regulations in 2016 by the Philippines Overseas Employment Administration (POEA). Moreover, migration</p>	<p><a href="#">Migration Policy Institute, 12 July 2017, 'The Philippines: Beyond Labor Migration, Toward Development and (Possibly) Return'</a></p>

Indicator	Description	Sources
	facilitation is increasingly combined with efforts to create jobs at home.	
	<p>Known human trafficking routes</p> <p>The Freedom Collaborative’s Victim Journeys Map identifies the Philippines as a country of origin for victims of human trafficking into the United States and Kuwait.</p> <p>According to the 2021 Trafficking in Persons Report, there is also evidence of Filipino migrant workers being trafficked for forced labor and sexual exploitation into other parts of the Middle East and Asia, and of human traffickers exploit foreign victims in the Philippines.</p>	<p>Freedom Collaborative, No date, <a href="#">Victim Journeys Map</a></p> <p>US Department of State, 2021 <a href="#">Trafficking in Persons (TIP) Report</a></p>
Governance practices and systems in a country (measured through indexes)	<p>WGI (2020) Percentile rank:</p> <ul style="list-style-type: none"> <li>• Voice and Accountability: 41.06</li> <li>• Political Stability and Absence of Violence: 18.87</li> <li>• Government Effectiveness: 56.25</li> <li>• Regulatory Quality: 53.37</li> <li>• Rule of Law: 31.71</li> <li>• Control of Corruption: 34.13</li> </ul> <p>The Philippines generally falls within the 25 – 50 percentile or 50-75 percentile ranks, performing similarly to neighboring countries Indonesia and Vietnam, except for ‘political stability’ where the Philippines performs more poorly than its neighboring countries. The Philippines scores significantly below the regional average for East Asia and Pacific on Political Stability and Absence of Violence, Rule of Law and Control of Corruption and close the regional average on Government Effectiveness and Regulatory Quality.</p> <p>Note: Percentile rank among all countries ranges from 0 (lowest) to 100 (highest) rank, where the higher the percentiles, the better the governance.</p>	<a href="#">World Governance Indicators (WGI)</a>

Indicator	Description	Sources
	<p>Corruption Perception Index (2020):</p> <p>Score: 34/100</p> <p>Rank: 115/180 countries and territories</p> <p>More than two-thirds of countries score below 50 on this year's CPI, with an average score of just 43. The Philippine's score of 36 places it below the average and positions it 115<sup>th</sup> out of 180 countries and territories. This ranking is marginally below that of neighboring Indonesia at 370 (ranked 102<sup>nd</sup> of 180 countries) and Vietnam, scoring 36 (ranked 104<sup>th</sup> of 180 countries), and is below the regional average score of 45 for Asia and the Pacific</p> <p>Note: Based on 0 = Highly Corrupt, 100 = Very Clean.</p>	<p><a href="#"><u>Transparency International Corruption Perception Index (CPI)</u></a></p>
	<p>Basel Anti-Money Laundering Index (2021):</p> <p>Rank: 74/110 countries</p> <p>Overall score: 5.76/10</p> <p>The Philippines ranks in the poorest performing half of the AML but performs better than neighboring Indonesia, which ranked 35<sup>th</sup> and scored 4.68.</p> <p>Note: Ranking is out of 110 countries; top possible score is 0 (low risk,), lowest score is 10 (high risk).</p>	<p><a href="#"><u>Basel Anti-Money Laundering (AML) Index</u></a></p>
	<p>Global Rights Index (2021):</p> <p>Rating: 5 (no guarantee of rights)</p> <p>This is below the regional average rating of 4.17 for Asia and the Pacific.</p> <p>The Global Rights Index for 2021 lists the Philippines as one of the ten worst countries for realization of workers' rights</p>	<p><a href="#"><u>International Trade Union Conference (ITUC) Global Rights Index (GRI)</u></a></p> <p><a href="#"><u>ITUC Global Rights Index 2021 Report</u></a></p>



Indicator	Description	Sources
	<p>globally, and highlights that the Philippines is one of six countries globally where trade unionists were murdered.</p> <p>Note: Countries are ranked from 1 to 5+, where five plus corresponds to “no guarantee of rights due to the breakdown of the law” and 1 corresponds to “sporadic violations of rights”.</p>	
Education and general literacy levels in a country	<p>Adult literacy rates, among the population aged 15 years and older (2019): 96.278%</p> <p>Adult female literacy rate: (2019) 96.852%</p> <p>Adult male literacy rate: (2019) 95.706%</p> <p>Comparison to neighboring countries:</p> <ul style="list-style-type: none"> <li>• China (2018) 96.841%</li> <li>• Indonesia (2020) 95.999%</li> <li>• Vietnam (2019) 95.754%</li> </ul>	<a href="#">World Bank Open Data</a>
	<p>Primary school completion rates, total (% of relevant age group) (2019): 105.755%</p> <p>Primary completion rates, female (% of relevant age group) (2018): 109.6%</p> <p>Primary completion rates, male (% of relevant age group) (2018): 108.637%</p> <p>Comparison to neighboring countries:</p> <ul style="list-style-type: none"> <li>• China (2009) 98.295%</li> <li>• Indonesia (2018) 102.335%</li> <li>• Vietnam (2018) 110.021%</li> </ul> <p>Note: “There are many reasons why the primary completion rate can exceed 100 percent. The numerator may include late entrants and overage children who have repeated one or more grades of primary education as well as children who entered school early, while the</p>	<a href="#">World Bank Open Data</a>

Indicator	Description	Sources
	denominator is the number of children at the entrance age for the last grade of primary education.”	
	<p>Lower secondary education completion rates, total (% of relevant age group) (2019): 83.088%</p> <p>Lower secondary completion rates, female (% of relevant age group) (2019): 89.783%</p> <p>Lower secondary completion rates, male (% of relevant age group) (2019): 76.852%</p> <p>Comparison to neighboring countries:</p> <ul style="list-style-type: none"> <li>• China (2011) 99.515%</li> <li>• Indonesia (2017) 89.972%</li> <li>• Vietnam (2018) 97.663%</li> </ul> <p>Note: “There are many reasons why the rate can exceed 100 percent. The numerator may include late entrants and overage children who have repeated one or more grades of lower secondary education as well as children who entered school early, while the denominator is the number of children at the entrance age for the last grade of lower secondary education.”</p>	<a href="#">World Bank Open Data</a>
	<p>School enrolment, tertiary (2017): 35.475% gross</p> <p>School enrolment, tertiary, female (2017): 40.419%</p> <p>School enrolment, tertiary, male (2017): 30.777%</p> <p>Comparison to neighboring countries:</p> <ul style="list-style-type: none"> <li>• China (2020) 58.42%</li> <li>• Indonesia (2018) 36.311%</li> <li>• Vietnam (2019) 28.64%</li> </ul>	<a href="#">World Bank Open Data</a>
Attitudes towards migrant workers in	<p>Migrant Acceptance Index score: 6.77/9</p> <p>Comparison to neighboring countries:</p> <ul style="list-style-type: none"> <li>• China: 5.11/9</li> </ul>	<a href="#">Gallup Migrant Acceptance Index</a>

Indicator	Description	Sources
a country's population	<ul style="list-style-type: none"> <li>Indonesia: 3.93/9</li> <li>Vietnam: 6.08/9</li> </ul> <p>Philippines scores significantly higher than the average for Southeast Asia at 4.48.</p> <p>Note: Based on 138 countries surveyed in 2016; U.S. surveyed in 2017; top possible score is 9.0.</p>	
Legislation and regulation to protect migrant workers	<p>Coverage of legal provisions under the labor laws</p> <p>The Philippines has ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.</p> <p>However, there seems to be limited, specific legislation in place to protect migrant workers in the Philippines. The Labor Code includes clauses on working permits, including a prohibition on changing employers and employers' reporting responsibilities when hiring foreign workers. On all other matters, it seems as though documented migrant workers in the Philippines are covered by the Labor Code on par with nationals as the Labor Code defines a "worker" as any member of the work force.</p> <p>The Philippines is a sending country more than a destination country for migrant workers and has an extensive out-migration management system in place and comprehensive labor legislation. The Philippines Overseas Employment Services (POEA) is responsible for enforcing regulations on recruitment agents, pre-departure training and other initiatives to protect migrant workers under the migration regulations, such as the RA 10801 of 2016. In addition, the Labor Code contains regulations on recruitment of workers, including regulation of recruitment agents.</p>	<p><a href="#">UN Treaty Body Database</a></p> <p><a href="#">Committee on Migrant Workers</a></p> <p><a href="#">Philippines Overseas Employment Services, POEA</a></p> <p><a href="#">Migration Policy Institute, Philippines profile</a></p> <p><a href="#">Labor Code of the Philippines</a></p> <p><a href="#">ILO 2018 Social Protection for Migrant Workers in ASEAN. Developments, challenges and prospects</a></p>
	Access to social protection, health, and education	<a href="#">ILO 2018 Social Protection for Migrant</a>

Indicator	Description	Sources
	<p>According to the ILO (2018), “Extensive provision is made for the coverage of migrant workers to the Philippines so they can access most of the available social security benefits. The Philippines also comprehensively covers overseas Filipino migrant workers through a range of modalities/options and associated benefits. This includes the regulation of access to and portability of certain social security benefits on the basis of bilateral social security agreements”. (pg. 69)</p> <p>Migrant workers in the Philippines are excluded from some specific government funded schemes, for example, conditional cash transfers, but there is robust social protection for migrant workers in the Philippines.</p>	<a href="#">Workers in ASEAN. Developments, challenges and prospects</a>
	<p>Bilateral MOUs or other agreements specifically designed to protect migrant workers</p> <p>The Philippines has MOUs with recipient countries of migrant workers from the Philippines, such as the 2013 MOU with Saudi Arabia re. domestic workers. No information was found regarding MOUs to regulate migrant workers in the Philippines.</p>	<a href="#">ILO (2015) Bilateral Agreements and Memoranda of Understanding on Migration of Low Skilled Workers: A Review</a>
Ratification of relevant international conventions and domestication of conventions into a national legal framework (Forced labor, human trafficking, and hazardous child labor)	Convention No. 29 – In Force	<a href="#">Forced Labour Convention, 1930 (No. 29)</a>

Indicator	Description	Sources
	Convention No. 105 – In Force	<u>Abolition of Forced Labour Convention, 1957 (No. 105)</u>
	Convention No. 138 – In Force	<u>Minimum Age Convention, 1973 (No. 138)</u>
	Convention No. 182 – In Force	<u>Worst Forms of Child Labour Convention, 1999 (No. 182)</u>
	Protocol 29 – Not Ratified	<u>Protocol of 2014 to the Forced Labour Convention, 1930 (P29)</u>
	Palermo Protocol - Ratified	<u>Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (the ‘Palermo Protocol’)</u>
	Convention No. 188 – Not Ratified	<u>ILO Convention 188 on Work in Fishing;</u>
	PSMA – Party to the PSMA	<u>The FAO Port State Measures Agreement (PSMA)</u>
	Domestication into national legislation	US Department of State (USDOS), 2021,

Indicator	Description	Sources
	<p>The USDOS ranks the Philippines in Tier 1 in their annual Trafficking in Persons report, indicating that the government fully meets the expectations for a comprehensive response to human trafficking, based on the Philippines' Republic Act No. 9208 (2003) on trafficking in persons. This act also includes an explicit prohibition on forced labor.</p> <p>The 2003 and 2012 anti-trafficking acts criminalize sex trafficking and labor trafficking and prescribe penalties of up to 20 years' imprisonment and fines of \$20,760 to \$41,520 (1 million and 2 million pesos).</p> <p>As described above, the Philippines also has in place comprehensive regulations and systems to protect migrant workers, especially Filipino nationals working overseas.</p> <p>The <a href="#">Philippines Labor Code</a> regulates working conditions in the Philippines labor market and includes regulations with regard to young workers, establishing a general minimum working age of 15 years and a minimum age for hazardous work at 18 years. Moreover, The Philippines' Republic Act No. 9231 (2003), the Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act prohibits engaging children in the Worst Forms of Child Labor, including child trafficking. Under Executive Order 92, the Philippines has set up a National Council Against Child Labor to coordinate efforts, build capacity etc.</p> <p>Overall, the legislative framework in the Philippines is comprehensive and in line with international normative frameworks and the country has prioritized establishing mechanisms for the implementation of policies and regulation.</p>	<p><a href="#">Trafficking in Persons (TIP) Report</a></p> <p><a href="#">Labor Code of the Philippines</a></p> <p><a href="#">Philippines' Republic Act No. 9208 (2003) on trafficking in persons</a></p> <p><a href="#">The Philippines' Republic Act No. 9231 (2003), the Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act</a></p> <p><a href="#">PIA 2020 DOLE-/ holds capacity building vs child labor trafficking</a></p>
Regulation of recruitment	Country's government-sanctioned oversight mechanisms (regulations, accreditation schemes, inspection, etc.) of recruitment agents	<a href="#">DOLE licensing recruitment agents</a>

Indicator	Description	Sources
	<p>Private recruitment agents in the Philippines must be licensed by the Department of Labor and Employment (DOLE) in accordance with article 25 of the Labor Code. DOLE maintains a publicly available list of licensed private recruitment and placement agencies that are authorized to facilitate the placement of Filipino workers overseas. Workers must undergo mandatory pre-departure training and the charging of recruitment fees is not allowed.</p>	<p><a href="#">2016 regulations recruitment land based overseas workers</a></p> <p>2016 <a href="#">regulations recruitment seafarers</a></p>
Enforcement of legislation for forced labor, human trafficking, hazardous child labor, migrant worker protections, recruitment and working conditions	<p>The USDOS 2021 TIP Report assigns the Philippines a Tier 1 ranking, the highest (best) ranking, stating “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 on its anti-trafficking capacity; therefore the Philippines remained on Tier 1.” <a href="#">USDOS TIP Report 2021</a> (pg. 454).</p> <p>Despite the impact of the COVID-19 pandemic, the Philippines prosecuted more traffickers than in the previous reporting period and sentenced most convicted traffickers to “significant terms of imprisonment”.</p> <p>However, the government lacked adequate resources for law enforcement and labor trafficking crimes within the Philippines were not investigated sufficiently. In addition, the government did not convict any officials complicit in trafficking crimes. <a href="#">USDOS TIP Report 2021</a> (pg. 454).</p>	<p>US Department of State (USDOS), 2021, <a href="#">Trafficking in Persons (TIP) Report</a></p>
	<p>Child labor laws</p> <p>The USDOL 2020 Findings on the Worst Forms of Child Labor report indicates that the Philippines fails to effectively enforce laws on child labor, with children exposed to the worst forms of child labor including sexual exploitation. The Department of Labor and Employment (DOLE) enforces legislation on child labor in collaboration with other law enforcement and social service provision</p>	<p>US Department of Labor (USDOL), 2020, <a href="#">Findings on the Worst Forms of Child Labor</a></p>

Indicator	Description	Sources
	<p>authorities. While mandates are clear, there are concerns over gaps in DOLE’s mandate that may impede enforcement. The country made only moderate advancements to eliminate the worst forms of child labor during the review period; suffered from a lack of resources for inspections, including a low number of labor inspectors (710, compared to an estimated need for over 2,800 labor inspectors based on the ILO’s technical advice); and failed to take law enforcement action against complicit officials.</p>	
	<p>Global Slavery Index (2018):</p> <p>The 2018 Global Slavery Index rates the Philippines government’s response to modern slavery as ‘BB’. The GSI methodology states a Government Response Rating of BB indicates that “The government has introduced a response to modern slavery that includes short-term victim support services, a criminal justice framework that criminalises some forms of modern slavery, a body to coordinate the response, and protection for those vulnerable to modern slavery. There may be evidence that some government policies and practices may criminalise and/or cause victims to be deported and/or facilitate slavery.”</p> <p>Est. no. of people living in modern slavery: 784,000</p> <p>Prevalence Index Rank: 30/167</p> <p>Vulnerability to Modern Slavery: 60.24/100</p> <p>Government Response Rating: BB</p> <p>Note: The GSI ranks government responses from AAA (very comprehensive response) to D (very inadequate), and a higher rating on the GSI is assumed to mean lower risk by the SSRT.</p>	<p><a href="#">Global Slavery Index’s overall ratings</a></p> <p><a href="#">Global Slavery Index 2018 Methodology</a></p>



Indicator	Description	Sources
	<p>Documentation from national labor inspection and other law enforcement agencies</p> <p>The UN Human Rights Council Universal Periodic Review of the Philippines in 2017 highlighted substantial gaps in law enforcement of human rights legislation, including in the enforcement of anti-slavery and counter-trafficking legislation. Concerns include, for example, extrajudicial killings, harassment, intimidation, and violence against human rights defenders, as well as limited prosecution of human trafficking offences, and corruption impeding proper law enforcement.</p>	<p><a href="#">Report of the UN OHCHR on the Philippines 2017</a></p> <p>UN OHCHR 2017 <a href="#">summary of Stakeholder Submissions</a></p>
	<p>ILO</p> <p>In 2019, the ILO Committee of Experts noted progress on building capacity to enforce anti-trafficking legislation, but the Committee also requested the Government of the Philippines increase efforts to provide services to victims and to identify and prosecute officials who are complicit in trafficking offences.</p> <p>Furthermore, the CEARC “urges the Government to take the necessary measures to repeal or amend sections 142 and 154 of the Revised Penal Code, as well as section 4(4) of the Cybercrime Prevention Act in order to ensure that no prison sentence entailing compulsory labor can be imposed on persons who, without using or advocating violence, express certain political views or opposition to the established political, social or economic system.”</p> <p>The CEARC also noted the progress on elimination of child labor in the Philippines but urged the government to continue and expand efforts and to continue reporting on the progress. The CEARC highlights, amongst others, the need to strengthen identification of victims of child trafficking, service provision to the children and</p>	<p><a href="#">ILO Committee of Expert on the Application of Conventions and Recommendations</a></p>

Indicator	Description	Sources
	strengthening the capacity for law enforcement on child trafficking, including prosecution of offenders.	
Evidence of forced labor, human trafficking, and hazardous child labor in the country	<p>General evidence from other sectors</p> <p>The 2021 Trafficking in Persons report identifies trafficking for forced labor and sexual exploitation of Filipino nationals within the Philippines and abroad, particularly in the Middle East and Asia regions. Within the Philippines, women and children have been identified as victims of sex trafficking, forced domestic work, forced begging, and forced labor in tourist destinations, and men have been identified as victims of forced labor in agriculture, construction, fishing, and maritime industries. Working children are also subject to hazardous child labor in mines, factories, and farms. Children are also recruited and used as child soldiers.</p> <p>Trafficking for sexual exploitation is well documented in the Philippines and is of great concern to the Government and other stakeholders. Women and children are trafficked to urban areas, including tourist destinations, or are exploited online. In addition, women from other parts of Asia, including China, are sexually exploited near offshore gaming operations catering to Chinese nationals.</p> <p>The latest statistical estimate on child labor in the Philippines is the 2011 <a href="#">Survey on children</a> undertaken by the Philippine National Statistics Office and the International Labour Organization. This survey found two million children aged 5 to 17 years engaged in hazardous child labor in the country. More boys than girls were identified in child labor and the geographical distribution was uneven. Regions with the highest proportions of child labor were Central Luzon (10.5%) and Bicol Region (10.4%). Most child labor was found in agriculture (including forestry and fishery) (58.4 %), followed by services (24.6%), and industry (7%).</p>	<p>US Department of State (USDOS), 2021, <a href="#">Trafficking in Persons (TIP) Report</a></p> <p>US Department of Labor (USDOL), 2020, <a href="#">Findings on the Worst Forms of Child Labor</a></p> <p><a href="#">UNICEF 2018 Situation Analysis of Children in the Philippines</a></p> <p><a href="#">Philippines Statistical Authority 2011 Survey on Children</a></p>

Table 1: Philippines - Country-level indicators

## Philippines: Seafood industry-level indicators

Indicator	Description	Sources
Direct evidence of Forced labor, human trafficking, and hazardous child labor	<p>There are reports to suggest that forced labor and hazardous child labor occur in the Philippines' seafood industry. However, limited publicly available, recent evidence to support those allegations was found. More detailed evidence found is around 20 years' old.</p> <p>The 2021 Trafficking in Persons report identifies forced labor in the Philippines' fishing industry. However, no further information is given.</p> <p>The USDOL's List of Goods Produced by Child Labor and Forced Labor lists 'fish' as a good produced by child labor in the Philippines. More specifically, the USDOL's 2020 Findings on the Worst Forms of Child Labor identifies child labor in deep sea fishing, however the evidence cited for this is unpublished.</p> <p>The project summary for a 1999-2004 USDOL project states: "In the Philippines, children are engaged in deep-sea fishing, either utilizing the potentially hazardous paaling (bubble) technique, or night fishing on kub kub fishing boats that trawl offshore all night."</p> <p>Earlier descriptions of hazardous child labor in deep sea fishing in the Philippines were identified:</p> <p>A 2002 study by the ILO describes the fishing practices of 'Muro-ami' and 'Pa-aling' in which children are employed as swimmers and divers. Abuses and indicators of abuse detailed include hazardous working conditions, long working hours (12 hours), long periods spent at sea (10 months), and physical beatings.</p>	<p>US Department of State (USDOS), 2021, <a href="#">Trafficking in Persons (TIP) Report</a></p> <p>US Department of Labor (USDOL), <a href="#">2020 List of Goods Produced by Child Labor or Forced Labor</a></p> <p>US Department of Labor (USDOL), 2020, <a href="#">Findings on the Worst Forms of Child Labor</a></p> <p><a href="#">US Department of Labor (USDOL), Technical Cooperation Project Summary</a></p> <p><a href="#">International Labour Organization (ILO), January 2002, Children in pa-aling and kubkub fishing expeditions: An assessment report for on the deep-sea and fishing sector studies</a></p> <p><a href="#">International Labour Organization (ILO),</a></p>

Indicator	Description	Sources
	<p>Muro-ami fishing was banned in the Philippines in 1986 due to environmental concerns about the fishing technique. This technique was replaced by Pa-aling, but while this fishing method is less environmentally destructive, the fishery continued to rely on child labor.</p> <p>In 2000, a deep sea fishing method using ring net gear, called 'kubkub', was identified also employing children aged 10 to 17 years. According to the ILO, children engaged in the kubkub fishery work at night, causing them to miss school due to insufficient sleep, and face hazards from working at sea.</p>	<a href="#">June 2002, Children of the kubkub fishery</a>
<p>ILO indicators of forced labor and <a href="#">ILO R190 definition of hazardous child labor</a></p>	<p>Confidential interviews with social workers in fishing ports indicate that Filipino vessels fish illegally in Indonesian waters. When vessels are impounded, crew and captains are likely to be incarcerated and/or get stranded in Indonesia for weeks or months and sometimes years. This has a knock-on effect on families as the main source of income for the family dries up and there are examples of fishers' children abandoning school to make up for lost income and of fishers' wives getting trapped in commercial sexual exploitation to survive while the husband is not able to work. Other sources underpin the IUU fishing and its consequences for the crew and more generally, forced commercial sexual exploitation of women and children is of concern in the country (see direct evidence at country level).</p>	<p>Personal notes by SSRT analyst from interviews conducted in the Philippines in 2018</p> <p><a href="#">The Guardian 2018 They're taking out a generation of tuna: overfishing causes crisis in the Philippines</a></p> <p><a href="#">Seafish 2020 Philippines Social risk Profile</a></p>
<p>Fishing, aquaculture and processing regulations and policies</p>	<p>Labor-related fishing legislation</p> <p>Labor-related fishing legislation in the Philippines includes the 1998 Philippines Fisheries Code and its 2015 amendment, regulating fishing practices, as well as Department Order from 156-16 regulating working and living conditions on board industrial fishing vessels according to the FAOlex and ILO NATLEX Databases</p>	<p><a href="#">ILO NATLEX Database</a></p> <p><a href="#">FAOlex Database</a></p> <p>Llanto, G.M., M.K.P. Ortiz and C.A.D. Madriaga (2018), <a href="#">'The Philippines' Tuna Industry'</a>, in Gross,</p>

Indicator	Description	Sources
	<p>The Fisheries Act falls under the jurisdiction of Bureau of Fisheries and Aquatic Resources (BFAR) and includes regulations on limitations to fishing. Fisheries regulation includes legislation that divides Philippines waters into “municipal waters” (up to 15 km from shore) set aside for small scale fishers, and distant waters open to large-scale industrial vessels.</p> <p>Department order 156-16, under DOLE jurisdiction, defines terms and conditions of work on board all industrial fishing vessels flagged in the Philippines. The vessels are classified into three different sizes, and regulations vary between sizes on some parameters, but overall, regulation 156-16 is comprehensive, establishing a legal framework for terms and conditions of fishers, including social security and support for fishers’ livelihoods during the lean season.</p> <p>The 2018 Global Slavery Index (GSI) for fishing:</p> <ul style="list-style-type: none"> <li>• National Fisheries Policy (catch outside EEZ, distant water fishing, and subsidies) <ul style="list-style-type: none"> <li>○ High Risk</li> </ul> </li> <li>• Wealth and Institutional Capacity (GDP per capita, value landed per fisher, and unreported landings) <ul style="list-style-type: none"> <li>○ High Risk.</li> </ul> </li> </ul>	<p>Jeremy and P.S. Intal, Jr. (eds.), Reducing Unnecessary Regulatory Burdens in ASEAN: Country Studies, Jakarta: ERIA, pp.210-238.</p> <p><a href="#">Global Slavery Index (GSI) 2018 - Fishing</a></p>
Enforcement and implementation of industry-specific regulations and policies	<p>Enforcement of fisheries regulations and policies in the Philippines is considered highly inefficient overall by many observers, leading to widespread destruction of habitats (notably coral reefs), the use of illegal practices like poison fishing, and conflicts over fishing grounds between small- and large-scale fishers. The ineffective law enforcement appears to be linked directly to corruption and resistance by local elites to changing current practices.</p> <p>Furthermore, local government units have differing levels of understanding of fisheries regulations and the level of implementation varies.</p>	<p>Marsh, James B 2018. Resources &amp; Environment in Asia's Marine Sector, CRC Press, Taylor and Francis Group, London &amp; New York</p> <p><a href="#">BusinessWorld, 2018, Philippine Fisheries Dying</a></p>

Indicator	Description	Sources
	The enforcement of labor related regulations in the seafood industry rests with the Department of Labor and Employment (DOLE).	<a href="#">FAO Philippine country profile</a>  <a href="#">USAID Oceans and Fisheries Partnership, June 2020, Applying eCDT Technologies to Small-scale Tuna Handline Fisheries in the Philippines, Submitted by the Kabang Kalikasan ng Pilipinas Foundation Inc. (KKPFI)</a>  <a href="#">Seafish 2020 Philippines Social risk Profile</a>
Access to workplaces for third-party monitors (trade union representatives, on-board observers, etc.)	<p>The WCPFC has in place an onboard fisheries observer program. However, fisheries observers monitor environmental conditions only, not working conditions.</p> <p>According to a 2018 report produced by Verité for the US AID (field research 2016) on research into the tuna sector in GenSan, the Department of Labor and employment (DOLE) does not undertake labor inspection of fishing vessels and there are an insufficient number of inspectors overall.</p>	<a href="#">WCPFC Regional Observer Program regulation</a>  <a href="#">Verité 2018 Labor Conditions in the Tuna Sector, Produced for the USAID</a>
Worker access to a functional grievance mechanism	<p>The Department of Labor and employment (DOLE) operates a 24/7 hotline for workers in all sectors to report complaints. In addition, DOLE runs overseas centers for migrant workers in major destination countries.</p> <p>However, Verité (2018) reports that at-sea fishery workers in the Philippines tuna supply chain "lack access to a robust, confidential grievance mechanism." (pg. 8)</p>	<a href="#">Department of Labor and Employment</a>  <a href="#">Philippine Overseas Labor Office (POLO)</a>  <a href="#">Verité 2018 Labor Conditions in the Tuna</a>

Indicator	Description	Sources
		<a href="#">Sector, Produced for the USAID</a>
Access to join a trade union	<p>Workers in the Philippines are generally free to join trade unions and there are approximately 600 registered unions, from national confederations to sector unions and plant-based unions, in the country according to the ILO. However, these unions together only represent around 10% of the work force and Verité (2011) found that there were no unions to join for seafood workers in a study in GenSan. Moreover, the International Trade Union Confederation (ITUC) has documented targeting of trade union activists in a practice known as “red tagging”, where union representatives speaking up against the government are falsely accused of belonging to extremist militia and subjected to violence and intimidation. In fact, ITUC ranks the Philippines as one of the top-10 worst countries for trade union representatives. Hence, it is unlikely that seafood workers are unionized to any great extent.</p>	<p><a href="#">International Labour Organization (ILO), No date, Workers' and Employers' Organizations in the Philippines</a></p> <p><a href="#">Verité, 2011, Research on indicators of forced labor in the tuna supply chains in the Philippines</a></p> <p><a href="#">ITUC Survey of violations of Trade Union Rights</a></p> <p><a href="#">ITUC Global Rights Index</a></p>
Participation in voluntary schemes and implementation of comprehensive corporate policies and strategies to combat forced labor, human trafficking, and hazardous child labor	<p>The tuna industry in the Philippines has taken steps towards making the industry more sustainable, primarily from an environmental perspective, although some initiatives also include social sustainability measures.</p> <p>These steps include participation in multi-stakeholder groups and collaboration with the government and with NGOs. One example is the adoption of the Greenpeace-promoted Tuna Cannery Ranking Tool adopted by BFAR in 2018, which assesses the performance of tuna canneries against seven criteria regarding traceability, sustainability, legality, equity, sourcing policy, transparency and customer information, and driving change. Another example is the engagement of the <a href="#">SOSCKSARGEN Federation of Fishing and Allied Industries, Inc (SFFAI)</a> in initiatives such as the <a href="#">Asian Seafood Improvement Collaborative</a>. Also initiated in</p>	<p><a href="#">Greenpeace Philippines, 03 September 2018, Philippines set to lead global tuna industry to sustainability and Go Green, Press Release</a></p> <p><a href="#">Asian Seafood Improvement Collaborative</a></p> <p><a href="#">Undercurrent News, 28 June 2018, 'USAID Oceans brings Philippines small-scale</a></p>

Indicator	Description	Sources
	<p>2018, multiple partners work together, with support from the USAID OCEANS project to install vessel monitoring on-board small-scale pole and line tuna vessels. Additionally, there is a fishery improvement project in place for the Philippines yellowfin tuna handline fishery. Among other actions, the FIP aims to register fishing vessels, improve traceability, and involve fishers in the management of the fishery.</p> <p>In a clearer step toward social sustainability, 12 tuna purse seine fishing vessels owned by the RD Fishing Group achieved Responsible Fishing Vessel Standard (RFVS) certification and a tuna processing plant operated by Philbest Canning Co. achieved certification to the Seafood Processing Standard (SPS) in November 2021. Both standards include social criteria regarding issues such as forced labor and child labor, wages and working hours, and freedom of association and collective bargaining, among others.</p>	<p><a href="#">fisheries online in traceability pilot'</a></p> <p><a href="#">FisheryProgress, Philippines yellowfin tuna - handline</a></p> <p><a href="#">Global Seafood Alliance, 10 November 2021, 'Philippines-Based RD Fishing, Philbest Tuna Supply Chain First to Achieve Best Seafood Practices Certification'</a></p>

Table 2: Philippines - Seafood industry-level indicators



## Philippines: Fishing indicators

Indicator	Description	Sources
Direct evidence of Forced labor, human trafficking, and hazardous child labor	No direct evidence of forced labor, human trafficking, or hazardous child labor in the Philippines tuna fishing fleet was found.	
ILO indicators of forced labor and ILO R190 definition of hazardous child labor	<p>Indicators of forced labor have been repeatedly linked to work on board tuna vessels from the Philippines over the past decade:</p> <p>A 2011 report from Verité documents the widespread use of debts tying tuna fishers to vessels, as well as abusive working and living conditions on purse seine and handline tuna vessels. The report also describes the use of deception about the nature of work and the legality of fishing operations, with handline fishers unaware that their boat was fishing illegally in Indonesian waters.</p> <p>Media reports in 2015 describe a Department of Labor and Employment (DOLE) task force that found abusive working and living conditions on Philippine tuna handline vessels, including hazardous working condition and cramped living quarters.</p> <p>A 2018 article in The Guardian documents how over 600 Filipino fishers have been arrested in Indonesian waters on IUU fishing charges and how boat owners refuse to support their release and repatriation, especially when the crew were hired through a recruitment agent.</p> <p>A 2018 report by Verité on the tuna sector in GenSan (based on field research conducted in 2016), describes the vulnerable nature of workers in tuna fishing and the precarious and exploitative employment conditions.</p>	<p><a href="#">Verité 2011 Research on indicators of forced labor in the tuna supply chains in the Philippines</a></p> <p><a href="#">Rappler, 1 May 2015, 'Decent jobs? The case of Filipino hand-line fishermen'</a></p> <p><a href="#">The Guardian 2018 They're taking out a generation of tuna: overfishing causes crisis in the Philippines</a></p> <p><a href="#">Seafish 2020 Philippines Social risk Profile</a></p> <p><a href="#">Verité 2018 Labor Conditions in the Tuna Sector, Produced for the USAID</a></p>

Indicator	Description	Sources
	<p>Child labor has also been identified as a concern, although available information is insufficient to determine whether the work is hazardous or not:</p> <p>Worker interviews by Verité (2018) revealed anecdotal evidence of child labor in handline tuna fishing and a lack of adequate age screening processes by employers. Most interviewed handline workers said they were between the ages of 13 to 15 years when they started work, which is below the Philippines legal minimum age of work of 15 years and minimum age for hazardous work of 18 years.</p>	
Fishing Characteristics	<p>Thirty or more days at sea</p> <p>Cases were found of fishing trips lasting up to one year. It is unclear how common this practice is as most of the tuna fleet appears to consist of smaller vessels. However, in 2018 the Guardian documented how smaller tuna vessels (less than 3Gt with a crew of five) go out to sea for months, or even years, as they fish farther and farther out to sea in response to overfishing in coastal waters.</p> <p>According to Verité (2018), tuna purse seine vessels often stay at sea for 6 to 12 months, with workers generally staying for 6 months. In contrast, smaller handline fishing vessels are limited to shorter trips varying from 24 hours to three weeks depending on the type of handline method.</p>	<p><a href="#">Verité 2011 Research on indicators of forced labor in the tuna supply chains in the Philippines</a></p> <p>Llanto, G.M., M.K.P. Ortiz and C.A.D. Madriaga (2018), <a href="#">‘The Philippines’ Tuna Industry’</a>, in Gross, Jeremy and P.S. Intal, Jr. (eds.), Reducing Unnecessary Regulatory Burdens in ASEAN: Country Studies, Jakarta: ERIA, pp.210-238</p> <p><a href="#">The Guardian 2018 They’re taking out a generation of tuna: overfishing causes crisis in the Philippines</a></p>

Indicator	Description	Sources
		Seafood Trade Intelligence Portal: <a href="#">Tuna in the Philippines</a>  <a href="#">Verité 2018 Labor Conditions in the Tuna Sector, Produced for the USAID</a>
	<p>Targeting overexploited stocks</p> <p>The Philippines tuna fishing fleet generally targets healthy fish stocks however, bycatch of other species is a concern for some gear types.</p> <p>FishSource scores:</p> <ul style="list-style-type: none"> <li>• Skipjack tuna – Western and Central Pacific Ocean               <ul style="list-style-type: none"> <li>○ Current health – 10.0</li> <li>○ Future health – 10.0</li> </ul> </li> <li>• Bigeye tuna – Western and Central Pacific Ocean               <ul style="list-style-type: none"> <li>○ Current health – 10.0</li> <li>○ Future health – 9.0</li> </ul> </li> <li>• Yellowfin tuna – Western and Central Pacific Ocean               <ul style="list-style-type: none"> <li>○ Current health – 10.0</li> <li>○ Future health – 10.0</li> </ul> </li> </ul> <p>ISSF status report:</p> <p>“The latest assessment indicates that the Western Pacific bigeye tuna stock is not overfished, with biomass above the limit reference point established by WCPFC.”</p> <p>[WCPO skipjack tuna] “Overfishing is not occurring and the stock is not overfished.”</p> <p>“The Western and Central Pacific yellowfin tuna stock is not overfished and overfishing is not occurring. Most of the catches are taken from the tropical region where the stock</p>	<a href="#">FishSource</a>  <a href="#">Seafood Watch, Seafood Recommendations</a>  <a href="#">International Seafood Sustainability Foundation (ISSF), September 2021, Status of the World Fisheries for Tuna</a>

Indicator	Description	Sources
	<p>is considered fully exploited and there is little or no room for increased fishing pressure in this region.”</p> <p>Tropical tuna caught in the WCPO is rated by Seafood Watch as:</p> <ul style="list-style-type: none"> <li>• Bigeye <ul style="list-style-type: none"> <li>○ Handlines and hand-operated pole-and-lines – BEST CHOICE</li> <li>○ Associated purse seine – AVOID</li> <li>○ Drifting longlines - AVOID</li> </ul> </li> <li>• Skipjack <ul style="list-style-type: none"> <li>○ Handlines and hand-operated pole-and-lines – BEST CHOICE</li> <li>○ Trolling lines – BEST CHOICE</li> <li>○ Longline (deep-set) - GOOD ALTERNATIVE</li> <li>○ Unassociated purse seines (non-FAD) – GOOD ALTERNATIVE</li> <li>○ Associated purse seine – AVOID</li> </ul> </li> <li>• Yellowfin <ul style="list-style-type: none"> <li>○ Handlines and hand-operated pole-and-lines – BEST CHOICE</li> <li>○ Trolling lines – BEST CHOICE</li> <li>○ Longline (deep-set) - GOOD ALTERNATIVE</li> <li>○ Unassociated purse seines (non-FAD) – GOOD ALTERNATIVE</li> <li>○ Associated purse seine – AVOID</li> <li>○ Drifting longlines - AVOID</li> </ul> </li> </ul>	
Evidence of correlated practices	<p>IUU fishing</p> <p>The 2021 IUU Fishing Index gives the Philippines a score of 2.55 out of 5 (1 being the best, and 5 the worst) and ranks it 20<sup>th</sup> out of 152 countries, and 6<sup>th</sup> out of 20 Asian countries. Overall, of the three categories assessed (Vulnerability, Prevalence, and Response), the Philippines scores the least well on vulnerability (score 3.44).</p> <p>In June 2014, the Philippines was issued with a “Yellow card” by the European Commission over IUU fishing. The Commission stated concerns that the Philippines could not</p>	<p><a href="#">IUU Fishing Index</a></p> <p><a href="#">European Commission, Overview of existing procedures as regards third countries</a></p> <p><a href="#">European Commission, Commission Decision of 10 June 2014</a></p>

Indicator	Description	Sources
	<p>ensure that fishery products entering the country did not come from IUU fishing due to difficulties tracing catches caused by a lack of available official information about fish landed, imported and/or processed.</p> <p>This prompted the Philippines government to implement a series of measures. These included amendments to the Fisheries Code, the adoption of a new traceability regulation, enhanced surveillance and monitoring facilities through a Vessel Monitoring System (VMS), and the acquisition of modern patrol vessels.</p> <p>In April 2015, the European Commission cleared the Philippines of its Yellow Card, acknowledging the reforms to upgrade fisheries governance and the Philippines now has GSP+ status with the EU.</p> <p>Ongoing concerns over IUU fishing in the Philippines primarily relate to concerns over encroachments by industrial vessels into municipal waters designated for small vessels. It has not been possible to find exact numbers and figures on the extent of the problem but there are multiple reports of reduced catch among tuna (and other fishers) in coastal waters.</p> <p>There is evidence of efforts to address traceability and combat IUU fishing risks in the Philippines tuna fisheries. Kabang Kalikasan ng Pilipinas Foundation Inc. (KKPFI), also known as the WWF-Philippines, partnered with USAID Oceans in 2020 on efforts to expand the use of electronic catch documentation and traceability technologies by the Philippines' small-scale tuna handline fisheries. A pilot-test was conducted in 2020, in which transponder devices were deployed to volunteer tuna handline fishers in the provinces of Occidental Mindoro and Albay. However, the Covid-19 pandemic and resulting quarantine measures significantly affected the scope of the study.</p>	<p><a href="#">Seafish, September 2015, Seafish ethics profile - Philippines</a></p> <p><a href="#">European Commission, Commission Decision of 29 April 2015</a></p> <p><a href="#">Seafood Trade Intelligence Portal, No date, 'Tuna in The Philippines'</a></p> <p><a href="#">The Guardian 2018 They're taking out a generation of tuna: overfishing causes crisis in the Philippines</a></p> <p><a href="#">USAID Oceans and Fisheries Partnership, June 2020, Applying eCDT Technologies to Small-scale Tuna Handline Fisheries in the Philippines, Submitted by the Kabang Kalikasan ng Pilipinas Foundation Inc. (KKPFI)</a></p> <p><a href="#">Food and Agriculture Organization of the United Nations (FAO), 05 February 2022, 'FAO relaunches technical assistance to</a></p>

Indicator	Description	Sources
	At the same time, the FAO has been assisting the Philippines since 2019 to implement the Port State Measures Agreement (PSMA) to prevent, deter and eliminate IUU fishing. Progress has been impacted by the Covid-19 pandemic, but the FAO and the Philippines' Bureau of Fisheries and Aquatic Resources relaunched the Work Plan of Assistance in February 2022. Among other activities, the workplan includes a review of policies and legal and institutional frameworks, assessing and updating monitoring, control, and surveillance systems.	<a href="#">help the Philippines combat IUU fishing'</a>
	Transshipment  Tuna purse seine vessels often stay at sea for 6 to 12 months. The catch is transported by service vessels for landing at the GenSan Fish Processing Center.	<a href="#">Verité 2018 Labor Conditions in the Tuna Sector, Produced for the USAID</a>
	Suspect or illegal flagging practices  Tuna vessels generally flag to the Philippines. However, there are reports of the use of multiple flags by fishing vessels (not specifically tuna vessels) from the Philippines and Indonesia when fishing in adjoining territorial waters and transgression into neighboring waters.	International Transport Worker's Federation (ITF) <a href="#">Flag of Convenience FOC countries</a>  <a href="#">Combined IUU Vessels List</a>  <a href="#">Jakarta Globe (17 March 2017)</a> <a href="#">Indonesia Nabs 17 Vietnamese and Philippine Vessels for Illegal Fishing</a>
	AIS dark spots to conceal criminal activities  Vessels over 30 GT are required to use VMS. This is monitored by BFAR and other authorities. Evidence of AIS dark spots were not found.	<a href="#">Verité, 2018, Labor Conditions in the Tuna Sector, Produced for USAID</a>

Indicator	Description	Sources
Workforce Characteristics	<p>The proportion of fishers that are migrant workers</p> <p>There are media reports of fishers in the tuna fleets in General Santos migrating from other parts of the Philippines, but the proportion of fishers that are migrant workers is unknown.</p>	<a href="#">Rappler, 1 May 2015, 'Decent jobs? The case of Filipino hand-line fishermen'</a>
	<p>A high proportion of fishers from ethnic minority and other marginalized groups</p> <p>Unknown</p>	
Recruitment and Contracts	<p>Use of recruitment agents</p> <p>Both direct recruitment and recruitment agents are used. Verité (2018) reports that tuna purse-seine vessels are often owned by larger, vertically integrated companies that directly hire workers through a more formal recruitment process. In contrast, workers on handline vessels tend to be recruited informally by the boat operator/captain or sometimes by the vessel owner.</p>	<a href="#">Verité 2018 Labor Conditions in the Tuna Sector, Produced for the USAID</a>
	<p>Contract-and compensation- related regulations and practices</p> <p>Formal working agreements between employers and employees in the tuna fishing industry sector are rare, leading to difficulty of fishers to negotiate any terms of work, including benefits, wages, and length of trips. Written contracts, employment agreements, or fishing agreements were not commonly provided to workers. Workers on handline vessels tend to have informal relationships with their employer and have verbal work agreements. Purse-seine and land-based facility workers have a more formal hiring process and they signed contracts but were not provided copies.</p>	<a href="#">Verité 2018 Labor Conditions in the Tuna Sector, Produced for the USAID</a>

Table 3: Philippines - Fishing indicators

## Philippines: Processing indicators

Indicator	Description	Sources
Direct evidence of forced labor, human trafficking, and hazardous child labor	No direct evidence found	
ILO indicators of forced labor and ILO R190 definition of hazardous child labor	There is evidence of poor working conditions, including unclear contracts and indebtedness, in tuna processing in the Philippines along with widespread use of temporary contracts (casualization of the work force). Additionally, interviews with workers revealed anecdotal evidence of child labor, with workers aged 16 years said to be employed in factories, and allegations that employers/recruitment agencies do not verify the age of workers during the peak season.	<a href="#">Rappler 2016 Hazards in labor contracting - what about the PH tuna industry?</a>  <a href="#">Verité 2011 Research on indicators of forced labor in the tuna supply chains in the Philippines</a>  <a href="#">Seafish 2020 Philippines Social Risk Profile</a>  <a href="#">Verité, 2018, Labor Conditions in the Tuna Sector, Produced for USAID</a>
Processing Characteristics	Processing stage  Canning, fresh and frozen high-grade (sashimi grade)	
	Consolidation and vertical integration  The processing of canned tuna is consolidated among eight tuna canneries. There is a degree of vertical integration in the tuna supply chain, with several tuna canning companies sourcing raw material from their own purse-seine fleets.  The tuna processing industry in the Philippines relies mostly	<a href="#">City Economic Management and Cooperative Development Office of General Santos City Local Government</a>



	<p>on raw materials caught by the domestic fleet, but also imports chilled and frozen tuna from other countries in the Asia-Pacific region.</p>	<p><a href="#">Unit- CEMCDO), No date, Tuna Adventour</a></p> <p><a href="#">Verité 2018 Labor Conditions in the Tuna Sector, Produced for the USAID</a></p> <p><a href="#">Bureau of Fisheries and Aquatic Resources (BFAR), 2020, Philippine Fisheries Profile 2019</a></p>
	<p>Domestic versus export</p> <p>Tuna caught by the municipal (small-scale) fleet mainly undergoes traditional methods of processing such as drying, salting, and smoking, and predominantly supplies the domestic market.</p> <p>Tuna caught by vessels over 3 GT, classed as commercial fisheries, predominantly enters the canning supply chain. Canned, fresh, frozen and chilled tuna is processed for export and domestic markets, with the export markets making up the largest share. The Philippines primarily produces canned tuna and fresh, frozen tuna for export to the European Union, United States, and Japan.</p>	<p><a href="#">Verité, 2018, Labor Conditions in the Tuna Sector, Produced for USAID</a></p> <p><a href="#">Bureau of Fisheries and Aquatic Resources (BFAR), 2020, Philippine Fisheries Profile 2019</a></p>
Workforce Characteristics	<p>Skilled versus low-skilled</p> <p>Cannery workers are required to have a high school diploma.</p>	<p><a href="#">Verité, 2018, Labor Conditions in the Tuna Sector, Produced for USAID</a></p>
	<p>The proportion of women in the workforce</p> <p>Women comprise most of the tuna processing workforce. According to Verité (2018), women aged 18 to 40 years make up most of the workforce on tuna production lines.</p>	<p><a href="#">Verité, 2018, Labor Conditions in the Tuna Sector, Produced for USAID</a></p>

	<p>The proportion of migrant versus local workers</p> <p>According to Verité (2018), the tuna canning sector workforce comprises local and domestic migrant workers. Around half of the workers are from GenSan, while others migrate from the Southern Philippines and the Visayan Region.</p>	<a href="#">Verité, 2018, Labor Conditions in the Tuna Sector, Produced for USAID</a>
	<p>The proportion of minority or indigenous workers</p> <p>The proportion of indigenous workers in tuna processing is unknown. However, Verité (2018) refers to the B'laan indigenous peoples in relation to tuna processing.</p>	<a href="#">Verité, 2018, Labor Conditions in the Tuna Sector, Produced for USAID</a>
	<p>The proportion of temporary and contract versus permanent workers</p> <p>Verité (2011) found widespread use of repeat temporary contracts in the canning industry in GenSan. This is coupled with recruitment through manning agents, some of whom operated illegally. In the fresh, frozen processing sector, workers were generally unaware of their contract types.</p> <p>According to Verité (2018), most land-based workers were either subcontracted or outsourced through employment agencies and cooperatives, with workers often being moved to a new site every six months. The canning sector has been linked to casual hiring practices called “5-5-5”, where workers are given recurring five-month contract to avoid giving them permanent employment status.</p>	<a href="#">Verite 2011 Research on indicators of forced labor in the tuna supply chains in the Philippines</a>  <a href="#">Verité, 2018, Labor Conditions in the Tuna Sector, Produced for USAID</a>
	<p>Workers' origins</p> <p>Evidence suggests that Filipino nationals make up most of the tuna canning workforce.</p>	<a href="#">Verité, 2018, Labor Conditions in the Tuna Sector, Produced for USAID</a>
	<p>Migrant worker language (vs. dominant language in the industry)</p>	<a href="#">Verité, 2018, Labor Conditions in the Tuna</a>

	National workers appear to comprise most of the workforce.	<a href="#">Sector, Produced for USAID</a>
	GDP per capita of processing country and main worker source country  Unknown and possibly not significant in the Philippine context.	
	Legal presence (regularity) of migrant workers  Unknown and possibly not significant in the Philippine context.	
	The ability of migrant workers to change jobs  Unknown and possibly not significant in the Philippine context.	
Recruitment and Contracts	Use of contractors and recruitment agents  According to Verité (2018), 90% of recruitment for tuna processing is done through brokers or outsourced to employment agencies or cooperatives. Although the use of formal recruitment fees did not appear to be in place, some workers experienced wage deductions, which they said were linked to the cost of being hired.	<a href="#">Verité, 2018, Labor Conditions in the Tuna Sector, Produced for USAID</a>
	Compensation method  Unknown.	

Table 4: Philippines - Processing indicators

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