

Assessing Labor Risk for Workers Migrating from the Philippines to Europe

March 2021



This report was made possible through the support of Porticus. The opinions expressed herein are those of the author(s) and do not necessarily reflect the views of Porticus. Verité would like to thank Engaged Partnerships for Change and Verité Southeast Asia (VSEA) for their significant contributions to this report. Verité is grateful to the stakeholders that agreed to be interviewed and generously shared their time and expertise as part of this study. Additionally, the report benefited greatly from the validation of recommendations by representatives of La Strada International, Platform for International Cooperation on Undocumented Migrants (PICUM), and the International Transport Workers' Federation (ITF).



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Acronyms and Abbreviations

AMOSUP	– Associated Marine Officers' and Seamen's Union of the Philippines
CBO	– Community-based organization
CFO	– Commission on Filipinos Overseas
CSO	– Civil society organization
CWII	- Centrum Wsparcia Imigrantów i Imigrantek (Immigrants Support Center)
DOLE	– Department of Labor and Employment
ETF	- European Transport Workers' Federation
FRA	– The EU Agency for Fundamental Rights
FPA	- Foreign Placement Agencies
G2G	– Government-to-government
GRETA	– Group of Experts on Action against Trafficking in Human Beings (GRETA)
ILO	– International Labour Organization
INGO	– International non-governmental organization
IOM	– International Organization for Migration
ITF	– International Transport Workers' Federation
OWWA	– Overseas Workers Welfare Administration
PASEI	– Philippine Association of Service Exporters, Inc.
PDOS	– Pre-departure orientation seminar
POEA	– Philippines Overseas Employment Agency
POLO	– Philippines Overseas Labor Office
PoMOC	– Polish Migrants Organise for Change
NGO	– Non-governmental organization
TESDA	– Technical Education and Skills Development Authority
TWA	– Temporary Work Agencies
VODW	– Voices of Domestic Workers

Executive Summary

Background

Millions of people from the Philippines have migrated abroad for employment, seeking a better life and improved economic status for themselves and their families. Today, over 10 million Filipinos are estimated to live and work internationally, with 368,000 Filipino citizens in Europe alone, making the Philippines a key source of labor in Europe.¹ Many Filipino workers benefit economically and have positive experiences from migration. For others, the process of gaining employment in Europe from the Philippines can be fraught with risks; some Filipino workers may find themselves working under exploitative conditions, or under the weight of debt from fees paid during the recruitment and migration process. In some cases, these risks may constitute forced labor or human trafficking. Recruitment mechanisms for migrant workers from the Philippines to European countries are heterogenous, as they vary based on the demographics of each worker, the specific laws of the host country, the practices of the employer and labor recruiters, and prevailing conditions in specific sectors. In spite of this diversity of experiences, unethical and opaque recruitment practices are a common thread throughout stories of exploitation and forced labor risk, regardless of sector or the destination country in Europe.

In 2020, Porticus engaged Verité to provide an assessment of labor risks for Filipino migrant workers in several target sectors and host countries in Europe, with a specific emphasis on risks that arise from the recruitment and hiring process; as well as risks during employment or while being deployed in Europe. The following study is intended to provide relevant stakeholders with insight into how these risks play out in practice and what underlying systemic factors and policies contribute to risk. The report contains examples of strategies and interventions for concerned stakeholders to address these issues.

Methodology

Given the wide range of European sectors employing Filipino migrant workers, this assessment focuses on a sampling of sectors that employ high numbers of Filipino migrants, in which there are documented labor rights abuses. The selected sectors, fishing, seafaring, and domestic work in Europe, also have a dearth of comprehensive, up-to-date descriptions of recruitment mechanisms and risks. Additionally, the

assessment provides more detail on dynamics in two emerging host countries for Filipino workers: the Czech Republic and Poland.

Verité carried out three phases of research between June to September 2020. In the first phase, Verité utilized desk research and initial stakeholder consultations to conduct a survey of labor migration flows and risks for workers migrating from the Philippines to Europe, which aided in the selection of countries and sectors. In the second and third phases, Verité and project partners explored these countries and sectors with additional in-depth desk research, as well as interviews conducted with relevant experts based in Europe and the Philippines. In total, 28 interviews were carried out with expert stakeholders representing academia, employment agencies, trade unions, civil society organizations (CSOs), and community-based organizations (CBOs). Information collected during these three phases were triangulated in order to produce this report, and draft findings and recommendations have been validated by key expert stakeholders.

Findings

Verité identified **several key-risk phenomena for Filipino migrant workers during the recruitment process**, including:

- **illegal and excessive recruitment fees**, particularly those imposed by employment agencies and/or subagents in the Philippines, Europe, and transit countries, which can lead to the acquisition of debt;
- **deceptive recruitment and/or contract substitution**, including instances where workers may receive different jobs, job responsibilities, wages, timing of wage payments, or other job conditions in contrast to what was promised;
- **violation of employment conditions in contracts**;
- **very low wages and/or nonpayment of wages**; and
- **excessive hours** and/or no guaranteed days of rest.

Two **common root cause factors** were found to be associated with much of the labor risk that Filipino migrant workers face. The first is the **use of unlicensed or unauthorized agents during the recruitment process**. In these cases, a Philippine agent or agency (or an agency based in a transit country) will recruit prospective workers locally and then make arrangements with an agency in the destination country, but is operating outside

the oversight of the responsible governmental body – the Philippines Overseas Employment Agency (POEA). This leaves workers particularly vulnerable to paying excessive fees in order to obtain employment. Even in instances where an agency is licensed through the POEA, prospective Filipino migrant workers are still at risk of paying illegal fees through the practices of unscrupulous employment agencies, despite regulations that prohibit agencies from charging Filipino workers placement fees and other recruitment-related expenses in excess of one month’s salary. Required statutory fees associated with the formal employment process, such as documentation processing fees or the costs of medical examinations, can also add to workers’ debt.

Another cross-cutting practice that affects workers in nearly all sectors, but is particularly relevant to domestic work, is the **bypassing of formal migration and employment channels** altogether. In these cases, workers typically hear about employment opportunities via word of mouth within their extended social networks. Lacking a formal employment offer prior to migration, they then travel to Europe under various visa schemes intended for other purposes, such as tourist, student, au pair, or transit visas. The use of these visas outside of their original purposes can leave a worker without legal documentation, which obstructs their access to protections afforded to documented migrant workers in the destination country. Previous Verité audits and research have reliably demonstrated that migrant workers with irregular documentation status often have less agency to express grievances or leave employment situations with abusive working conditions, as they may fear criminalization, deportation, or other negative repercussions. Despite the risks of undocumented or informal migration, this practice persists due to the numerous barriers for legal entry and stay in European countries, such as caps on the number of foreign workers allowed per country and legal frameworks in European countries which limit the ability of foreign workers to change employers.

Additionally, the **COVID-19 pandemic has led to heightened vulnerability for Filipino workers in Europe across sectors**, especially workers in the domestic work, seafaring, and fishing sectors; the report incorporates insight on how the pandemic has affected workers, as gleaned from interviewed experts.

Where relevant, the report also addresses potential high-level actions and interventions that stakeholders can take to better protect Filipino migrant workers. Using the findings

and themes identified from research and expert consultations, Verité has developed a set of recommendations for governments, the private sector, and civil society, among other stakeholder groups. Among them, Verité recommends that Philippine and European governments align regulations to clearly prohibit the charging of excessive recruitment fees and expenses to Filipino workers; strengthen the monitoring and enforcement of Philippine and European recruitment actors involved in foreign employment; improve information dissemination for Filipino workers in the Philippines and Europe; and for the Philippine government to conduct a needs and capacity assessment of government agencies and embassies in Europe providing services to workers. Furthermore, Verité offers recommendations to the government of Europe to increase Filipino and foreign worker access to regularized work, provide more flexibility to switch employers, ensure equal treatment under labor law, and increase access to grievance reporting, especially for undocumented workers. For a full list of recommendations, organized by stakeholder, sector, and country, see the [Recommendations](#) section. It is Verité’s hope that the key findings and recommendations of this study will help to inform effective engagement strategies and garner an increased collaboration among stakeholders in the Philippines and Europe to address this important issue.

1. Introduction

1a. Objective and Scope

In June 2020, Porticus commissioned Verité to perform an analysis of labor risks for workers from the Philippines employed in Europe. The goal of this report is to provide Porticus, CSO partners, and relevant stakeholders with comprehensive information on key labor risks for workers migrating from the Philippines to Europe, with an emphasis on risks that arise from the recruitment and hiring process, in order to inform effective stakeholder engagement strategies to address labor exploitation. Verité and Porticus selected the following European countries and sectors for focused research:

- **Fishing and Seafaring work across European countries**, including targeted case study research on fishery workers in the UK and Ireland, and seafarers in the Netherlands;

- **Domestic Workers across European countries**, including those involved in child caretaking and au pairs, as well as elder caretaking;
- **All sectors in Poland**, including its role as a transit country for migration; and
- All sectors in the Czech Republic.

Recognizing the complexity and intersection of risks faced by Filipino workers in Europe, Verité’s research was guided by several questions:

- What are the various modes and means by which Filipinos are recruited for work in these sectors and countries?
- What are the different legal and regulatory frameworks applicable to the recruitment and hiring of Filipinos to these countries and sectors, how are they implemented in practice, and in what way do they contribute to vulnerability?
- Who are the actors involved in recruitment, what are their roles and responsibilities, and how are their practices regulated?
- What are the working conditions of Filipino workers and how are these linked to recruitment practices?
- What unethical recruitment practices are Filipino workers subjected to?
- What are the different types of Filipino workers, and how do these differences affect their vulnerability to labor risks?
- What mechanisms should be explored to detect, prevent, and remedy recruitment-related risks and issues?

1b. Methodology

Analytical Framework

The scope of potential labor risks for Filipino workers included in this study are drawn from four primary sources:

- A review and synthesis of the leading frameworks for ethical recruitment, including:
 - The Dhaka Principles
 - International Labour Organization’s Fair Recruitment Guidelines
 - Verité Manpower Ethical Framework for Cross Border Recruitment

- The FAIR Hiring Initiative's On the Level: Core Principles and Standards of Ethical Recruitment
- International Organization for Migration's International Recruitment Integrity System
- Core labor conventions from the International Labour Organization on freedom of association, forced labor, and equality/non-discrimination. (Although child labor is also a core labor convention, there is little evidence that child labor is a significant risk for Filipino migrants in European countries.)
- A review of abuses likely to be experienced by Filipino migrant workers based on Verité's experience conducting assessments in the private sector.
- A condensed list of indicators of forced labor as provided by the International Conference of Labor Statisticians² to further clarify the nature of forced labor risk where it occurs.

These four strands of potential risk information were condensed into the following list. Risks listed in bold denote a potential indicator of forced labor:

- Deceptive recruitment (i.e. workers not provided with accurate information about nature of work, identity of employer, or hazards, hours, wages, or other conditions of work);
- Worker debt linked to recruitment or hiring practices;
- Wage withholding or manipulation of debt;
- Other financial penalties;
- Other wage violations;
- Coerced overtime;
- Other hour violations;
- Health and safety risks;
- Passport or other identity document withholding;
- Discriminatory practices in recruitment, hiring, or employment;
- Restricted freedom of movement;
- Restricted freedom of association or other collective bargaining;
- Threats or abuse intended to coerce workers;
- Reduced ability for the worker to terminate their contract or employment;
- Other inhumane treatment such as sexual harassment and verbal abuse; and
- Other abuses of vulnerability.

Research Process

Research supporting this report took place in three phases between June 2020 to September 2020.

Phase 1— Country and Sector Selection (June 2020)

The objectives of the first phase were to establish a general understanding of Philippines-Europe migration and to identify European countries, sectors, and country/sector combinations to focus research for the final report. In Phase 1, Verité utilized desk research and limited stakeholder consultations to conduct an initial survey of labor migration flows and labor risks to workers migrating from the Philippines to Europe. Phase 1 research also included an analysis of push-pull factors for Filipino migrant workers; profiles of leading regions of origin within the Philippines; profiles of leading European destination countries and major sectors for migrant workers; and a high-level overview of labor risks for migrant workers according to corridor and sector.

In selecting countries and sectors for further research in Phase 2, the primary criteria were the prevalence of Filipino migrant workers in these countries/sectors as well as evidence of labor exploitation, forced labor, and human trafficking for the purpose of labor exploitation. Additionally, Verité attempted to make selections which represented a diversity of risks that Filipino migrant workers experience in Europe, across axes including:

- Documented vs. undocumented migration
- Predominance of female vs. male workers
- Countries with established corridors for Filipino migrant workers vs. emerging corridors
- Types of labor risk experienced (i.e., recruitment fees, deceptive recruitment, restricted freedom of movement, underpaid wages, and document retention)

A summary of criteria in which the countries and sectors were selected is provided in the following tables:

Table 1: Sector Selection Justification Summary

Sector / Type of Work	Reasons for Selection
Fishers and Seafarers	<ul style="list-style-type: none"> • High numbers of Filipino migrant workers • Predominantly male workforce • Predominantly documented workforce (seafarers) • Risks of undocumented work (fishers) • Established migration corridor • Labor risks present include (but are not limited to): • Excessive recruitment fees, potentially leading to debt • Deceptive recruitment, such as for work in a different location, employer, or type of job • Isolated nature of workplace • Barriers to reporting grievances and/or seeking assistance • High risk of excessive working hours
Domestic Workers	<ul style="list-style-type: none"> • Most common sector in Europe for Filipino migrant workers • Predominantly female workforce • High incidence of undocumented migration • Established migration corridor • Labor risks experienced include (but are not limited to): <ul style="list-style-type: none"> ○ Excessive recruitment fees, potentially leading to debt ○ Lack of honoring of contracts, including hours of work, wage rates, schedules for wage payment ○ Very low wages and risk of underpayment or non-payment of wages ○ Excessive hours and no guarantee of days of rest ○ Risk of passport confiscation ○ Vulnerability to mental, physical, and sexual abuse ○ Isolated nature of workplace ○ Barriers to reporting grievances and/or seeking assistance ○ Lack of protection by national labor laws

Table 2: Country Selection Justification Summary

Country	Reasons for Selection
Poland	<ul style="list-style-type: none"> • Emerging migration corridor with evolving governmental regulation and oversight; increasing numbers of migrant workers

Country	Reasons for Selection
	<ul style="list-style-type: none"> • Reported to be a transit country for labor exploitation in other countries in Europe • Labor risks experienced include: <ul style="list-style-type: none"> ○ Excessive recruitment fees potentially leading to debt ○ Potential wage deductions ○ Contract substitution; risk of "civil law" contracts ○ Exploitive conditions and lack of guarantees of regular work ○ Third country transit while travelling to Poland increases labor vulnerability ○ Visas tied to single employer; difficult to switch employers
Czech Republic	<ul style="list-style-type: none"> • Emerging migration corridor with evolving governmental regulation and oversight; increasing numbers of migrant workers • Labor risks experienced include: <ul style="list-style-type: none"> ○ Excessive recruitment fees potentially leading to debt ○ Irregular status, undocumented migrants ○ Contract substitution, risk of "civil law" contracts ○ Barriers to reporting grievances and/or seeking assistance

Phase 2 – Desk Research (June – September 2020)

In Phase 2, Verité built off the data obtained from the Activity 1 research and conducted additional in-depth desk research specific to countries and sectors selected. When relevant, the report also utilizes previous research, legal reviews, and social assessments conducted by Verité. The desk research included a review of sources including, but not limited to:

- Government laws and regulations, at national and regional levels
- Ministerial-level directives and guidance
- U.S. government annual reports, including U.S. Department of State *Human Rights Report* and *Trafficking in Persons Report*, and U.S. Department of Labor’s *List of Goods Produced with Forced and Child Labor Report*
- Reports from the EU Agency for Fundamental Rights (FRA), the European Commission, and the Council of Europe’s Group of Experts on Action against Trafficking in Human Beings (GRETA)

- Reports by non-governmental organizations (NGOs) and international NGOs (INGOs)
- Academic studies and reports
- Media reports

Phase 3 – Expert Consultations (August – September 2020)

To validate and supplement information obtained via desk research, Verité, in partnership with Verité Southeast Asia (VSEA), based in the Philippines, and Engaged Partnerships for Change, based in Belgium, conducted consultations with a wide range of experts based in the Philippines and Europe. Verité partners conducted a total of 28 interviews with relevant stakeholders representing academia, trade unions, civil society organizations (CSOs), and community-based organizations (CBOs).

These consultations offered an on-the-ground perspective to provide guidance in the common event of conflicting or unclear data from published sources; and validated information at the country and sectoral level on risks to Filipino workers in Europe that were otherwise unavailable to the public.

Due to the COVID-19 pandemic, direct interviews with Filipino migrant workers – the ideal mode for understanding their experiences and perceptions – were not feasible. Instead, the reliance on expert consultation and secondary desk research provides illustrative examples that are intended to serve as case studies of broader themes and trends. The risks and phenomenon described here are not limited to the sectors and countries targeted for in-depth research and the dynamics of risk covered are not intended to be a comprehensive list.

Verité sought to interview experts with relevant work experience in the countries and sectors of selection. Specifically, Verité interviewed those with sectoral expertise in fishing, seafaring, and domestic work, as well as those with country-level experience in Poland and the Czech Republic, although interview topics frequently crossed between the countries and sectors selected for discussion.³

A list of organizations represented in the interviews, as well as the primary expertise of the interviewee, is provided in *Annex 1 – List of Experts Consulted*.

2. Background

2a. Scale of Migration from Philippines to Europe

A strong culture of migration, coupled with pro-migration government policies and decades of weak economic growth in the Philippines, has led to millions of Filipinos migrating abroad to search for work since the 1970s.⁴ According to the latest data from the government of the Philippines, over 10 million Filipinos live and work abroad, or just under 10 percent of the country’s total population.⁵ This trend is no different for migration from the Philippines to Europe, with Filipinos living and working across Europe in high numbers. According to 2019 estimates from the United Nations, there are over 368,000 Filipino citizens in Europe.⁶ The Philippines is well established as a leading source of migrant labor in many European countries and an emerging source of labor in countries such as the Czech Republic and Poland.⁷

The Philippines is well established as a leading source of migrant labor for many European countries and an emerging source of labor in others such as the Czech Republic and Poland.

Although official data from UN statistics offer a useful tool for comparing migration of Filipinos to different European countries, the statistics are derived from official sources⁸ and are therefore a better reflection of those Filipinos who migrated formally. In interviews with Verité, experts frequently cited higher estimates for Filipinos in the country/sectors of study and noted the difficulty of assessing informal migration accurately.

Table 3: International Migrant Stock 2019, Migrants from the Philippines to Selected European Countries⁹

Country	2019 UN Estimated Migrant Population
United Kingdom	91,360
Italy	91,350

Country	2019 UN Estimated Migrant Population
Germany	34,396
Spain	29,493
Norway	18,574
France	12,832
Sweden	11,826
Switzerland	11,092
Netherlands	10,981
Ireland	10,589
Denmark	10,557
Belgium	8,891
Greece	6,098
Finland	3,913
Czech Republic	673
Poland	159

In addition to the countries with the overall highest numbers of Filipino migrants, the population of Filipino migrant workers is growing rapidly in countries including the Czech Republic and Poland. In the Czech Republic, the number of Filipino migrant workers more than tripled between 2014 and 2018, rising from only 400 to over 1,500.¹⁰ While the UN estimated fewer than 200 migrant workers from Philippines in Poland in 2019,¹¹ official government of Poland data between 2017 and 2019 reveals that the number of work permits issued increased steeply from 733 to roughly 6,000 for Filipino migrant workers.¹² Poland has recently loosened migration frameworks with the intent to draw more migrant workers from Asian countries, including the Philippines, and these numbers are expected to increase rapidly in the coming years.¹³

2b. Philippine Government Role in Regulating Migration to Europe

The Philippines institutional framework regulating the recruitment and hiring of Filipino workers around the world is generally perceived as relatively strong in terms of protections afforded to overseas workers. The following section provides an overview of the institutional framework for regulation and oversight of the migration of Filipino workers, as well as gaps identified in the framework. It is important to note that workers migrating informally often seek alternative methods of recruitment and hiring outside of these frameworks; these “informal” methods of recruitment and hiring are described in each of the respective country/sector sections.

Agencies Involved in Labor Migration

The government ministry responsible for international labor migration of Filipino workers is the Department of Labor and Employment (DOLE). One agency under the DOLE umbrella is the Philippines Overseas Employment Administration (POEA),¹⁴ the primary government body responsible for facilitating labor migration; its mandate includes regulation and management of overseas employment from the pre-employment stage. Under this mandate, the POEA administers a licensing system for recruitment agencies.¹⁵ Other agencies and offices under DOLE also play important roles in regulating labor migration, as summarized in the table below.

Table 4: Selected DOLE Agencies that Regulate Labor Migration¹⁶

DOLE Agency or Office	Role
Philippine Overseas Employment Administration (POEA)	Implements licensing and registration system for labor recruiters and grants clearance for workers to migrate from the Philippines. Coordinates with other government agencies to promote and monitor overseas employment. Acts as quasi-judicial body to adjudicate violations of the recruitment process by private recruitment agencies.
Overseas Workers' Welfare Administration (OWWA)	Workers pay a membership fee to become members. OWWA provides services such as insurance, compensation for workers for injuries sustained during employment

	abroad, and death benefits and funeral service funds for families.
Technical Education and Skills Development Authority (TESDA)	Accredits training to improve the technical skills of Filipino workers.
Philippines Overseas Labor Office (POLO)	The POLO acts as the physical extension of the DOLE outside of the Philippines and operates by evaluating complaints and assisting with onsite inspections overseas. POLO sites also accredit foreign employers for the POEA so that the employer may recruit workers legally in the Philippines. POLO sites are located throughout Europe as listed in the table below. For more information on the mandate of POLO offices overseas, see <i>Box I: The Role of POLOs</i> .

Table 5: POLO Locations and Jurisdictions¹⁷

POLO	Main Jurisdiction	Concurrent Jurisdiction
Athens, Greece	Greece	Cyprus
Berlin, Germany	Germany	Belgium, Luxembourg, Russia, the Netherlands
Geneva, Switzerland	Switzerland	Czech Republic, Poland, Liechtenstein
London, UK	Gibraltar, Northern Ireland, Scotland, UK, Wales	Denmark, Faroe Islands, Finland, Greenland, Iceland, Norway
Madrid, Spain	Spain	Andorra, France, Monaco, Portugal
Milan, Italy	Milan and various Italian provinces	Austria, Croatia, Slovenia, Slovakia, Hungary, Bosnia and Herzegovina, Montenegro, Serbia, Romania
Rome, Italy	Rome and various Italian provinces	Albania, Malta, San Marino, Vatican

2c. Overview of the Recruitment Process and Associated Risks for Migrant Workers from the Philippines¹⁸

Not all employers are corporate entities. In the case of families seeking to engage childcare workers (au pairs or nannies), individual families generally work with an au pair recruitment agency in their country of residence. Prospective au pairs can apply for work directly via the embassy of their intended destination country rather than via a recruitment agency because au pair arrangements are considered cultural exchanges rather than employment schemes (*See the subsection on recruitment for au pairs in the Domestic Work section below for further details*).

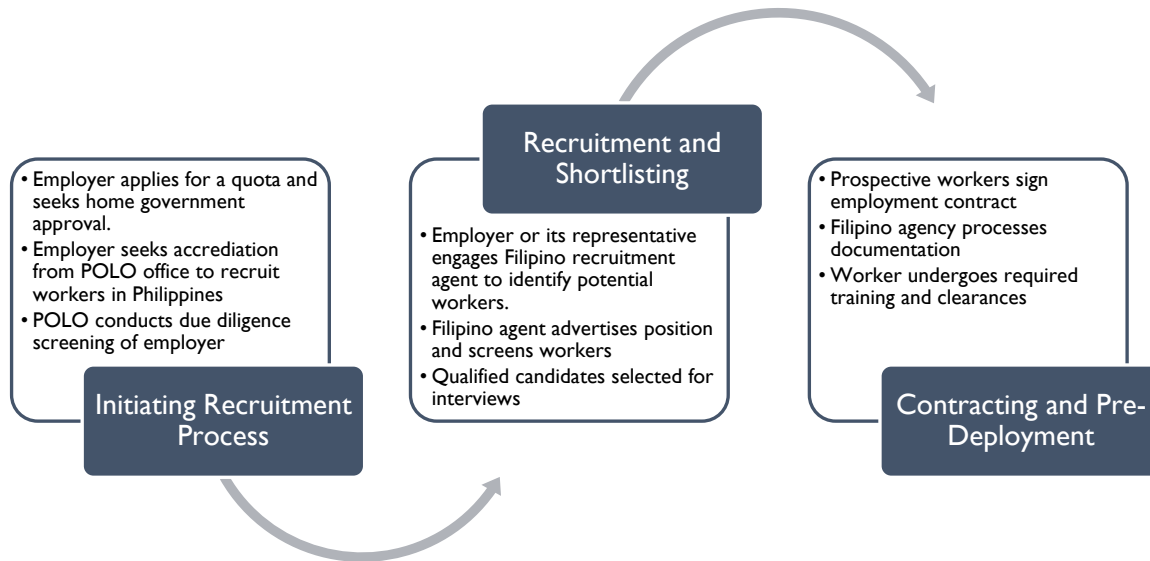
In most cases, employers seeking to hire workers from the Philippines via legal channels must recruit workers through private, licensed labor agencies. Per the POEA's 2016 regulations governing recruitment, direct hiring is prohibited in most cases, particularly for unskilled or less skilled work.¹⁹ Workers and employers may seek exemptions for direct hiring, although this presents burdensome administrative requirements.²⁰ Interviewed stakeholders noted that direct hiring – that is, hiring workers without the use of private labor agencies – is currently rare.²¹

Foreign employers are therefore largely reliant on their relationships with third-party labor agencies. Larger employing companies typically work with a labor agency in their own country to interface with the Filipino recruitment agency,²² although this is not legally required.

The following sections describe the typical process for employers seeking to recruit Filipino workers through official channels. More detailed descriptions about how these processes play out in specific sectors and destination countries are provided in the *Findings on Risks for Filipino Workers in Selected Sectors and Countries in Europe* section.

Formal Recruitment Process Details

Graphic 1: Formal Process for Recruiting Workers from the Philippines



Step 1: Initiating the Official Recruitment Process

Depending on the employer’s country of operations, the employer may first need to apply for a quota and secure approval from their own government to hire foreign workers. Then, before they can carry out any recruitment activities, they must obtain accreditation from the Philippine Overseas Labor Office (POLO) to legally recruit workers in the Philippines.²³ According to a representative of the Fair Hiring Initiative, the local POLO is mandated to conduct due diligence on the employer, including a physical inspection of the workplace and a review of the employer’s ability to pay wages. The POLO must ascertain whether actual job openings exist as described in the employer’s job order and whether the employer can be reasonably expected to meet the terms and conditions of the job order. In some cases, Philippine labor agencies may also conduct due diligence of the employer before agreeing to work with the employer to fulfil its job order for Filipino workers.²⁴

Box 1: The Role of POLOs²⁵

Operating through its network of overseas offices, the Philippine Overseas Labor Office (POLO) is tasked with promoting the deployment of Filipino migrant workers, verifying job order requests in respective territories, and providing assistance to migrant workers in distress. The POLO acts as the physical extension of the DOLE outside of the Philippines and operates by evaluating complaints and assisting with onsite inspections overseas. Once Filipino workers have arrived in their country of work, their closest Philippine government resource may be the POLO, as POLOs have been designed to be a resource for Filipinos overseas and may be located in the local embassy. According to the revised 2016 POEA Rules, whether workers are deployed for a land-based or seafaring position, POLO responsibilities include the following:

- Accredite foreign employers for the POEA so that the employer may recruit workers legally in the Philippines
- Support the POEA in communicating to foreign employers the requirements, standards, laws, and regulations for the recruitment and employment of Filipino workers abroad
- Review workers' contracts of employment with the POEA
- Receive, process, and conciliate workplace complaints involving deployed Filipino workers
- Suspend or revoke the employer's accreditation in specific circumstances, alone or by submitting a recommendation to the POEA
- Recommend the suspension of a recruitment agency's license to the POEA
- Receive workers' requests for repatriation, which are then shared and processed with other offices such as the OWWA

Step 2: Recruitment and Shortlisting Process

Once the employer has permission to recruit Filipino workers, the employer or its local agency instructs the Philippine labor agency it has engaged to initiate recruitment activities. The Philippine agency typically begins by advertising the position and conducting initial screening and shortlisting of candidates for interviews.

These candidate pools may be initially drawn from workers recruited by unlicensed sub-agents, who charge a fee to connect workers with a labor agency. According to a representative of the Fair Hiring Initiative, labor agencies are incentivized by Philippine government policies to recruit a significant number of workers quickly. For example, at the time of the interview, a Philippine labor agency must deploy 100 workers within one year to be granted a permanent license to operate by the POEA. The agency must send all 100 workers to a new labor market to an employer that has never hired workers from

the Philippines previously. For a new labor agency, securing a sizeable job order in a new market could be paramount to ensure the continued existence of the labor agent's business.²⁶

After pooling a sufficient number of shortlisted candidates, the Philippine labor agency sends candidates' information to the employer and schedules worker interviews. Previous Verité assessments indicate that the agency may screen candidates using discriminatory restrictions, such as on gender and age. The employer may attend the interview via video conference, but a representative of PASEI indicated that it was more common for the employer to delegate the interviewing process to labor agencies entirely.²⁷

Step 3: Contracting and Pre-Deployment

Filipino workers must sign an employment contract and complete statutory requirements before they can be deployed overseas according to the Philippine government's regulated process. Labor agencies under pressure to deploy workers quickly may attempt to cut through red tape and expedite the government's document review process through illicit means.²⁸ Paying a government official may be a worthwhile means to an end for a labor agent, as reducing processing time supports the agency's ability to deploy workers more quickly and accrue profits.

At this stage in the process, the Filipino agency typically carries out the following: completing employment contract signing with workers; processing documentation needed for in-principle work visas; submitting documents to the POEA, including the signed employment contract, for processing and approval; and informing workers how to take the government-mandated medical examination, in some cases directing them to a specific clinic. The Filipino worker is typically responsible for applying for a passport; applying for birth certificate and education records if necessary; completing any necessary trainings (for example, seafarers are required to complete and eight-to-ten day Basic Safety Training course); obtaining security clearance; undergoing a medical examination; and attending a government-required pre-departure orientation (PDOS).

General Risks to Workers in Recruitment Process

Deceptive and Corrupt Practices by Labor Agencies

According to experts, there are risks that corrupt and fraudulent recruitment actors may misrepresent themselves to hire Filipino workers. For example, employers or labor agencies may misrepresent its legal status, economic status, type of work, or any other aspect of its business.²⁹ Stakeholders reported that dishonest actors have fraudulently obtained accreditation by posing as legitimate companies licensed to employ Filipino migrant workers. Fraudulent recruitment may occur through falsifying licenses or the use of “letterbox” or “shell companies” in European countries.³⁰ Letterbox or shell companies comply “only with the bare essentials” for registration in a first country, while carrying out their primary business activities in a different country. This allows employers to register in countries with less rigorous worker protection regulations while actively engaging workers in another jurisdiction. Further, workers may lack advance knowledge of their actual destination country, potentially limiting their ability to fully consent to their terms of employment.³¹

Philippine labor agencies have contributed to Filipino workers’ vulnerability to labor exploitation by encouraging or even coercing workers to accept a position with an incomplete understanding of its terms and conditions. Depending on the agency’s practices for providing contracts, the worker may not have sufficient time to review their contract or may not receive an explanation of the contract terms. The worker may not be provided with a copy of their contract at all.³²

Stakeholders interviewed also provided anecdotal instances of corruption among individual Philippine government labor attachés in Europe. In one case, attachés reportedly demanded fees from the agency in return for approving the employer’s job order request.³³ This presents a risk that these additional costs paid by the labor agency may incentivize the charging of additional fees to workers.

Use of Unlicensed Sub-Agents

Expert interviews and previous Verité assessments demonstrate that some prospective foreign workers first learn about jobs through unlicensed sub-agents, who charge an introduction fee for connecting them to the legally licensed agency.³⁴ Verité assessments suggest that such a fee may range from PHP 5,000 to 10,000 (EUR 88 to 176) or, in some cases, significantly higher. In addition to linking prospective workers with agents, these sub-agents may also offer to cover any recruitment costs borne by the worker, potentially leaving the worker indebted to the sub-agent.³⁵ Under Philippines law, it is illegal to conduct recruitment activities without a license, and it is illegal to charge introduction fees.³⁶

Excessive Recruitment Fees and Costs

Filipino workers are at risk of taking on significant cost burdens during the recruitment process. The Philippine agency may require workers to pay a placement fee that exceeds the government limit, which is zero for seafarers and domestic workers, and the equivalent of one-month salary for other workers.³⁷ In some cases, unscrupulous labor agencies, especially those who are unlicensed and operating outside of the oversight of the POEA, can charge excessive high fees to workers for their services. As discussed in the *Poland* section, Philippine labor agencies have been reported as charging up to PHP 269,000 (EUR 4,630) in placement fees. Significant risks are also found in workers migrating to Europe through transit countries, with experts reporting placement fees up to PHP 500,000 (roughly EUR 8,850) to recruitment agencies based in the transit country (in this case, Taiwan). In this case, the workers were promised salaries up to PHP 500,000 (EUR 8,850) but received salaries of PHP 50,000 (EUR 860) when they arrived to Poland.³⁸ Third-country agencies recruiting Filipino workers to Europe presents a significant risk to workers because it is difficult for the POEA to monitor, regulate, and penalize those agencies outside of the Philippines.

Workers may also shoulder the burden of other costs that should be the responsibility of the employer, such as processing costs for medical examinations. Additionally, the worker may incur additional costs if they stay temporarily in Manila to complete training, obtain documents, and await deployment. This dynamic has been documented by Verité experts and was echoed by stakeholders interviewed for this research.³⁹

Previous Verité research and assessments have identified training centers and medical clinics as increasing costs for workers during the recruitment process.⁴⁰ Training centers are under the authority of TESDA, and they are not subject to limits on the tuition or fees that they can charge for their services. Training centers may also charge workers for room and board over the course of training, the length of which may vary by center. Training centers have previously been identified as a significant source of debt burden for domestic workers.⁴¹ Training centers may also be a significant cost for seafarers: workers deployed for sea-based work must complete an eight- to ten-day Basic Safety Training program provided by an accredited maritime training center, at which point they are provided a training certificate.⁴² Filipino recruitment agencies interviewed by Verité in 2019 estimated that the safety training for seafarers cost approximately EUR 100 to 170, and reported that it was a common expense among applicants.⁴³

Similar to training centers, the medical clinics that Filipino workers must visit to obtain legally required medical clearance may set their own fees. In 2013, it was reported that medical certificates could range from EUR 42 to 136.⁴⁴ In its revised 2016 Rules, the POEA prohibited passing on the cost of medical clearance to workers,⁴⁵ however, stakeholder interviews and Verité field research indicate that many workers may be required to pay for a medical exam and clearance certificate themselves. A representative of Stella Maris, for example, shared verbal reports from Filipino workers that they had been required to undergo and pay for multiple medical examinations prior to departure, some or many of which the workers reported did not appear necessary to migrate and perform their job.⁴⁶

Some medical agencies and training centers may coordinate with labor agencies to profit from workers unethically. Verité field assessments have previously identified some clinics and training centers providing kickbacks to labor agencies that referred workers to the clinics. Such kickbacks generate profits for the actors at the expense of workers, who are not referred to the offices providing the best or most cost-effective services, but merely to the ones that provide kickbacks to the recruitment agency.

Gaps in the Regulation of Philippine Labor Agencies

Previous Verité social assessment experience indicates that employers less experienced and aware of the recruitment process and associated labor risks are less likely to perform due diligence on labor agencies to confirm that they are able and legally permitted to carry out recruitment activities as advertised and do not have a history of labor or ethical violations. Inexperienced employers are also less likely to understand and take responsibility for the full costs associated with international recruitment; when this is the case, it is more likely that the agency will pass costs incurred on to the workers themselves.⁴⁷

Stakeholders interviewed reported that the charging of excessive recruitment fees by labor agencies usually goes undetected by Philippine government officials.⁴⁸ According to one interviewee, the POEA lacks guidelines on which costs entailed in recruitment fall under the regulated fee limit of one-month net wages; it is unclear, for example, whether the limit applies to an agency placement fee, processing fees, or both. Even if a worker's placement and processing costs clearly exceed the regulated limit, the interviewee noted, the POEA will not be aware of the violation unless the worker reports a complaint, as it does not have a system to track the total fees paid by workers being recruited for work overseas. The interviewee estimated that even in cases where workers have paid the equivalent of one year's worth of salary, workers do not report the excessive charges as long as they have been placed in the desired job overseas.⁴⁹

Even if the Philippine authorities are alerted to violations, either through worker testimony or other means, the penalties may not be dissuasive. Several administrative penalties for employers, for example, are less than what many workers reported being charged for recruitment and other related fees. Offending employers face a penalty of PHP 50,000 (approximately EUR 884) for the first offense and PHP 100,000 (approximately EUR 1,768) for the second offense for: defaulting on contract obligations; substitution of the POEA-approved contract; withholding travel and other pertinent documents; and violation of other laws, rules, and regulations on recruitment and placement.⁵⁰

Ethical recruitment agencies operate by ensuring all recruitment costs are paid by the employer instead of charging significant fees to workers. In some cases, certain financial

penalties can reportedly disincentivize ethical recruitment. One expert interviewed noted the Philippines government enforcement of “Joint and Solidary Liability”; in these cases, if the worker violates the employment contract or fails to meet certain terms and conditions of the contract, the labor agency can be liable for paying the remaining unpaid wages.⁵¹ For example, if a worker is on a monthly contract of PHP 300,000 (EUR 5,000) per month, with 6 months remaining on their contract, the agency would be responsible for PHP 1.8 million (EUR 31,000) if the worker were to violate their contract. Labor agencies often elect to settle a dispute with a worker directly by paying a lower amount because of the very high cost and to prevent the worker from registering a complaint with the POEA, which would result in the immediate suspension of their recruitment license. Although the vast majority of Filipino workers meet their contractual obligations, these rare instances can result in a significant financial loss for labor agencies. Labor agencies who charge higher fees to workers are better able to withstand these situations, while the impact on ethical recruitment agencies is higher. According to the respondent, this affects the number of ethical recruiters in the industry, which is not likely to increase given the risks.⁵²

Key Regulations Governing the Hiring Process

The following are the primary Philippine regulations governing the recruitment and hiring process for Filipino workers for work, including domestic work and seafaring.

Table 6: Key Laws and Regulations Governing the Recruitment of Filipino Workers

Law, Regulation, or Memorandum	Key Contents
<p>The 2016 Revised Rules and Regulations Governing the Recruitment and Employment of Land-based Overseas Filipino Workers (2016 Rules), promulgated by the POEA.⁵³</p>	<ul style="list-style-type: none"> • Primary regulation governing the process for recruiting, hiring, and deploying Filipino seafarers abroad, as well as handling complaints • Specific to land-based workers, but largely identical to the 2016 Rules for seafarers • Lay out roles for government offices, the employer, and the licensed Filipino labor agency. Notably, the Rules appear to assume that workers obtain employment with the assistance of an agency. • Restrict fee-charging, especially for domestic workers: Specifies that workers can only pay for documentation costs for all statutory requirements, as well as an agency placement fee as high as one month of work under certain circumstances. The placement fee may only be charged if the worker has

Law, Regulation, or Memorandum	Key Contents
	<p>already signed a POEA-approved contract, such a fee is permissible in the host country, and the worker is <i>not</i> hired for domestic work. No other costs, such as processing fees, may be charged to the worker.⁵⁴</p> <ul style="list-style-type: none"> • Lay out requirements for contracts: Requires contracts to meet the provisions of the standard contract of the POEA. • Regulate agencies: States that licensed agencies may be held liable for acts constituting illegal recruitment
<p>The 2016 Revised Rules and Regulations Governing the Recruitment and Employment of Seafarers (2016 Rules), promulgated by the POEA.⁵⁵</p>	<ul style="list-style-type: none"> • Largely identical to the 2016 Rules for land-based workers, including with regard to roles, contract requirements, and agency regulation, but these rules apply to seafarers. • Contain restrictions on fee charging identical to those for domestic workers: Like the 2016 Rules for land-based workers, these Rules restrict permissible fees to those outlined in the Rules, including documentation for statutory requirements. Additionally, the Rules for seafarers prohibit Filipino labor agencies from charging workers a placement fee.⁵⁶
<p>Memorandum on the standard employment contract, 2013⁵⁷</p>	<p>This memorandum specifies that employment contracts must include the following:</p> <ul style="list-style-type: none"> • Name of agent and employer • Name, type, and flag of vessel • Duration of contract • Position • Monthly salary • Hours of work • Overtime policy • Vacation leave pay

3. Findings on Risks for Filipino Workers in Selected Sectors and Countries in Europe

3a. Fishing and Other Seafaring Sectors

Overview of Filipino Seafarers in Europe

An estimated 400,000 seafarers globally are from the Philippines.⁵⁸ Seafaring work is highly hazardous and long periods of time at sea make the job undesirable, creating a labor shortage in many countries where local populations have other employment options. Work on vessels often involves isolation, restrictions on freedom of movement, and threats to mental wellness linked to high suicide rates.⁵⁹ Freedom of movement is further restricted when migrant workers in Europe – including Filipino workers – are hired via visa schemes that do not provide the workers with the freedom to disembark in port.

This section of the report will provide an overview of Filipino seafarers in Europe including a summary of demographics as well as a review of the primary sub-sectors of employment, notably maritime shipping and fishing. It will then discuss risks for workers at various points of recruitment in these sub-sectors in the European context, with special attention to target countries of the UK, Ireland, and the Netherlands.

Demographics

Quantifying a precise number of seafaring Filipino migrant workers in a particular country or flying under a particular country's flag is difficult, as workers in the sector regularly rotate vessels.⁶⁰ According to a representative of ITF Fisheries Section interviewed for this research, about 10-15 percent of the approximately 150,000 fishers currently working in the EU are foreign migrant workers. While Eastern Europe was previously a leading source of these workers, the presence of non-EU migrant workers, including Filipinos, has increased, with numbers stabilizing in recent years (outside of

About 10 to 15 percent of fishers working in the EU are foreign migrant workers, including those from the Philippines.

potential impact from the COVID-19 pandemic). The demographics of foreign fishers varies by country, with some countries hosting a larger percentage of Filipinos specifically. For example, while the UK and Ireland host a large number of Filipino fishers, the large population of foreign fishers in Spain is drawn more predominantly from African and Latin American countries.⁶¹ One expert interviewed stated that the majority of employers in the maritime sector have long preferred to hire Filipino migrants, followed by migrants from India, Ukraine, and Russia, with the exception of Chinese-owned ships which prefer to hire Chinese labor. The representative expressed the viewpoint that the COVID-19 pandemic and the Philippines and Indian governments' lockdowns significantly affected migration trends in 2020; given the lack of flights and embassy and consular services, they stated, Filipinos who finish their contracts during the pandemic are likely to be replaced by Ukrainians and other migrant workers who do not need visas or otherwise face fewer restrictions to obtaining the job.⁶²

The UK and Ireland host a large number of Filipino migrant fishers.

Filipino fishers in Europe are nearly exclusively men, a fact validated by multiple experts.⁶³

Women are present in the seafaring sector to a limited degree, and are to work on cruise ships. Filipino seafaring schools have only recently begun to accept women, and women make up an estimated three percent of cadet graduates.⁶⁴

Filipino seafarers in Europe range in age from 18 to 50 or 60 years old, and are often single.⁶⁵ Many Filipino seafarers seek land-based work with shipping companies as they advance in their careers.⁶⁶ Experts interviewed reported that Filipino seafarers in Europe are typically documented but this is not universal. For example, representatives reported anecdotally that some workers may travel as tourists and obtain work on smaller vessels. This is more likely to occur in the fishing sector than in other seafaring sectors.⁶⁷ (See the *"Risks in European Fishing Sectors"* section for more information.)

A representative from the ITF reported that the majority of Filipino seafarers in maritime work have a bachelor's degree, and that in general, Filipino seafarers are well educated.⁶⁸ To be qualified for seafaring work, Filipinos must obtain a seaman's book after graduating from a training center, university, or maritime school, and carry out six months to a year of vocational training to obtain their "ratings."⁶⁹ They reported that the majority of Filipino seafarers in maritime operations are officers.⁷⁰

Interviewed stakeholders reported that Filipino fishers tended to have fewer educational qualifications than Filipinos employed in merchant ships.⁷¹ They noted that some Filipino deck hands on fishing boats pursued fishing as a way to eventually work on merchant ships.⁷² These deck hands would have educational qualifications enabling them to pursue maritime work.

Sub-Sectors of Employment for Filipino Seafarers

Filipino seafarers can be found in European waters on board a variety of vessels, including cargo vessels, ferries within European territory, EU-owned vessels trading internationally, cruise ships, and vessels flagged to states outside of the EU. The representative reported that according to data aggregated by the European Transport Workers' Federation (ETF), 62 percent of workers in the EU shipping industry (within the EU-controlled fleet) were non-EU nationals, a total of approximately 345,000 individuals.⁷³

It is estimated that over 60 percent of workers in the EU shipping industry are non-EU nationals.

The fishing sector in Europe is a significant employer of foreign workers and Filipino workers are employed on fishing ships of various sizes. For example, an expert noted that in Scotland, fishing vessels employing Filipino workers tend to be relatively larger vessels of approximately 20-25 meters in length. A Scottish Government survey (2015) showed all non-EEA migrant fishing labor was in the mobile gear fleet (trawlers and dredgers) targeting Scallops and Langoustine (*Nephrops*).⁷⁴ Experts interviewed noted that that these vessels are typically led by a skipper and a chief engineer who are most likely British, Spanish, or in some cases Eastern European. The crew typically consists of 10 to 15 deckhands and engineers, among which some may be Filipino and Indonesian depending on the fishing vessel's country of operation.⁷⁵ In the Irish fishing fleet, however, some vessels employing foreign workers are less than 15 meters long, and crewed by a maximum of six workers.⁷⁶

Outside of fishing, the Philippines has been a supplier of labor in three main maritime sectors in Europe: the merchant fleet, the offshore industry (oil and gas), and passenger sector (cruises). The representative reported that a smaller number of migrant Filipinos also work on yachts.⁷⁷ They noted that Filipino migrants may work on RoPax vessels or

ferries,⁷⁸ which carry cargo or both cargo and passengers, especially when the ferry calls at ports in two different countries. They noted a growing trend in which Filipinos and other foreign migrant workers have recently been hired to work in the RoPax vessels' lower ranks, such as in catering. If the Filipino migrants are employed on ferries, they are on vessels that call to port every four to five hours, which raises risks of labor violations related to hours of work and rest hours (see risks below).⁷⁹ An expert interviewed also noted risks for Filipino workers in maritime operations.

Overall Risks Filipino Seafarers in European Seafaring Sectors

Risks for seafarers are likely to occur at key points in the recruitment, hiring and employment lifecycle. According to key stakeholder interviews, the most common risks for Filipino workers on EU-flagged vessels are delayed payments and extension of contracts without consent. This has been exacerbated by the COVID-19 pandemic.⁸⁰ The risks presented below are likely to impact seafaring Filipinos in Europe, regardless of specific country of employment or sub-sector of employment.

Risks during Recruitment

Although labor risks were deemed greater for fishers, stakeholder interviews indicated that Filipino seafarers migrating for maritime work have experienced risks or indicators of forced labor and human trafficking during recruitment, as defined by the ILO.⁸¹ These indicators include indebtedness and deceptive recruitment, such as for work in a different location, employer, or type of job than that which the worker had agreed to before migrating. New cadets were deemed especially at risk.

Filipino seafarers migrating for maritime transport have experienced risks or indicators of forced labor and human trafficking during recruitment as defined by the ILO, including indebtedness and deceptive recruitment.

According to interviews with ITF and Stella Maris, trafficking for forced labor has historically been a threat for Filipinos recruited for work in UK and EU fisheries and remains a threat.⁸² In cases known to the ITF, the perpetrator exploiting the workers tended not to be the employer, but the Filipino labor agency or the local subcontractor employing Filipinos. In some identified cases, workers were trafficked through an agency that appeared to operate in the Philippines but was actually based in the UK, hindering law enforcement's response in the Philippines. In other cases, the abuse

might take place on the fishing vessel itself, such as in cases identified in Ireland (see further details below).⁸³ Trafficking may take place across multiple countries: stakeholders and news reports have noted that Filipinos have been trafficked through the UK to work in fishing in Ireland.⁸⁴

Lack of Accurate Information and Deception Regarding Working Conditions

A lack of accurate information during recruitment was repeatedly cited by informants as a risk for Filipino seafarers in Europe. A representative of Stella Maris reported that workers frequently complained about being required to carry out activities and make payments that, unbeknownst to workers, may have been unnecessary or even illegal, such as being recruited through potentially unlicensed sub-agents, undergoing medical examinations that may have been unnecessary, and paying an illegally charged placement fee to land a job.⁸⁵ The representative emphasized that workers' lack of resources and guidance for navigating the recruitment process contributed significantly to their vulnerability, and stated that workers would have benefited from knowing more about agencies and steps in the process.⁸⁶

Representatives of the ITF Maritime Operations and Stella Maris reported that a significant number of Filipino seafarers had described being asked to carry out unpaid work for their Filipino recruitment agency while they were waiting to secure their first contract and be deployed to the job. These workers reported that they had carried out manual labor and run errands for the agency or for an individual staff person at the agency.⁸⁷ The representative of Stella Maris added that because of the number of steps involved to complete the regulated recruitment process, workers could sometimes need to stay in Manila for a month or more.⁸⁸

According to one stakeholder, a common complaint voiced by Filipino migrant fishers traveling to Europe was that the job was different than they had expected when signing the contract, including in terms of wage payments.⁸⁹ Workers' reports raise concerns of possible contract substitution and deceptive recruitment, an indicator of forced labor. The representative of Stella Maris noted that many Filipino fishers may sign the contract without fully understanding the terms and conditions, perhaps in part because the standard contract issued by the POEA is not fully tailored to the type of work that they do, and partly because some workers may not have sufficient literacy levels to

understand technical contract language during a brief review.⁹⁰ Another interviewee reported that in the past, a significant number of Filipinos had migrated to Europe with the understanding that they were going to work on a merchant ship and then found that they had been placed in a job on a fishing vessel,⁹¹ strongly indicating deception by their recruiters.⁹²

Excessive Fees and Debt

Interviews indicated that migrant seafarers may pay fees and incur debt when obtaining their job even when migrating through the government-regulated recruitment process. According to expert interviews and Verite observation, Filipinos migrating for work in seafaring tend to borrow money during recruitment and deployment,⁹³ presenting a risk that workers may be in debt during their employment and therefore pressured to tolerate poor conditions. Another stakeholder noted that although Filipino agencies are prohibited from charging Filipino seafarers for placement fees and other recruitment-related expenses, some individual staffers in agencies may take advantage of workers' vulnerability by taking payments from workers desperate to be deployed and start earning wages; reportedly, staffers may solicit payments to expedite workers' document processing. New cadets were deemed at higher risk of being taken advantage of by opportunistic staffers.⁹⁴

Seafarers face significant barriers to reporting grievances and seeking assistance, including:

- isolation at sea
- lack of internet access for communication
- inadequate labor protections enforced by certain flag states of ships confusion among workers and victim support services regarding the national government and laws responsible for protecting seafarers

Barriers to Reporting Grievances or Seeking Assistance

The representative of Stella Maris reported that although the work they perform is highly essential, migrant seafarers often find themselves in a work culture where they are pressured to accept poor conditions, not complain, and consider themselves lucky to have a work contract at all. The representative pointed to workers who spend multiple weeks at a time at sea as an example of why Filipino workers could be dissuaded from complaining. They reported that improving ships' internet connectivity is critical for

Filipino workers. Beyond enabling workers to report complaints from sea, improving internet access could enable Filipino workers to maintain relationships with family and lessen feelings of isolation and loneliness.⁹⁵

Expert stakeholders noted that a primary barrier to understanding and addressing risks faced by migrant seafarers is the complex and global nature of the work. A Filipino seafarer, they posited, could be recruited by a manning agency in the Philippines, have a ship manager based in Singapore, working on a ship with a German owner, while the flag state of the ship is Panama. If the ship is held at port in Amsterdam for a safety inspection and the Filipino worker reports a concern to the inspector, the enforceable labor laws would be the laws of the flag state, such as Panama. The Maritime Labor Convention (MLC) of 2006 has provided a global framework for all states to follow, but the flag state must promote its enforcement. The fact that the ship is EU-owned and operating in EU waters, stakeholders noted, is insufficient to ensure that labor law will be enforced.⁹⁶

Governments and other stakeholders may face barriers to assisting Filipino seafarers in distress due to complexities of national jurisdiction and applicable law. If Filipino crew members raise a grievance that their wages have not been paid, for example, but the vessel has been sold and the owner reports that they do not have enough money to pay the crew, enforcement is complex.⁹⁷ One stakeholder recalled that in one incident when Filipinos working in maritime transport were injured, part of the challenge for those attempting to assist the workers was determining the party liable for them, as the Filipinos worked in multiple countries.⁹⁸

A common complaint voiced by Filipino migrant fishers traveling to Europe was that the job was different than they had expected when signing the contract, including in terms of wage payments. Workers' reports raise concerns of possible contract substitution and deceptive recruitment, an indicator of forced labor.

According to key stakeholder interviews, Filipinos migrating for work in fishing were judged to face serious, sector-specific risks in addition to those faced by other seafarers. The risks presented below are likely to impact Filipinos migrating for work in fishing, regardless of the European country in which they are eventually employed.

Stakeholder interviews and news reports indicate that, as with other sectors, most Filipino fishers in Europe are hired through private labor agencies.⁹⁹ In some cases, individual vessel owners or fishing companies may seek to recruit workers through Philippine agencies directly; this method is more likely to be used by larger business actors. Alternatively, associations of shipowners, such as the Scottish Shipowners Association, may act to contact Filipino agencies on the collective behalf of vessel owners.¹⁰⁰ Finally, some recruitment on smaller ships reportedly occurs directly – that is, Filipino workers are recruited via word-of-mouth by current vessel crew members. This phenomenon was confirmed by expert interviews conducted and echoes dynamics documented by Verité in other geographies.¹⁰¹ In some cases, workers who have been recruited via word of mouth in their networks reportedly bypass legal migration channels altogether by travelling on tourist visa.¹⁰² It is unclear whether, in other cases, fishers initially recruited via word of mouth ultimately receive formal legal clearance from a POEA-licensed agent.

Risks for Filipino Foreign Workers Specific to Destination Country

Risks in Fishing Sector in the United Kingdom

A representative of the ITF Maritime Operations reported that some Filipino seafarers have been trafficked in the UK. The representative reported that in these instances, the workers were instructed to go to a ship that may or may not have been the ship listed in their employment contract, which was then used as a transit point to go somewhere else.¹⁰³

According to interviews with ITF and Stella Maris, labor trafficking has historically been a threat for Filipinos recruited for work in UK.¹⁰⁴ The Scottish and Northern Irish fleets are noted as particularly reliant on foreign crews.¹⁰⁵ Filipinos are the most common foreign nationality represented among staff of Scotland’s offshore fishing fleet, classified as fishing outside territorial waters or 12 nautical miles from shore.¹⁰⁶ A 2015 survey of workers in the Scottish fishing sector found that among deckhands – the lowest paid position on ships – 24 percent were Filipino.¹⁰⁷

Previous research has found that foreign workers – including Filipinos – hired by labor agents to engage in offshore fishing in the UK often pay recruitment fees and lack accurate information about the conditions of work.¹⁰⁸ A 2015 BBC article detailed the case of a Filipino worker in the fishing sector of Northern Ireland, who, after paying nearly EUR 1,720 in recruitment fees was confined to a vessel where they were forced to work twenty hours a day, seven days a week under constant abuse.¹⁰⁹

The use of a transit visa has been reported as a contributing factor for labor exploitation among Filipino workers in the UK fishing sector. Transit visas intended to allow crews on maritime shipping vessels and cruise ships legal passage through the country before boarding a vessel operating outside of territorial waters.¹¹⁰ However, they are used outside of this intended usage to employ Filipino workers on vessels operating outside UK territorial waters.¹¹¹ A representative of the ITF reported that cases may also exist where foreign workers on vessels operating within territorial waters possess only a transit visa.¹¹² The use of transit visas for work in fishing is increasingly considered a misuse of the visa and has received attention at the Parliamentary level in the UK.¹¹³ Workers on these visas cannot leave or disembark from the vessel in the UK or they risk facing deportation,¹¹⁴ although some workers may choose to disembark in port anyway due to a lack of accommodation on the vessel. In any case, workers employed on a transit visa are not formally permitted to live or work within the UK. Minimum wage requirements may not be enforced for these workers. Employers hiring workers on transit visas may also have bypassed the requirements for health and safety at sea training mandated by law in the Philippines and UK, as well as required under international conventions.¹¹⁵

According to the interviewed representative of the ITF Fisheries section, the primary labor issues for foreign migrants in the UK are inadequate wages and social protections. They reported that Filipino migrants are typically paid one-third less than their European counterparts.¹¹⁶ In the UK, Filipino fishers working as deckhands were paid roughly half the amount that a local deckhand would receive.¹¹⁷ The pay disparities stem from the different payment methods used for local and foreign workers: local workers are typically paid under a crew share arrangement, in which they receive a portion of the value of the catch, while pay rates for most foreign workers from outside of the EEA are set in their contract.¹¹⁸

Risks in Fishing Sector in Ireland

Fishers who have migrated from outside of Europe to fishing vessels in Ireland have experienced serious labor exploitation. They have reported excessive and coerced overtime, extreme sleep deprivation, hunger, cramped and unsanitary living conditions, and verbal and physical abuse. Workers also reported passport withholding and undocumented work.

There are over 10,000 Filipinos in Ireland,¹¹⁹ who work in a variety of sectors including fishing.¹²⁰ In 2020, the U.S. Department of State reported the presence of forced labor in the Irish fishing industry, and reported that undocumented fishers were particularly vulnerable to trafficking.¹²¹

Like migrant fishers in the UK, migrants employed in Ireland have been hired through employers' mis-use of transit visas.¹²² In

addition, previous news reports such as an in-depth 2015 investigation by the Guardian have indicated that many migrant workers engaged in the Irish fishing sector, including Filipinos, have been transported overland from Heathrow or Belfast airports in an effort to illegally bypass Irish immigration. At least one Filipino fisher in the study had worked under an illegal scheme in Scotland before working in Ireland. The investigation raised many concerns of worker exploitation, including concerns that Filipino migrants could be recruited unknowingly into working as an undocumented migrant.¹²³

Stakeholder and news media reports indicate that many migrant fishers in Ireland continue to be undocumented.¹²⁴ In 2017, 25 percent of fishing vessels inspected by the Irish government were found to employ undocumented workers, a statistic which the ITF claimed was lower than the actual percentage of undocumented migrants in the sector.¹²⁵ In 2018, after the government had passed a new work permit scheme, The Guardian noted that very few permit applications had been submitted, and the ITF reported that owners and labor agents appeared to have continued bringing workers to Ireland illegally overland through Northern Ireland.¹²⁶ Arriving via an illegal route and holding an uncertain or undocumented status can deter abused foreign workers from seeking assistance.¹²⁷ In 2015, for example, Filipino fishers interviewed in the Guardian investigation reported being confined to vessels, a precaution against being detected by government authorities.¹²⁸

While a profit-share approach for workers has been traditional in much of the Irish fishing sector as it is in the UK and elsewhere, this model can create confusion around migrant workers' employment status; "share workers"¹²⁹ are not subject to typical working conditions legislation so they may receive sub-minimum wages.¹³⁰ In 2018, migrant rights groups reported that migrant fishers from outside of Europe earned EUR 2.83 per hour in Ireland.¹³¹

In 2018, migrant fishers from outside of Europe were estimated to work an average of 116 hours per week in Ireland, an excessive amount that was linked to multiple cases of occupational injuries.¹³² These migrant fishers were reported to work 20-hour days frequently.¹³³ Previous reports indicated that migrant fishers identified in exploitative situations in Ireland had worked excessive hours with extreme sleep deprivation, without sufficient rest days, and with forced overtime.¹³⁴

In 2015, a Guardian investigation found extensive evidence of migrants being subjected to abusive practices in the Irish fishing industry. In addition to uncovering risks related to recruitment, visa status, and wages and hours, the investigation found instances of verbal and physical abuse, passport withholding, workers going hungry, and workers living in cramped and unsanitary conditions on small vessels.¹³⁵ Later reports indicate that some poor conditions may persist: in 2017, one in four migrant fishers surveyed reported experiencing verbal or physical abuse on the job, and one in five had experienced discrimination. Forty percent of the respondents reported that they did not feel safe at work.¹³⁶

Risks in Netherlands Seafaring/Vessel-based Work¹³⁷

The Netherlands economy relies heavily on vessel-based shipping. According the Dutch government, over half the freight entering and exiting the country is transported on vessels¹³⁸ and the port of Rotterdam is the ninth largest port in the world by total tonnage handled annually.¹³⁹ Amsterdam is a major port for cruise vessels.¹⁴⁰ Over 800 individual companies participate in the shipping sector and over 1,000 shipping vessels were flagged in the country in 2016. The shipping sector includes heavy cargo vessels, container transport vessels, refrigerated vessels, and chemical cargo vessels.¹⁴¹ Other seafaring sub-sectors represented under the umbrella of the Dutch maritime sector include dredging, recreational shipping, fishing, and offshore dredging.¹⁴²

According to the latest available statistics from the POEA, the Netherlands employed over 12,582 Filipino seafarers.¹⁴³ An investigation from 2011 found that Filipino workers were among those exploited on inland shipping vessels.¹⁴⁴ This risk is also noted by the U.S. Department of State who has noted that foreign workers are vulnerable to forced labor in inland shipping as well as leisure river cruises.¹⁴⁵

Seafarers on Dutch ships must hold certificates of competency related to their education, level of experience and fitness. In addition, each seafarer must be in possession of their Seaman’s Book, which is the basis of the crew list.¹⁴⁶ The Dutch Human and Environment and Transport Inspectorate is responsible for carrying out port-state inspections of vessel and crew.¹⁴⁷ International sailors, including Filipino crew members, are legally entitled to receive at least the Dutch minimum wage if they are employed on a vessel that has its “home base” in the Netherlands, even if it spends time in other international waters.¹⁴⁸

A 2016 report stated that the Netherlands had over 6,000 temporary work agencies that facilitated the illegal recruitment of foreign workers.

As in other sectors in Europe employing foreign workers from the Philippines, not all Filipino workers hold proper documentation. Experts interviewed noted the existence of schemes under which Filipino workers are recruited via third-country agents (in countries such as Denmark, Norway and Germany) before ultimately working in the Netherlands. A 2016 report stated that the Netherlands had over 6,000 “temporary work agencies” (TWAs) that may facilitate illegal recruitment of foreign workers,¹⁴⁹ although the degree to which this occurs in the seafaring sector specifically is not authoritatively documented. However, desk research found reference to workers employed by TWAs in collective bargaining agreements for the Dutch seafaring sector posted online,¹⁵⁰ suggesting they do play a role in staffing the sector. The Immigration and Naturalization Department is the agency responsible for investigating alleged abuses in the Netherlands, but the Department’s ability to revoke migrant work permits reportedly acts as a disincentive for expressing grievances.¹⁵¹

Experts noted that Filipino workers in shipping across Europe are often required to perform tasks not specified in their contracts and for which they have not received training.

The shipping sector typically uses a “shift” model for working hours.¹⁵² Shifts longer than eight hours in duration, changing shift assignments, and overnight shifts have been associated with increased risk of injury for crew members.¹⁵³ An expert interviewed by Verité noted that Filipino workers on transport vessels often receive inadequate hours of rest due to requirements like transport duty.¹⁵⁴ According to a representative of the ITF’s Maritime Operations, migrant workers on ferries (regardless of European country) are particularly at risk of working hour and day of rest violations because their ferries call to port every four to five hours. The representative reported that these workers were at risk of being required to work 8- to 12-hour shifts without the six uninterrupted hours of rest between shifts that are owed to them under the Maritime Labor Convention (MLC).¹⁵⁵ They could also work for approximately 14 days without a rest day.

Fatigue is particularly risky when crew members are participating in potentially hazardous tasks such as lashing cars on car transport vehicles.¹⁵⁶ In the view of the expert interviewed, seafarers on these vessels tend to do the lashing of cargo, a physically hazardous and draining job, even though it is not in their contract. The representative viewed that the sector is economically incentivized to have seafarers carry out the work, as it costs less to pay the seafarers for overtime than to hire dockers.¹⁵⁷ The informant noted that Filipino workers in shipping across Europe are often required to perform tasks not specified in their contracts and for which they have not received training.¹⁵⁸

Regardless of where Filipino seafarers are stationed, they are among the nationalities most vulnerable to being denied the shore leave to which they are entitled¹⁵⁹ due to inconsistent application of visa requirements. In 2020, media covered stories of Filipino crew members (as well as other international crew members) stuck on board cargo shipping vessels – including Dutch-flagged vessels – for durations long exceeding their contracts due to COVID-19.¹⁶⁰ Other coverage of the impact of the COVID-19 crisis has reported Filipino sailors stranded in ports including Rotterdam and Amsterdam.¹⁶¹

Stakeholder Efforts in Fishing and Seafaring Sector

Experts interviewed noted that they have observed positive changes in how UK law enforcement and other government officials respond to Filipino fishermen and other seafarers reporting abuse. In the past, officials were reportedly preoccupied with the victim's migration status but there is now a broader awareness of the abuses and potential for victimization that migrant workers face.¹⁶²

Notably, in 2018 the UK government passed legislation to implement the ILO's work in fishing convention (Convention 188), which it ratified in January 2019. The ratified convention entitles fishers to written terms and conditions of employment through work agreements, as well as decent standards for food and accommodation, health and safety, medical care, social protection, working hour limits, and conditions for repatriation. The convention also provides minimum standards for recruitment and placement,¹⁶³ bans charging recruitment fees to workers, and supports workers' rights to express grievances.¹⁶⁴ A representative of the International Transport Workers' Federation (ITF) Fisheries sector reported that the government decision to pursue ratification followed an agreement between employers the ITF to implement the ILO work in fishing convention within EU member states by the end of 2019.

The UK has ratified the ILO Work in Fishing Convention. In addition to other protections, the convention includes a ban on charging recruitment fees to workers and provides workers with the right to register complaints.

Although numerous European countries –including France, Norway, Estonia, Lithuania, the Netherlands, Poland, Portugal, and Denmark -- have adopted Convention 188, adoption has not been universal in Europe, leaving gaps in workers protection for workers in European fisheries.¹⁶⁵

Under pressure from civil society organizations, trade unions, and the ITF, the government of Ireland has made attempts to remediate risks of trafficking and forced labor among non-European migrant fishers; however, stakeholders report persistent gaps in the government's response. The government introduced the Atypical Working Scheme (AWS) in December 2015.¹⁶⁶ Numerous reports found this system did little to ameliorate forced labor risk, and even suggested the scheme itself facilitated and promoted forced labor and trafficking. Responses to the reports of worker exploitation

included a lawsuit from the ITF against the Irish government¹⁶⁷ and the release of a warning letter from four UN special rapporteurs, warning that the permit scheme breaches international human rights law.¹⁶⁸ The Irish government has made adjustments to the law, most recently in April 2019, with stakeholders warning that enforcement will be needed to ensure compliance.¹⁶⁹ In June 2020, stakeholders reported that the Irish government continued to fail to take necessary steps to protect migrant fishers from exploitation. The ITF noted that the Irish government had identified fewer victims of forced labor in the sector each year, from 2018 to 2020, and had relied on outside groups, namely the ITF, to secure compensation for victims.¹⁷⁰ The U.S. Department of State reported in 2020 that the Irish government had “had chronic deficiencies in victim identification, referral, and assistance,” and “lacked specialized accommodation and adequate services for victims.”¹⁷¹

Large ports such as those in the UK generally staff insufficient inspectors to monitor labor rights on vessels. Carrying out inspections in the maritime industry involves additional challenges as a ship may be in port for less than a day. NGOs such as Stella Maris are able to supplement government inspection capability by receiving complaints and information from workers regarding labor violations which Stella Maris in turn provides confidentially to the UK government for more thorough investigation.¹⁷²

ITF, Stella Maris, and migrant worker associations across European countries are important civil society stakeholders identified by interviewed experts. Stella Maris has multiple hostels available to applicants in Manila with modestly priced accommodation because applicants may need to stay in Manila for a month or more during the recruitment process.¹⁷³

Stella Maris works closely with migrant worker associations to assist Filipino seafarers who have become victims of labor exploitation. All Stella Maris chaplains have contacts with migrant worker associations and emphasized that the associations have a “transformative impact” on seafarers, especially when a seafarer is hospitalized. If a Filipino seafarer is hospitalized, after becoming informed, members of a local Filipino worker association would visit the worker and provide support and friendship.¹⁷⁴ Filipino seafarers can also seek support from the Philippine naval union, AMOSUP. The union provides seafarers with insurance. The union officer attributed AMOSUP’s ability to support Filipino seafarers abroad to the international nature of seafaring.

3b. Domestic Work

Overview of Domestic Workers from the Philippines in Europe

The ILO considers domestic workers to be among the most vulnerable of groups of workers.¹⁷⁵ Domestic work is often absent from national and international labor discourse and frameworks and workers typically lack protections afforded to workers in more formalized sectors. Risks to domestic workers across Europe are compounded by the isolated nature of domestic work, in which workers are limited to the sphere of private homes and hidden from public view.¹⁷⁶ As a result, workers can endure abusive conditions including very low wages, excessive hours, no guarantee of days of rest, and vulnerability to mental, physical, and sexual abuse.¹⁷⁷ Forms of caretaking work under the broader umbrella of domestic work— such as childcare and eldercare – are characterized, according to the ILO, by “a void of benefits and protections, low wages or non-compensation, and exposure to physical, mental and, in some cases, sexual harm.”¹⁷⁸ The ILO has noted that Filipino migrant workers involved in caretaking in private homes are often subject to abuses similar to those found in the domestic work sector.¹⁷⁹

Domestic work is among the leading sectors of employment for migrant workers from the Philippines, making up nearly 40 percent of new overseas employment for migrant Filipino workers in 2016.¹⁸⁰ The prevalence of undocumented domestic workers makes

Domestic work accounted for nearly 40 percent of new overseas job positions for Filipino migrant workers in 2016.

accurate accounting of the total number of domestic workers difficult.¹⁸¹ The majority of domestic workers from the Philippines continue to work in the Middle East and Asia, though European countries, and in particular Italy and Spain, have become desirable destinations due to lower barriers to migration and favorable policies related to legal immigration and

naturalization.¹⁸² Domestic workers from the Philippines are employed throughout Europe, with experts interviewed by Verité identifying Italy as the number one country of employment for domestic workers, as well as Spain, Greece, the UK, and Belgium as leading countries of employment for this sector.¹⁸³ Care workers from the Philippines tend to be in high demand because of their English language skills and because many workers have additional nursing skills.¹⁸⁴

Demographics of Domestic Care Workers from the Philippines in Europe

In contrast to seafaring sectors, domestic work is largely feminized. The vast majority of migrant Filipino workers in domestic work are female,¹⁸⁵ and domestic work is reportedly the most common occupational sector for women from the Philippines working abroad.¹⁸⁶ In 2015, domestic work was the leading occupation for newly migrated Filipino workers, accounting for 38 percent of newly engaged migrant workers.¹⁸⁷ Both single and married women migrate to work in the domestic sector;¹⁸⁸ however, due to the hierarchy of statistical aggregation used by the Philippines Statistical authority,¹⁸⁹ finding precise demographic data for domestic workers is challenging. Although not disaggregated by sector, female migrant Filipino workers span a diverse range of ages with 21.9 percent aged 25-29, 25 percent aged 30-24, 19.3 percent aged 35-39, 12.3 percent aged 40-44, and 14.7 percent older than 45.¹⁹⁰

According to the impressionistic understanding of experts interviewed, newly arrived domestic workers are primarily women over the age of 25. They typically have English language skills which are highly desirable and may also have advanced professional education or experience in fields such as nursing, teaching, or social work..¹⁹¹ Filipino domestic workers are primarily employed by families in cities¹⁹² and arrive during the summer prior to the start of the fall academic year. Domestic workers may be required to travel with their employing family.¹⁹³

As per ILO Convention 189, domestic workers are considered to be any person engaged in domestic work in an employment relationship, regardless of immigration status, including jobs such as childcare, cooking, cleaning, laundry, gardening, care workers, and those on an au pair visa but who are functionally domestic workers. While the term and concept of care workers is sometimes conflated to include eldercare that requires medical services, for the purposes of this study, care workers providing medical services are not included in the definition whenever possible. See Source.

Recruitment Risks for Domestic Workers from the Philippines

Risks for Domestic Workers Recruited and Hired via Formal Channels

Similar to general rules for administering other types of overseas Filipino workers, the POEA oversees the formal avenue for recruitment of domestic workers, including the licensing of recruitment agencies. Domestic workers from the Philippines seeking to work legally overseas are required to seek employment through a licensed recruitment agency. As in other sectors, typically, a labor agency in the Philippines will liaise with a labor agency overseas to secure employment for the worker.

Although domestic workers are exempted by regulation from paying a placement fee to the labor agency, they may incur costs for various services related to their recruitment, such as document processing, trainings, and medical examinations. Like other Filipino workers migrating formally, domestic workers must be insured through the Overseas Workers Welfare Administration (OWWA) and/or pay into the OWWA fund in order to be repatriated in an emergency situation (e.g., due to the COVID-19 pandemic).¹⁹⁴ Even when following legal protocols, the costs that workers may incur during the recruitment process may leave them no option but to borrow money, which could lead to indebtedness.

As in other sectors, prior to departure, prospective domestic workers are generally expected to undergo a medical examination and attend a Philippine government-required pre-departure training. Although pre-departure trainings can be an important tool for the protection of migrant workers, some experts expressed the opinion that these pre-departure trainings do not adequately inform domestic workers of their rights in the country of work, nor do they provide sufficient guidance on remedies or who to contact should they need help.¹⁹⁵

Risks for Domestic Workers Recruited and Hired via Formal Channels

Some domestic workers elect to migrate outside government-sanctioned channels. Experts interviewed noted that these workers often enter a third country on a tourist visa before entering their country of destination also on a tourist or a student visa. Upon arrival, they may begin to seek employment or enter a job that they had pre-arranged before travel. Workers may hear of opportunities from friends or family members already working in the destination country. Recruitment from unlicensed agents also occurs. In these cases, a Philippine agent or agency will recruit prospective workers locally and then make arrangements with an agency in the destination country, but work outside the oversight of POEA, thus requiring forged or absent documentation.¹⁹⁶

Potential criminalization of undocumented workers, coupled with challenges accessing social services due to irregular status, can further increase their vulnerability.

Verité evaluates this type of informal migration as presenting several key risks. During recruitment, domestic workers migrating informally do not benefit from pre-departure orientations that formal domestic workers would receive and are therefore less aware of their rights and how to access available resources in Europe. Similarly, they are less visible to oversight by European and overseas Philippine authorities. Verité social audits and research have indicated that undocumented migrants are more likely to tolerate substandard working conditions than migrants with documentation.¹⁹⁷ Potential criminalization of undocumented workers, coupled with challenges accessing social services due to irregular status, can further increase their vulnerability.

Recruitment of Au Pairs from the Philippines to Europe

Although the responsibilities of au pairs (childcare workers) can overlap with or even match the responsibilities of domestic workers, au pairs are distinct in that they migrate through a specific recruitment process. Au pair arrangements are formally classified as cultural exchanges rather than employment schemes and, because of this classification, recruitment of au pairs is not regulated by the POEA, but rather the Commission on Filipinos Overseas (CFO). Prospective au pairs can apply for work directly through the embassy of the destination country, which decreases wait times and cost. According to the Center for Migrant Advocacy, in addition benefiting from the streamlined

application process, au pairs can receive more in their stipend than the wages of many domestic workers in other regions such as the Middle East, making the au pair program more attractive.¹⁹⁸ This has led to a rise in participation in the au pair program according to Verité expert interviews. This comes in spite of the absence of labor rights protections (as au pairs are not considered “workers”) and the short-term nature of au pair programs.¹⁹⁹

Au pairs are frequently recruited by siblings or relatives already in the European destination country, who help them find a placement. Dedicated social media groups are also frequently used by au pairs to take on work arrangements.²⁰⁰ According to an expert interviewed, the robustness of the au pair program may be a somewhat deliberate attempt by European governments to circumvent official labor migration processes, thereby continuing to service the need for domestic worker labor without having to improve the law.²⁰¹

Although Filipino workers and European governments alike have found benefits to using the au pair program, there is evidence that in practice the program may leave Filipino workers at risk of labor exploitation by host families with little access to recourse: these risks have been documented, for example, in Norway. A 2013 Norwegian investigative documentary reported on workers from the Philippines recruited via au pair programs who ultimately were exploited for domestic work and, in some cases, commercial sexual exploitation.²⁰² Among other forms of labor exploitation, au pairs in the documentary experienced forced overtime, restricted freedom of movement, and sexual abuse.²⁰³ Although some abuse was intercepted by authorities, such as when a couple was charged of sexual abuse of Filipino au pairs in 2010,²⁰⁴ as well as when a man was sentenced for trafficking and sexual assaulting Filipina au pairs in 2014,²⁰⁵ a Norwegian labor union reported high rates of abuse in 2015 and called for a ban on recruiting vulnerable Filipino au pairs.²⁰⁶ In recent years, Filipino au pairs in the country remain vulnerable to abuse by hosts; in 2020, U.S. Department of State reported that “Foreign au pairs from the Philippines are vulnerable to trafficking in Norway.”²⁰⁷

Labor Risks Faced by Domestic Workers from the Philippines in Europe

Deceptive Recruitment

Regardless of whether workers use government-sanctioned or more illicit migration channels, studies have found widespread contract substitution among domestic workers, a finding that was echoed by stakeholders who reported deceptive practices during domestic workers' recruitment.²⁰⁸ One organization noted that the high cost of formal recruitment (estimated at an average of PHP 16,000 to 60,000, or EUR 283 to 1,060) in comparison to the relatively low wages received by domestic workers, incentivizes informal recruitment.²⁰⁹ In addition, many Filipino domestic workers do not understand the contracts they sign, as they are typically written in the European language of the destination country.²¹⁰ While the prospective domestic worker may have some level of operational/working familiarity with that language, her fluency may not extend to the legal specifics of a contract.

Studies have found widespread contract substitution among domestic workers, a finding that was echoed by stakeholders. Many Filipino domestic workers have reported that even when they do sign contracts, key terms of the contracts are not honored, including hours of work, wage rates, and schedules for wage payment.

According to experts interviewed by Verité, many Filipino domestic workers have reported that even when they do sign contracts, key terms of the contracts are not honored, including hours of work, wage rates, and schedules for wage payment.²¹¹ The employer may also confiscate or withhold the worker's passport.²¹² According to one expert, for Filipino domestic workers, deceptive recruitment generally does not immediately reveal itself upon the worker's arrival, but rather emerges as a result of the gradual deterioration of conditions and treatment, ultimately resulting in a job that is significantly worse than the one that they agreed to, including with regard to job responsibilities, wage rates, and debt.²¹³

Debt

According to experts interviewed by Verité, as well as other studies conducted, the incidence of debt for foreign domestic workers is relatively common. The debt is typically a result of excessive fees generated during the recruitment process. In formal arrangements, excessive fees can be generated from recruitment agencies as well as fees associated with government services. In informal arrangements outside of government channels, fees that cause debt bondage can result from any part of the process, be it placement fees, airfare, or from the recruiting agent or agency.²¹⁴

Employers have been known to use the withholding of wages as a control mechanism. In some cases, employers stopped paying their domestic worker's wages altogether.

Underpayment/Nonpayment of Wages

In 2006, in an attempt to professionalize domestic work and decrease vulnerabilities by improving domestic workers status, the Philippine government passed the Household Service Workers Reform Package. In it, the government doubled the required minimum salary of domestic workers to at least USD 400 per month. However, this requirement is not typically honored.²¹⁵ According to one study, some domestic workers are aware that they will not be receiving the minimum wage, and agree to the contract anyway.²¹⁶ In addition, according to experts interviewed by Verité, employers have been known to use the withholding of wages as a control mechanism. In some cases, employers stopped paying their domestic worker's wages altogether.²¹⁷

Excessive Hours

Long, excessive working hours are considered to be a common and pervasive occurrence for Filipino domestic workers in Europe by both experts interviewed and studies reviewed. Residence in the place of employment is a major enabling force in the phenomenon, as is the inherent isolation of migrant domestic workers. As a result, these workers are always "available" to press into service, with little chance of resistance or unavailability.²¹⁸

Health and Safety

According to experts interviewed by Verité, Filipino domestic workers commonly face numerous risks and abuses related to health, safety, and wellbeing. Recurring abuses

include not having a private room or any privacy; sleeping on the floor or without a mattress, blanket, or pillow; inadequate provision of food, resulting in malnourishment; denial of access to healthcare when they are ill; and some instances, not being provided protective gear when cleaning with chemicals.²¹⁹ One expert also cited the incidence of sexual abuse and violence in general as a not uncommon occurrence for Filipino domestic workers in Europe.²²⁰

Risks for Domestic Workers from the Philippines Specific to a Country and/or Sub-Sector

Domestic Workers from the Philippines in the UK

According to experts interviewed by Verité, approximately 20,000 documented Filipino migrant workers came to the UK in 2018, and this number is expected to increase.²²¹

Policy changes that began in 2012 overhauled the UK’s labor laws. The new policies created a “hostile environment” to limit the appeal of working in the UK to migrant workers. Among other changes, new policies made renewing and extending visas more challenging for domestic workers. This has apparently resulted in a higher number of undocumented workers, even among those who entered the UK following the regulated process. Workers without proper documentation are at risk of imprisonment or deportation by the UK government, increasing their vulnerability to abuse and exploitation by their employer.²²²

New policies [...] apparently resulted in a higher number of undocumented workers, even among those who entered the UK following the regulated process. Workers without proper documentation are at risk of imprisonment or deportation by the UK government, increasing their vulnerability to abuse and exploitation by their employer.

Workers with proper documentation are vulnerable to a variety of abuse. A domestic worker’s visa is largely dependent on their relationship with a single employer, disincentivizing any attempt to leave or express grievance. A 2012 law prevented migrant domestic workers from switching employers once they arrived in the UK. This was modified by a 2016 amendment allowing domestic workers to switch employers, but only within the first six months of their initial contract. Experts note that newly arrived workers who are being exploited are unlikely to secure alternative employment within the first six months. This often leads to workers nearly running out of time,

forcing them to leave the country or stay and become undocumented, risking arrest, imprisonment, and deportation.²²³

Domestic workers can also enter the UK under a visa scheme that allows already hired domestic workers to enter the UK with their non-UK national employers; this is known as the ‘domestic worker in private households scheme.’ Many domestic workers under this scheme are employed by wealthy families from Gulf countries. Nearly 19,000 visas were issued under this scheme in 2017.²²⁴

Domestic workers hired under this visa arrangement are highly vulnerable to abuse, in part because their employment relationship is nearly entirely shielded from official oversight mechanisms. A 2014 Human Rights Watch study of workers on these visas found evidence of excessive overtime, restricted freedom of movement, limited communication, underpayment of wages, and limited access to food.²²⁵ Even following the 2016 reforms which allowed workers to seek alternative employment within the first six months of their arrival, abuses persist. A 2017 study from UK-based migrant worker rights

organization Kalayaan found that, of the domestic workers interviewed who had entered the UK with a non-UK family, 85 percent reported psychological abuse, 63 percent said they had no access to regular food, 81 percent said they were not allowed out of the house, 83 percent said their employer took their passport, and 33 percent said they received no wage compensation at all.²²⁶ In a poll of 500 members of the UK-based migrant domestic worker aid organization Voice of Domestic Workers, 76 percent had experienced verbal or physical abuse, and they worked an average of 91 hours a week, with some also citing that their employer confiscated their passport.²²⁷

Studies have found that many foreign migrant domestic workers reported:
verbal or physical abuse
psychological abuse
excessive working hours
little access to food
no access to their passport
restrictions on their movement
limited communication
low or no wages. All of the above are indicators of forced labor, as defined by the ILO.

Filipino domestic workers coming to the UK without family members living in the UK are potentially at higher risk of labor abuse, with one study citing these workers as reporting serious abuses similar to those described above. The study noted that migrant domestic workers in the households of diplomatic employees are particularly vulnerable as a result of their employers’ diplomatic immunity from criminal prosecution.²²⁸

The UK has declined to ratify the ILO Domestic Workers Convention. The UK has claimed to be a world leader in protection against modern slavery with the passage of the Modern Slavery Act in 2016, which amended the hostile environment labor law, but stakeholders have disagreed with such claims. Verité stakeholder interviews, including with a representative of the UK-based migrant rights organization Kalayaan, which helped fight for the 2016 amendments, stated that the changes have been inadequate to address to scope of the problem.²²⁹ Civil society organizations representing domestic workers (including Kalayaan) have called upon the UK government to restore the pre-2012 Overseas Domestic Worker visa, which made it easier for domestic workers to switch employers and renew their legal migration status.²³⁰

Interventions and Stakeholder Mapping

POLO Office Actions

According to stakeholder interviews, it is difficult for workers to access resources the Philippine Overseas Labor Offices (POLO) are designated with providing. One reason is that not all EU countries in which Filipino workers reside have a POLO site, and each office has limited jurisdiction. As a result, Filipino workers needing assistance may have no POLO site covering their jurisdiction or may need to cross an international border in order to access help.²³¹ This challenge is not limited to domestic or caretaking workers, but their challenges are compounded by their isolation. Several experts noted their view that POLO offices did not have sufficient budget or resources to maintain Filipino worker outreach programs, which are particularly critical for workers in private homes. Stakeholders also revealed differing outcomes of attempting to access POLO services. While an embassy should normally be able to aid a Filipino worker in accessing a POLO site or resources, according to one stakeholder, Filipino workers have at times been told by the embassy that addressing their grievances was outside of their scope of responsibilities, while, according to stakeholders representing Ateneo de Manila University and Waling Waling UK, the POLO had previously provided necessary aid, and members were able to access the POLO through the embassy with ease.²³² In the course of desk research, Verité and partner organizations found that online resources related to POLO offices in Europe, such as jurisdictions covered and contact information, could be difficult to find.

Host Country Actions

For domestic and other workers who are rescued and may have civil or criminal grievances, host countries can initiate criminal or civil proceedings. Civil cases are typically filed when workers have been underpaid while criminal charges are filed when there are allegations or reasonable suspicion of forced labor or human trafficking.²³³

According to an interview with a leading anti-human trafficking organization, labor law in host countries is perceived as lacking the capacity to sufficiently monitor and enforce protections for domestic workers leading to a significant gaps in oversight.²³⁴

Civil Society Actions

There are multiple Europe-based NGOs and community groups dedicated to addressing labor exploitation of migrant workers in general, or Filipino domestic workers specifically. Migrante International has a network of valuable resources for migrants, including lawyers and doctors.²³⁵ The FDWA seeks to aid both documented and undocumented migrant domestic workers, even seeking to formally request specific demands from the Philippines' Department of Labor and Employment (DOLE) and liaising with the embassy. While promises have been made by both entities to better protect Filipino domestic workers in the UK, little of what's been promised has come to fruition.²³⁶

UK-based Kalayaan began as a community group for foreign domestic workers in the UK, but now operates as a registered charity, lobbying on behalf of workers and offering workers programming like English classes and referral to legal services for immigration and abuse matters.²³⁷ Like many Filipino worker communities, domestic workers from the Philippines in the UK have proven to be a critical resource for the aid and intervention of abused and exploited workers. Word-of-mouth within communities has been shown to be a powerful force in the decision for abused and exploited domestic workers to escape, instead of remaining in their abusive situations.²³⁸ One example is the grassroots self-help group Voices of Domestic Workers (VODW), comprised largely of former Filipino domestic workers aiding existing ones, offering them advice and other resources, including a safe place to 'land' should they decide to flee from their abusive households.²³⁹

Lastly, European trade unions of all types have played a critical role in helping foreign domestic workers in Europe gain their rights. While small, community-based domestic worker rights groups existed around Europe, the organizing power of trade unions aided the groups in consolidating and combining their efforts. The work of these groups was a major force in the creation and ratification of the ILO Decent Work for Domestic Workers Convention in 2011.²⁴⁰



3c. Poland – All Sectors and Role as a Transit Country

Overview of Migrant Workers from the Philippines in Poland

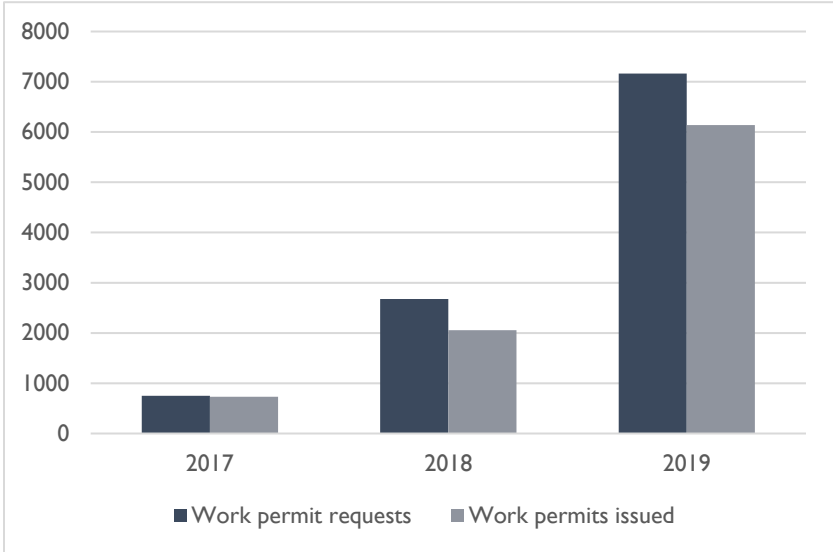
In-country experts and various news outlets have reported that years of migration to wealthier EU countries, combined with sustained growth in the Polish economy, have contributed to a labor shortage in a number of sectors in Poland. In 2020, it was reported that of all EU countries, Poland received the most migrants from outside of the EU. Although Ukraine has traditionally sent the highest number of non-EU migrants; in recent years, migration from Asian countries has also increased significantly.²⁴¹ On January 1, 2018, a law went into effect allowing foreign workers from countries including the Philippines to more easily secure work permits in sectors and professions specified by the government.²⁴² Polish government data indicated that between 2017

and 2019, the number of work permits issued for Filipino workers rose from 733 to over 6,000.²⁴³

Interviewed experts, as well as news reports, have indicated the presence of migrant workers from the Philippines in care,²⁴⁴ manufacturing, meat processing,²⁴⁵ truck driving and other transportation sector work (including as Uber drivers), information technology, domestic work and childcare, agriculture, massage salons, saw houses, and warehouses.

In-country experts such as a representative of La Strada Poland shared that different sectors attracted different demographic groups. Following interviews with workers from the Philippines, experts reported that the majority of drivers and warehouse workers are men while the majority of workers in domestic work, childcare, and massage salons are women. The Philippine Association of Service Exporters, Inc. (PASEI) reported that because the job positions and sectors in need of workers employ more men than women, the demand for male workers in Poland is relatively high compared to other countries. Nevertheless, women constitute a significant percentage of the Filipino workforce in Poland: roughly 40 percent of the permits issued in 2019 were for women.²⁴⁶

Figure 1: Work permits per year for Filipino workers in Poland²⁴⁷



Roughly 40 percent of the permits issued in 2019 in Poland were for women.

Experts interviewed from La Strada Poland, the Immigrant Support Center (CWII), and the University of Lodz estimated that the highest number of Filipino migrants in Poland are in Warsaw, followed by the Mazovian region; one estimated that the largest number of Filipino migrant abuse cases are also found in the Mazovian region. In general, according to a civil society expert at La Strada Poland, workers from the Philippines typically migrate to larger cities in Poland, especially Warsaw. In the case of workers from the Philippines employed in transit-related jobs, they are likely to migrate near international borders where warehouses and companies operating in transport sectors are located.²⁴⁸

A representative of PASEI reported that employers in Poland and the Czech Republic generally hire a local private recruitment agency to navigate the intricacies of the recruitment process in the Philippines and work with the Philippine labor agency. They reported that direct hiring by employers and company owners was very rare, further explaining that most employers simply provide the required qualifications for the job and then leave the rest to the agency. At most, the employer may interview the applicants using video conference software; however, the PASEI representative stated, most do not.²⁴⁹

Risks for Workers from the Philippines in Poland

The U.S. Department of State reports that there is an increasing risk of trafficking for Filipino workers in Poland.²⁵⁰ A 2019 study found that foreign workers in Poland, including Filipinos, experienced abuse in the domestic and construction sectors. Workers reported recruitment fees charged by agencies and the use of false documents. Some employers in Poland were also reportedly abusive.²⁵¹ In 2020, it was reported that Filipino workers recruited by agencies for jobs in Poland experienced recruitment fees, contract substitution, visa complications, exploitive conditions, and lacked guarantees of regular work. Filipino workers employed as drivers in Poland have been noted as at risk for forced labor and other abuse. An increasing number of Filipino workers have been reported fleeing

For Filipino workers in Poland, the risk of forced labor and other labor exploitation does not appear to be restricted to one sector, in part because workers are exposed to risks before arriving in Poland [...] These risks stem from gaps in Polish laws and regulations, gaps in institutional capacity, and especially from the presence of unethical actors.

their employers in Poland due to these exploitative conditions.²⁵² Poland has also been used as a transit country for drivers who were ultimately exploited in Denmark and other European countries.²⁵³

For Filipino workers in Poland, the risk of forced labor and other labor exploitation does not appear to be restricted to one sector, in part because workers are exposed to risks before arriving in Poland. Filipinos seeking work in Poland are vulnerable to structural risks inherent to the migration corridor. These risks stem from gaps in Polish laws and regulations, gaps in institutional capacity, and especially from the presence of unethical actors in the migration process – both in the Philippines and Poland – who are well positioned to profit from workers’ precarity during recruitment. According to a representative of the Blas Ople Center, because Poland is a relatively newer destination for migrant workers, there are more opportunities for recruitment actors – even licensed agencies – to work outside legal constraints which can lead to more abuse.²⁵⁴

Informal and Deceptive Recruitment

Many experts interviewed indicated that deceptive and opportunist practices by recruiters and employers represent a serious risk to Filipinos migrating to Poland. Several in-country labor experts reported that some Filipino workers find jobs in Poland through informal means such as through personal social networks or social media.²⁵⁵ In these cases, there is little protection from jobs with poor conditions or unscrupulous recruiters.

Interviewed representatives of PASEI and the Blas Ople Center stated that recruitment through third countries was a major risk for workers seeking employment in Poland. Under the Philippine government’s regulated process, a worker must sign their contract, complete statutory requirements, and obtain exit clearances in the Philippines before traveling directly to the country where they are employed.²⁵⁶ However, many Filipinos migrating to Poland travel to transit countries either because they are already employed in the third country,²⁵⁷ or to bypass the regulated process in the Philippines due to perceptions that the official process for migrating to Poland is too slow, costly, or otherwise prohibitive. Prospective workers travel to countries like Malaysia, which do not require an employment visa to enter, before travelling to Poland. Immigration

officials in transit countries and in Poland do not require the same level of documentation compared to the Philippines. According to experts, going through legal channels from Philippines to Poland requires long processing times and complex documentation, potentially discouraging workers from taking this route.²⁵⁸ Typical third-country stopovers include Taiwan, Malaysia, Singapore, and Hong Kong, as well as Dubai.²⁵⁹

Civil society representatives interviewed noted a significant number of workers from the Philippines who had been recruited for work in Poland while working in Taiwan. While in Taiwan, they were promised jobs in Poland in meat processing, factories, automotive manufacturing, and agriculture. Filipino workers recruited in Taiwan reported paying steep fees to these agencies for the job, totaling as much as PHP 500,000 (roughly EUR 8,850). Such a sum would represent more than a year’s salary of minimum wage work in Taiwan, but according to a Blas Ople Center representative, workers seeking jobs through this process may take out loans to pay for recruitment costs after reviewing what they believe is a valid employment contract, bearing signatures and a seal. In these cases, workers were promised salaries up to PHP 300,000 – 500,000 (EUR 5,100 – 8,850) per month, only to receive PHP 50,000 (EUR 860) per month when they arrived in Poland.²⁶⁰ Other reports noted the charging of fees as high as P269,000 (EUR 4,630) to Philippine labor agencies.²⁶¹

Filipino workers recruited while working in Taiwan reported paying exorbitant fees to labor agencies – amounts as high as EUR 8,850 – for manufacturing and agricultural jobs in Poland.

Financial Penalties

The Poland-based civil society expert from La Strada reported that some workers first signed an employment contract in the Philippines, or the other country they came through, with clauses stating steep penalties for resigning within a given period, such as three years. Such penalties are illegal in Poland, but because workers had no way of knowing that the penalties were illegal and unenforceable, the contract clauses served as an effective threat to frighten workers and deter them from resigning.²⁶²

Contract Substitution

The contract clauses described above are illegal in the Philippines, and therefore present the risk of contract substitution. If workers are recruited directly from the Philippines through the government-regulated process, they must be issued a contract of employment that meets or exceeds the terms and conditions of the standard Philippine contract of employment. Workers' contracts must be reviewed and approved by the relevant Philippines agency before workers are deployed, and recruitment agencies must adhere to this rule to maintain permission to legally operate. As the representative of La Strada Poland reported that the Filipino workers they assisted in Poland had signed contracts stating steep penalties for resignation, this indicates that the workers were issued contracts outside of the Philippine government's mandated process, either as an initial or substituted contract. In 2019, the EU Agency for Fundamental Rights (FRA) reported that migrant workers interviewed – including from Southeast Asian countries such as the Philippines – had reported experiencing contract substitution in Poland.²⁶³

The FRA also reported that migrant workers were unfamiliar with the fact that there are two types of contracts in Poland: employment contracts and civil law contracts. According to the FRA, employers instructed workers to sign civil law contracts without informing them that they differed from employment contracts and would not guarantee workers certain benefits, such as paid sick leave.²⁶⁴ Although legal in Poland, civil law contracts are not legally recognized by the Philippine government. The POEA will only verify employment contracts. Civil law contracts are particularly problematic for seasonal work, such as agriculture, as Filipino workers sign short-term contracts outside of the oversight of the POEA and do not have employment following a 3- or 4-month harvest season.²⁶⁵

According to the FRA, employers instructed workers to sign civil law contracts without informing them that the contracts would not guarantee them certain benefits, such as paid sick leave.

Costs Linked to the Recruitment Process

Experts noted that some migrant workers travel to transit countries, such as Malaysia, in order to process documents related to employment in Poland. Workers who pursue jobs this way pay for travel and other costs incurred during their migration and recruitment

process, which heightens their risk of later becoming trapped in debt bondage in Europe. A civil society expert from La Strada Poland reported that before Filipinos applying for work as truck drivers were able to travel to their job in Poland, they needed to fly to Malaysia to obtain the necessary work permit. The process of obtaining the work permit in Malaysia added to other costs the workers had already incurred to obtain the job, increasing their overall debt burden. Workers' debt burden was high enough that by the time they arrived in Poland and found that the pay and working conditions were worse than they had been led to expect, they felt that they had invested far too much of their and their families' money to terminate their contract and return to the Philippines.²⁶⁶ A Poland embassy recently opened in the Philippines on January 4, 2018, and Verité could not confirm if potential migrants to Poland are now able to acquire necessary paperwork in-country.²⁶⁷

In 2019, the Philippine Overseas Employment Administration (POEA) issued a warning to Filipino workers, made by the Philippines Overseas Labor Office (POLO), of schemes similar to the one described above. The warning stated that job applicants who had signed contracts in the Philippines were convinced to pay fees exceeding EUR 4,606 to their Philippines recruiters in order to secure a slot for a visa appointment in Malaysia.²⁶⁸

The representative of PASEI reported that some agencies take advantage of the Polish government's system for issuing visas to charge foreign workers additional unwarranted fees. To obtain a Polish visa, the worker must obtain an appointment to appear in person and have their visa stamped. Polish agencies "buy off" the slots for visa stamping, and then "sell" the slots to migrants for approximately EUR 260 each. The representative reported that migrants could not easily sidestep paying an agency to obtain a visa appointment and would also need to pay for the visa stamping itself. The representative estimated that Poland's legal visa stamping process costs approximately PHP 5,000 (EUR 89). Workers complete the visa stamping process before their exit documents are processed at the POEA and they depart the Philippines.²⁶⁹

Filipinos reported paying up to EUR 3,000 to land a job in Poland, only to find that they had been placed in the job using false documents and hired by exploitative employers.

The FRA noted in its 2018 report that Filipinos in the interview sample had reported paying approximately EUR 3,000 in fees for their job in Poland, including high fees paid to the recruitment agency. Workers also reported that the labor agency prepared their visa using false documents and placed workers with exploitative employers.²⁷⁰

The vice president of the CWII reported that foreign migrants in Poland – including Filipino migrants – are at risk of becoming trapped in debt bondage through the creation and manipulation of debts in Poland. In this scenario, after they have accepted the job and are deployed, the migrant workers are informed that they owe the employer or recruiter steep fees for a combination of transport, the cost of the visa, and accommodation in Poland. The employer then takes deductions from the migrants' wages, purportedly to pay for the “debt.”²⁷¹

Lack of Benefits

In 2019, the FRA reported that migrant workers – including from the Philippines – were at risk of unwittingly agreeing to civil law contracts that did not guarantee them certain benefits, such as paid sick leave.²⁷² The assistant professor at the University of Lodz reported that civil law contracts do not obligate employers to provide annual paid leave, overtime pay, weekly rest, and other protections under the Polish Labor Code. The interviewee reported that issues with a lack of insurance are compounded for workers employed in sectors with inadequate health and safety trainings and higher risk of occupational accidents, such as the construction sector.²⁷³

Visas Tied to Single Employer

The Polish system for issuing visas ties migrants to their employer and hinders workers' ability to leave exploitative situations and report their employer to law enforcement. The FRA reported that the fear of losing their regular status tied migrants to exploitative employers.²⁷⁴ In November 2019, a representative of POLO Geneva reported that a growing number of Filipino migrants had run away from their jobs in Poland; these workers reported to POLO that they had experienced contract substitution, bad working conditions, unjust termination, and expired visas.²⁷⁵

The vice president of the CWII reported a risk that, in general, migrant workers could also be tied to their job due, in part, to lags in the work permit issuing system. The representative reported that migrant workers seeking to change jobs were slowed by a consistent four-month lag in new work permits being issued.²⁷⁶

In November 2019, a representative of POLO Geneva reported that a growing number of Filipino migrants had run away from their jobs in Poland. These workers reported to the POLO that they had experienced contract substitution, poor working conditions, unjust termination, and expired visas.

Lack of Awareness of Rights

A recurring theme that emerged from experts interviewed in Europe was that workers from the Philippines lack key information about working conditions before arriving in Poland. The vice president of CWII emphasized that because they are uninformed of local realities, migrants are at risk of agreeing to unjust and illegal conditions of work during their recruitment and hiring process.²⁷⁷ An academic at the University of Lodz reported that under current Polish regulations, at most, agencies are required to translate written contracts into a language the worker can understand. He stated that the agency is not required to verbally or clearly explain to the worker their living and working conditions in Poland. The interviewee noted that simply translating documents would not be adequate to ensure that migrant workers can understand Polish statutes that apply to them.²⁷⁸

Poland's Role as a Transit Country

Serious allegations of labor abuse against truck drivers in recent years have shone a spotlight on Poland's role as an initial point of entry for foreign workers who ultimately

work elsewhere in the EU (see box below). In the case of truck drivers, Filipino workers were hired on Polish contracts and paid Polish wage rates, but in reality, worked and lived in more expensive EU countries, where they were not duly compensated.²⁷⁹

An interviewee stated that because of Poland's role as a transit country, statistics on the number of work permits issued for foreign workers may not provide an accurate representation of how many workers of a given nationality work in Poland. The interviewee recommended cross-checking statistics showing the number of work permits issued against border guard records.²⁸⁰

A representative from La Strada Poland indicated that in addition to recruiters and employers seeking to use Poland as a transit country (at least in the case of trucking), workers themselves may wish to use Poland as a transit country. Once in Europe, Filipinos could be further recruited by their network of friends, relatives, and other acquaintances to work either in a different sector or different country.²⁸¹

Box 2: Serious Labor Abuse and Trafficking Cases Among Transport Workers

Drivers and other operators of transportation equipment experience long hours and are often required to work overnight. These workers are also at risk of being in transportation accidents. Transport workers such as truck drivers are also often misclassified as independent contractors. Workers misclassified as independent contractors are vulnerable to forced overtime, lack access to grievance mechanisms, have few legal protections, and are therefore more vulnerable to exploitation. Truck drivers are often required to pay for costs of truck maintenance, gas, and tires, as well as any collision costs, even when they do not own the trucks they drive. These deductions can cause truck drivers to earn well below the minimum wage.²⁸²

Filipino truck drivers have experienced labor exploitation in European countries including Denmark, Germany, and the Netherlands, among others.²⁸³

A representative of the European Transport Workers' Federation (ETF) reported that because their visa status was tied to maintaining a job with the same employer, Filipino drivers were more dependent on their employers than European nationals in the same positions. Such dependence, the representative explained, pressures Filipino drivers to follow employers' instructions and not complain, for example, about excessively long working hours. Filipino drivers, the representative reported, experienced pressure by companies to exceed driving time limits or perform work that was not counted as part of their working hours. Working hours were so long that drivers could become reliant on coffee and other caffeine stimulants to complete their hours.²⁸⁴

Since at least 2018, European trade unions have raised the issue of workers from the Philippines being exploited as drivers and forced to live in extremely poor conditions.²⁸⁵ These Filipino workers were reportedly hired on Polish contracts.²⁸⁶ Workers paid high fees to a Manila-based agency who made the workers available to a sub-contractor in Poland. That Polish sub-contractor then transferred the workers at a transport company in Denmark.²⁸⁷ ETF has argued that given the extremely substandard working and living conditions observed among migrant drivers, transport companies had violated articles of the legally binding Charter of Fundamental Rights of the European Union.²⁸⁸

Prior to July 2020, a loophole in EU legislation enabled truck drivers hired in Poland to work the majority of their hours in other EU member states without the benefits of social safety nets and protections in those countries. A new set of regulations known as the "Mobility Package" came into effect in July 2020.²⁸⁹ According to a representative from ETF, this legislation is intended to discourage the use of third-country nationals without providing adequate accommodations and benefits in the country in which work actually takes place.²⁹⁰

Government Interventions to Address Trafficking for Labor Exploitation

According to in-country labor experts interviewed by Verité, law enforcement’s efforts to effectively monitor, investigate, and combat forced labor are hindered by a lack of training on the indicators of forced labor necessary to identify cases. In part because of insufficient training, labor inspections may not uncover risks and cases of forced labor in workplaces.²⁹¹ The U.S. Department of State reported in 2020 that police officers, labor inspectors, and other enforcement officials were similarly underequipped to detect trafficking; although some trafficking victim identification tools were provided, identifying forced labor and prosecuting perpetrators continued to be a challenge for officials due to a lack of functional expertise and the absence of a clear definition for forced labor in the Polish criminal code.²⁹²

An academic at the University of Lodz reported in an interview that as a good practice, the government of Poland has enacted legislation to defend migrant workers’ rights, as well as regulatory mechanisms to ensure that migrant workers receive equal treatment as citizens. Despite the de jure legal framework, the interviewee acknowledged that these legal developments would need to be supported with increased monitoring, enforcement, and communication to workers of their rights for the laws to be fully effective.²⁹³ For example, multiple interviewees noted that the number of labor inspectors in Poland remains insufficient to detect the misuse of civil law contracts, among other common issues faced by migrant workers.

The government continued to fund anti-trafficking efforts and sponsor awareness-raising campaigns with a focus on forced labor in 2020.²⁹⁴ In 2018 and 2019, the government continued to fund two NGOs (La Strada and Polish Migrants Organise for Change [PoMOC]) to provide services to trafficking victims.²⁹⁵ Government-funded NGOs also maintained a 24-hour hotline for trafficking victims and shelters for female victims.²⁹⁶

- Interventions in Poland include:
- Government awareness-raising campaigns on forced labor
 - Government funding of anti-trafficking efforts, including of NGOs assisting victims
 - A 24-hotline hotline

A representative of La Strada Poland reported that migrant Filipinos in Poland do reach out to trade unions as well as to NGOs. The interviewee also noted that border guards

as a group that had become more sensitive to issues of forced labor and trafficking, and one that is increasingly likely to identify possible cases. The interviewee reported that Polish border guards currently cooperate with organizations such as La Strada Poland.²⁹⁷



3d. Czech Republic – All Sectors

Overview of Migrant Workers from the Philippines in the Czech Republic

Demographics and Sectors of Work

The population of migrant workers from the Philippines has grown rapidly in the Czech Republic in recent years. Between 2014 and 2018, the number of Filipino migrants more than tripled, rising from 400 to over 1,500.²⁹⁸ Some of the push to hire foreign workers could be attributed to a labor shortage: in 2018, the Czech Republic had over 300,000 job vacancies and the largest percentage of job vacancies in the EU; at the same time, it had the lowest rate of unemployment of 3.1 percent in August 2018.²⁹⁹ In 2018, the Czech Foreign Ministry announced measures to expand application processing for

workers from the Philippines, among other labor sending countries.³⁰⁰ These measures included an effort to expedite work visas for 1,000 Filipino workers per year.³⁰¹

In 2019, the Philippines embassy in Prague reported that most migrants from the Philippines were employed in the manufacturing sector and automotive industry, including as industrial truck operators and mechanical machinery and electrical equipment assemblers.³⁰² According to experts interviewed, workers from the Philippines in the Czech Republic typically work in sectors including manufacturing, truck driving and other transportation sector work, information technology, massage salons, meat processing, and construction. Informants noted that with the exception of massage salons, the demographics of these sectors tend to skew male, leading to a higher rate of male migration to the Czech Republic compared to other EU countries.

Regulatory Background

In June 2014, Act No. 101/2014 came into effect, which amended several important laws regarding the employment of foreign nationals. The most important change was the enactment of a single work permit system, in alignment with the European Parliament and Council Directive 2011/98/EU. The single permit system authorizes the permit holder to stay in the Czech Republic on a long-term basis for employment. The single permit system is meant to simplify the process and the relationship between migrants and their employers.³⁰³ In June 2015, the government approved the Strategy on Migration Policy of the Czech Republic and the Communication Strategy on the Benefits and Impacts of Migration, which promote legal migration into the country.³⁰⁴

Risks for Workers from the Philippines in the Czech Republic

In 2020, the U.S. Department of State reported that foreign migrants from the Philippines and other countries are exploited for forced labor in the Czech Republic. According to the U.S. Department of State, workers are typically trapped in forced labor through “debt-based coercion” and abuse of other vulnerabilities. Workers from various nationalities have reportedly been trapped in forced labor in the construction, seasonal work agriculture, forestry, manufacturing, and service sectors, including in domestic work.³⁰⁵ ³⁰⁶ It was further reported that Czech nationals and foreign workers, including individuals from the Philippines, have been trafficked for sex work. However, NGOs have reported impressionistically that labor trafficking is likely more prevalent.³⁰⁷ A

representative of La Strada International indicated that some Filipino migrants who obtain work in Czech massage salons may later be recruited for commercial sex work, possibly through coercion.³⁰⁸

Contract Deception

Multiple experts interviewed emphasized that the process for reviewing and signing contracts presents significant risks for Filipinos seeking work in the Czech Republic.

According to experts at Philippine Association of Service Exporters, Inc. (PASEI) and the Blas Ople Center, workers may be employed under employment contracts or civil law contracts. According to a representative of PASEI, civil law contracts provide no security of tenure, last for no longer than six months, and are often found in seasonal work such as on farms. Therefore, the Philippine government does not

officially recognize civil law contracts, and when such contracts are detected by the Philippine Overseas Labor Office (POLO) they are rejected. However, the representative of the Blas Ople Center stated that the Philippine government relies heavily on recruitment agencies themselves to assess the validity and legitimacy of contracts; given the PASEI representative's concern that some Philippine agencies cannot recognize civil law contracts as invalid, it is possible that Filipinos could be hired using civil contracts in practice.³⁰⁹

Interviewed experts cautioned that Filipinos seeking work in the Czech Republic are at risk of contract deception, specifically through the misuse of civil law contracts. These contracts provide no security of tenure and last for no longer than six months.

In 2020, the U.S. Department of State reported that use of deception among private labor agencies was common, and that Filipino workers were among the foreign applicants that tended to use private labor agencies.³¹⁰

Costs Linked to Recruitment

Representatives of PASEI and the Blas Ople Center stated in interviews that like Poland, recruitment through third countries was a major risk for workers seeking work in Czech Republic. Under the Philippine government's regulated process, a worker must sign their contract, complete statutory requirements, and obtain exit clearances in the Philippines before traveling directly to the country where they are employed; however, many Filipinos migrating to Czech Republic travel to transit countries either because

they are already employed in the third country, or to receive all documentation necessary for employment in Czech Republic.³¹¹

Lack of Bilateral Government Coordination

A representative of the Blas Ople Center stated that the Philippines does not have a labor attaché in the area with whom Czech officials can coordinate. The Philippine Embassy in Prague has also stated it does not have the capacity to verify Czech companies' job orders and contracts to submit to the POEA for approval. The embassy, which in March 2019 was manned by only one consul and one staff person, reported that it had sought cooperation from the POLO in Milan to carry out these activities.³¹²

The representative of PASEI reported that at the time of the interview, all contract verification is now under the jurisdiction of POLO Geneva, and all contracts that need to be verified are forwarded to POLO Geneva. The representative reported that since 2016, PASEI has continually requested that the DOLE establish a POLO in Poland or the Czech Republic to handle labor migration to Eastern Europe. The representative acknowledged that the pandemic had slowed progress toward this goal but reported that the DOLE Secretary had informed PASEI in 2020 that there will be a POLO in the Czech Republic in the future.³¹³

Use of Temporary Work Agencies

The U.S. Department of State also reported that less skilled foreign migrant workers often relied on temporary employment agencies to obtain work. These agencies typically take excessive deductions and reportedly underpay workers, resulting in payments lower than the minimum wage, or even work without any compensation.³¹⁴ These temporary work agencies are also alleged to employ foreign workers without necessary work permits.³¹⁵

Risks to Undocumented Workers

Government guidance for foreigners working in the Czech Republic indicated that workers found performing undocumented work could be fined up to CZK 100,000 (around EUR 3,722) or be deported.³¹⁶ Verité audits and research have indicated that, due to their irregular status, undocumented migrants are more likely to tolerate

substandard working conditions than migrants with documentation.³¹⁷ In 2018, the U.S. Department of State reported that this was the case for many foreign migrants who worked in the Czech Republic’s “shadow economy” without work permits, as they experienced working conditions that were deemed hazardous and exploitative.³¹⁸ According to an in-country labor expert interviewed by Verité, some labor brokers were reported to have intimidated migrant workers and avoided paying their wages by threatening to notify the police that the workers were in the country illegally, which would result in their deportation. According to the U.S. Department of State, migrant workers rarely filed formal complaints of labor abuse, and female migrants were afraid to report violence for fear that their immigration status would be negatively impacted.³¹⁹

A Czech Republic expert also noted the complexity of the bureaucratic processes that Filipino workers (and other foreign workers) face in order to obtain residency permits, acquire employee cards, and change employers in the Czech Republic. Filipino workers often have employment contracts with a labor agency rather than directly with their employer, with the agency typically handling all relevant processes to ensure legal work. The expert noted that the complex processes for formal employment coupled with a lack of information available to migrant workers can make workers very dependent and vulnerable in their relationship with their labor agency. In some cases, according to experts interviewed, labor agencies sometimes hold power of attorney to represent Filipino workers in the visa process. They may deliberately miss deadlines for the extension of residency permits. In these cases, such employees may be hesitant to register a report with government authorities without a valid residency permit and may be more likely to work undocumented rather than returning to the Philippines.³²⁰

Government Interventions to Address Trafficking for Labor Exploitation

In 2020, the U.S. Department of State reported that the Czech Republic demonstrated “serious and sustained efforts” overall to eliminate trafficking in persons, including with regard to criminal justice for traffickers and provision of services for victims; however, the report identified weaknesses in the government’s response to risks of trafficking, in particular with regard to victim identification.³²¹ According to the Group of Experts on

Action against Trafficking in Human Beings (GRETA), Czech authorities acknowledged that many more victims of trafficking for labor exploitation were likely to exist in the country than the relative few that had been formally identified.³²² The Czech Ministry of Interior reported only 15 victims of forced labor in 2019 and 11 victims in 2018. The leading country of origin for these victims was the Philippines.³²³ In 2018, in-country labor experts interviewed by Verité reported that while the quality of government inspections had improved in recent years, the government's capacity to detect risks of forced labor remained limited.

Barriers to victim identification included gaps in the government definition of a victim of labor trafficking. GRETA noted in a 2020 report that the Czech Criminal Code did not explicitly state that the consent of a victim to the intended exploitation was irrelevant to determining whether the individual was a victim of trafficking in persons. In fact, Czech authorities appeared to indicate that a foreigner carrying out undocumented work would not be considered a victim of exploitation of trafficking in persons, but rather as violating labor law.³²⁴

The Czech government continued to fund NGOs and international organizations for antitrafficking activities. In particular, La Strada Czech Republic has been the primary recipient and implementor of the *Programme for Support and Protection of Victims of Trafficking in Human Beings*, funded by the Ministry of Interior, between 2016-2020. La Strada Czech Republic provides training, advocacy, and awareness raising activities, in addition the provision of services to trafficking victims and a hotline. Other NGOs are subcontracted by La Strada Czech Republic to support trafficking victims.³²⁵

In 2015, legislation came into effect strengthening regulations of labor recruitment agencies, which have been found to be complicit in forced labor; increasing fines for illegal employment; and establishing quotas on the temporary employment of foreigners.³²⁶ In 2017, the government passed and implemented new legislation regulating foreign migrants and labor agencies. Amendments to the Act on the Residence of Foreigners in the Czech Republic came into effect, and included new rules for issuing residence permits.³²⁷ The government created additional prerequisites for registering and operating as a labor agency, and raised fines for employing foreigners unlawfully.³²⁸ In July 2017, according to a Czech news source, a legal amendment passed

to update requirements for labor agencies and the companies that use labor agencies, and to prohibit “covert agency employment.”³²⁹

3e. Effects of COVID-19 on Filipino Workers in Europe

Impacts

The COVID-19 pandemic has had a variety of impacts on Filipino migrant workers. As of August 2020, approximately 500,000 Filipino migrant workers had lost their jobs globally. The Philippines’ Department of Labor and Employment (DOLE) estimates that an additional 200,000 Filipino migrant workers will lose their jobs by the end of 2020.³³⁰ With remittances comprising an estimated 10 percent of the Philippine economy,³³¹ this job loss is expected to weaken the economy,³³² and cash remittances were faring worse than even the central bank of the country had projected.³³³

The job loss and uncertain future has resulted in a difficult decision: whether to stay or attempt repatriation to the Philippines, a difficult undertaking due to a litany of travel restrictions and documentation issues. Approximately 147,000 of the 500,000 Filipino migrant workers who lost their jobs made the decision to remain in their host country. Approximately 80,000 of the jobless 500,000 became stranded in their host countries due to movement restrictions. The balance of the 500,000 jobless were awaiting documentation issuance to return to the Philippines in September 2020.³³⁴ An unknown number have been trying or simply wanting to return home, jobless or not. To accomplish this, the government of the Philippines has undertaken a major repatriation effort.³³⁵

As of September 2020, DOLE assisted in the repatriation to the Philippines of 218,205 Filipino migrant workers since May.³³⁶ Upon arrival in the Philippines, Filipino migrant worker returnees were tested for COVID-19, and were provided with accommodation, food, and transportation to their home provinces. The government has also formalized aid for Filipino migrant workers affected by the pandemic. DOLE began an aid program in April, distributing a one-time cash payment of PHP 10,000 (EUR 175) to Filipino migrant workers affected by the pandemic, be they in the Philippines³³⁷ ³³⁸In late

September, DOLE, the Overseas Workers' Welfare Administration (OWWA), and the Commission on Higher Education began an aid project for the college students of Filipino migrant workers affected by COVID-19, providing a one-time payment of PHP 30,000 (approximately EUR 500) per Filipino migrant's family. This program is expected to reach 30,000 families.³³⁹

The government of the Philippines has also started a job training program for returning Filipino migrant workers, helping "reskill" them for jobs in the Philippines, including much-needed contact tracers and teachers.³⁴⁰

Effect on Labor Vulnerability

For Filipino migrant workers of all types, the COVID-19 pandemic has had impacts that increase their vulnerability, including the global recession, global job loss, and the newfound rise of nationalism and anti-immigrant sentiment. In particular, Filipino domestic workers and seafarers – two sectors with a significant Filipino worker presence – have seen unique impacts to their professions that have increased their vulnerability.³⁴¹

The potential for abuse and labor exploitation has risen, especially for domestic workers³⁴² and seafarers.³⁴³ Most unfortunately, Filipino migrant workers have also suffered from the illness of COVID-19 itself. As of early September 2020, 10,097 Filipinos abroad were known to have COVID-19, 6,220 had recovered, and 757 had died.³⁴⁴

Reports indicate that approximately 400,000 seafarers remain trapped on cargo and container ships as of late September.³⁴⁵ "Many" of these 400,000 are thought to be Filipino seafarers. While some float at sea, many are being forced to continue to work in spite of their contracts expiring.³⁴⁶ Seafarers in this group have continued to work, loading cargo, sailing to the next port, unloading the cargo, but then being prohibited from disembarking.³⁴⁷ As per maritime law, seafarer contracts are not permitted a duration of longer than 11 months. Between 40 and 50 percent of those stranded have now gone beyond this 11-month regulation, with no end in sight.³⁴⁸ In addition to the blatant excessive overtime, risks for these workers include numerous health and safety issues, including extreme fatigue, illness, physical and emotional injury, unavailability of medical care, as well as the increased potential for a hazardous work environment from

a ship that has gone without service or is running on low on supplies. While governments around the world, including those in Europe, have made efforts to ensure the supply routes have remained intact, the plight of the seafarers that operate them remains largely ignored.³⁴⁹ In mid-September, President of the Philippines Rodrigo Duterte instructed the Department of Foreign Affairs to attend to the issue, requesting that the department undertake finding where Filipino seafarers were stranded, and appealing to the governments where Filipinos were found to increase their efforts to find a resolution.³⁵⁰

Domestic workers have faced difficult and dangerous situations as a result of the impacts of COVID-19. Workers have reported having to endure abuse and exploitation for fear of being dismissed, being dismissed without cause,³⁵¹ or not being paid at all. In the UK, as domestic workers' visas are tied to their employer, and being undocumented is criminalized, the loss of a job not only represents no longer having an income or a home, but the potential for arrest and imprisonment. Workers have also reported being fearful of reporting symptoms or seeking medical help.³⁵² Lockdowns have presented a newfound risk for domestic workers. Residing with their employer even under normal circumstances makes domestic workers vulnerable to excessive overtime, but under lockdown conditions, domestic workers are forced to remain in their employer's house at all times, and reports indicate employers are taking advantage of this heightened availability with increased demands for overtime work. Lockdowns also make the possibility for domestic workers to escape abusive employers more difficult.³⁵³

Effect on Recruitment

COVID-19 may negatively impact recruitment experiences for Filipino migrant workers in several ways. Workers who had not yet departed for overseas employment but who have begun the process, or those who returned for leave and are waiting to be redeployed, run the risk of not being refunded all manner of fees or expenses, including recruitment fees (which they may have gone into debt or put down collateral to receive), visa or documentation fees, and travel and transport fees. These workers also risk delays in departure, which may result in losing their job. Some workers may choose or be forced to accept less preferable contract terms or wage amounts, increasing the potential for labor risk.³⁵⁴ The potential for these risks has been heightened by the actions of the government of the Philippines. In April, the government issued a blanket

ban on the deployment of all Filipino migrant workers. These restrictions were eased the following month for all Filipino migrant workers, except healthcare workers (see *Healthcare Workers from the Philippines During the COVID-19 Pandemic*).

Healthcare Workers from the Philippines During the COVID-19 Pandemic

The Philippines provides the rest of the world with more nurses than any other country.³⁵⁵ Because of the Philippines' large number of healthcare professionals, and the immediate or imminent need for such workers in several European countries, it is likely that the number of Filipino healthcare workers in numerous European countries will increase, including in Poland, Germany, and the Czech Republic.³⁵⁶ As such, the need for stakeholder support and intervention for healthcare workers in many European countries, and nurses in particular, especially during the COVID-19 pandemic will be significant.

Death from COVID-19 has had a disproportionate impact on Filipino medical workers in the UK, gaining worldwide attention by mid-2020.³⁵⁷ According to an expert interviewed, the nursing leadership of the UK and country's director of the Workforce Race Equality Standards were also spurred to action, ultimately culminating in the creation of a special assessment meant to engender greater safety of minority healthcare workers, called the BAME (Black, Asian or minority ethnic background) Assessment for Healthcare Workers.³⁵⁸ As of June 2020, at least 57 Filipino medical workers had died from COVID-19. Filipino nurses have borne a particularly devastating impact, as they comprised about half of the recorded deaths of Filipino medical workers dying of COVID-19,³⁵⁹ prompting inquiry from nursing sector leaders in the Philippines.³⁶⁰ Theories have been suggested as to why Filipino nurses were affected so deeply, including that Filipino nurses were assigned to higher risk environments at a disproportionate rate, and that the adequacy and availability of personal protective equipment (PPE) may have been lower than that of other groups.³⁶¹

The disproportionate impact of COVID-19 on Filipino healthcare workers and nurses is made more worrisome when the scale of Filipinos working in the field is considered. Healthcare workers from the Philippines make up a significant percentage of the UK's

National Health Service (NHS) workforce (approximately 18,500 Filipinos), comprising the third largest group in the NHS workforce overall, behind Britons and Indians.³⁶² The actual total number of Filipinos employed as nurses and other healthcare workers is likely significantly higher than the official numbers. This is due to the unavailability of accurate accounting of Filipinos working in private healthcare, as well as the fact that an unknown number of Filipinos may not have been designated as such by the NHS, or the workers themselves may have chosen not to report themselves as Filipino in NHS documents.³⁶³ The fact that such a large number of Filipinos are medical workers, and especially that at least one-quarter of NHS nurses are Filipino, strongly indicates the need for increased stakeholder support.

The government of the Philippines operates government-to-government (G2G) agreements with countries in Europe on the employment of nurses from the Philippines. As there are more applicants than the agreements can absorb, private recruitment of nurses arose. A common form of private recruitment operates like a contractor for European governments, recruiting Filipino nurses not absorbed by their G2G agreements, and sometimes collaborating with labor brokers within the Philippines.³⁶⁴ These European recruiters, called Foreign Placement Agencies (FPAs) work with Philippines recruitment agencies. FPAs can also recruit via Philippine recruitment agencies on behalf of an employer, both public and private. For instance, in the UK, the NHS does not recruit or liaise directly with Philippine recruitment agencies but enlists FPAs when workers are needed.³⁶⁵ Recognizing the inherent risks in international recruitment of healthcare workers, the UK generated an operational code guidance on recruitment in 2004 and 2005. Experts have highlighted the distinct opportunities for abusive recruitment under the current paradigm. As such, additional investigation and the implementation of protective measures would likely be prudent in the sector.³⁶⁶

Filipino healthcare workers represent the third most common nationality in the UK's NHS workforce. At least one-quarter of NHS nurses are Filipino.

In April 2020, Philippine President Duterte issued a blanket ban on the deployment of all Filipino workers, citing the need to keep Filipino workers safe from contracting and suffering from COVID-19 abroad or bringing it back with them to the Philippines. Duterte lifted the ban one month later for all Filipino workers except healthcare

workers, other than those who possessed POEA certificates verifying an overseas employment contract dated March 8 or earlier. Approximately 1,300 healthcare workers being rehired in the UK were actively undergoing the recruitment process in Manila during this time, and essentially became stranded there as a result of the ban, unable to travel back to their lives in the UK. Others, who were new hires, were thrown into uncertainty about their futures. The ban is largely considered by the workers, including a movement of workers calling themselves the “PrisoNurses,” to be a ploy to all but force them to use their expertise in the fight against COVID-19 in the Philippines; the government urged them to augment the country’s frontline workers, but has offered very little incentive and only substandard healthcare options for those workers who may become ill.³⁶⁷ On 21 Sept. 2020, the government agreed to slightly relax the ban further, allowing those who had POEA certificates and completed contracts as of Aug. 31 to depart. This change is expected to allow approximately 1,500 healthcare workers to depart.³⁶⁸

4. Recommendations

Based on the research findings presented in this report, as well as action items raised by stakeholders during in-depth interviews in August and September 2020, Verité offers the following recommendations to the governments of the Philippines and European host countries, civil society organizations, trade unions, and the private sector. These recommendations focus on addressing recruitment-related risks associated with pre-deployment, particularly risk prevention mechanisms; as well as post-deployment responses including victim identification and the provision of services. There is a need for a comprehensive agenda that takes stock of workers’ vulnerabilities at specific phases of the labor migration cycle, addresses the risks that are systemic to the migration corridor and each sector, and focuses on innovative preventive interventions.

Verité further recommends supporting preventive strategies that: (a) stress the importance of multi-stakeholder responses; (b) engage all actors involved in the labor migration process, including labor agents and intermediaries; and (c) highlight the protection and rights of workers. Resources and efforts must be focused on interventions that relieve workers of financial burdens, improve workplace conditions, and promote worker empowerment and labor and human rights.

4a. Recommendations for the Governments of the Philippines and European Destination Countries

Recommended actions for the Philippine Government, with advocacy and engagement by civil society and other relevant stakeholders:

- **Strengthen monitoring and enforcement of Philippine actors involved in recruitment for foreign employment** to ensure that workers are not charged fees or expenses that should be covered by the employer under Philippine regulations,³⁶⁹ or under ILO guidance.³⁷⁰ Currently, Philippine law allows charging workers for statutory documentation costs and agency placement fees as high as one month's salary under certain circumstances (see *Key Regulations Governing the Hiring Process* section). As a best practice, and to meet ILO guidance, the government should revise regulations and guidance to clarify that migrant workers' employers, rather than workers themselves, should bear the cost of visas, job-related trainings, medical examinations, and placement through a recruitment agency, among related fees and expenses. At a minimum, and in the more immediate term, the government should increase the enforcement of existing restrictions on the costs of placement and medical clearance passed on to workers.³⁷¹ Costs borne by workers, such as placement fees, training, and medical examinations, increase workers' debt burdens and therefore their vulnerability to debt bondage and other forms of labor exploitation.³⁷²
- **Increase the strength of information dissemination in the Philippines.** Expert interviewees noted that information dissemination for Filipino migrants traveling to European countries should be stronger and begin from the sending country: the Philippines. The government of the Philippines should require that pre-departure orientations cover topics on access to justice and redress mechanisms specific to each sector. Migrant workers should also be informed of the immigration and labor laws and regulations in their destination country, such as on minimum wage and conditions of work, as well as on the policies available to protect them. Migrants should be made aware of common red flags in recruitment, such as excessive fees and contract substitution, and available resources for reporting suspected illegal or unfair practices.

- **Partner with Philippine barangays (villages) and regional DOLE offices** to improve the process for connecting prospective workers to job openings, as well as for providing information on risks and worker protections in migrant worker sending communities.
- **Update the model employment contract.** An expert interviewed by Verité reported that, based on conversations with government officials, the POEA is working to create one or more standard employment contracts that are better adapted to European labor markets than the one it has previously used as its sole benchmarking reference. An appropriately tailored standard contract would reflect that European wage rates tend to be higher than other destination regions and are unlikely to cover workers' accommodation and food expenses. The government of the Philippines should include model contracts of destination countries and sectors in its review,³⁷³ and ensure the updated model employment contract or contracts are made available to various stakeholders, including labor employment agencies.
- **Conduct a needs and capacity assessment of Philippine government agencies and embassies.** Experts interviewed by Verité recommended that the government of the Philippines conduct a needs and capacity assessment of Philippine embassies, Philippine Overseas Labor Offices (POLOs), and government services available to Filipino migrant workers in Europe to evaluate inefficiencies in services and visibility among migrant workers, patterns of government ability to provide support, and whether or not services are adequate to monitor and remedy labor exploitation. Several organizations noted their belief that the budget allocated to Philippine embassies for addressing Filipino workers' welfare should be increased in order to improve the delivery of services by Philippine embassies, POLOs, and consulates in European countries. These services include maintaining documentation on legal requirements for employment contracts and other immigration practices that put Filipino migrant workers at risk. Experts further noted that improved systems to evaluate the number of Filipino workers in specific European countries, such as a publicly available database, could help determine where to allocate resources.
- **Encourage more Philippine government presence in the Czech Republic and Poland, as well as coordination between governments.** Experts noted the challenges posed by the lack of a labor attaché presence in Eastern Europe, as the POLO in Geneva is responsible for providing services for both countries. In

2019, the Philippine Embassy in Prague noted that it did not have the mandate to carry out tasks necessary to deploy Filipino workers to the Czech Republic, specifically verifying Czech companies' job orders and contracts to submit to the POEA for approval. The embassy, which in March 2019 was operated by only one consul and one staff person, reported that it had sought cooperation from the POLO in Milan to carry out these activities.³⁷⁴ Although there has been some indication that a POLO will be installed in the Czech Republic or Poland, the government of the Philippines should ensure that this takes place, or find alternatives to ensure sufficient coordination with the governments of the Czech Republic and Poland.

- ***Increase information dissemination about risks of traveling through transit countries during the recruitment phase.*** Verité research indicates that it is common for Filipinos seeking employment in Poland and Czech Republic to travel through transit countries, such as Malaysia, Hong Kong, Singapore, or Taiwan, in order to receive the necessary documentation to travel and work in these countries. Among other risks, the costs associated with additional travel during the recruitment process contribute to workers' accrual of debt. The government of the Philippines, with advocacy from stakeholders, should encourage more information dissemination around the risks of traveling to third countries during the recruitment phase, and encourage other legal avenues to allow Filipino workers to receive the necessary paperwork in the Philippines, thus avoiding costly travel and heavy debt burdens.
- ***Increase information dissemination on the risks of civil law contracts.*** Multiple experts interviewed emphasized that the process for reviewing and signing contracts presents significant risks for Filipinos seeking work in the Czech Republic and Poland. Experts interviewed noted the risks of Filipino workers signing civil law contracts, which in practice have enabled recruiters to include attractive provisions such as high salaries without ultimately honoring the contract provisions. The representative noted that the recruiters could ignore such provisions if workers signed a civil law contract in the Philippines, as this type of contract is not recognized by the Philippine government as a valid and enforceable agreement. Therefore, the government of the Philippines and civil society organizations should perform more outreach to inform workers of the risks of civil law contracts.

- ***Incorporate responsible recruitment elements into government regulations.***
The Philippine government should ratify the ILO’s Convention on Private Employment Agencies (C181)³⁷⁵ and adopt the ILO’s General Principles and Operational Guidelines for Fair Recruitment.³⁷⁶

Recommended actions for European governments, with advocacy and engagement by civil society and other relevant stakeholders:

- ***Increase the duration of work permits.*** Work permits should have a minimum duration of two years, with possibilities to renew, apply for another type of permit, and access settled status.
- ***Allow for migrant workers to switch employers more easily.*** Residence and work permits should enable workers to change their employer, job, and sector; work for more than one employer; and allow time for unemployment/job search.
- ***Ensure equal treatment for migrant workers under the law.*** Residence and work permits should ensure equal treatment, labor rights, and social rights as nationals, as well as family reunification.
- ***Increase access to regularization of undocumented workers.*** Implement clear, accessible mechanisms into law to regularize presently undocumented workers, including those working as domestic and care workers or in the fishing industry. This could include allowing applications for work permits from within the territory, regardless of status.

The following recommendation emerged from expert interviews specific to the government of the Czech Republic:

- ***Address recruitment inefficiencies in formal employment of Filipinos in the Czech Republic.*** As noted in the *Risks for Workers from the Philippines in the Czech Republic* section of this report, the length of time involved in processing documents for formal migration from the Philippines to the Czech Republic represents a significant barrier and contributes to labor risk. Similarly, the process for a Filipino worker to obtain residency permits, acquire employee cards, and switch employers in the Czech Republic is very complex. Workers often have employment contracts with a labor agency rather than directly with their employer, with the agency often handling all relevant documentation.

According to one expert, the complex processes for formal employment coupled with a lack of information available to migrant workers on these processes can make workers very dependent and vulnerable in their relationship to their labor agency.³⁷⁷ The government of the Czech Republic, with advocacy from the government of the Philippines, should take steps to reduce document processing time, improve information available to Filipino and other foreign workers, encourage an easier process for migration from the Philippines (in part to prevent transit migration), and reduce barriers for switching employers in order to promote more formal employment of Filipinos in the country.

The following recommendations are aimed specifically at risks identified for foreign migrant workers in Poland:

- ***Crack down on the buying and selling of visa appointments in Poland.***
According to a representative of an employment agency, agencies take advantage of the Polish government's system for issuing visas to charge foreign workers additional unwarranted fees (see *Poland - Costs Linked to the Recruitment Process*) by buying and selling appointments to migrants, which can increase costs for Filipino migrant workers. The governments of Poland and the Philippines should take steps to address the buying and selling of these appointments.
- ***Prioritize faster processing times for documents necessary for declared work in Poland.*** Experts consulted by Verité noted the systemic problem of slow processing times, which led to long periods of waiting for documents required to start regularized work in Poland, such as work permits. Processing times can be as long as four months, a problem that can be especially acute at the regional level. Such slow processing can hinder migrants from changing employers if their job is exploitative; this problem reportedly affects migrants from non-Eastern European countries in particular, due to how their employment is regulated. Additionally, employers are often unwilling to wait four months for a worker.³⁷⁸ Civil society organizations have been actively advocating that the government of Poland improve processing times for documentation. Other stakeholders should continue to support and encourage civil society in their efforts to ensure that foreign workers are able to switch employers more quickly.

The following activities ideally involve aligned efforts from all relevant governments. Recommended actions for the Philippine and European governments, with advocacy and engagement by civil society and other relevant stakeholders, include:

- ***Align regulations to clearly prohibit the charging of excessive recruitment fees and expenses to workers and to ensure that workers receive at least the national minimum wage.*** Currently, Philippine law allows for the charging of statutory documentation costs and agency placement fees as high as one month's salary under certain circumstances (see Key Regulations Governing the Hiring Process section). Numerous European countries also allow the charging of placement fees, as described in the report. In part due to deductions made to recover the costs of recruitment, Filipino workers described in the report have received significantly less than the local minimum wage. In the UK fishing sector, for example, some migrant workers do not have a clear right to receive the minimum wage, as this is not enforced for workers employed on a transit visa. To avoid the heightened risks of forced labor posed by debt and sub-minimum wages, as well as to meet ILO guidance,³⁷⁹ the Philippines and European destination country governments should revise regulations on recruitment and employment of migrant workers to clarify that workers' employers, rather than workers themselves, are responsible for bearing the cost of recruiting, deploying, and employing foreign workers. European governments should further review their employment policies to ensure that migrant workers are entitled to minimum wage under their visa status.
- ***Increase resourcing for labor inspection in European destination countries with advocacy from the Philippine government.*** European countries receiving migrant workers on temporary work visas should continue or increase support for specialized training on the vulnerabilities of migrant workers and other resourcing for labor inspection, particularly in sectors in which monitoring presents challenges (such as the domestic work and seafaring sectors). Inspectors carrying out monitoring the fishing sector, for example, should receive training on human rights at sea, applying ILO Convention 188, and on labor rights more likely to be violated. Ultimately, governments should understand the enforcement of employment rights as part of a more comprehensive prevention strategy. Additionally, European countries receiving migrant workers on temporary work visas should ensure that labor inspection

authorities do not have immigration enforcement duties as part of their mandate. This recommendation is in line with ILO Convention 81 and the *General Survey on labour inspection*, which “recalls the primary duty of labour inspectors is to protect workers and not to enforce immigration law.”³⁸⁰ Measures should be taken to ensure that migrant workers, including undocumented workers, can engage with authorities – inspection bodies, tribunals and courts, and police – to exercise their rights without risk of immigration enforcement as a result. For more information, see the recommendations outlined in [A Worker is a Worker](#), a report from the Platform for International Cooperation on Undocumented Migrants (PICUM).

- **Encourage more oversight related to “letterbox companies”.** Due to low barriers to creating an official business, several interviewees noted the phenomenon of the use of “letterbox companies,” as a means to recruit workers and avoid government oversight. This practice was particularly noted in case studies regarding Poland or the Czech Republic. In these cases, businesses without a significant presence in the country of registration were still able to recruit workers who were ultimately deployed across Europe. This process can limit the ability of European and Philippine governments to provide sufficient oversight of these companies. Specifically, given the emergent examples and with the advocacy of civil society organizations, the government of Poland and the Czech Republic should ensure stronger regulations and oversight associated with such companies.
- **Ratify and implement ILO Convention 188.** Experts interviewed by Verité recommended that the governments of the Philippines and Ireland, with advocacy from civil society organizations and trade unions, should work towards ratifying Convention 188 and integrating its requirements into regulations of the POEA to improve standards for fishers. This would address weaknesses in regulations that fall below international labor standards; in the Philippines, for example, these include (1) allowing for recruitment-related costs to be charged to fishers; (2) insufficient standards for employment contracts, which although enacted, do “not contain relevant terms and conditions”; (3) a lack of clarity around required minimum hours of rest and specific manning levels; and (4) a lack of clarity in the definitions of recruitment and placement services.³⁸¹ Although the UK has ratified Convention 188, audit findings indicated that requirements of the convention are not yet fully implemented, as many vessels

lacked work agreements, a grievance policy, and a human rights policy, among other worker protections.³⁸² Numerous other European countries have yet to ratify Convention 188.³⁸³

4b. Recommendations for the Private Sector

Consumer brands, traders, and manufacturing facilities who are sourcing from or have operations in Europe should adopt and implement robust due diligence and supplier monitoring mechanisms in their supply chains, such as those provided in the Responsible Sourcing Tool.³⁸⁴ At a minimum, supply chain responsibility programs and mechanisms should:

- **incorporate a zero fees to workers policy**, which ensures that workers do not pay fees or expenses for employment as defined by the ILO;³⁸⁵
- **require adherence to human rights and responsible recruitment standards** in supplier and service agreements, including agreements between employers and labor agencies;
- **expand monitoring and due diligence processes** to cover the recruitment practices of sending country and receiving country labor agencies;
- **require transparency in employment agreements** to ensure that workers are briefed on and formally agree to an accurate and legal employment contract (in a language they understand) before deployment, with copies of contracts provided (including digitally) and with no contract substitution;
- **provide access to effective grievance mechanisms**, in a language understood by workers, through the employer as well as through any worker associations in place; and
- **invest in responsible recruitment capacity building** for suppliers and employers and incentivize good practices.

4c. Multi-Stakeholder Recommendations for Specific Sectors

Based on the complexity of issues in some of the target sectors studied, some recommendations require aligned public private intervention to ensure comprehensive

protection for workers. In addition to the broader recommendations made above, these recommendations include:

- ***Increase fisher and seafarer access to grievance mechanisms and other support services.*** Experts interviewed by Verité emphasized that Filipinos actively employed as fishers and seafarers, as well as those preparing for deployment, require better access to and awareness of organizations that support their rights and wellbeing. Public and private involvement is crucial to informing workers of their rights and providing workers with remedies for abuse. Experts pointed out that technology required to provide internet access on ships was dropping in price, and that stakeholders should advocate for private companies to encourage internet access on ships as both a strategy to help recruit and retain skilled workers, but also as a method of providing access to workers in case of exploitation.
- ***Enable domestic workers to enter Europe through formal labor migration processes.*** Experts interviewed by Verité cited the barriers for domestic workers to regularly enter Europe, due to the associated expense and restrictions on access to work permits for domestic workers (due to measures such as shortage occupation lists, labor market tests and caps on the number of domestic workers allowed work permits), prompting domestic workers and employers to use tourist, student, and au pair visas (as described in the *Recruitment for Au Pairs from the Philippines to Europe* section). Experts noted that decent and accessible labor schemes, including government-to-government agreements, should be advocated for and developed to enable domestic workers to enter countries formally, which would allow the Philippines and European destination country governments to better monitor Filipino migrant domestic workers' employment conditions and wellbeing. Other experts noted that government-to-government and bilateral agreements can complicate the regulation of labor migration and the labor market more broadly, and contended that worker permits should be accessible for domestic workers under general work permit schemes, with protections and rights for workers and their families.
- ***Conduct and advocate for more outreach to domestic workers in informal settings.*** According to experts interviewed, visits to individual employers' homes to assess conditions of domestic workers are rarely conducted unless there is strong evidence of abuse. With advocacy from civil society and in close coordination with civil society, European destination country governments for

migrant domestic workers should prioritize increased outreach to migrant domestic workers employed in informal settings to address risks of labor exploitation. Several civil society organizations highlighted the use of social media as a key tool to engage with migrant domestic workers, inform them of their labor rights, and connect them with available trainings and services.

4d. Recommendations for Collaboration Between CSOs in Europe and the Philippines

Verité believes that an opportunity exists for increased collaboration between European and Philippines stakeholders working on the issue of labor rights for Filipino migrants in Europe. In particular, knowledge sharing on key recruitment risks and opportunities for integrated programming has the potential to improve outcomes for foreign workers. As a first step, Verité envisions the following actions taking place, with the support of funders:

- **Create a database of relevant resources and organizations** engaged in these issues, organized by country and/or sector, and make them available to CSOs, CBOs, trade unions, and other relevant stakeholders in the Philippines and Europe. The *Stakeholder Mapping List* featured in this report offers a starting place for developing a potential database.
- **Organize a series of virtual annual or bi-annual meetings with European and Philippines stakeholders**, which could be organized by country and/or sector. In these meetings, stakeholders could share their experiences working with Filipino migrants, discuss key vulnerabilities, and strategies for information dissemination and prevention.
- **Create integrated programming** in which CSOs based in Europe and the Philippines can align activities to address labor and recruitment risks for Filipino migrants. Funders can play a key role in making funding available and supporting projects that promote cooperation between multiple Europe and Philippines-based organizations.

4e. Recommendations for Further Research

Verité recommends that further research be conducted to assess how aspiring Filipino migrant workers in European migration corridors, including in the countries and sectors identified, receive information about potential employment and labor migration opportunities. There is significant risk of illegal recruiters using digital platforms and social media to recruit Filipino workers.³⁸⁶ Verité research shows that social media networks also offer a significant source of information for prospective and current migrants; further research should be conducted to identify where and how information is obtained, with an emphasis on digital platforms, in order to explore engagement options for providing resources and services to prevent and address labor risk.

Annex 1 – List of Experts Consulted

A list of organizations represented in the interviews, as well as the primary expertise of the interviewee, is provided in the following table.

Table 7: List of Experts Consulted Based on Sector and Area of Focus

Interview No.	Interview Date	Sector	Area of Focus	Organization	Source Type	Based
1.	8/18/2020	Road Transport	Europe	European Transport Workers' Federation (ETF)	Trade Union	Europe
2.	8/26/2020	Road Transport	Denmark	3F Denmark	Trade Union	Europe
3.	9/3/2020	Road Transport	The Netherlands	VNB-FNB	Trade Union	Europe
4.	8/25/2020	Trafficking/Labor Exploitation	Global	La Strada International	CSO	Europe
5.	8/25/2020	Migrant Labor	Europe	Fair Work	CSO	Europe
6.	9/3/2020	General Labor Migration	Europe	Ateneo de Manila University	Academic	Philippines
7.	8/31/2020	Migrant Labor	Global	Blas F. Ople Policy Center and Training Institute	CSO	Philippines
8.	8/14/2020	Migrant Labor	Global	Center for Migrant Advocacy (CMA)	CSO	Philippines
9.	9/7/2020	Trafficking/Labor Exploitation	Global	Focus on Labour Exploitation (FLEX)	CSO	Europe
10.	9/16/2020	Recruitment/General Labor Migration	Global	FAIR Hiring Initiative	CSO	Philippines
11.	8/18/2020	Migrant Labor	Europe	Migrante Europe and	Migrant Group	Europe

Interview No.	Interview Date	Sector	Area of Focus	Organization	Source Type	Based
				Migrante International		
12.	8/31/2020	Trafficking/Labor Exploitation	Poland	La Strada – Foundation against Trafficking in Human Beings and Slavery (La Strada Poland) ³⁸⁷	CSO	Europe
13.	9/8/2020	Migrant Labor	Poland	University of Lodz	Academic	Europe
14.	8/26/2020	Migrant Labor	Poland	Centrum Wsparcia Imigrantów i Imigrantek (Immigrants Support Center) (CWII)	CSO	Europe
15.	8/27/2020	Across Land based Sectors	Poland/Czech Republic	Philippine Association of Service Exporters, Inc. (PASEI)	Recruitment/Private Sector	Philippines
16.	8/31/2020	Seafaring (Maritime Transport)	Europe	European Transport Workers’ Federation Maritime	Trade Union	Europe
17.	9/3/2020	Fisheries	Global	International Transport Workers’ Federation (ITF)	Trade Union	Europe
18.	9/4/2020	Seafaring (Maritime Transport)	Global	International Transport Workers’ Federation (ITF) Maritime	Trade Union	Europe

Interview No.	Interview Date	Sector	Area of Focus	Organization	Source Type	Based
19.	9/4/2020	Fisheries/Seafaring	Global / Europe / Philippines	Stella Maris ³⁸⁸	Faith-Based CSO	Europe
20.	9/9/2020	Fisheries/Seafaring	Global / Europe / Philippines	Stella Maris	Faith-Based CSO	Philippines
21.	9/3/2020	Child and Elder caretaking/ Domestic Work	UK	Kalayaan	CSO	Europe
22.	9/18/2020	Child and Elder caretaking/ Domestic Work	UK	Waling Waling	Migrant Group	Europe
23.	8/25/2020	Child and Elder caretaking/ Domestic Work	United Kingdom	Filipino Domestic Workers Association UK	CSO	Europe
24.	9/4/2020	Child and Elder caretaking/ Domestic Work	Belgium	FAIRWORK Belgium	CSO	Europe
25.	9/2/2020	Migrant Labor, with emphasis on Domestic Work	Greece	KASAPI-Hellas	Migrant Group	Europe
26.	9/16/2020	Recruitment/General Labor Migration	Global	Labor Migration Corridor Project	CSO	Philippines
27.	9/7/2020	Healthcare (General)	Europe	ESPU Healthcare	Trade Union	Europe
28.	8/27/2020	Nursing	UK	Filipino Nurses Community	Migrant Group	Europe

Annex 2 - Stakeholder Mapping List

The following section lists CSOs, trade unions, and CBOs that Verité identified during the course of the research that are known to have worked with Filipino migrants specifically, advocated on behalf of Filipinos, and/or engaged in research on topics that affect Filipinos in Europe. The list is not intended to be comprehensive of all organizations that provide advocacy and services to Filipino migrants in Europe.

Table 8: Stakeholders Identified

Type of Organization	Countries and/or Sectors of Focus	Name
NGO Platform	Europe	La Strada International (LSI) ³⁸⁹
NGO Platform	Europe	Platform for International Cooperation on Undocumented Migrants (PICUM)
NGO Platform (Faith-Based)	Europe	European Freedom Network (EFN)
NGO Platform	Europe	Migrante International / Migrante Europe
NGO	Greece	KASAPI-HELLAS (Unity of Filipino Migrant Workers in Greece)
NGO	Netherlands	Fair Work Netherlands
NGO	Belgium	FAIRWORK Belgium
NGO	Ireland	Migrant Rights Centre Ireland (MRCI)
NGO	UK	Focus on Labour Exploitation (FLEX)
Trade Union	Europe/Transportation including Fisheries, Seafarers, and Land Transportation	International Transport Workers Federation (ITF)
Trade Union	Europe/Transportation including Fisheries,	European Transport Workers Federation (ETF)

Type of Organization	Countries and/or Sectors of Focus	Name
	Seafarers, and Land Transportation	
Trade Union Foundation	The Netherlands/ Transportation including Fisheries, Seafarers, and Land Transportation	Federatie Nederlandse Vakbeweging (FNV-VNB) – Dutch Trade Union Federation Foundation
Trade Union	Denmark / Numerous sectors, including road transportation	United Federation of Danish Workers (3F)
Trade Union	Europe / Healthcare and Social Service Workers (inc. nurses, healthcare assistants, midwives, doctors, elderly and child care workers, social workers, laboratory staff, hospital cleaners and medical secretaries.)	European Public Service Union (EPSU)
Trade Union	Europe, with affiliates in different European countries / Domestic Work	International Domestic Worker Federation (IDWF)
NGO (Faith-based)	Europe, and Philippines / Fishing and Seafaring	Stella Maris
NGO	Europe, Various Country Branches	Commission for Filipino Migrant Workers (CFMW) (affiliated with the Transnational Migrant Platform (TMP) network)

Type of Organization	Countries and/or Sectors of Focus	Name
NGO	UK / Domestic Work	Kalayaan
NGO	UK / Domestic and Healthcare Workers	Filipino Unite
NGO (Faith-based)	Europe (Spain)/Philippines	Centro Filipino
CBO	UK / Domestic Workers	Waling Waling
NGO (composed of CBOs)	UK	Kanlungan Filipino Consortium
NGO	UK / Domestic Workers	Voice of Domestic Workers
NGO	UK / Domestic Workers	Justice for Domestic Workers (J4DW)
NGO	UK / Domestic Workers	Filipino Domestic Workers Association (FDWA) UK
Healthcare in UK		
NGOs	UK / Healthcare Work Nursing	<ul style="list-style-type: none"> - Philippine Nurses Association of the United Kingdom (PNA-UK) - Filipino Nurses Association (PNA) - Filipino Food4NHS - Filipino Nurses Community
Poland		
NGOs	Poland	<ul style="list-style-type: none"> - La Strada – Foundation against Trafficking in Human Beings and Slavery (La Strada Poland) - Polish Migrants Organise for Change (POMOC) - Fundacja Ocalenie (Ocalenia Foundation) - Immigrant Support Center (CWII) - Stowarzyszenie Interwencji Prawnej (SIP) (Association for Legal Intervention)

Type of Organization	Countries and/or Sectors of Focus	Name
Academics	Poland	<ul style="list-style-type: none"> - Faculty of Political Science and International Studies at the University of Warsaw - Faculty of the Institute of Social Insurance Law and Social Policy at the University of Lodz - Faculty of the Department of Labor Law and Social Policy of the Jagiellonian University <p>Note: Names of academics available upon request and with permission of the interviewee.</p>
Employment Agency	Poland and Czech Republic, among other countries in Europe	Philippine Association of Service Exporters, Inc. (PASEI)
Czech Republic		
NGO	Czech Republic	<ul style="list-style-type: none"> - La Strada Czech Republic - Sdružení Pro Integraci a Migraci (SIMI) (Association for Integration and Migration) <p>For a list of other organizations involved in addressing trafficking and labor exploitation, see the following stakeholder list from La Strada Czech Republic.</p>

Endnotes

¹ The latest stock estimate published by the Commission of Filipinos Overseas (CFO) was as of December 2013. Data available at:

“Stock Estimates of Overseas Filipinos.” Office of the President of the Philippines. Commission of Filipinos Overseas. December 2013. cfo.gov.ph/yearly-stock-estimation-of-overseas-filipinos/

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Interview with ITF Maritime Operations. September 2020.

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