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The Permanent Mission of the Republic of the Philippines to the United Nations and Other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights, and has the honour to refer to the latter's note dated 12 January 2026, transmitting the draft report entitled "*A wicked problem*" – *Seeking human rights-based solutions to trafficking into cyber scam operations in South-East Asia.*"

The Permanent Mission has further the honour to transmit herewith the comments of the Government of the Philippines, which underscore, inter alia, the following:

1. The Philippines has institutionalized a comprehensive, inter-agency system for victim identification, assistance, and protection, including for victims trafficked into cyber scam operations, implemented both domestically and through its overseas posts.
2. Through the Inter-Agency Council Against Trafficking (IACAT), the Philippines adopts a whole-of-government and survivor-centered approach, integrating migration governance, law enforcement, prosecution, social protection, and reintegration services.

p.2 / While recognizing persistent.../

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3. While recognizing persistent challenges in transnational accountability and cross-border criminality, it is important to highlight proactive national measures and good practices that may serve as reference points for regional cooperation.

The Permanent Mission requests that this official response be published in full alongside the report.

The Permanent Mission of the Republic of the Philippines to the United Nations and Other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.



Comments from the Government of the Republic of the Philippines
On
***“A Wicked Problem: Seeking Human Rights-Based Solutions to
Trafficking into Cyber Scam Operations in South-East Asia”***

The OHCHR report “A Wicked Problem: Seeking Human Rights-Based Solutions to Trafficking into Cyber Scam Operations in South-East Asia” underscores the complex, transnational, and evolving nature of trafficking into cyber scam operations. Greater factual depth and contextual nuance would, however, help ensure a more accurate and balanced reflection of national policies, institutional arrangements, and on-the-ground practices, avoid unintended gaps in representation, and further strengthen the report’s credibility as a basis for constructive engagement and cooperation.

I. Factual Accuracy and Completeness of References to Philippine Mechanisms

The Philippine Government underscores that decisive policy, legislative and operational measures have been undertaken to address trafficking in persons linked to cyber scam operations, anchored on a human rights-based, victim-centered, and whole-of-government approach.

The OHCHR’s draft report would benefit from greater specificity and balance, particularly in the following areas:

- **Philippines’ national policy against Philippine Offshore Gaming Operations**

The Philippines has adopted a clear national policy against Philippine Offshore Gaming Operations (POGOs) and related scam center activities.

On 05 November 2024, H.E. President Ferdinand R. Marcos, Jr. signed Executive Order no. 74 which mandated the immediate closure and dismantling of POGOs, internet gaming, and analogous scam centers nationwide, reflecting the Philippine Government’s strong policy stance against organized criminal activities linked to trafficking in persons.

To intensify the drive against POGOs, Republic Act No. 12312 (Anti-POGO Act of 2025) was enacted on 23 October 2025, legislating the nationwide ban on POGOs and rendering unlawful the conduct of offshore gaming activities. The law further stipulated that the recruitment, hiring or employment of persons for

offshore gaming or scam operations may constitute trafficking in persons under Republic Act No.9208, as amended.

- **Technical Working Group on Enforcement Measures and Anti-POGO Operations**

Pursuant to Executive Order No.74, the Philippine Government established a Technical Working Group (TWG) comprising four clusters covering a) intelligence, surveillance and monitoring; b) raids, investigations and prosecutions; c) asset tracing, seizure, freezing forfeiture and disposal; and d) victim identification, repatriation and prevention. The TWG conducts regular coordination meetings to ensure intelligence-led, synchronized and legally compliant enforcement actions.

- **Accountability, Prosecution and Asset Recovery**

Intensified inter-agency coordination among law enforcement, prosecutorial, financial investigation and judicial authorities has resulted in the filing of criminal, administrative and anti-corruption actions against POGO operators, facilitators, and complicit individuals. These included cases for qualified trafficking in persons; graft and corruption; money laundering; violations of immigration and labor laws; and the recruitment, protection or movement of trafficked persons destined for scam operations.

A landmark case was the conviction of Alice Guo a.k.a. Guo Hua Ping, who was found to be linked to POGO operations conducted through Baofu Land Development Inc., Hongsheng Gaming Technology Inc. and Zun Yuan Technology Inc. Investigations established that her involvement extended to facilitating corporate registrations, supporting an organized criminal nexus engaged in labor trafficking, money laundering, cryptocurrency-based fraud schemes, illegal gambling operations, and so-called “pig-butcher” scams disguised as legitimate business activities.

In its decisions, the Regional Trial Court of Pasig City found Alice Guo and her 8 co-accused guilty beyond reasonable doubt of qualified trafficking in persons in violation of R.A.9208, as amended. The Court imposed the penalty of life imprisonment and ordered the payment of fines amounting to PhP2,000,000.00 in addition to moral and exemplary damages. The Court also ordered the permanent revocation of the corporate registrations of the entities used to facilitate the trafficking operations and imposed a permanent prohibition on their stockholders and corporate officers from operating or

managing any establishment under any other name or corporate entity.

In addition to imprisonment and fines, the Court imposed the penalty of criminal forfeiture, ordering that properties, including parcels of land and buildings registered under Baofu Land Development Inc. accrue to the State in favor of the Philippine Government.

Parallel to this ruling, the Regional Trial Court of Makati city, Branch 148, ordered the forfeiture of cash assets seized during a POGO raid at the Sun Valley Hub in Pampanga. The forfeited assets included multiple currencies with an aggregate value of approximately Php189,000,000.00 which the Court found to constitute proceeds of trafficking and other illegal activities arising from POGO-related operations.

These cases underscore the Philippine Government's firm commitment and whole-of-government approach in addressing trafficking in persons linked to cyber scam operations.

- **Migrant Protection, Victim Screening and Principle of Non-Punishment**

The report does not sufficiently reflect the Philippines' institutionalized and multi-layered victim identification system, including:

- The IACAT is implementing the Guidelines on Victim Identification System (VIS) and Enhanced National Referral Mechanism (NRM) for trafficking in persons cases through IACAT resolutions approved during the Regular Council Meeting on 04 December 2025.
- The Victim Identification System provides standardized tools and operational guidance for the identification of victims, including foreign nationals trafficked in the Philippines. These instruments apply the Principle of Non-Punishment and ensure that foreign victims are accorded the same protection, assistance and services as Filipino victims, consistent with international human rights standards and the Philippines' obligations under applicable treaties.
- The Anti-Financial Account Scamming Act (Republic Act No. 12010) that was signed into law on 20 July 2024 combats financial cybercrimes and penalizes scammers. The Act takes into account the Non-Punishment Principle for victims of

trafficking for forced criminality under Section 20 thereof where it grants immunity to trafficked persons from criminal liability for acts committed as a direct result of being trafficked.

- Pre-departure and post-arrival screening undertaken by the Department of Migrant Workers (DMW), Overseas Workers Welfare Administration (OWWA), and the Inter-Agency Council Against Trafficking (IACAT);
- Consular-led victim identification protocols, including the use of indicators for trafficking, forced labor, and online scam recruitment, especially in countries of destination; and
- Established referral pathways between DFA Foreign Service Posts, DMW offices, and IACAT Task Forces.

While the report rightly emphasizes the need for early identification, it does not fully acknowledge that such screening mechanisms are already operational in the Philippine context.

- **Shelter Arrangements and Survivor Support**

The report's discussion of survivor assistance would benefit from recognizing the Philippines' standing network of shelters and reintegration services, including:

- Government-run and NGO-partnered shelters under the DSWD and IACAT;
- Provision of temporary shelter, psychosocial services, legal assistance, medical care, and livelihood support; and
- Specialized assistance for overseas Filipino victims repatriated from scam compounds, coordinated through DFA, OWWA, and DSWD.

The omission of these details may give the impression of gaps where structured support systems already exist.

- **Coordination with Law Enforcement and Judicial Authorities**

While the report notes challenges in accountability and cross-border cooperation, it under-represents the Philippines' institutional coordination mechanisms, including:

- The IACAT, which integrates law enforcement, prosecutors,

social services, and migration agencies;

- Ongoing coordination between DFA, DOJ, PNP, NBI, and international counterparts in evidence-gathering and case build-up;
- The Technical Working Group is actively engaged in technical cooperation with international partners, including the United Nations Office on Drugs and Crime (UNODC). Technical cooperation is important in strengthening inter-agency protocols for dismantling scam centers and prosecuting individuals involved in the trafficking and related offenses.
- Efforts to pursue victim-centered investigations, even where crimes are transnational and evidence is difficult to obtain.
- To ensure the effective and sustained implementation of the nationwide ban on POGOs, the Department of Justice is currently spearheading the drafting of the Implementing Rules and Regulations (IRR) of the Anti-POGO Act of 2025. The IRR seeks to operationalize the PH Government's response beyond immediate enforcement actions.

II. Contextual Clarifications on Philippine Policies, Laws, and Institutional Arrangements

Many of the report's key messages are already reflected in Philippine law and policy, notably:

- **Trafficking in Persons and Online Scam Recruitment**
 - The Expanded Anti-Trafficking in Persons Act (RA 9208, as amended by RA 10364 and RA 11862) provides a broad definition of trafficking that covers emerging forms of exploitation, including those facilitated by digital means.
 - The Philippines has formally recognized online scam recruitment and cyber-enabled trafficking as priority concerns under IACAT's strategic frameworks.
- **Ethical Recruitment and Prevention**
 - The Philippines maintains a licensed and regulated recruitment system, complemented by pre-employment orientation seminars, contract verification, and bilateral labor agreements.

- Preventive measures already align with the report's emphasis on addressing root causes, including information campaigns on deceptive recruitment and online offers.

- **Whole-of-Government and Whole-of-Society Approach**

- The Philippines operates through an established whole-of-government model, anchored in IACAT and supported by local governments, civil society, and international partners.
- Reintegration and recovery programs demonstrate a human rights-based, survivor-centered approach, consistent with OHCHR's recommendations.

These contextual elements are essential to avoid portraying the Philippines solely as a country reacting to the problem, rather than one that has anticipatory and systemic responses in place.