

PHILIPPINES PROFILE

Main seafood products and exports

According to the 2013 *Philippine Fisheries Profile*, in 2012 the Philippines ranked seventh among the top fish producing countries of the world, with its total production of 4.87 million metric tonnes of fish, crustaceans, mollusks and aquatic plants (including seaweed). Its aquaculture production of 0.791 million metric tonnes ranked it eleventh in the world, while it is the third largest global producer of aquatic plants including seaweed.

Export volume more than doubled from 165,324 metric tonnes in 2012 to 333,465 MT in 2013. The three major export commodities (tuna, shrimp and prawns, and seaweeds) accounted together for some 69% of both volume (of over 333,000 MT) and value (of US\$ 1.386 million) of fisheries exports.

Tuna remained as the top export commodity, with over 165,000 MT of all tuna products (fresh, frozen and chilled, preserved and canned), with canned tuna constituting the bulk of tuna products. In 2013, tuna exports in general were up 192% in terms of volume, and 65% in value, from the previous year. The major markets included the U.S., the UK and Japan.

Seaweeds came second in export value, with a 64% increase in value from 2012 to 2013. Shrimp and prawn ranked third, with a total contribution of US\$ 67.5 million to export value, the main markets being France, Japan and the U.S. Other major fishery exports included crabs and crab fats, octopus, lapu-lapu, cuttlefish and squid, ornamental fish, round scad and sea cucumber.

Among the main destination countries for Philippine seafood exports are the U.S. (25.3%), Japan (13.4%), Germany (7.2%), France (6.7%), the UK (6%), Hong Kong, Spain, Canada, Taiwan and China.

Seafood exports to the UK

In 2014, the UK imported some 10.6 million kg. of seafood from the Philippines, or some UK£ 31.8 million by value. This was almost exclusively tuna, followed by very small amounts of prepared and preserved shrimps and prawns, and warm water shrimps and prawns.

Employment in fisheries and seafood

The most recent official employment data comes from the 2002 Census of Fisheries. The industry employed a total of just over 1.6 million fishing operators nationwide. The municipal fisheries sector accounted for the vast majority (over 1.37 million), while just under 16,500 were employed in the commercial sector and over 226,000 in aquaculture.

Approximately, 90% of national tuna industry production is located in the southern island of Mindanao, generating over 100,000 jobs. Six of the country's seven major tuna canning factories are located in General Santos City, as well as 15 fish

processors and exporters comprising some 80% of all fish processing facilities in the country.

Human trafficking and forced labour indicators, rankings and research reports

The Philippines is ranked Tier 2 in the U.S. Government's 2015 Trafficking in Persons¹ (TIP) report. It is identified as a source country, and to a much lesser extent a destination and transit country, for men, women and children subjected to sex trafficking and forced labour. The report observes that an estimated 10 million Filipinos migrate abroad for work, and many are subjected to sex trafficking and forced labor—including through debt bondage—in the fishing industry. The report cites a specific example. A Palawan fisherman recruited Datu and 25 other men to work as fishermen on a neighbouring island in the Philippines. The workers met with the recruiter twice before moving to the island, and they received money at each meeting that reaffirmed their belief that well-paying jobs awaited. At their new job, however, the men were not paid at all. Instead, their traffickers charged them P60,000 (\$1,360) each for room and board. They forced the men to fish illegally and physically abused them if they did not catch enough fish. The men endured forced labour for two months before being released. Both the recruiter and fish trader face charges of human trafficking, and the owner of the boats remains at large.

In its December 2014 report 'List of Goods Produced by Child Labor or Forced Labor', the U.S Department of Labor mentions fish in the Philippines on its list of goods produced through forced or child labour, though without providing further details.

The Australia-based Walk Free Foundation ranks the Philippines at 103 (a medium to favourable ranking) in its 2014 *Global Slavery Index*², with an estimate of 261,200 persons in modern slavery. The Philippines receives a highly favourable ranking (No. 29, and the third highest in Asia and the Pacific after Australia and New Zealand) for the government response to modern slavery.

Between 2008 and 2011 the US labour rights and auditing NGO Verité undertook a detailed study on forced labour indicators in the tuna supply chain in the Philippines, as part of research on the presence of forced labour indicators in ten goods in seven countries³. The research covered handline and purse seine fishing in General Santos City, the post harvest canning sector, and fresh frozen processing. Among the risk factors, the research identified certain groups of workers that may be particularly vulnerable to exploitation. First, nearly half the respondents in canning and over half the respondents in purse seine fishing had migrated from other regions of the Philippines facing instability and political violence. Second, fishers who made their earnings through profit sharing schemes were vulnerable to unreliable wages. Because they had no formal employment contract, it was difficult for them to seek remedies when payment practices were considered unfair or broke their informal agreement. Third, workers on vessels travelling to international waters, such as those

¹ United States Trafficking in Persons Report 2015 <http://www.state.gov/j/tip/rls/tiprpt/>

² Global Slavery Index 2014 http://d3mj66ag90b5fy.cloudfront.net/wp-content/uploads/2014/11/Global_Slavery_Index_2014_final_lowres.pdf

³ *Research on Indicators of Forced Labour in the Supply Chain of Tuna in the Philippines*, Verité, 2012. <http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=2778&context=globaldocs>

of Indonesia, were often deceived about conditions of the voyage, and had little control over them.

In summary, this research identified several indicators and “dynamics” that increased the vulnerability of workers to forced labour or exploitation, namely:

- Longer trips
- Lack of transparency in payment mechanisms
- Low wages and inflated indebtedness
- Increased use of casual labour
- Lack of formal employment agreements or grievance mechanisms.

More recently, the European Transport Workers Federation (ETF) has supported a labour rights campaign against the *Citra Mina* company in General Santos, reported to be the second largest tuna exporter in the Philippines. Campaign materials indicate that workers from this company formed a union, which received official recognition in July 2013. Following intimidation of union leaders, the contracts of some 180 workers were terminated. An ETF press statement in April 2015, issued during the Brussels Seafood Expo and expressing regret at the Philippine company’s participation in this trade fair, observed that in March 2015 the Philippines House of Representatives had started “congressional hearings into abuses and illegal practices by Citra Mina”⁴.

Ratification of international human rights and labour instruments

United Nations treaties and procedures

The Philippines has a good record of ratification of the major UN international human rights instruments. The date signifies ratification by the Philippines. These include:

- International Convention on the Elimination of All Forms of Racial Discrimination (1967)
- International Covenant on Economic, Social and Cultural Rights (1974)
- Convention on the Elimination of All Forms of Discrimination against Women (1981)
- International Covenant on Civil and Political Rights (1986)
- Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (1986)
- Convention on the Rights of the Child (1990)
- International Convention of the Rights of All Migrant Workers and Members of their Families (1995).

The Philippines have also accepted several individual complaints procedures under different instruments. It has accepted a number of country visits by UN Rapporteurs under special procedures in recent years, including one by the Special Rapporteur on trafficking in persons.

⁴ “Philippine workers’ human rights violating giant in spotlight of annual fair”, ETF press statement, Brussels, 20 April 2015. <http://www.etf-europe.org/files/extranet/-75/44754/Philippines%20workers%20human%20rights%20violating%20giant%20in%20spotlight%20of%20annual%20fair.pdf>

International Labour Organization (ILO) Conventions⁵

The Philippines has ratified 37 ILO Conventions, including all eight of its core human rights Conventions.

Fisheries policy and management

The Republic Act (RA) 8550 – otherwise known as the Fisheries Code of 1998 – is the overall law for governance of Philippine fisheries.

Administratively, the Department of Agriculture (DA) is responsible for management of the agriculture and fisheries sector. Within the DA, the Bureau for Fisheries and Aquatic Resources (BFAR) has wide-ranging responsibilities. For example, BFAR is responsible for setting national standards for the registration of fishing vessels, and for feed mills, aquaculture farms and processing facilities. As the competent authority appointed by the EU, the BFAR is also responsible for auditing and licensing processing companies for export certificates for the EU and other markets.

The Philippine Coast Guard is responsible for maritime law enforcement.

Measures against IUU fishing

In June 2014, the Philippines was given an EU “Yellow card” warning over illegal, unreported and unregulated (IUU) fishing. This galvanised the government into taking a series of measures. As reported by the DA, these included: a new traceability regulation, to ensure that only non-IUU fish will make it to Philippine markets; an enhancement of surveillance and monitoring facilities through a fully functional Vessel Monitoring System (VMS); and acquisition of modern multi-mission patrol vessels. The 1998 Fisheries Code was amended, increasing penalties for the violation of fisheries’ laws, requiring VMS systems to identify commercial fishing boats that are operating legally in Philippine waters, and also providing funds for job training and scholarships for those affected by illegal and large-scale fishing.

In April 2015 the European Commission cleared the Philippines of its Yellow Card, acknowledging the reforms to upgrade fisheries governance.

Overall risk assessment

The Philippines appears not to be a high risk country at present. Different assessments have highlighted the positive measures taken by the Government against both human trafficking or “modern slavery”, and IUU fishing. However, following the investigation by Verité several years back into labour practices in the tuna canning industry, there have been continued reports of labour abuses in this industry. Several factors, including the presence of migrant workers and the methods of labour contracting, contribute to risk in this particular industry. Moreover, the country has something of a record of good legislation (including the widespread ratification of international human rights and labour standards), but often weak law

⁵ The International Labour Organization’s Fundamental Conventions
[http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---
declaration/documents/publication/wcms_095895.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_095895.pdf)

enforcement. Once the new regulations against IUU fishing are adopted, their implementation needs to be carefully monitored.

For further information

- **United States Trafficking in Persons Report 2015**

<http://www.state.gov/j/tip/rls/tiprpt/>

The Department places each country in this Report onto one of four tiers, as mandated by the Trafficking Victims Prevention Act (TVPA). This placement is based more on the extent of government action to combat trafficking than on the size of the country's problem. The analyses are based on the extent of governments' efforts to reach compliance with the TVPA's minimum standards. Tier one is the best ranking and Tier 3 the worst.

- **Global Slavery Index 2014**

http://d3mj66ag90b5fy.cloudfront.net/wp-content/uploads/2014/11/Global_Slavery_Index_2014_final_lowres.pdf

The Global Slavery Index estimates the prevalence of modern slavery country by country, the absolute number by population, how governments are tackling modern slavery, and what factors explain or predict the prevalence of modern slavery. Rankings range from 1 to 167 - with 1 the worst and 167 the best, in terms of the prevalence of the population in modern slavery. This is based on three factors: estimated prevalence of modern slavery by population, levels of child marriage and levels of human trafficking into and out of the country. This gives a 'weighted measure'.

- **The International Labour Organization's Fundamental Conventions**

http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_095895.pdf

Ratifications of fundamental Conventions and Protocols by country

http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:10011:0::NO::P10011_DISPLAY_BY,P10011_CONVENTION_TYPE_CODE:1,F

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