

# Philippines

## Introduction

Emigration has been an enduring feature of the Philippine economy. Global political and economic developments in the last century have greatly influenced how the country's policies have been shaped to respond to the changing international demand for workers. While colonial ties facilitated much of the flows in the early twentieth century, it was the international economic restructuring towards the end of the last century that has fueled the rapid growth of the flow of Filipino migrant workers. International remittances from increasingly geographically dispersed Filipino workers have helped buoy the economy through economic crises. While immigration to the Philippines is small relative to emigration flows, the country has liberal policies in accepting immigrants even if protectionist economic policies constrain capital ownership and political participation among foreign nationals.

## Background Information

Capital: Manila

Official languages: Filipino, English

Area: 343,448 km<sup>2</sup>

Population (2010): 92.3 Million

Population density: 269 inhabitants/km<sup>2</sup>

Population growth (2000-2010): 1.9%

Foreign citizens as a percentage of total (2010): 0.2%

Labor force participation rate (2012): 64.2%

Unemployment rate (2012): 7%

Religions (2007): Roman Catholics (81.0%), Protestants (11.6%), Muslims (5.1%), Buddhists (0.1%)



## Historical Development

Migration in the Philippines is intimately linked with the economic history of the country. Movement of people to and from the Philippines up to the early years of independence (in 1946)<sup>1</sup> had been facilitated largely by economic, especially trade and colonial, ties with other countries.

## Immigration

While the islands of what is now the Philippines had been under various colonial governments for more than 300 years, immigrants as a proportion of the total population in the country has not surpassed one percent in the past century. In 1883, towards the end of the Spanish colonial period, the non-indigenous population totaled 44,440 individuals, representing about 1.1 percent of the total population. The rapid 2-3 percent Filipino population growth in the post-World War period dwarfed the relative share of an increasing number of foreign nationals. In 1918, there were about 63,000 foreign nationals in the country, which constituted about 0.7 percent of the total population. The absolute number of foreign nationals continued to increase until the 1970s, when the stock contracted due to domestic and regional economic and political instability. More recent data show an uptake on the

number of foreign citizens in the country, although the number has not surpassed that of the year 1970 when 219,438 foreign nationals were living in the Philippines.

### Emigration

The country has a long history of out-migration, with historical accounts going as far back as 1417, when Sulu royalties and their families set out to China for a trade mission. Filipino seafarers manned ships in the Manila-Acapulco trade (1570-1815) during the Spanish colonial period.<sup>2</sup> In 1763, Filipino seafarers in one of the trade galleons jumped ship and settled in the bayous of Louisiana in the United States (US).<sup>3</sup> Towards the end of the Spanish colonial period, affluent families were able to send their members to study in Europe, mainly in Spain, where they were exposed to liberal and nationalist ideas, which fueled the Propaganda Movement that sought reforms from the Spanish government in the administration of the then Philippine colony.<sup>4</sup>

Large scale deployment of Filipino workers was introduced in the early years under the US colonial government. With the passage of the “*Pensionado Act*” in 1903, Filipino students were sent to the US to further their education as the US sought to establish a Commonwealth run by Filipinos. Likewise, between 1906 and 1934, around 150,000 Filipinos, mostly men, were recruited as plantation workers to be deployed largely in Hawaii and California. US military servicemen based in the Philippines during the Second World War also brought their Filipina “war-brides” to the US. In the early years after the war, Filipinos were able to migrate to the US as navy recruits under the “Philippine-US Military Base Agreement” and as workers in US military bases across the Pacific, including in the Philippines.

Immigration law reforms in Canada (1962), the US (1965), and Australia (1966), which reduced restrictions to Asian immigration, facilitated the migration of Filipinos into these countries. In the US, Filipino migrants during the immediate post-1965 reform were largely family members of earlier Filipino emigrants availing of the family reunification program of the Lyndon B. Johnson administration. Guest worker programs in some European countries likewise helped Filipino professionals to secure employment in that region.

Filipino emigration from the start of the twentieth century is marked by an organized system of large scale deployment of workers overseas. However, it was not until the 1970s that the number of emigrants increased rapidly, fueled by the construction boom in the Middle East, especially in Saudi Arabia, arising from the oil price crisis in the 1970s.<sup>5</sup> Public policy on overseas employment was first introduced with the adoption of the “Philippine Labor Code” in 1974. Prior to this, the government played only a minimal role in the recruitment and deployment of workers overseas. The 1974 Labor Code originally envisioned complete government control over recruitment and overseas placement in response to the rising number of violations committed against migrant workers in host countries. This policy, however, was later abandoned in favor of government regulation of private recruitment activities.<sup>6</sup>

## Immigration and Immigration Policies

The 2010 Census of Population registered 177,368 foreign nationals in the Philippines, representing just 0.2 percent of the total population. They are comprised largely by prime aged adults (20 to 59 years old), and by males (cf. Table 1). Countries of citizenship were more diversified in 2010 compared to 40 years ago, when Chinese, Japanese, South Koreans, and US Americans comprised about three quarters of foreign nationals in the country. Top countries of citizenship in 2010 included the US (16.9%), China (16.2%), Japan (6.5%), India (5.1%) and South Korea (3.3%).

**Table 1: Foreign Citizens by Sex, Age Group, Education and Country of Citizenship, 1970-2010**

	1970	1990	2010
Total	219,438	158,974	177,368
<b>By Sex</b>			
Male	52.6	52.6	56.7
Female	47.4	47.4	43.3
<b>By Age Group</b>			
< 20		41.1	34.9
20 - 59		48.5	58.2
59 <		10.5	6.9
<b>By Education</b>			
Less than primary completed		27.7	
Primary completed		20.5	
Secondary completed		25.1	
Tertiary completed		10.8	
Not Reported		3.2	
<b>By Country of Citizenship</b>			
China	39.6	37.8	16.2
Japan	23.6	2.0	6.5
South Korea	5.7	0.3	3.3
United States	8.7	13.6	16.9
Others	22.5	46.3	57.1

Note: 1970 figures from Concepcion, M.B. (Ed.) (1977). Population of the Philippines. Quezon City: UP Population Institute. Estimates for 1990 are based on a 10 percent sample of the census. 2010 estimates are based on full census. Total is in units; all others are in percent. Distribution by education refers to persons aged 5 years and older.

The Bureau of Immigration (BI) has sole jurisdiction to enforce and administer immigration and alien registration laws, including the admission, registration, exclusion, deportation and repatriation of aliens, as well as the supervision of the flow of aliens to and from the Philippines. In 2012, a total of 203,753 foreign citizens registered with BI under its annual alien registration program provided for in the “Alien Registration Act of 1950” (Republic Act (RA) 562).<sup>7</sup> Of the total foreign nationals registered, 28.9 percent were foreign students, which have

**Table 2: New Aliens Registered by Category, Sex and Age, 2004-2012**

	2004	2005	2006	2007	2008	2009	2010	2011	2012
Total	4,292	17,119	63,475	22,647	19,972	19,231	22,018	17,834	12,603
<b>By Category</b>									
Permanent	48.8	66.8	75.9	50.4	33.0	31.0	21.7	7.1	8.3
Temporary	1.9	7.1	4.9	5.4	7.9	6.5	5.9	3.4	3.0
Treaty Traders	1.9	2.6	0.5	0.8	0.8	0.8	1.2	1.8	1.8
Temporary Students	4.5	3.9	3.8	7.9	14.5	18.5	20.6	21.5	19.9
Pre-arranged employment	30.0	14.9	12.1	28.4	36.4	35.1	38.5	38.1	43.0
Others	12.8	4.8	2.8	7.1	7.4	8.1	12.0	28.2	24.1
<b>By Sex</b>									
Male	60.6	64.7	58.6	63.2	65.2	65.4	66.6	67.4	68.4
Female	39.4	35.3	41.4	36.8	34.8	34.6	33.4	32.6	31.6
<b>By Age Group</b>									
under 15	5.3	5.8	7.3	9.8	10.6	11.6	10.4	10.7	11.2
15-24	9.9	9.2	7.4	9.7	15.0	17.3	19.0	20.5	20.0
25-34	9.1	10.8	12.8	17.4	24.4	24.6	25.6	23.5	23.9
35-44	15.5	14.6	16.2	18.6	19.6	18.8	19.1	18.4	19.1
45-54	22.2	19.3	19.1	16.1	14.0	12.6	12.2	12.6	12.4
55-64	17.2	17.5	16.2	12.6	8.5	8.3	8.0	8.8	8.8
65 and up	20.9	22.8	21.1	15.8	7.8	6.7	5.7	5.6	4.7

Note: Total is in units; all others are in percent.

Source: Battistella and Asis (2013).

more than quadrupled in number since 2008. 47,000 foreigners were non-immigrant aliens<sup>8</sup>. Males dominate the number of new aliens registered between 2004 and 2012 (cf. Table 2). During the same period, the flow of permanent immigrants has declined in terms of proportion. The flow of temporary students and workers with pre-arranged employment has become more prominent.

The Department of Labor and Employment (DOLE) issues Alien Employment Permits (AEP) to foreign nationals who are allowed to work in the country. Between 1978 and 2010, the number of foreign nationals issued work permits did not exceed 15,000 annually. Among the 14,325 AEPs issued in 2010, a plurality was employed in manufacturing (33.2%), transportation, storage and communication (22.9%), real estate, renting and business activities (15.4%) and construction (7.6%), with large concentrations working in high-skill occupations as administrative, executive and managerial workers (55.7%) and as professionals and technicians (38.3%).

Although the country has rather conservative protectionist policies on foreign ownership of capital<sup>9</sup>, the visa system is somewhat liberal. The country allows visa-free entry for qualified foreign nationals wishing to stay in the Philippines for at most 30 days. This privilege is extended to citizens of 151 countries with passports valid for at least six months upon entry into the Philippines. For longer periods of stay, a visa may be required under the "Philippine Immigration Act of 1940" (Commonwealth Act (CA) No. 613, as amended). Former Filipino citizens who have been naturalized in a foreign country and their family who hold foreign passports may stay in the country visa-free for up to one year. Executive issuances starting in the 1980s providing for special resident visas, such as retiree, employer and investor visas, were designed to attract foreign invest-

ments to stimulate the local economy, which has been the main thrust of immigration policies in the past 30 years.

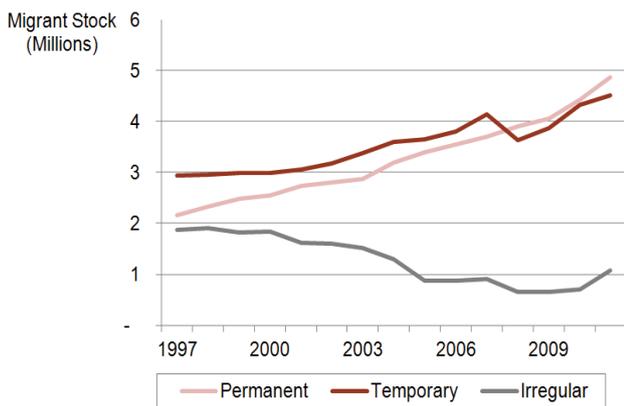
While the Philippines have been ranked favorably in terms of openness to immigrants<sup>10</sup>, integration policy in general has not taken prime importance in public debates. There were efforts, however, to provide targeted services to specific types of immigrants. In 1985, for instance, the Philippine Retirement Authority (PRA) was established to develop programs for and provide services to foreign nationals wishing to retire in the Philippines. As of 2012, a total of 27,000 foreign retirees from 107 countries had been issued Special Resident Retiree's Visa by PRA.

## Emigration and Emigration Policies

In 2011, the Commission on Filipinos Overseas (CFO) estimated that there are around 10.5 million Filipinos in more than 200 territories overseas.<sup>11</sup> Between 1997, when the official migrant stock series was started, and 2011, the average annual growth rate of permanent emigration (5.9 percent) surpassed that of temporary migrant worker flows (3.5 percent) and irregular migration movements (-2.6 percent). The recent world economic crisis in 2008 greatly affected the demand for migrant workers in many countries of the world, resulting in a decline in the stock of Filipinos overseas, specifically that of temporary migrant workers, although later migrant stock estimates show a return to the pre-crisis trend (cf. Figure 1).

International remittances from emigrants make up about ten percent of the Philippine's Gross Domestic Product (GDP) in recent years (cf. Figure 2). This is greater than the contribution of many traditional economic

**Figure 1: Overseas Filipino Stock by Type, 1997-2012**



Source: Commission on Filipinos Overseas. Overseas Filipino Migrant Stock Estimate, various years.

sectors to the GDP, and larger than most regional economies in the Philippines. Total remittances sent by workers have been historically larger than the combined total of foreign direct investments and official development assistance inflow to the country, prompting many to note that remittances could be an important source of development financing: about one of every four households in the Philippines is a direct recipient of international remittances.<sup>12</sup> In 2012, the *Bangko Sentral ng Pilipinas* (Central Bank of the Philippines) estimated that the inflow of international remittances totaled US\$ 23.3 billion, of which 91.6 percent were cash remittances by Filipino migrant workers.

**Permanent Emigrants**

Receiving country policies on permanent immigration is recognized as the primary pull factor enticing many Filipinos to move abroad permanently.<sup>13</sup> Demand for im-

migrants, including Filipinos, has been highly skewed towards skilled workers. Between 1981 and 2012, for instance, only around 10 percent were previously employed as production workers and laborers among those employed prior to emigration, while 40-50 percent of the total annual flow had at least a college degree and were thus considered to be skilled or even highly skilled. Moreover, about two in three permanent emigrants are unemployed family dependents (housewives, minors, retirees, etc.) reflecting family re-unification programs, especially in the US, as well as policies allowing dependents to migrate with skilled worker-members of the family.

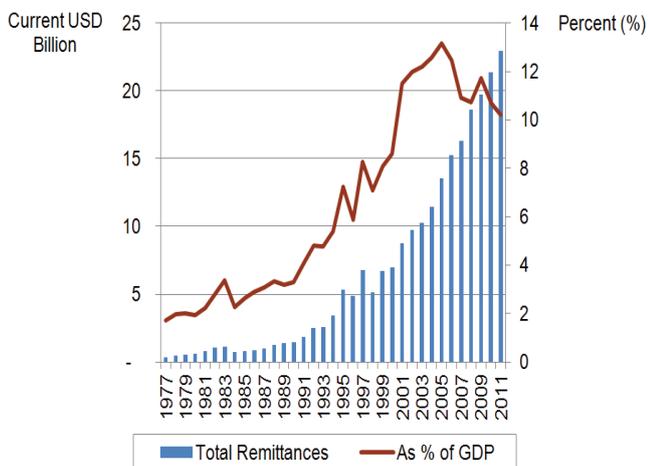
Permanent emigrants have constituted less than 10 percent of the annual total emigration flows since the 1990s (Figure 3). Females have comprised about 60 percent of the annual flows since the 1980s. The US remains to be the major destination of permanent emigrants, although its share has been declining as other countries adopt more liberal immigration policies. The US accounts for 70 to 80 percent of permanent emigrant flows up to the early 1990s, but has declined to less than 50 percent in 2012. Canada is a far second, hosting a third of the annual flow in 2012 from only about 10 percent in the 1980s. Likewise, there were significant Filipino permanent emigrant flows (more than 10 percent) to Australia in the late 1980s, and to Japan in the late 1990s to early 2000s.

Marriage migration has comprised between 20 to 30 percent of the annual permanent emigrant flows from the Philippines in the past two decades. On the average, about 20,000 Filipino fiancées, spouses or partners of foreign nationals, of which about 90 percent are female, register annually with the Commission on Filipinos Overseas.

**Temporary Migrant Workers**

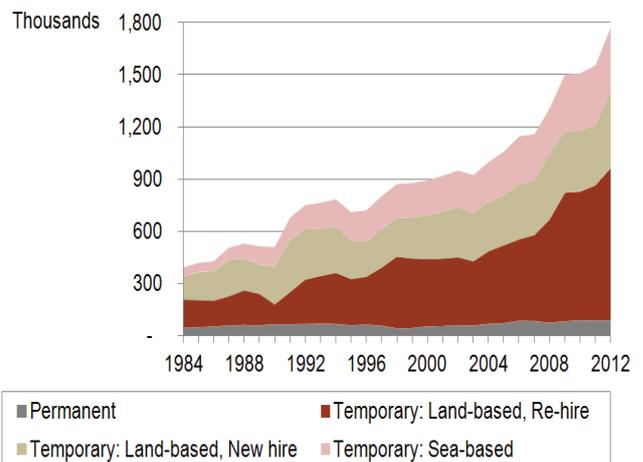
The Philippines have been deploying at least a million migrant workers annually since 2006, from only about 36,000 in 1975. Labor shortage in the Middle East construction

**Figure 2: Personal Remittances to the Philippines, 1977-2011**



Source: World Bank (2012). World Development Indicators.

**Figure 3: Emigrant Flow by Type, 1984-2012**



Source: Commission on Filipinos Overseas; Philippine Overseas Employment Administration.

boom in the 1970s led oil-rich Gulf countries to turn their attention to Asia, including the Philippines, for needed labor support. The completion of infrastructure projects in the early 1980s saw the decline in the number of construction-related workers, while opening other sectors for employment, notably domestic work service, in that region. The emergence of newly industrialized countries in East and Southeast Asia in the 1980s and 1990s has led to a further increase in the flow of temporary migrant workers. Emigration of workers from these countries to more advanced economies left a void in the former's various economic sectors, which were filled by immigrant workers from the Philippines. Female participation in paid employment increased the demand for foreign domestic help in the region. Since the 1990s there has been an increasing demand for skilled and highly skilled workers, largely in the health and allied health and in the information and technology sectors. In 2011, temporary migrant stock estimates showed that Filipino temporary migrants are largely concentrated in Saudi Arabia (33.9%), the United Arab Emirates (14.6%), Qatar (7.3%), Kuwait 4.0%), Hong Kong (3.5%), the US (2.5%) and Canada (2.3%). Some 300,000 Filipino migrant workers are sea-based, representing about 20 to 30 percent of international seafaring crews.<sup>14</sup>

#### *Feminization of temporary labor migration*

The demand for temporary migrant workers shows a clear bias for education, age and sex. Relative to the domestic labor force, Filipino temporary migrant workers are younger and better educated. The rise in the demand for household service workers and entertainers, which are traditionally considered to be female occupations, resulted in an increasing feminization of temporary labor migration, although stricter domestic policies and the tightening of border control on performing artists and entertainers, specifically in Japan, has led to a more balanced distribution in more recent years. In 1992, females comprised about half of new-hire temporary emigrant workers. This proportion increased to 61 percent by 1998 and peaked at 74 percent in 2004. Due to the imposition of stricter policies on performing artists and entertainers in the Philippines as well as in the host country Japan the share of female temporary emigrant workers had declined to 53 percent by 2009.

#### *Managing temporary labor migration*

The Philippines, with forty years of experience in handling large scale temporary labor migration, is frequently considered a global model in managing international labor migration.<sup>15</sup> Public institutions were established to provide services to migrant workers, including their families, at all stages of the migration process: recruitment, deployment, overseas employment and eventual return and re-integration. Chart 1 provides an overview of these public offices and their functions.

The evolution of public institutions reflects the developing complexity of government policies on managing the flow of Filipino workers. The Bureau of Employment Services (BES), the Overseas Employment Development Board

(OEDB) and the National Seamen Board (NSB) were created in 1974 to oversee the promotion of the labor migration sector and the gradual phase-out of private sector participation, which was blamed then for the increasing number of violations committed against Filipino migrant workers. This plan was abandoned in 1977, however, with the boom in the number of workers being processed for deployment. The government realized its limitations and recognized the role of the private sector in managing the flow of migrant workers. In 1982, the functions of the OEDB, NSB and the overseas employment functions of BES were transferred to the present Philippine Overseas Employment Administration (POEA) with the reorganization of DOLE. The administrative, regulatory and quasi-judicial functions of POEA were further strengthened with its reorganization in 1987.

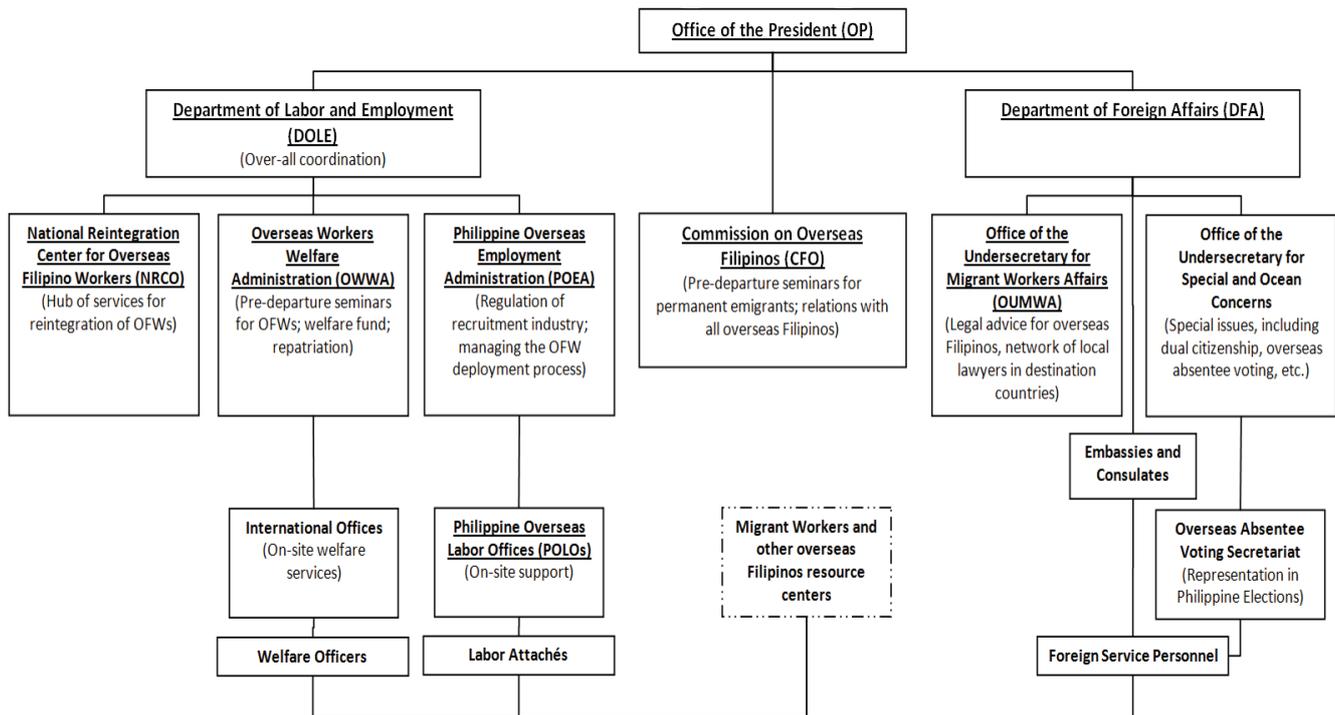
In 1977, a Welfare and Training Fund for Overseas Workers (WTFOW) was created under DOLE to provide social and welfare services, including insurance coverage, placement assistance, remittance services, skills training and career development services to Filipino migrant workers. Subsequent issuances streamlined its activities, as well as reinforced its mandates. The fund was renamed the Overseas Workers' Welfare Administration in 1987 with the reorganization of DOLE.

Mounting abuses committed against Filipino migrant workers in countries of destination, especially against the low-skilled, paved the way for the adoption of the "Migrant Workers Act of 1995" (RA 8042), which instituted policies on overseas employment and provided minimum standards of protection and promotion of workers' welfare. It clarifies that the state does not promote overseas employment as a development policy. The legislation provided for the complete deregulation of the overseas employment sector, but was amended in 2007 to the contrary, and provided for the further strengthening of the regulatory functions of the government. The provision on joint and solidary responsibility of domestic recruitment firms and foreign employer, which allows workers and the government to hold recruitment firms accountable for violations committed by employers, is considered a cornerstone provision of RA 8042. Additional benefits and welfare guarantees for migrant workers were provided with the further amendment of the Migrant Workers Act in 2010.

The adoption of RA 8042 provided for a framework that saw the establishment of other public institutions that provide on-site and re-integration services to Filipino migrant workers. An Office of the Legal Assistance for Migrant Workers Affairs, later renamed Office of the Undersecretary for Migrant Workers Affairs, was created in 1995 under the Department of Foreign Affairs to provide legal assistance and to coordinate all legal services for overseas Filipinos in distress. Philippine Overseas Labor Offices in Philippine consulates and embassies act as on-site extensions of DOLE to enforce and administer policies and programs on labor migration. The National Reintegration Center for Overseas Filipino Workers was established in 2007 to provide reintegration services to returning migrant workers and their families.

The Philippines have likewise negotiated for bilateral and multilateral agreements concerning migrant workers

Chart 1: Public Institutions Managing International Migration



Source: Orbeta, Abrigo and Cabalfin (2009). Adopted from Ruiz (2008).

in addition to unilateral policies on managing international labor migration. Between 1968 and 2011, the government has ratified 37 Bilateral Labor Agreements with 21 countries. The Philippines is likewise a party to major international treaties concerning the welfare of migrant workers and their families, including the United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, and International Labor Organization Conventions 97 (Migration for Employment), 143 (Migrant Workers), and 189 (Domestic Workers), although this may have limited impact on the protection of workers as many destination countries of Filipino temporary emigrant workers are not parties to these treaties.

### Citizenship and Naturalization

Filipino citizenship is provided for in the country's Constitution (in force since 1899), which has been amended a number of times in the last century (1935, 1973 and 1987). Congress has the power to strip a person of his Philippine citizenship without his voluntary renunciation as provided by law,<sup>16</sup> unlike in the US,<sup>17</sup> after which many provisions of the 1935 Philippine Constitution had been patterned. Prior to the adoption of the 1935 Constitution, citizenship could be acquired on the basis of the place of birth (*jus soli*) or of blood relationship (*jus sanguinis*), as provided for in the 1899 Malolos Constitution.<sup>18</sup> The principle of *jus soli* was abandoned in 1935, while applicable blood rela-

tionships have been modified in subsequent amendments. Natural-born citizens who have become citizens of other countries by naturalization may re-acquire Philippine citizenship through the country's dual citizenship program as provided for in the "Citizenship Retention and Re-acquisition Act of 2003" (RA 9225). Between April 2004, when the law was first implemented, and December 2012, a total of 106,393 persons have re-acquired Filipino citizenship with a large proportion residing in the Americas (77.5%), while the rest coming from Europe (17.1%), Asia and the Pacific (5.2%) and the Middle East and Africa (0.2%). Philippine citizenship may likewise be acquired by naturalization. Under the "Revised Naturalization Law" (CA 437), a satisfactory level of integration in Philippine society and possession of good moral character are required to be eligible for judicial naturalization.<sup>19</sup> Satisfactory integration requires that the applicant has resided continuously in the country for at least ten years, is able to speak and write English or Spanish, and any one of the Philippine languages, has enrolled his children in Philippine schools where Philippine history, government and civics is taught, and is the owner of real estate or has some known lucrative trade, profession or lawful occupation. The 10-year residency requirement may be reduced to five years under special circumstances. Under certain conditions, immigrants born and raised in the Philippines may be eligible for naturalization under the "Administrative Naturalization Law of 2000" (RA 9139), which provides for a facilitated naturalization procedure for foreign citizens that have lived in the Philippines since birth.

## Refuge and Asylum

Relative to other migration flows, refuge and asylum issues are not very prominent in the Philippines. After the Second World War, the government granted asylum to refugees from Russia, and to individuals of Jewish descent who were fleeing from persecution by the Nazi government. Chinese citizens sought refuge in the country following the communist revolution in 1949. In 1975, the country served an important role in preparing refugees who were affected by the Vietnam War to resettle in North America, Europe and Australia. A small number of Vietnamese who could not be admitted in the United States resettled in the Philippines. The influx of the Indochinese “boat people” was the largest flow of refugees to the Philippines in recent history. The Philippine Refugee Processing Center in Bataan reported that between January 1980 and July 1990 the Center processed 292,185 refugees from Vietnam (62%), Cambodia (34%) and Laos (13%). The number of refugees in the Philippines had declined considerably from about 20,000 persons in 1990 to less than 200 individuals at the start of the twenty-first century (cf. Figure 4).

### Refugees from the Philippines

The Philippines has, on the other hand, also been a major country of refugee origin in the Southeast Asia region. Armed conflict in the Mindanao region in the Southern Philippines forced residents to flee and take refuge in neighboring Malaysia, especially Sabah, in the 1970s to early 1980s. The United States Committee for Refugees and Immigrants estimates that about 500,000 Filipino Muslims were in refugee-like circumstances, of which 45,000 were reclassified as refugees, in Malaysia in 1998. The refugee status of Filipino Muslims was later revoked in July 2001 by the Malaysian government in favor of annually renewable

work permits. The United Nations High Commission for Refugees (UNHCR) estimated that in 2010 about 61,300 persons of concern in Malaysia originated from the Philippines.

### Policies

In 1981, the Philippines ratified the UN Convention (1951) and the Protocol relating to the Status of Refugees (1967). More recently, in 2011 the country has become a party to the 1954 Convention related to the Status of Stateless Persons, the only state in Southeast Asia to have done so thus far. In response to having ratified the 1954 UN Convention, in 2012, the Department of Justice (DOJ) issued the Department Circular No. 058 on “Establishing the Refugee and Stateless Status Determination Procedure”, which provides for the standard of proof to establish refugee or stateless status, and allows for the suspension of deportation proceedings pending the results of the application. The scope of the Refugee Processing Unit of DOJ was likewise broadened under the circular to include stateless persons, and renamed Refugee and Stateless Persons Protection Unit. The “Philippine Immigration Act of 1940”, which predates the UN Convention, contains provisions on the admission for humanitarian reasons of refugees and asylum-seekers.

The Philippines serves as a transit country for at-risk refugees who are en route to resettlement in a third country. Under an agreement with UNHCR and the International Organization for Migration in 2009, the government shall provide a temporary haven for refugees in need of immediate international protection. The agreement, together with the DOJ issuance, is expected to result in an increase in the number of asylum-seekers in the country, which averaged 39 persons annually between 2000 and 2005.

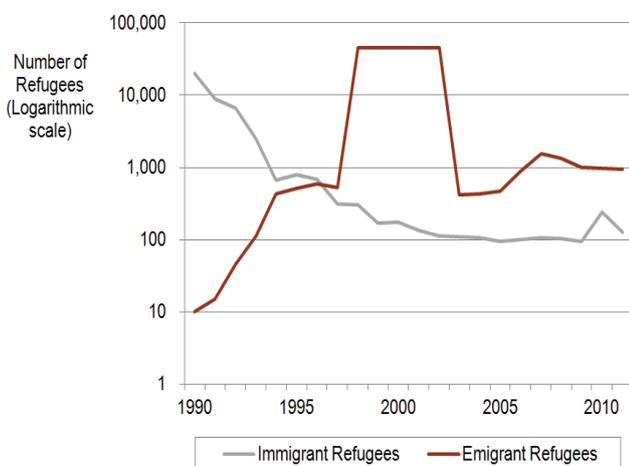
## Irregular Migration

### Irregular Migration from the Philippines

Filipino workers who are given work permits in receiving countries, but are not registered as overseas workers in the Philippines are considered undocumented Filipino emigrants. Official estimates show that between 2000 and 2011 the number of Filipino emigrants in irregular status declined by 42 percent. From a high 1.8 million irregular migrant population from the Philippines in 2000, the number settled at 0.6 to 0.7 million between 2005 and 2010, then spiking to 1.1 million in 2011. The recent increase probably reflects the rise in the number of emigrant workers who lost their regular status by losing employment as a result of the recent world economic crisis, but decided to stay in their host country. Estimates show that in 2011 irregular migrants from the Philippines were largely confined in Southeast Asia, especially in Malaysia, Japan, Singapore and Hong Kong, and in the US.

Illegal recruitment and human trafficking are important issues related to irregular migration from the Philippines, to which the government has provided remedies against.<sup>20</sup> An inter-agency Task Force against Illegal Recruitment un-

Figure 4: Refugee Population in and from the Philippines



Source: Office of the United Nations High Commissioner for Refugees. UNHCR Statistical Yearbook, various years.

der the Office of the President was established in 2008, and reconstituted in 2011 to coordinate government initiatives to address illegal recruitment. New illegal recruitment cases filed have generally been on the decline since 2000, however, pending cases for disposition have been increasing, warranting mixed reviews on the effectiveness of the anti-illegal recruitment initiatives of the government.<sup>21</sup> An inter-agency council was likewise established to combat trafficking in persons. It is noteworthy that while many irregular migrants from the Philippines are victims of illegal recruitment and of human trafficking, not everyone may be classified under such categories.

The island of Mindanao appears to be a major source of irregular migrants, especially in Malaysia and in the Middle East. Weak implementation of overseas employment regulations in the Autonomous Region of Muslim Mindanao, compounded with strong historical and geopolitical ties with destination countries, as well as internal conflict and poverty, has contributed to the situation. Immigration policies of receiving countries likewise play an important role in the flow of irregular migrants.

### **Irregular Migration to the Philippines**

The flow of irregular migrants to the Philippines is not as well documented. The Bureau of Immigration estimates that about 250,000 illegal aliens resided in the Philippines in 1995. An amnesty program was implemented from October 1995 to March 1997 under the "Alien Social Integration Act" (RA 7919). An estimated 16,000 illegal aliens, mostly Chinese nationals, were granted legal residence status under the program.<sup>23</sup> Similar amnesty programs were being proposed in Congress since 2007.

## **Challenges and Future Development**

### **Lack of Reliable Data**

While immigration issues are not as prominent as those of emigration, largely because of scale, it is important to understand how immigrants and immigration continue to shape the development of the Philippines. As globalization continues to deepen and broaden economic ties among countries, immigration is expected to increase not just in number but also in the variety of reasons. The availability and accessibility of relevant statistics are thus important in order to be able to respond to challenges that this may impose, and to be able to fully harness the economic and social benefits it could bring.

The immediate economic benefits from the international migration of Filipino workers are apparent. However, the impacts of migration transcend what is immediate and economic. Although there is a great deal of research on migration in the Philippines, topics are constrained by the availability of data. The long term impacts of emigration, including the large inflow of foreign exchange, on different levels of social organization are just starting to be understood.

### **Better Coordination Among Government Agencies**

The intricate network of government infrastructures to manage the flow of Filipino migrant workers reflects the complexity of the migration process and how policies are shaped to respond to issues concerning migrant workers and their families. While these institutions are instrumental in ensuring the protection and promotion of workers' welfare there is still room for improvements. Recent reviews of some principal frontline service offices<sup>24</sup> show the necessity for better coordination among government agencies in crafting policies, as well as the need for more staff to effectively implement them. More effective articulation of policies among stakeholders is also in order.

### **Reintegration of Migrant Workers**

The recent world economic crisis has shown both the vulnerability and resilience of Filipino migrant workers. While the stock of Filipino international migrants declined during the peak of the crisis, the growth in the number of processed and deployed workers only slowed and picked up again quickly. Some observers attribute this to the skills set possessed by Filipino migrant workers, as well as their distribution in increasingly more dispersed territories. The crisis likewise underscored the need for an effective reintegration program, which may go beyond the scope of just any one governmental agency. Social and economic preparation of migrant workers and their families should be matched with complementing services and infrastructures to fully harness the knowledge and skills obtained by them through the course of the migration cycle.

### **Regional Cooperation**

Finally, unilateral state policies protecting and promoting migrant workers' welfare are continuously being challenged by the increasing integration of the global economy. Greater regional integration in Southeast Asia in 2015, through the Association of Southeast Asian Nations Economic Community Blueprint, is expected to ease the flow of skilled migrant workers among countries in the region. Conversely, porous boundaries that transcend modern geopolitical demarcations are a frequent source of friction between the Philippines and some neighboring countries, especially on the issue of irregular and low-skilled worker migration. How these realities converge to influence the effectiveness of domestic policies on migration are yet to be seen.

## Notes

<sup>1</sup> The United States granted the Philippines independence on July 4, 1946 through the Treaty of Manila, however the Philippines officially celebrate independence day based on the establishment of the Philippine Revolutionary Government on June 12, 1898 (Proclamation 28, s. 1962).

<sup>2</sup> See Samonte (1995).

<sup>3</sup> See Mercene (2007).

<sup>4</sup> See Agoncillo (1990).

<sup>5</sup> For more information on migration in the Persian Gulf States see the country profile on the member states of the Gulf Cooperation Council, available at: <http://www.bpb.de/gesellschaft/migration/dossier-migration/150973/gulf-states> (accessed: 9-23-2013)

<sup>6</sup> See Mughall and Padilla (2005), and Agunias (2008).

<sup>7</sup> The government requires annual registration of foreign nationals living in the Philippines.

<sup>8</sup> This generally includes persons who are not given permanent residence status by the government. While non-immigrant aliens cannot stay permanently in the country, certain classes, such as retirees, may stay for an extended period of time.

<sup>9</sup> The 1987 Constitution limits foreign ownership of capital in key economic sectors to at most 40 percent.

<sup>10</sup> In 2011, for instance, the Philippines ranked 8<sup>th</sup> of 31 countries in terms of friendliness to expatriates by Forbes Magazine based on the HSBC Expat Explorer Survey.

<sup>11</sup> CFO stock estimates are based on host country estimates of the Filipino population and on Philippine immigration data from the Bureau of Immigration on the flow of Filipinos to and from the country. See Battistella and Asis (2013) for a discussion. An alternative estimate by the World Bank (2011) using the methodology by Ratha and Shaw (2007) pegs the total Filipino migrant stock at 4.3 million in 2010.

<sup>12</sup> See for instance Maimba and Ratha (2005).

<sup>13</sup> See Carino (1987) and Carino (1994).

<sup>14</sup> See Battistella and Asis (2013).

<sup>15</sup> See for instance International Organization for Migration (2005).

<sup>16</sup> See Commonwealth Act No. 63 "Providing for ways in which Philippine Citizenship may be lost or re-acquired".

<sup>17</sup> See Panopio (2005) for a discussion.

<sup>18</sup> *Jus soli* was applied under the US colonial government.

<sup>19</sup> See Panopio (2005) for discussion.

<sup>20</sup> See RA 8042, as amended, on illegal recruitment and RA 9208, as amended, on human trafficking.

<sup>21</sup> See Orbeta and Abrigo (2011).

<sup>22</sup> Manila Standard Today, IX(26), March 8, 1995, p.5. This figure could be an over-estimate. Official statistics on the number of foreign citizens in the country, regardless of status, in 1990 and 2010 do not exceed 200,000.

<sup>23</sup> <http://www.philstar.com/metro/107464/bi-aliens-pay-fees-now> (retrieved on July 1, 2013).

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Map of the Philippines: [www.cia.gov/library/publications/the-world-factbook/geos/rp.html](http://www.cia.gov/library/publications/the-world-factbook/geos/rp.html)

National Statistics Office: [www.census.gov.ph](http://www.census.gov.ph)

Office of the United Nations High Commissioner for Refugees: [www.unhcr.org](http://www.unhcr.org)

Philippine Overseas Employment Administration: [www.poea.gov.ph](http://www.poea.gov.ph)

U.S. Committee for Refugees and Immigrants: [www.refugees.org](http://www.refugees.org)

World Development Indicators: <http://data.worldbank.org/data-catalog/world-development-indicators>

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Publishers: Institute for Migration Research and Intercultural Studies (IMIS) of the University of Osnabrück, Neuer Graben 19/21, 49069 Osnabrück, Germany  
phone.: +49 (0)541 969 4384, fax: +49 (0)541 969 4380, email: [imis@uni-osnabrueck.de](mailto:imis@uni-osnabrueck.de)

Federal Agency for Civic Education (Bundeszentrale für politische Bildung, bpb), 53113 Bonn, office in Berlin, Friedrichstraße 50, 10117 Berlin, Germany; with the collaboration of Network Migration in Europe e.V.

Editorial staff: Vera Hanewinkel, Apl. Prof. Dr. Jochen Oltmer (head)

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