

COMPARATIVE ANALYSIS OF THE IMPLICATIONS OF THE ASEAN CONVENTION AGAINST TRAFFICKING IN PERSONS (ACTIP) ON THE CASES OF TRAFFICKING IN PERSONS THROUGH DIGITAL TECHNOLOGY IN THE PHILIPPINES AND CAMBODIA

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ABSTRACT

A significant increase in the cases of human trafficking has been seen globally, totaling a 25% surge compared to the pre-pandemic period. According to the recent reports of the United Nations Office on Drugs and Crime (UNODC) in 2024, the 24% of human trafficking cases originate from East Asia and the rest of the Southeast Asian countries. In this paper, a comparative method was utilized through the lens of Neoliberal Institutionalism theory to assess the policy outcomes of the ASEAN Convention against Trafficking in Persons, Especially Women and Children (ACTIP) between the Philippines and Cambodia. The findings indicate that compliance differs between the Philippines and Cambodia due to the perceived costs and benefits of regional cooperation. Gaining reputational and developmental benefits, the Philippines highly complies compared to Cambodia, which is skeptical of institutional cooperation due to its historical distrust of multilateral mechanisms, weak legal alignment, and perceived high implementation costs.

Keywords: Comparative Politics, Non-Traditional Security Threats, Southeast Asia, Neoliberal Institutionalism, Trafficking in Persons

INTRODUCTION

Rising Trends in the Cases of Trafficking in Persons

According to the published report of the United Nations Office on Drugs and Crime (2024), cases of trafficking in persons have seen a significant increase since the COVID-19 pandemic. In 2019, a total of 49,692 victims were detected from 156 countries, and there was an increasing pattern until 2022 when a total of 74,785 were recorded. This rising trend of the detected cases of human trafficking is 25% higher compared to the pre-pandemic situation. However, it was noted in the same report that the collection of data during the pandemic was heavily impacted as well, especially during 2020 when the World Health Organization openly declared that the globe was in the midst of a pandemic. The detection mechanism of most entities during this time, such as institutions and authorities involved, had been disabled due to limited freedom of movement from the lockdowns. Hence, it is worth mentioning that the cases of trafficking in persons, given the consistent indicators, are higher than what was reported due to this factor. As illustrated in the figures below, it can be stated that there is indeed a worsening case of trafficking in persons globally as compared to the collected data from 2003 up until 2022 (United Nations Office on Drugs and Crime, 2023).



Figure 1. Total Victims Detected per 100,000 population, 2003-2020

Source: United Nations Office on Drugs and Crime. (2023). *Global Report on Trafficking in Persons 2023*. United Nations Publication.

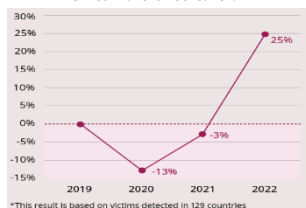


Figure 2. Global Trends of Detection Rates with 2019 as the Base Year

Source: United Nations Office on Drugs and Crime. (2024). *Global Report on Trafficking in Persons 2024*. United Nations Publication.

An important contributing factor to the increase in cases of human trafficking is the advancement of digital technology. Although this promising development with technology has been beneficial, it has also been riddled with disadvantages, which makes cyberspaces more threatening than ever, as organized crime groups utilize this new tool. In a study conducted by Mohamad et al. (2022), it was stated that more than half of the global population is internet users, specifically, 59.9% of the world is connected through the internet. This may be perceived positively as information and communication become more accessible to people throughout the globe; however, it is inevitable that this also presents vulnerabilities as individuals become more susceptible to criminal scams.

Thus, this paper focuses on one of the crucial dilemmas that countries in this interconnected world face, where digital technology has been taken advantage of by organized crime groups. To introduce human trafficking, this is referred to as Trafficking in Persons, which has been defined by Article 3, section (a) of the United Nations (2000) protocol through the General Assembly resolution 55/25 as follows: "(a) 'Trafficking in persons' shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs."

In Southeast Asia, there has been a shift in the methods used by traffickers, utilizing online fraud to exploit internet users (Santoso et al., 2025). This shift can be attributed to the impact of COVID-19 on the overall system of interaction between individuals, wherein almost all societies were forced to shift to an online mode of communication (Susanti et al., 2022). The exposure of vulnerable and targeted demographics, especially among women and children, has resulted in the alarming increase of human trafficking cases within the region. A total of 24% of trafficking cases come from East Asia, including the Philippines and Cambodia, as grouped by the UNODC (2024), while 39% of trafficked victims are women and 40% are younger girls. Hence, it is once again significant to explore this issue now that there is a prominent emergence of what is considered Non-Traditional Security (NTS) threats. This is defined as threats that cannot be fully resolved through conventional means, such as weapons or military power alone (Halili, 2023).

Efforts to Address the Issue of Trafficking in Persons

The need to combat human trafficking had long been recognized even before the COVID-19 pandemic struck. Its conduct is considered a human rights violation against its victims, and it is the international obligation of states to protect individuals from such a threat (International Organization for Migration, 2017). Several instruments are already present to address this dilemma, such as the UN Convention against Transnational Organized Crime and the Palermo Protocol, which is the mechanism of the United Nations to suppress and punish those who commit trafficking in persons, especially of women and children. In other existing conventions, protection against human trafficking is also enshrined for possible victims, such as the 1989 Convention on the Rights of the Child, Convention No. 29 on Forced or Compulsory Labor, and Convention No. 105 on the Abolition of Forced Labor.

Simultaneously, the United States Department of State, through the Trafficking Victims Protection Act (TVPA), also monitors all countries' efforts to combat human trafficking since the legislation was passed in 2000. In its full implementation, countries are ranked according to the provided standards of the United States in terms of protection of victims, prosecution, and prevention. The following rankings of the countries include Tier 1: Governments fully complied with minimum standards, Tier 2: Governments do not fully comply but significant efforts were made, Tier 2 (Watch List): Numbers of victims are alarming and there is a lack of evidence regarding government efforts, Tier 3: Governments did not comply with the minimum standards and there is a lack of evidence regarding the efforts to make significant developments (Gehring, 2022).

Regional instruments were formulated as well to address trafficking in persons within specific geographical contexts. Starting with the European Convention on Action against Trafficking in Human Beings, which serves as a framework for the collaborative effort of the European Countries (Mehra & Sharif, 2023). In Southeast Asia, the ASEAN Convention against Trafficking in Persons, Especially Women and Children (ACTIP) was signed in 2015. It is the existing major legal instrument to combat human trafficking within the region (Caballero-Anthony, 2018). However, before the adoption of the ACTIP, the Bali Process in 2002 was also implemented to provide an avenue for dialogues among the ASEAN member states, while states within the Greater Mekong sub-region joined the Coordinated Mekong Ministerial Initiative Against Trafficking in 2004.

However, despite such measures to address the issue of human trafficking, it remains pervasive and has even worsened in the post-pandemic world. Before the rampant technology-facilitated trafficking, multiple factors already contributed to the continuity of this dilemma. According to the discussion of Hannah Gould (2017), systemic causes are considered the major drivers of human trafficking, such as inequality, poverty, instabilities, and conflicts – these make individuals susceptible to exploitation. For Southeast Asian countries, they are not exempt from such elements that motivate the crime; in addition, there is also the emerging threat of technology, as cyberspaces have become a new sphere for illegal recruitment (Frada, 2024).

Since the ratification of the ACTIP of 2015, drastic changes have been observed. According to the report of the U.S. Department of State (2025) on the Global Trafficking in Persons, most Southeast Asian countries are included in Tier 2 and Tier 3. However, among all the Southeast Asian countries, only the Philippines was ranked Tier 1, while the lowest is Cambodia and Myanmar. Hence, it is important to discuss the fact that the recently created mechanisms for the regional approach in combatting human trafficking in Southeast Asia had an impact on its member states. But the crucial anomaly that must be addressed is the glaring differences in results; all Southeast Asian states are ranked in Tier 2 except the Philippines and Cambodia, which are in Tier 1, and the others are in Tier 3. With hopes to provide a nuanced approach to the foreign policy issues that may address transnational crimes such as human trafficking, this paper will comprehensively discuss the relevant factors that should contribute to future policies.

Thus, this paper will analyze the policy gap by comparing the approach of the Philippines and Cambodia, by addressing the main question: To what extent can Cambodia follow the Philippines to strengthen its national capacity in addressing digitally facilitated trafficking in persons through regional cooperation? Through the lens of Neoliberal Institutionalism theory, it is argued that despite the recognition of anarchy by the states, cooperation is still possible through the existence of international institutions that would shape rules and norms (Grieco, 1988). As long as there are present 'forces' in the institutions that would provide an absolute gain to the states involved, cooperation would be very much feasible. This is exemplified in this comparative analysis as the Philippines and

Cambodia, both members of the Association of Southeast Asian Nations (ASEAN), which adheres to the principle of non-interference, have ratified the ACTIP.

Theoretical Background

Neoliberal Institutionalism Theory in International Relations

Neoliberal Institutionalism is not completely at the other side of the coin of the Neorealist thinking (Whyte, 2012; Keohane, 1984). In fact, the two theoretical frameworks are considered to be more of siblings rather than an opposition of the other due to the similarities and differences that both of them share. One key feature these theories agree on is the anarchic nature of the international system or the absence of a central authority. And, despite the absence of such authority, it is not chaotic because the actors, which are the states, are rational. However, following this are a few major points of contention concerning how neorealists and neoliberals view important concepts in the anarchical international system. Placing an emphasis on Neoliberal Institutionalism, the first argument is its view on cooperation. While realists are pessimistic regarding cooperation, neoliberals believe in the benefits of international cooperation, especially when addressing challenges that are common to all.

The second claim of neoliberals is on the role of international institutions. Contrary to the claim of realists, neoliberals highlight the importance of institutions as an avenue for the creation of norms, action monitoring, and cost reduction. Lastly, a key point relevant to this analysis is that states primarily consider absolute gains when committing to international institutions. They are likely to engage in cooperation as long as it leads to mutual benefits. Thus, returning to the objective of this paper, Neoliberal Institutionalism Theory serves as a framework to explain the commitment of the Philippines and Cambodia to ACTIP by focusing on the key components such as the extent of institutional engagement fostered by both nations, their commitment to transparency and monitoring, and lastly, the incentives and absolute gains that both nations obtain in regional cooperation, or whether they perceive such benefits as crucial to their goals, which ultimately affect the human trafficking outcomes.

In addition, the figure below proposes a hypothesis using the Neoliberal Institutionalism Theory (Keohane, 1984) in International Relations: States that fulfill their obligations as aligned with ACTIP will more likely gain benefits from its cooperation, such as strengthening their capacity and decreasing their human trafficking cases.

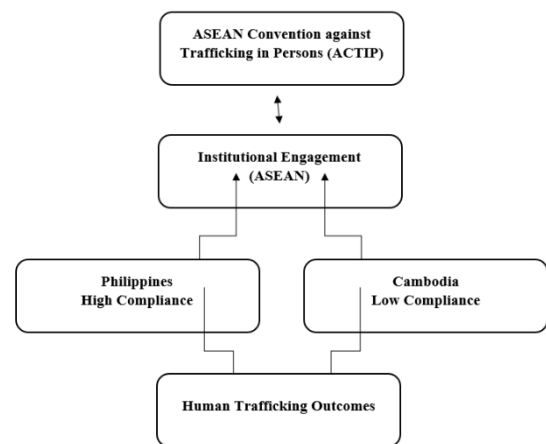


Figure 3. Conceptual Framework

METHODOLOGY

A comparative analysis approach was utilized to study the similar characteristics of the Philippines and Cambodia in terms of human trafficking; however, it had different outcomes. According to the report of the U.S. Department of State (2025) on the Global Trafficking in Persons, the Philippines has shown a significant improvement since its ratification of ACTIP, with it recently placed on the Tier 1 list, which is the only nation-state to be included among the ASEAN member states. And, despite most of the ASEAN member states being on Tier 2, Myanmar and Cambodia are the only ones lagging, both of them being placed under the Tier 3 list. However, an exception will be emphasized for Myanmar in this analysis due to the complexities that surround its case, especially the

instabilities it is experiencing within its domestic sphere, politically and economically (Tun, 2021); the hindrance in fully maximizing its mechanisms to address the issue of human trafficking would require a different approach and would delve away from the objective of this paper.

Document analysis served as the primary source, while published data were utilized, such as the United States Department of State in reporting the status of the countries in terms of handling the human trafficking cases, the United Nations Office on Drugs and Crime reports, ASEAN-Australia Counter Trafficking reports, and other articles available publicly (Morgan, 2022). However, one of the challenges, aside from the possible biased interpretation of the data, is the credibility of some state-produced reports, which might have been manipulated. In this case, reports from external entities are helpful, such as the ASEAN-Australian Counter Trafficking, the United Nations Office on Crime and Drugs, and other NGOs, due to the unbiased observation of the cases themselves.

Current Policies and Alternative Solutions

ACTIP as a Legal Framework and its Regional Goals

The ASEAN Convention Against Trafficking in Persons, Especially Women and Children is considered a legally binding agreement among the ASEAN member states that ratified the said convention (United Nations Office on Drugs and Crime, n.d.). The agreement was signed in November 2015 of November in Kuala Lumpur, Malaysia. It was stated that ACTIP is unlike the soft agreements that ASEAN member states had – in an instance, the early declarations that ASEAN had against human trafficking, wherein there was a lack of a rigid guide for the states to be able to cooperate. With ACTIP, it is considered a legally binding agreement due to the fact that it was ratified and ensures adoption among member states (Liberty Asia, 2017). However, just like most international agreements, ACTIP does not specify sanctions on states that do not comply, yet it is also argued that non-adherence also influences the relationship of the state with the other member states, and pressures economically, such as withdrawal of funding, may occur.

According to Sundram (2024), the regional goals of ACTIP include the following: 1.) enhancement of victim protection, 2.) repatriation and return of victims, 3.) law enforcement and prosecution, 4.) extradition, 5.) confiscation and seizure. Simultaneously, it emphasizes the strengthening of regional cooperation through: 1.) cross-border cooperation, and 2.) control and validity of documents. The implementation of these became possible through the monitoring of the ASEAN Secretariat, which is primarily responsible for supervising the adoption of the convention among member states, while the ASEAN Senior Officials Meeting on Transnational Crime (SOMTC) promotes, monitors, and reports to the ASEAN Ministerial Meeting on Transnational Crime (AMMTC) regarding the effectiveness of the convention. This is a mutual dynamic where ASEAN member states are required to report through their representatives as designated by the provisions of the convention regarding the progress of the implementation of the ACTIP domestically.

However, one thing that is often less emphasized is the representation that the member states gain through ASEAN, not just regionally, but also internationally (U.S. Mission to ASEAN, 2024). Collective representation results in multilateral partnerships instead of bilateral ones, as exemplified by how the United States and Australia provide funding to ASEAN to combat human trafficking, inadvertently benefiting all the member states. This is mostly crucial for ASEAN member states, as most nations are economically challenged and are in need of funding in order to fully implement their policies. Such is also the case with the Philippines and Cambodia, with both having similar dynamics domestically, especially in terms of their economies – coordination and cooperation under ASEAN through ACTIP should be beneficial.

The Philippines' Evolving Approach to Combating Human Trafficking

Before the Philippines was placed in Tier 1 by the United States Department of State, it went through challenges in addressing human trafficking. Along with the alarming cases of human trafficking that were recorded, it did not have an anti-trafficking law before 2003 (Gana, 2019). There existed only legislation that penalized the violation of the rights of individuals, such as migrant workers, children, and women. Such examples are the Labor Code of the Philippines and the Migrant Workers and Overseas Filipinos Act of 1995, which protected the rights of Filipino workers domestically and internationally. The 1992 Child Protection Law was already in effect as well.

The body created to implement the provisions of the Republic Act No. 9208, also known as the Anti-Trafficking in Persons Act of 2003, the main legal framework

in resolving human trafficking in the Philippines is the Inter-Agency Council Against Trafficking (n.d.). The agency is headed by the Department of Justice (DOJ), while the Department of Social Welfare and Development (DSWD) serves as its co-chair. Its council members also include several departments and agencies in the Philippines, including the Department of Foreign Affairs. Interestingly, three NGOs are also part of its members, which are the Coalition Against Trafficking in Women for the representation of women and their involvement in human trafficking, the Blas F. Ople Policy Center and Training Institute to represent the OFW sector, and lastly, the International Justice Mission to represent children.

With the existence of the Inter-Agency Council Against Trafficking (IACAT), addressing human trafficking became easier as it streamlined key functions, responsibilities, and goals (Gana, 2019). One example of this is the punishment for those who are officially caught doing the act of human trafficking as defined within the scope of trafficking in persons from the United Nations Convention. IACAT also promoted cooperation with external entities during its early planning, as stated in its mandates, and the existence of international conventions allowed for the establishment of standards and norms in combating human trafficking. However, within the regional scale, such as in Southeast Asia, mutual dynamics did not exist, and nations were not guided as to how coordination must be conducted (Lau, 2017). It wasn't until the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP) was signed by the 10 member states that the region had a clearer framework in terms of cooperation and coordination to address human trafficking issues, which will also be further discussed in the succeeding sections.

The Philippines and Its Commitment to ACTIP

During the pandemic, online recruitment became a prominent method of human trafficking in Southeast Asia, particularly in the Philippines, as crime groups increasingly exploit digital technologies (McGeough, 2022). Hence, the Philippines reiterated that through regional cooperation, more can be done to address this new mechanism of the longstanding threat. According to the National Strategic Action Plan of IACAT for 2023 to 2027 (2022), it will continue to anchor its approach to the provisions of the ACTIP in terms of resolving human trafficking. And aside from bilateral state-to-state coordination, IACAT heavily partners with third-party sectors as well, such as the ASEAN-ACT, the International Organization for Migration, and UNICEF. This has contributed greatly to the fight against trafficking in persons due to the benefits gained from proper coordination and trust among third-party sectors in terms of monitoring, repatriation of victims, and resource funding.

Lastly, due to the significant progress of the Philippines with its human trafficking cases and the commitment of the involved agencies, it remains at Tier 1 according to the recent report of the United States Department of State (2024). Due to this promising performance of the Philippines, it has recently led regional cooperation initiatives such as the drafting of the Bohol TIP Work Plan, which emphasized the role of digital technology in exacerbating the problem of human trafficking (ASEAN-Australia Counter Trafficking, 2024). Thus, one of the proposed plans from the Philippines is to heighten the monitoring among the involved member states and to also promote education among the vulnerable sectors.

Cambodia's Initial Response to Human Trafficking

In 1996, Cambodia enacted a law on human trafficking and was considered one of the countries to do so the earliest. Entitled the Law on Suppression of the Kidnapping, Trafficking, and Exploitation of Human Beings, this legislation was an attempt to address the early forms of human trafficking in the country and a response to its growing numbers. According to the study of Keo et al. (2014), the nature of human trafficking in Cambodia was mainly labor and sex trafficking; there was a particular demand, especially for the latter, which can be attributed to the arrival of the peacekeeping operations of the United Nations in Cambodia with the United Nations Transitional Authority in Cambodia (UNTAC). Western troops, particularly those from the United States, were largely the patrons of such services in the middle of the 1990's, resulting in the worsening condition of trafficking in the country (Rosas, 2011).

However, the domestic legislation itself proved to be ineffective due to the lapses that were identified in its provisions, and even if the law was amended to the Law on Suppression of Human Trafficking and Sexual Exploitation in 2008, which was supposedly more comprehensive, the same concerns remained (Ponlok, 2024). Despite both 1996 and 2008 laws on trafficking penalizing the conduct of trafficking, the definition of 'trafficking' itself was not defined, and the acts were narrowly identified, mostly focusing on prostitution (Keo et al., 2014). Even

the terms 'victim' and 'accomplice' were vaguely defined as well, causing loopholes with its own law. And, especially with the changing nature of trafficking, the narrow identification of trafficking to prostitution will be difficult now that there is the emergence of online conduct of trafficking (Kennedy et al., 2022).

Upon the implementation of the 2008 Law on Suppression of Human Trafficking and Sexual Exploitation, under the Ministry of Interior, the National Committee for Counter Trafficking (NCCT) was also established in 2009. The Ministry of Women's Affairs of Cambodia (2024) reported that the NCCT has set its goals to also improve the country's response to human trafficking by enhancing the prevention, protection, and prosecution mechanisms. It coordinates with both the national police and non-government organizations to track possible cases of human trafficking. The NCCT was also proactive when it came to external partnerships in order to address the issue, citing a willingness to work with regional and international groups. However, similar to the Philippines, the lack of a regional framework in Southeast Asia made cooperation vague in the early years of combating human trafficking.

Cambodia and Its Continuous Struggle with Human Trafficking

The ACTIP was ratified for Cambodia in 2016, and its National Committee for Counter Trafficking handles the human trafficking cases (ASEAN-Australia Counter Trafficking, 2021). However, despite its meticulous efforts to address the rising number of human trafficking within its borders, it is still ranked at Tier 3, according to the report of the United States Department of State (2024). The reason for its worsening status is due to the challenge fostered by online recruitment as one of the effects of COVID-19 within the region; hence, the government of Cambodia made it imperative to resolve this (Chheng, 2025). This realization may be considered as delayed, as the declaration of other ASEAN member states regarding the danger of human trafficking through online methods was made a few years back.

In addition, one of the weaknesses that was found concerning Cambodia's response to human trafficking was its failure to adhere to its obligations that the ACTIP set. In the progress report submitted by ASEAN-ACT (2023) as one of the entities that aims to assist ASEAN member states in resolving the issue of trafficking, it was said that some human trafficking cases could have been addressed if Cambodia coordinated properly with other member states. This was also further elaborated in the most recent report of ASEAN-Australia Counter Trafficking (2024), detailed in the 'Giant Ocean' case, where 80 Cambodian men were trafficked to Taiwan. Despite the existing provisions in ACTIP regarding legal assistance and cooperation, Cambodia failed to adhere to the process of coordinating with the involved Singaporean agency that led the trafficking, resulting in a lack of prosecution of the involved criminals from Singapore.

Aside from the issue of trafficking in persons and other domestic factors that are affecting the mechanisms of Cambodia in addressing non-traditional security threats, to allow for a broader lens, it was stated in the assessment of the Asia Pacific Centre for the Responsibility to Protect (2018) that Cambodia has a very weak performance in terms of strengthening its commitments to regional and international organizations. This can be attributed to the perceived cost and benefit of allowing external organizational interventions by the Kingdom of Cambodia, which is more risky than beneficial for the nation. In the succeeding sections, data and evidence will be provided and interpreted utilizing the cost-benefit analysis, emphasizing the perceived costs and gains by the Philippines and Cambodia for their cooperation with ASEAN, through ACTIP, in combating human trafficking.

Data, Evidence, Analysis

Institutional Engagement with ASEAN to Address Human Trafficking

According to the published news from the Association of Southeast Asian Nations (2017), the Philippines is highly engaged with the organization in order to combat human trafficking. In the creation of ACTIP itself, the Philippines proposed most of the activities under its provisions to strengthen the regional response to human trafficking. The then Secretary General Minh from Vietnam expressed gratitude for the initiatives that the Philippines had in order to engage the region in improving the situation with one of the most alarming non-security threats that pervade Southeast Asia. However, the Philippine institutional engagement does not end with its participation in initiatives and policy-making, but also its commitment to coordination in order to resolve certain cases.

One of these is a human trafficking case that happened in Malaysia back in 2020, where a Filipina was illegally recruited by a Malaysian couple to be their

domestic helper (GMA News, 2020). With the coordination of the Philippine Embassy in Malaysia and the Malaysian Royal Police, the victim was successfully repatriated, and the suspects were properly convicted under the Malaysian jurisdiction, having to pay 232,976 in Philippine pesos for the damages that they caused to the victim. Following the successes of human trafficking cases, the Philippine National Police was also awarded by His Majesty Ibrahim Iskandar, the King of Malaysia, for the agency's continuous joint operations with the Malaysian Royal Police and cross-border collaborations to strengthen the monitoring of possible trafficking cases (Anas, 2024).

Furthermore, the Philippines isn't just committed to cooperation and coordination, but presents its willingness to align with ACTIP concerns by amending its legislation on anti-trafficking in 2022 (Republic Act 11862: Expanded Anti-Trafficking in Persons Act of 2022 | Philippine Commission on Women, 2022), where the law strengthens its provisions in joint investigations and enhancement of prosecution. The non-punishment clause is also maintained for the trafficked victims; this has only been retained by the Philippines, Malaysia, and Thailand at present. According to Lau (2017), ASEAN started as an organization that emphasized economic affairs, and despite its development in recent years, Cambodia seemed to have continuously perceived the regional organization as a channel for economic growth, rather than addressing security issues (Vannarith, 2018). This can be attributed to Cambodia's early disappointment with ASEAN's engagement in its border dispute with Thailand. Despite requesting mediation from ASEAN, there was a failure to address the issue, and both states were left with bilateral decisions (Rondonuwu & Suharmoko, 2011).

Hence, despite the ratification of ACTIP, Cambodia's engagement with ASEAN in addressing human trafficking remains relatively low due to its perceived benefits and priorities for economic partnerships rather than resolving security issues. Lastly, it will be too costly to implement with the goals of ACTIP, especially as reviewed by Liberty Asia (2017), that in terms of legislation, there are gaps between the provisions of ACTIP and national laws of Cambodia, especially in terms of non-punishment of victims, as Cambodia's laws interpret and punish all those involved in human trafficking, whether they consented or not. The implication of this is a lack of reporting from the victims as well when involved in trafficking, and most cases remain unresolved.

Transparency and Monitoring

In the report of the United States Department of State (2023), the Philippines excelled in transparency and case monitoring. One example is the establishment of a one-stop service by potential victims in areas such as Manila, a destination for most traffickers, which assists without requiring tedious procedures. In 2024, it was also reported that the Philippines had successfully monitored its human trafficking cases through effective international coordination and that this was consistently reported by the Department of Foreign Affairs (US Department of State, 2024). ACTIP also requires the states to accurately report to the ASEAN Secretariat and SOMTC, thereby strengthening the monitoring and transparency mechanisms for the Philippines across the region.

Additionally, according to the Council of ASEAN Judges (2024), the Philippines, with the Department of Justice leading the IACAT, has demonstrated greater transparency. This was exemplified by the Philippine National Police being lauded by the Malaysian government for its willingness to exchange intelligence to track potential cases of human trafficking (Anas, 2024). One challenge to transparency, however, is corruption, and the Philippines has long been considered a haven for such acts. For Cambodia, it was reported by the International Justice Mission (2022) that there is a gap when it comes to victim monitoring; authorities often overlook the indicators for possible trafficked victims, and services for those who were victimized were often not provided as well. In Ponlok's (2024) study, a lack of implementation by the authorities was identified, despite the clear goals that the NCCT aligned with ACTIP regarding monitoring and transparency. This was attributed to the economic challenges Cambodia faced and insufficient funding to implement its projects.

Consequently, there are additional economic benefits to the 'business' of trafficking; ASEAN-ACT (2024), through ACTIP, enables ASEAN member states to receive a total of USD 80 million. However, according to Jackson (2024), trafficking in Cambodia enables its politicians to profit from around 18.7 billion USD annually, especially from online recruitment, which is more than half of the country's GDP. Hence, there's a lack of transparency and monitoring by government officials themselves, owing to the benefits derived from the criminal conduct. Even in the most recent reports of the United States Department of State (2025), Cambodia fails to prosecute those who are possibly involved in larger trafficking scams.

Cost and Absolute Gains for Regional Cooperation

In reality, all the factors mentioned above were driven by the benefits that ASEAN member states perceive from cooperating with ACTIP's goals. In the Philippines, international and regional cooperation has yielded greater benefits despite potential costs. In Loewenstein's (1953) study, during the Cold War, international cooperation meant relinquishing a portion of a state's self-determination. Despite the end of the Cold War, as polarization resurfaces in the international system, perceptions of sovereignty being undermined by international and regional cooperation also return (Omeni, 2024). As for the Philippines, a portion of its sovereignty is not unduly costly relative to the benefits it gains from cooperating with other states in groups.

This was exemplified by the other agreements that it has, focusing on the regional ones, like the ASEAN Free Trade Agreement, where it helped in the significant growth of the Philippines in terms of gaining food security (Herath et al., 2014). In particular, given growing concerns about national security, the Philippines coordinates effectively with its regional counterparts to secure assistance (Lotilla, 2015). This is especially relevant, as most Southeast Asian member states are engaged in similar disputes with China, and the Philippines expects further support from its neighboring states. Hence, the Philippines closely aligns with the goals of ACTIP, even adjusting its policies and legislation to align with the regional framework, given the benefits it derives in the present, such as regional visibility and foreign funding. However, the perceived benefits extend not only to the present but also to the future, particularly given the risks it faces to maritime security from China.

The same cannot be said for the case of Cambodia, as it remains skeptical of regional and international cooperation, especially due to the factors of its past being detrimental to its present situation in human trafficking. Plenty of studies pointed out the fault of external interventions in the problem of Cambodia in human trafficking, one of which is conducted by Rosas (2011), detailing that the arrival of the United Nations Transitional Authority in Cambodia (UNTAC) increased trafficking in the form of prostitution. This was called out by the previous Cambodian Prime Minister as well, stating that the UNTAC had the worst legacy and said that the Western troops left nothing but 'AIDS' in the country.

Furthermore, Cambodia had previously been disappointed with ASEAN due to the lack of a settlement mechanism when it faced a conflict with Thailand over contested heritage sites (Chachavalpongpon, 2020). The lack of gains from its international and regional cooperation mirrors its compliance with ACTIP, and it continues to underperform, according to the United States Department of State (2025). In addition, Cambodia perceives overall cooperation with ASEAN member states as risky, given its close relations with China. According to Heng (2021), the Philippines and Vietnam advocated a multilateral approach to the South China Sea issue, whereas Cambodia maintained neutrality by refraining from criticizing China's assertiveness. Therefore, Cambodia is very careful in its relations with ASEAN member states, seeking to balance them with China, given existing issues with most ASEAN members. However, undeniably, due to Cambodia's lack of gains from its previous cooperation with international and regional organizations, it remains skeptical at present and instead retains its strong bilateral relations with China (Rim, 2025).

Table 1. Comparative Analysis of ASEAN Anti-Trafficking Compliance: Philippines and Cambodia

Category	Philippines (High Compliance)	Cambodia (Low Compliance)
ASEAN Institutional Engagement (includes cooperation, coordination, and alignment of national legislations with ACTIP)	-Active participation in coordination and cooperation -Stronger anti-trafficking laws aligned with ACTIP (Expanded Anti-Trafficking in Persons Act of 2022)	-Limited or inconsistent participation in coordination and cooperation -Laws not aligned with ACTIP and not updated (1996 Law on Suppression of the Kidnapping, Trafficking, and Exploitation of Human Beings; 2008 Law on Suppression of Human Trafficking and Sexual Exploitation)
Monitoring & Transparency (Reporting of cases and monitoring of victims)	-Monitors victims and prosecutes traffickers	- Lacks reporting and victim monitoring - Low prosecution of traffickers
Perceived Gains from Regional Cooperation	-Reputation and foreign aid	-Lower perceived benefits due to historic distrust, bringing sovereignty concerns

CONCLUSION

With the growing concerns regarding human trafficking in Southeast Asia, it is crucial to be able to assess the efforts of the Southeast Asian nations individually and also regionally, especially now that there are newer mechanisms utilized in its conduct that need further and stronger cooperation. Therefore, in this comparative analysis, the Philippines and Cambodia showcased that while both states ratified the ASEAN Convention Against Trafficking in Persons (ACTIP), their levels of compliance significantly differ due to how each perceives the costs and benefits of regional cooperation. Guided by the principles of Neoliberal Institutionalism, the Philippines exhibits high compliance by actively aligning its national laws with ACTIP, engaging in multilateral coordination, and gaining reputational and developmental benefits. Cambodia, on the other hand, remains skeptical of institutional cooperation due to its historical distrust of multilateral mechanisms, weak legal alignment, and perceived high implementation costs. Therefore, Cambodia can strengthen its national capacity in addressing trafficking in persons through digital technology by following the Philippines' strategic use of institutional engagement, provided that ASEAN creates a more trust-based and incentive-driven regional environment that addresses Cambodia's concerns.

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