

## **A PHENOMENOLOGICAL STUDY ON THE RECURRING VICTIMS OF ILLEGAL RECRUITMENT IN NUEVA ECIJA, PHILIPPINES**

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### **ABSTRACT**

Many people aim to have a better life not only for themselves but also for their families. People find jobs that fit their qualities and abilities, but not everyone ends up with a profession that totally suits them and offers a high salary. With this, people would have the idea to search for jobs abroad and apply to agencies. Some ask for help directly from a person without them knowing that they are illegal recruiters.

The researcher used qualitative research method and phenomenological design to further explain the data that the respondents provided during the data gathering procedure, especially interviews with persons who have mastery of the said topic. The researcher was able to find out that political and economic factors are essential to the lives of people, and was able to identify that poverty is the main factor why the respondents decided to be willing victims of illegal recruitment.

**Keywords:** *Illegal Recruitment, Job Opportunities, Low Salary, Poverty, Willing Victims*

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### **Introduction**

Under Article 13(f) of Presidential Decree No. 442, as amended, otherwise known as the Labor Code of the Philippines, illegal recruitment shall mean any act of canvassing, enlisting, contracting, transporting, utilizing, hiring, or procuring workers and includes referring, contracting services, promising or advertising for employment abroad, whether for profit or not, when undertaken by non-licensee or non-holder of authority contemplated. Provided that any such non-licensee or non-holder who, in any manner, offers or promises for a fee employment abroad to two or more persons shall be deemed engaged in illegal recruitment.

Labor migration is an idea that most Filipinos have and they believe that if they could go and work in other countries, they would earn a bigger amount of money



for their families. International migration has grown over the last two decades due to the economic effects of globalization and has affected labor migration (Agbola & Acupan, 2010). Domestic Filipino workers are prone to forced labor after being deployed overseas due to debt bondage right from the recruitment stage. Illegal recruitment is an issue that concerns the Philippines because of the “tradition” that most people think that migrating overseas could give opportunities that could help improve their lives (Sayres, 2007). This phenomenon is something that happens not only to Filipinos, but also to other races that experience poverty; illegal recruiters exist, and they do not choose their victims.

One of the main reasons why many Filipinos want to work overseas could be about the issue of low salary rate and benefits offered by the local employers. For example, the domestic helpers in an interview conducted, settled to become domestic helpers in Kuwait because they want to give the members of their family and their children a better life and get out of poverty. For Filipinos, to have their own houses and to have higher salaries are the results that of their perseverance (Takumi, 2019).

The government provides laws that are mainly for overseas migrants under Republic Act No. 10022 also known as *Migrant Workers and Overseas Filipinos Act of 1995*. The law aims to protect the rights of the overseas and migrant workers, especially those who have been victimized by illegal recruiters. The Philippine Overseas Employment Administration (POEA) acts as a regulator in the recruitment process by putting up a licensing and registering system. This act helps in monitoring those private sectors who participate in the recruiting process. Republic Act No. 10801, also known as the *Overseas Worker Welfare Administration Act*, is a policy of the state to provide full protection to labor, local and overseas, to promote job opportunities for everyone.

Even though these illegal recruiters are everywhere and that this has been a long-time phenomenon, this research seeks to answer several questions: (1) Why does illegal recruitment still exist for the past years? (2) Why do some job-seekers choose to become willing victims of illegal recruitment even if they had been victimized and had experienced maltreatments? and (3) How does the economic and political context in Nueva Ecija affect the willing victims of illegal recruitment? The economic context in Nueva Ecija such as employment rate and job opportunities are factors in terms of the willing victims' social status. In terms of political context, the efficiency of the government service to its people could be one factor that may affect the willing victims' mindset and personal views.



## **Theoretical background and review of related literature**

This study used the Input-Process-Output (IPO) framework to illustrate and explain the progression of events that possibly happened during the victims' "recruitment" process. The inputs reflect the information and materials that come from outside into the system. The filtering stage involves all the activities required to process the outputs. Social phenomenology and the IPO framework are related because the author will be able to know the level of awareness of the respondents regarding the problems they have experienced in this phenomenon. The level of awareness will be identified in the process and output phase - where the assessment begins

Government efficiency plays a big role when it comes to giving its citizens the welfare that they deserve. Good governance is one factor that we may consider when we see that people are enjoying the services that they provide for the common good and it could affect the country and the lives of its citizens. On the other hand, with inefficient governance, many people could possibly want to work abroad due to the low percentage of job opportunities in exchange for high compensation in the country. If the country practices good public administration, why do many Filipinos pursue to work in another country? Many Filipinos seek work abroad even having earned a bachelor's degree in the country. The salary that most Filipinos receive is not enough to provide for the needs of the family. Low compensation and hard life could be few of the reasons why many Filipinos leave the country. Filipinos prefer to work abroad – they choose to be apart from their families to earn more money.

### *Political and economic factors in illegal recruitment*

Not all families live comfortably like other families and everyone from the working class earns as much as others. Cases like these could be reasons why a person thinks of working overseas. Another reason is the enticing economic opportunities in the cities. Undoubtedly, there is poverty in Manila, but many see the city as an opportunity to keep their families out of poverty (Guth, 2010).

Migration is significant for the identity of the national community and for the allocation of rights and responsibilities within the community. Each country has a national migration policy consisting of laws and regulations and an administrative organ responsible for enforcing policies. Even with the Philippines providing a system to control labor migration, anomalies happen, and migrants are the first victims of various violations and unethical practices (Country Migration Report, 2013). The implementation of laws by the public administration is connected to the economic aspect of a specific territory, in



which both factors impact the lives of its citizens. Having a poor economy and poor governance affect the standard of living of people, because no matter how hard they try to improve, if there are no proper regulations in the economy and the government, it would be hard for the people to step up from their current situations.

Domestic helpers deployed in the Middle East were interviewed from the documentary film titled “Laban. DH” (2018). Many of them said that they wanted to work overseas to help their families and to earn higher salaries, but they end up usually being maltreated in any way possible. The issue of the abused migrant worker named Joanna Demafelis in Kuwait, prompted Pres. Rodrigo Duterte to declare a deployment ban in Kuwait. The deployment ban has affected the lives of the migrant workers because not all of them have the means to continue their lives here in the Philippines. A large number of migrant workers do not have enough money to go back to their families in their provinces.

As a positive outcome of international migration, the function of remittances in strengthening family welfare is widely acknowledged. Although cases of abandonment have been registered, overwhelmingly, Filipinos are diligently sending remittances back home to their families (Country Migration Report, 2013). By sending remittances to their home countries, the Gross Domestic Product (GDP) of the home country of the OFW will be affected in terms of its economic aspects.

After all, unemployment has been a long-standing problem even though economic development has improved in recent years. Unemployment has increased, which means that the challenge of creating jobs for the ever-increasing population of the labor force remains difficult. The country's unemployment condition is commonly viewed as the main reason why Filipinos are still seeking employment outside the country (Country Migration Report, 2013).

#### *National government in the existence of illegal recruitment*

The democracy that exists in the Philippines has influenced the will of the people. Filipinos who want to work abroad will not be able to be deployed overseas without having the free will to do so; it is still the choice of the jobseeker to leave the country through the help of the government.

In a report from *Fair and ethical recruitment: Protecting Overseas Filipino Workers begins before they are hired* (Torralba, 2017), she quoted that “Recruitment is a big business in the Philippines” – Jillian Roque, Public Services Labor Confederation advocacy head. There are many recruitment



agencies in the Philippines but not all these agencies give legitimate service to job seekers. Many Filipinos want to work abroad for their ambition to have greener pastures. According to a news report from Rappler (2016), a total of 1,567 illegal recruitment cases were reported to the Department of Justice (DOJ) and this does not include the dropped and unreported cases.

After suffering from the hardships that the victims experienced, it is possible that they will seek help from the national government – which happens in reality. Welfare programs will be conducted, and assistance will also be provided by the national government, but it might not be an assurance for the migrant victims to have a better life. It could be a cycle wherein there could be a high possibility for them to go back to their usual lives and start their ambition to earn more and get their families out of poverty.

It is the role of the government to provide the assistance migrant workers need for their welfare. Several government agencies such as Overseas Workers Welfare Administration (OWWA), Philippine Overseas Employment Administration (POEA), and Department of Labor and Employment (DOLE) are focused mainly on securing the rights and welfare of the migrant workers and laborers in general. They provide social welfare programs and assistance to those who were victimized and for other migrant workers to keep an eye for illegal recruiters.

## Methods

The researcher used phenomenological design in this study to further expound and relay the details related to the topic that were shared by the respondents. Phenomenology is a qualitative research methodology that focuses on the commonality within a particular group of experiences shared. This research design attempts to focus on the commonality of a certain experience within a sample population. The sample population are the victims of illegal recruitment

The usage of a phenomenological research design is done because it enables the researcher to explore experiences and sensory perception of certain phenomena. The research design enabled the researcher to explore and examine the victims' experiences regarding illegal recruitment and what urged them to become willing victims. From this analysis, an understanding of the victims' perception was achieved.

Respondents are from Nueva Ecija due to the news reports about illegal recruitment as read by the researcher and as of 2018 data, Central Luzon is next to Region IV-A (CALABARZON) as the biggest exporter of OFWs in the



Philippines ("Philippine Statistics Authority | Republic of the Philippines", 2019).

### *Analytical procedure*

The data gathered undergone thematic analysis and explication of data allowed an investigation of constituents of a phenomenon while keeping the context of the whole.

The target respondents for the population of this study are those who were victims of illegal recruitment, male and female from 25 to 45 years old. The author interviewed this population because according to a data from the survey results of the Philippine Statistics Authority, this age bracket comprises the age group where male and female OFWs go abroad ("Philippine Statistics Authority | Republic of the Philippines", 2019). The victims are from Nueva Ecija as read by the researcher. In addition, several victims usually come from Nueva Ecija. Also, as of 2018, Central Luzon is next to Region IV-A (CALABARZON) as the biggest exporter of OFWs in the Philippines ("Philippine Statistics Authority | Republic of the Philippines", 2019). This form of data gathering was done because an interview can map the entire experience of a respondent with the provision of the proper questions. In-depth interviews were also done through online messaging applications, text messaging or through phone calls for the convenience of the respondents if ever personal interviews may not be possible to be conducted. The data gathered undergone thematic analysis. Explication of data will allow an investigation of constituents of a phenomenon while keeping the context of the whole.

Thematic analysis is a popular method of evaluating qualitative data in several various disciplines and fields which can be used in different ways, different databases, and different research questions. With the usage of the said procedure, the researcher will be able to identify and analyze each interview, validate, and modify the data if necessary, and create units of meaning to form themes from experiences of the respondents.

### **Framework of the study**

The theory that was used in this research is social phenomenology by Alfred Schutz (1960), which aims to reveal what role human awareness plays in the production of social action. In retrospect, phenomenology as a social theory is the notion that society is the product of human construction (Crossman, 2018). With regard to the theory's usage in the conduct of research, social phenomenology theory was utilized to examine the victims of illegal recruitment. By examining the commonality of experience among the





victims, the researcher can arrive at a specific phenomenon that will explain why illegal recruitment still exists. Moreover, this phenomenon explained the level of human awareness of the victims towards their dilemma, and the causality behind it. It is also important to note that while it can be argued that the inclusion of the illegal recruiters is necessary in the conduct of research, the usage of the theory can adhere to the scope and limitations of the study which is to explicitly focus on the victims alone.

The study used the Input-Process-Output (IPO) framework to illustrate and explain the progression of events that possibly happened during the victims' "recruitment" process. The inputs reflect the information and materials come from outside into the system. The filtering stage involves all the activities required to process the outputs. Social phenomenology and the IPO framework are related because the author will be able to know the level of awareness of the respondents with regard to the problems they have experienced in this phenomenon. The level of awareness will be identified in the process and output phase - where the assessment begins.

### *Research diagram*



Based on the diagram above, included in the input are the factors considered on why many Filipinos want to work abroad and the gender and age preference of the illegal recruiters. The process phase shows the decisions



they make when they already made up their mind in going abroad; while the output phase shows the scenarios that could occur when jobseekers finally decide to choose the option to work overseas.

Jobseekers have their own reasons on why they want to earn higher salaries. Most family members only want to provide the needs of their families, this gives them the urge to search for better jobs abroad with a competent salary. Not all migrants end up with the life that they expected to have, some become victims of their employers and some choose to be willing victims. These victims tend to seek help from the government in order for them to get the support they need. However, the cycle happens, they go back to being members of the marginalized sector of the society. Although the government has and is still taking actions to combat illegal recruitment, it might still be possible for jobseekers to consider participating in the illegal recruitment process, if no improvement will happen to the lives of its citizens.

## Results and discussion

A brief profile of each of the respondents is also presented in this chapter. Ten people ages 25-45 years old, male and female all from and residing in Nueva Ecija, were interviewed for this research. Their identities will not be revealed, and they will be named as Respondent 1 to 10 to follow the mandate of the Republic Act 10173 also known as the Data Privacy Act of 2012.

**Table 1:**

*Respondents: Recurring Victims of Illegal Recruitment - ages 25-45 years old, in Nueva Ecija*

| <i>Male</i>   | <i>Female</i>   |
|---|---|
| <i>Respondent 1: A 42-year-old male who works as a tricycle driver for many years. He has a wife and worked abroad for his family.</i>                      | <i>Respondent 2: A farmer who is already 43 years old. He grew up helping his father in the rice field and was not able to go to school on-time due to poverty. Had the idea of working abroad from his neighbor and left the country to work overseas for seven years.</i> |
| <i>Respondent 8: A 30-year-old man who worked abroad for his family. His father became sick and that led him in becoming the breadwinner of his family.</i> | <i>Respondent 3: A 36-year-old woman who worked as a domestic helper in an Asian country. Became an orphan during her teenage years and has a brother with special needs that requires</i>  |





|  |   |
|--|---|
| <i>.Respondent 9: A 33-year-old man. He has five siblings, a mother, and a father who do not treat them right sometimes.</i> | <i>specific and pricy medical attention. Respondent 4: A 29-year-old woman who just decided to work abroad because she sees the needs of their family</i>   |
|  | <i>Respondent 5: A 33-year-old woman who worked as a cashier and sales lady before she worked overseas. Raised her family together with her two nephews whose parents passed away.</i>            |
|  | <i>Respondent 6: A 27-year-old woman who did not finish her studies and was not able to have a job with enough salary to suffice the needs of her family and suddenly decided to work abroad.</i> |
|  | <i>Respondent 7: A 39-year-old mother that has two children and a husband. She was a plain housewife before working abroad.</i>   |
|  | <i>Respondent 10: A 40-year-old woman. She worked as a farmer back then with her father.</i>  |



### *Poverty*

In the data analysis phase of this research, several key themes emerged aside from poverty. These key themes are their experiences before they decided to work illegally abroad and after they got into illegal recruitment and worked overseas. The themes which represent the causes and effects of poverty are *insufficiency, loneliness, unfair labor practice, and obligation*. These several experiences were the problems they had to go through with their chosen path.

All the respondents mentioned that being poor is one of the many problems that they had to face before working abroad. Given the fact that they are of different ages, they share the same sentiments and hardships as well. After the researcher asked the questions: “Prior to working abroad, how was your experience here in Nueva Ecija?”, and “What was your reason the first time you decided to work abroad?” All the respondents mentioned that they experienced poverty at some point in their lives and explained that they wanted to work abroad to have their families experience the comfort of life. These circumstances are pushing them to keep on working abroad even if it is illegal. Some of them do not want their kids or someone younger than them to experience what they had gone through. In the Philippines, it is usually hard to have a good paying job if you are not able to earn a bachelor's degree and sometimes even if you already have a degree, the salary is still not enough to support a family.

### *Insufficiency*

Respondents were asked questions that are related to their lives when they were still young, such as, if they were able to have their needs as they grew up because insufficiency or lack of needs was seen as a problem as they answered the question. Nine out of ten respondents answered that they were not fortunate enough to experience a better life even at their young age.

Reyes (2008), stated that due to extreme poverty, Filipinos believe migration as their only choice to be out of their poor situation. These people see that there could be more job opportunities abroad, even with being involved in some illegal practices. People who experienced poverty at a young age want to strive harder or to at least live a life that has more than enough without having to squeeze the budget for important reasons. The inadequacies that they experienced pushed them to be involved in illegal recruitment practices.

### *Loneliness*

At the time when the respondents were working abroad, they were asked about their experiences. Sacrificing the time that the respondents can have with their families must have something to do with the emotional aspect



of the respondents. Four out of ten answered that they felt sad and homesick whenever they are alone. These are some of the answers of the respondents: Loneliness is a battle they must conquer whenever they feel alone. They think of the reason and of the people for whom they are doing it for. Because of the poverty that they experienced in the Philippines, they had to work abroad and endure the loneliness that they feel.

### *Labor abuse*

Just like here in the Philippines, several employment issues are also present while working abroad. It cannot be denied that these respondents had experienced abuse from their employers as presented in the first part of this chapter. Respondents were asked what they did after being victimized by their employers. Physical and verbal abuse are the common abuses experienced by some migrants. Being maltreated by their employers had an impact on them but then, they chose to endure it and act as if nothing happened (Sayres, 2017).

The factors mentioned above were the causes and effects of poverty experienced by these respondents. They might have gone through different hardships in life, but it all boils down to poverty. Poverty is a problem of society; it can make a person do things for them to get out of it. If only they had a better life when they were younger, it could have prevented them from risking their lives, being illegally recruited and being away from their families. The impoverished life that they had in Nueva Ecija before working abroad was nothing compared to the abuses which they encountered while being illegally employed abroad. They took the risk of uncertainty of their safety just to get out of poverty. However, the results of the “uncertainty” did not end up very well, they ended up being beaten up, harassed, and treated unfairly in their work.

### *Jobs before illegal recruitment*

The respondents were asked what they do for a living before they decided to work abroad. Most of them answered that they were engaged in the most common jobs available in their area at that time. Based on their answers, three out of ten were jobless before they tried to work abroad, and the rest of the respondents had jobs that they know they can do. They had jobs that could somehow suffice their needs, but they also had the idea that if they work abroad, they can earn double, or triple compared to the amount that they earn in Nueva Ecija.

It was already mentioned that these respondents have experienced



several labor abuses during those times that they worked abroad. But still they chose to be willing victims of illegal recruitment. Recruiters offered them jobs abroad and the

respondents knew that they happened to be illegal recruiters. It was also discussed that their lives during their younger years in Nueva Ecija were not as good as they wanted it to be. And being the person who feels the burden of raising their family and giving them a better life; they choose to be willing victims of illegal recruitment.

All the respondents were asked why they still choose to work abroad even though they are already aware of the consequences and struggles that could happen to them again after taking the risk of being illegally recruited. All their answers are mostly about their *family, sacrifice, low opportunities in the country, and financial security*. Based on their answers, respondents choose to live a life of taking risks by working illegally abroad for them to be the best parent/son/daughter that they can be. Respondents have the burden to provide money for their families, also, if they were to choose whether to work in their area or to work abroad, they would rather choose the offer given to them by the illegal recruiters. The salary and the idea of working abroad could be enticing most especially to those in need but of course they had to sacrifice some of their possessions to provide for the fees and requirements asked from them by the recruiters.

#### *Political and economic perception in nueva ecija*

Respondents were also asked about their perception on the political and economic factors in Nueva Ecija.

All of the respondents answered that the political and economic aspects in Nueva Ecija are fine for them and some answered that these aspects even got better when they came back from abroad, but of course, it was not enough. Every country is developing, even the cities and provinces in it. Change is constant and for them, a country changes for the better. Economically and politically speaking, people can see that the government is reaching out to its people, giving them animals to take care of, ensuring their people of protection and living a peaceful life. But these efforts were not satisfactory for them. Good governance did not stop them from having the desire to work abroad. It is the respondents' personal lives that they themselves had to deal with. Eight out of ten respondents answered that they were not immediately given a job when they came back here. The respondents had to put back their lives again and start anew. Some started their own business and some of them even managed to send some family members to college when they were still working. Only two of the respondents were able to be given immediate assistance at that time.



Life has given the respondents another chance to become better persons and get out of that bitter part of their lives. The government helped them to go back to the Philippines since several government agencies such as Overseas Workers Welfare Administration (OWWA), Philippine Overseas Employment Administration (POEA), and Department of Labor and Employment (DOLE) were tasked to focus on labor issues like illegal recruitment. The respondents were assisted several times by the government but every time they go back to Nueva Ecija, they cannot help but to slowly experience poverty again. This circumstance urges them again to be willing victims of illegal recruitment until it becomes a cycle and they become repetitive victims. Whenever the respondents experience poverty, they would decide again to be recruited illegally and be abused. These circumstances pave way for other problems to happen. The respondents receive help from the government, but every time they go back to Nueva Ecija, and they go back to experiencing poverty, thus keeping the cycle. In this chapter, the researchers have seen that poverty is a big factor to the lives and mindsets of people. People think of doing something because they see the insufficiencies that they experience in their own lives. From their childhood until adulthood, most of them experience almost the same kind of life as before. The respondents are risking their lives for their own families, thinking of ways on how to help them.

Asst. Prof. Jerry Imbong, a Social Science professor in Visayas State University, said that he also experienced the lifestyle of the unfortunate people in Nueva Ecija and he is aware that their main source of living is agriculture. According to him, it is most likely to happen that because of poverty, some people sell their lands to have money and eventually, they lost their source of income. Some of the children of these farmers were not able to finish college so they chose to become OFWs. Asst. Prof. Imbong also said that majority of these people's socio-economic status is lower-middle class, and majority of them are poor farmers.

Poverty is the reason why many people want to work abroad. For them, it is better to work overseas rather than to rely on farming and agriculture that provide only low profits. Asst. Prof. Imbong also said that either poverty or unemployment urges people to become OFWs which can be considered as the push factor because other countries entice them with high paying jobs that suit their basic needs. Based on the data on the rate of victims of illegal recruitment in 2018, there is a failure when it comes to the local government to reach out to its people for job vacancies and other job-related opportunities that it can offer to their people. There is a clear lack of effort to educate the citizens to be aware of illegal recruiters as well. In the statement of Asst. Prof. Imbong statements, we can see that poverty is a problem of the society that is not that easy to be given a solution. We have seen some people that struggled and have



gone through so many sufferings. Poverty is the start of ones' suffering until it becomes a cycle.

### **Conclusion and recommendations**

The different findings of this research that were presented are based on the analysis of the different data gathered from the interviews of ten respondents who are willing victims of illegal recruitment and experts in the topic and data gathered from related literature. The main objectives of this research are to determine how the economic context in Nueva Ecija influenced the willing victims' decisions, to investigate how the political context in Nueva Ecija affected the willing victims, and to develop a foundation on the issue of illegal recruitment.

The way the respondents reacted to their situation in life brought them into sufferings that they should not have experienced. The main problem here is poverty. If it is not for poverty, they would not experience the themes discussed in Chapter 4. It could be better if the local government reaches out to every area in Nueva Ecija, most especially to farmers whose everyday lives are only bound within the fields that they plow. Considering that several of our respondents usually work as a farmer or whose father is also farmer, they plant seeds and plow fields for the benefit of everyone. Therefore, it is not fair that those whose work is physically tiring are the ones who are not really given that much support and attention. Even those who live in remote areas who do not have any access to information should be given attention as well. Local governments should be more aware and responsive to those who have less, and not only cater people who live in places that are convenient for them to reach out to.

In the issue of illegal recruitment, the local government should also disseminate information not only online, but also in other forms like printed materials, local broadcast, etc. Awareness is a must. Being poorly fed of information could lead the citizens to something bad. Conduct seminars, especially in the barrios, and other various places to educate the people. The people must be aware of illegal recruiters, and how it could affect them if they fall into this trap. Education is important because it helps people to be wise and vigilant on what is happening around them. The local government should be mindful of the actions of these recruiters since Central Luzon has the second largest case of illegal recruitment in the Philippines as of 2018 ("Philippine Statistics Authority | Republic of the Philippines", 2019).

Development is important. The government should develop areas that can be used as a tool for the advancement of the province without affecting its agricultural sector. Change is important for catering jobs to the citizens. If people are contented, they will choose to stay. for as long as they have enough resources





without having to worry about their future. This circumstance will be a win-win situation for the local government and the country as well. Finally, economic growth does not only rely on the government but also on its people because the labor force improves the economy in all aspects.

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