

Transnational children and youth in the Philippines

Discourse and review

Sinogba, Erin Jan L.

Transnational Institute of Grassroots Research and Action Philippines

Abenir, Mark Anthony D., DSD

University of Santo Tomas

Gibson, Melissa

Transnational Institute of Grassroots Research and Action Philippines

Yap, Gina, Ph.D

Batis Center for Women

Abstract

While the Philippines has had a long history of migration to and from the country, the scale of more recent transnational movements have brought forth a generation with a unique set of characteristics and challenges in an age of rapid globalization and hyper-connectivity. As a result, the modern generation of transnational children and youth in the Philippines is emerging as a new normal. Many young people living in the Philippines are growing up in different kinds of transnational families, and while there are many associated benefits, they also experience unique vulnerabilities that call for deeper examination and thoughtful response. This paper reviews existing literature related to transnational children and youth in the Philippines and achieves the following: 1) To develop a conceptual framework for transnationalism rooted in the Philippine context and informed by broader discourses of transnationalism; 2) To highlight the different transnational experiences of children and youth in the Philippines; 3) To promote a preliminary rights-based framework that can address various issues affecting transnational children and youth in the Philippines; and 4) To review existing policies and begin to identify gaps in addressing the needs and concerns of transnational children and youth in the Philippines. The literature review reveals that different populations of transnational children and youth face common strengths and challenges that may serve as meeting points for solidarity and collaboration for a rights-based advocacy agenda. The review also identifies major knowledge gaps about emerging populations of transnational children and youth in the Philippines, which will hopefully inspire further inquiry among migration and child rights researchers and advocates.

Introduction

The Philippine islands have always been a nation shaped by movement and migration. Several theories based on anthropological findings suggest that the islands' early history was characterized by migration of Austronesian groups, who settled in the islands and over time developed their own distinct languages and ways of living. Anthropologist Wilhelm Solheim II (2006) even suggests that maritime movement around the area of the islands drove cultural development around Southeast Asia. Over time, trade relations were established with other Southeast Asian and East Asian nations, leading to the movement of peoples and the exchange of goods and cultural ideas and practices.

When Spanish colonizers made their way to the islands, the occupation facilitated more migration into the islands from Europe and Central America. Roman Catholic clergy and missionaries settled in the Philippines and played a central role in administering colonial rule over the islands. For over 250 years, the Philippines was governed from Mexico, which also facilitated movement from Central America to the Philippines. At the same time, traders from China and then India began settling in the Philippines. After Spanish colonial rule, the United States began its occupation of the islands, followed by a brief Japanese occupation in World War II. All of these colonial occupations brought numerous settlers into the Philippines, many of whom stayed even after the end of each regime.

In the modern age of globalization, movement and migration out of and into the Philippines continues to happen at a much different scale. Families in the Philippines are experiencing transformation, with the relationships that constitute families stretching across distances and transcending political borders.

The Philippines is the third largest migrant-sending country worldwide, with almost 10.5 million Filipinos abroad in over 214 countries as of December 2012 (CFO, 2013a). This constitutes roughly 10% of the Philippine population. According to the CFO (2015), the top 10 destination countries of overseas Filipino labor as of 2012 are the Saudi Arabia, Canada, the United Arab Emirates, the USA, Australia, Malaysia, Japan, the United Kingdom, Hong Kong SAR, and Kuwait. The codification of Filipino labor as a major export has been going on for some time. In fact, sending Filipinos to work overseas first became government policy during the martial law era, with the creation of the Philippine Overseas Employment Agency (at the time, the Overseas Employment Development Board) in Art. 17

of the Philippine Labor Code in 1974 (POEA, 2014). What started as a stop-gap initiative to address the acute urban unemployment that threatened the stability of the regime has since become both standard government policy and a fixture in Philippine social organization.

According to the World Bank (2015), the Philippines ranked third in terms of amount of remittances received at USD26.7 billion in 2013, just after India and China, two of the most populous countries in the world and among the world's largest diasporas. Economic remittances are a cornerstone of many Filipino families' lives, providing for basic needs and allowing families to achieve standards of living previously unattainable. Remittances are a powerful indicator of strong family relationships and connections among migrants despite the distance between migrants and their families. They also affirm the common motivation of most Filipino migrants in working outside of the Philippines – that is, to seek better opportunities that will ultimately improve the lives of their families.

At the same time, the Philippines has also seen a steady influx of outside communities to the country. Knowledge about these populations varies, as does their motivations for migrating to the Philippines. In many cases, the presence of outside communities in the Philippines was never conceived as a long-term settlement. In the post-World War II era, the U.S. military presence transformed the communities surrounding its bases, two of the largest in the world during its time. More recently, economic prosperity in South Korea drove Korean business investments and tourism to the Philippines. The Japanese presence in the Philippines has likewise responded to pressures in Japan as well as economic opportunities in the Philippines. Conflicts at home motivated migrants from Indonesia and Vietnam to settle in the southern regions of the Philippines in search of a better life, only to face issues of statelessness. The population in the Philippines today reflects migration from different parts of the world.

While the Philippines remains a migrant-sending country, there is a lack of knowledge about transnational families as the result of inbound migration. Miralao (2007a) suggests that this is due partly to negative views of foreigners entering the Philippines and the pressing need to understand outbound migration. However, she also points out changing attitudes possibly stemming from an overall interest in globalization and globalized families.

In all cases, the family has faced the greatest challenges as the result of global mobility, as they must endure separation from one another and their communities, deal with the reality of lack of economic opportunities in their home country, and are beholden to the restrictions placed upon them by the political institutions governing them in the host country and outside. Nonetheless, the family and the relations between family members remain significant, as transnational movements and encounters have enabled the production of new ways of realizing family across transnational spaces (Yeoh et al, 2005). Graham et al (2012) suggest that, “Whatever the costs and triumphs, sustaining the family across distance may already be regarded in itself as a form of active agency and resistance against the circumstances.”

In the study of the modern era of transnational movements, with the focus of most research fixed primarily on the movements and encounters by Filipino adults. But the perspectives of children and youth have largely been excluded from the discourse of migration and other transnational encounters, where research has mostly relegated children as passive, vulnerable, and exploited actors (International Organization for Migration, 2008). Furthermore, Abramovich et al (2011) cite Javier De Lucas (2002), who notes that policies on migration has been limited to an economic growth framework, without taking into the account the human rights and welfare of families affected by migration.

The Global Migration Group (2008) states, “Policies should take cognizance of how migration affects these children and protect their rights by enhancing access to benefits of migration while simultaneously protecting against vulnerabilities.” The United Nations Special Rapporteur on the Human Rights of Migrants (2009) has called for a mainstreaming of a child rights approach to migration into national policies and programming, with due consideration for the impacts of migration on children and youth in developing and implementing national development plans. A UNICEF social and economic policy working paper on The Rights of Children, Youth, and Women in the Context of Migration (Abramovich et al, 2011) recommends that a child rights-based approach should be guided by the principles of non-discrimination, accountability, transparency, and participation. As such, it is necessary to develop a framework to promote the rights of transnational children and youth, in order to highlight their particular needs as separate and distinct from those of adults affected by transnational movements and encounters.

While the Philippines has had a long history of migration to and from the country, the scale of more recent transnational movements have brought forth a generation with a unique set of characteristics and challenges in an age of rapid globalization and hyper-connectivity. The modern generation of transnational children and youth is emerging as a new normal, and as such, they are worth studying and, in turn, working with to examine the larger phenomenon of migration and develop solutions to the challenges thereof. As many scholars have suggested, there are many benefits that come with migration. However, as we see in the literature, there are also social costs. The children of these transnational families experience unique vulnerabilities that call for deeper examination and thoughtful response. Furthermore, the circumstances driving the creation of these new transnational families can be attributed largely to a highly globalized world, where movement is enabled by economic demands in the home and host countries, while also being limited by long-standing inequalities. It is important to note the role of gender in modern transnationalism in the Philippines, which has largely been the result of a feminized workforce abroad as well as many local women who are at the frontlines of encounters with visiting foreign men. In the literature, we have noticed the inextricable relationship between female outbound migration, the influx of foreign men, and the new generation of transnational children and youth in the Philippines.

This paper reviews existing literature related to transnational children and youth in the Philippines. In the course of this paper, we aim to achieve the following:

1. To develop a conceptual framework for transnationalism rooted in the Philippine context and informed by broader discourses of transnationalism;
2. To highlight the different transnational experiences of children and youth in the Philippines;
3. To promote a preliminary rights-based framework that can address various issues affecting transnational children and youth in the Philippines; and
4. To review existing policies and begin to identify gaps in addressing the needs and concerns of transnational children and youth in the Philippines.

Defining the transnational

In his introduction to *Discrepant Histories: Translocal Essays on Filipino Cultures*, Rafael (1995) writes, “The reality of the Philippines has always exceeded these artificial boundaries, evading their

essentializing claims and regulatory compulsions.” Because of the long history of migration into and out of the country, there is a long-standing tradition of transnationalism in the Philippine context, where families are connected to communities in numerous parts of the globe. In a way, transnational phenomenon can be seen as an ongoing inevitability in the Philippines' history. With the country's geographic location, it has historically been a central hub for trade in East Asia. Over three hundred years of colonization under various foreign powers, most notably Spain, the United States, and Japan, also facilitated mass migration in and out of the Philippines. In more recent times, the Philippines' economic circumstances have provided push and pull factors for transnational movements into and out of the country. Persistent poverty and the era of martial law under former President Ferdinand Marcos are large factors behind the most recent generation of migrants leaving the Philippines. On the other hand, there are also many pull factors for outsiders to come and make the Philippines their new home. An open and welcoming environment for foreigners has made it easier for tourists to visit the country and even to set up businesses. The Philippine government's close relationship with the U.S. has accommodated ongoing military presence, which has led to a number of army personnel living in and building relationships in the country.

As a result, what is considered “Filipino” is an evolving concept, reflecting the fluidity of movements of people inhabiting the islands. Mendoza (2001) chronicles the historical discourse of defining an indigenous Filipino identity separate from colonial and imperialist influences as part of the struggle for decolonization and self-determination. In her analysis, she promotes an anti-essentialist perspective that recognizes the “constituents' multiethnic heterogeneity” and avoids “exclusionary politics marginalizing or denying recognition to those who do not fit the profile of the 'authentic' Filipino (as defined by those constructing the discourse).” Mendoza invokes Virgilio G. Enriquez, who first developed “liberation psychology” as a departure from racist and colonialist interpretations and representations of the Filipino psyche in Western psychology, and calls for what Enriquez termed “indigenization from within”, where the indigenous culture is the starting point for developing conceptual frameworks and analytical tools. To take it a step further, Mendoza encourages a reading of cultural politics where, instead of forcing phenomena to fit in with pre-existing theoretical frameworks, theory and context can inform and expand each other's scope and utility. Thus, in defining the transnational in a way that speaks to and reflects the multitude of Filipino experiences, we will first review the discourse on transnationalism in the Philippine context and expand it with a broader

discussion of transnationalism in other literature. In doing so, we aim to expand the reach of who is included in the definition of transnational. At the same time, we hope to expand the broader discourse of transnationalism by way of using the experiences of transnational people in the Philippines to re-examine assumptions about the concept of transnationalism and transnational processes.

In the Philippines, the concept of transnationalism emerged as the result of rapidly growing outbound migration and much migration literature situates it in the context of the family. *Overseas Filipino Worker (OFW) families* is the most used term for transnational families and it is used in place of or interchangeably with *transnational families* (Abenir, 2014). OFWs are Filipino migrants who work outside of the Philippines and live across national borders, supporting their families in the Philippines while working in host countries across the globe. In the experiences of OFW families, absent family members can reconstitute the structure of the family, causing those remaining to assume new family roles to take care of children. Migrant family members send economic and social remittances in order to keep the family intact. As a result, the definition of “family”, especially as understood by the children of OFW families, is expanded beyond the conventional nuclear family and includes extended family and non-kin who provide care and support to the children of OFWs (Parreñas, 2006; Asis et al., 2004). As written in *In Their Voices: The Rights and Capabilities of Anak ng OFW* (2014), Abenir states clearly that the perspectives of the children of OFWs must be front and center so as to give an “authentic representation of their worldview” and to give them the agency so often denied to them in the discourse around OFW families, as doing so “normalizes the existence of their transnational families.” Miralao (2007a) also calls attention to the inclusion of foreign nationals permanently settling in the Philippines as part of the emerging narrative of transnationalism in the Philippines. With greater attention given to research on foreign communities building their lives in the country as well as government operations to ease the processes for foreign families living and settling in the Philippines, this is also included as a growing population of transnational people and families in the country.

Appadurai (1990, 1996) and Gupta (1992) described the rapid global exchanges of ideas, capital, and people as the world entering an era of transnationalism. The word *transnational* is defined as going beyond nations and national borders, indicating that connections between people dispersed across nation-states transcend political allegiances and boundaries. The transnational framework recognizes that people affected by global movements and encounters “live their lives across national borders and

respond to the constraints and demands of two or more states” (Glick Schiller et al, 1995), and as such, transnational people “form their identities out of multiple affiliations and belongingness to complex networks of peoples and places” (Suzuki, 2010). These transnational connections are made possible and sustained by increased access and improvements to transportation and communication technology. With these transnational movements and encounters come simultaneous processes of reimagining the “landscapes of group identity” (Appadurai, 1996) and “heightening nation-state building” (Glick Schiller et al, 1995). Conventional constructions of culture, social norms, ethnicity, gender, class, and nationality are challenged, negotiated, and redefined by the transnational exchanges and movements. At the same time, recognition of transnationalism allows for redefining the traditional concept of the nation-state, particularly by opening the space for the participation of previously marginalized voices.

Faist (2010) offers a detailed analysis of the concepts of *diaspora* and *transnationalism*, which, while both being fairly flexible, suggests that the main point of divergence is that the former describes a globally dispersed community with a common identity (e.g. Jewish diaspora, Filipino diaspora) and the latter describes processes across global networks (e.g. mobility, employment, remittances). Thus, a transnational framework focuses the analysis on relationships and exchanges rather than in the construction of a collective identity. Faist also specifically points out that “transnational communities encompass diasporas, but not all transnational communities are diasporas”, which implies that the examination of transnational networks can also include people and processes that do not originate from the home country.

The concept of *transnationalism* is also distinct from *cross-cultural*, in that the former describes processes that encompass geopolitical borders while the latter describes the interactions between cultural environments, where “culture” is not conflated with “nation-state” but rather defined by the classical anthropological definition of “knowledge, beliefs, arts, morals, law, customs, and any other capabilities and habits acquired by [a human] as a member of society” (Tylor, 1871). In their discussion of children growing up cross-culturally, Pollock and Van Reken (2009) defined the term *cross-cultural kid* as “a person who is living or has lived in – or meaningfully interacted with – two or more cultural environments for a significant period of time during childhood.” They also state that a cross-cultural childhood is not dependent on transnational mobility and connections, but rather focuses on “the multiple and varied layering of cultural environments that are impacting a child's life rather

than the actual place where the events occur.” The cross-cultural framework recognizes the diversity of cultural environments that can exist within any community and encompasses the experiences of both transnational and non-transnational children and youth; in other words, one does not necessarily have to have transnational ties in order to live cross-culturally. In the Philippine context, many cross-cultural families are the result of unions across different regions, linguistic groups, and ethnic origins. Furthermore, the focus on relationships and processes between family members in the transnational framework allows us to include transnational experiences that do not necessarily include what Pollock and Van Reken (2009) describe as “interacting with more than one culture in ways that have meaningful or relational involvement” – in other words, one can live transnationally without necessarily living cross-culturally. A Filipino child can maintain a transnational relationship with his mother living in Rome without ever meaningfully interacting with an Italian cultural environment.

It is also important to clarify the distinction between *transnationalism* and *cosmopolitanism*, or the concept of being a “global citizen.” Cosmopolitanism is rooted in a philosophy that all humans are part of a global community to which they have a moral responsibility and who are united by universal truths while also respecting and celebrating differences (Appiah, 2006). Ribeiro (2001) describes contemporary cosmopolitanism as made possible by globalized economic and political systems (such as international free trade and bodies such as the United Nations), the development of faster and cheaper modes of transportation and communication enabling the global movement of people, ideas, and commodities, and growing diversity in major cities worldwide. Ribeiro also notes that, “The intense global migratory movements of the last two centuries generated large numbers of uprooted people, complex urban and national ethnic segmentations, transnational networks and diasporic cultures that, intermixed with the works of the mass media, created a popular cosmopolitanism.” However, while transnational movements and processes contribute to cosmopolitanism, the transnational framework focuses on specific cross-border relationships and transactions between people, which Guarnizo and Smith (1998) articulate as “embodied in specific social relations established between specific people, situated in unequivocal localities, at historically determined times.” In contrast to transnationalism's specificity in history and place, cosmopolitanism is characterized by its transcendence of time, space, and national borders and identities “in favor of imagining distant unknown others, of constructing broader solidarities and global notions of citizenship” (Ribeiro, 2001). Thus, the transnational framework allows us to acknowledge nation-

states, such as the Philippines and the many host countries where many Filipino migrants live and work, as actors in transnational processes. This allows us to recognize the role of national processes, such as citizenship, in shaping the transnational identities of children in transnational families.

The concept of transnationalism has typically been situated from the point of view of migrants and particularly their “grassroots activities” as separate and distinct from those of multinational companies (Faist, 2010). However, there has been less emphasis on the transnational identities of non-migrant members of transnational families living in the home country, which is especially noticeable in the discourse around children growing up in transnational families. In her study of Indonesian youth attending an international school in Jakarta, Tanu's (2013) presents a definition of transnational youth that encompasses all young people affected by international mobility, including those who remain in their home country and grow up in “transnational environments . . . where the people around them are highly mobile.” In doing so, we can begin to see how children and youth are transformed by the reality of living in transnational environments and families.

The transnational framework is useful for our analysis of transnational families, particularly children and youth, in the Philippines, which focuses on transnational children and youth residing in the Philippines rather than exclusively those with Filipino citizenship or heritage. Due to the complex nature of cross-border movements and exchanges between the Philippines and the world, we argue for a broader framework that requires an expansion of the definition of who make up transnational children and youth in the Philippines. In turn, we hope that by promoting a diverse but unified population of transnational children and youth, there will be greater awareness leading to concrete action towards realizing their common causes.

Thus, in crafting a definition of transnational children and youth in the Philippines, we recognize that transnationalism in the Philippine context includes the migration of Filipino and non-Filipino people between the Philippines and outside and enduring ties between family members and figures across borders. Therefore, *transnational children and youth in the Philippines are those young people who grow up with and live among transnational families, whose members move across geopolitical borders and remain connected with one another in concrete ways.*

Our definition of transnational children and youth in the Philippines has the following criteria:

unmarried people

aged 35 years and below

who live in the Philippines

have enduring social, economic, biological, and/or legal ties with persons whom they consider as family living outside of the Philippines and that are formed at birth or during their childhood years.

This definition is made necessarily broad to adequately represent the wide range of transnational ties that young people living in the Philippines have. Based on this definition, the following can be considered as transnational children and youth:

children of Overseas Filipino Workers;

returned child migrants, or balikbayan youth, including third culture kids;

children with a non-Filipino parent, including AmerAsians, Japanese-Filipino children, Korean-Filipino children, and others;

children of families with non-Filipino heritage who have migrated to the Philippines.

In turn, we are pursuing a project to recognize and give validation to the experiences of transnational children and youth in the Philippines and ultimately to work towards creating conditions to protect them from vulnerabilities and celebrate their contributions to Philippine society.

Overview of transnational children and youth in the Philippines

Children of Overseas Filipinos

Children of overseas Filipino workers (OFWs)

It is estimated that over 2.1 million children were living apart from at least one parent working abroad from 1990 to 2002 (Gocatek et al, 2008). With so many children living with the reality of migration in their own families, this is perhaps the largest indicator that transnational families are an emerging norm in Philippine life.

Under this phenomenon, there has been much speculation about the consequences of family separation on the children living in the Philippines, especially regarding the children's emotional well-being. With the feminization of overseas labor migration, concerns about a “crisis of care” due to absent mothers are particularly high (Parreñas, 2002, 2005a). However, studies have not shown a significant difference in terms of attitudes, behaviors, and values between the children of migrants and non-migrants. Asis (2000) did not find any evidence that children of overseas workers were more likely to engage in juvenile delinquency than children of non-migrants.

The health of relationships between migrant parents and children are largely dependent upon regular communications, where parenting and parent-child bonding can take place (Parreñas, 2005b). In the past, communications was slower and more expensive, due to high international call fees and slow mail delivery. However, with advances in information and communications technology, maintaining communications between family members is now faster, cheaper, and easier. Parents and children can now text, chat, and video call one another to bond in real time. However, internet connections in the Philippines remains one of the most expensive in Southeast Asia, which may be prohibitive for many poor families separated from their loved ones abroad. Similarly, migrant parents may not always have regular access to communications, due to employers confiscating mobile phones or limiting their free time (Human Rights Watch, 2008). According to Graham et al (2012), children with less contact with their migrant parents gave a negative assessment of their own well-being.

Children of overseas Filipino workers are often left under the care of extended family members or friends while the migrant parents are away (Parreñas 2005a). These children report feeling less happy than children living in non-migrant households (Graham et al, 2012). In other cases, children may also share household responsibilities, including cleaning, caring for younger siblings, and even managing finances, which can often be difficult though an opportunity to learn to be more independent (Asis, 2000).

Many children of OFWs eventually grow up with the aspiration of becoming migrants themselves, creating a “culture of migration” (Abenir, 2014) among many OFW families that is exacerbated by a larger phenomenon of dependence on labor migration and economic remittances. As a result, OFW

families invest in educational and professional pathways that enable their children to acquire jobs abroad, such as through college or vocational courses that have high demand in employing countries (Tullao and Rivera, 2008; Abenir, 2014). By perpetuating the cycle of outbound economic migration, transnational families will continue to be a norm in the Philippines.

Balikbayan children and youth

Balikbayan, which literally translates to “return to the land”, refers to those transnational children and youth who had spent their formative years outside of the country and eventually returned to the Philippines. These include the children of overseas workers, diplomats, and immigrants, among others. The circumstances of balikbayan children and youth varies according to the conditions of their parents' employment and visa status.

Useem and Downie (1976) introduced the term *third culture kids* as young people “living abroad as dependents of parents who are employed overseas”, wherein the “third culture” refers to “the behavior patterns created, shared, and learned by [people] of different societies who are in the process of relating their societies . . . to each other” (Useem et al, 1963) in reference to Americans living abroad. Pollock and Van Reken (2009) provide an expanded definition of third culture kids (TCKs) as “a person who has spent a significant part of his or her developmental years outside the parents' culture. The TCK builds relationships to all of the cultures, while not having full ownership of any. Although elements from each culture are assimilated into the TCK's life experience, the sense of belonging is in relationship to others of a similar background.” Much research has cited the benefits that come with growing up as a TCK, including an expanded worldview, cross-cultural enrichment, adaptability, the ability to blend in, and less likely to be prejudiced. However, the numerous downsides include extreme depression (90% of TCKs reported feeling “out of synch” with their peers throughout their lifetimes), issues with self and cultural identity with an expressed lack of sense of belonging, and unresolved grief. The Philippines' efforts to promote more professional migration, wherein families can often stay together, has contributed to a growing number of Filipino TCKs who may feel alienated from Philippine society despite holding no other passport. However, Tanu (2008) points out the limitations of existing literature regarding TCKs, particularly in that the vast majority of the research is focused on

Western populations and that there is little analysis through the lenses of race/ethnicity, gender, and class.

In 2012 alone, there were over 27,000 overseas Filipinos aged 19 and below (CFO, 2013b), demonstrating that globally mobile children are an important and emergent population of transnational children in the diaspora. However, there are currently no existing research studies of young Filipinos who grew up overseas and who have returned to the Philippines. There is also little discussion of other types of repatriated youth included in this discourse. Some of these youth may have been undocumented and thus were forcibly sent back to live in the Philippines, while others may have repatriated because of family circumstances or personal choice as young adults. More research needs to be conducted to understand this type of transnational youth experience, particularly since this population has the potential to contribute positively to Philippine society.

Children of transnational relationships and encounters

Along with the transnational movements into and out of the Philippines inevitably comes the intimate relationships that develop between Filipinos and the different communities they encounter. Many of these relationships and encounters reflect inequalities stemming from gender, class, and national origin. Across the three major populations discussed here, disproportionately more Filipina women are involved in transnational relationships with non-Filipino men, whether due to feminized outbound labor migration or to the large influx of visiting foreign men patronizing sex tourism or pursuing relationships with local women. As a result of these intimate relationships and liaisons, children are born into transnational relationships and families, which provide not only a network extending beyond the Philippines but also the potential for accessing legal and economic benefits that come with having lineage in higher income countries. While many of these children grow up with both parents, the literature also shows that many other transnational children do not have access to these networks and benefits, largely due to a lack of a relationship with their non-Filipino father. The latter group of transnational children grow up with their single Filipino mothers amidst poverty and discrimination. This has led to common struggles for legal recognition and policy interventions allowing these transnational children to receive benefits from their father's home country. These campaigns continue to this day, with varying levels of success.

Suzuki (2010) astutely writes, “[T]he existing literature on cross-national intimacies has thus far tended to focus on adult relationships, and studies of these children, especially those born out of wedlock to cross-border couples, continue to be scarce. Obviously, the issues relating to such children are important in light of human rights and different forms of citizenship in a globalized context.” The need for more research on these populations of transnational children and youth persists with continued migration and ongoing local conditions for cross-national relationships.

Filipino AmerAsian

The U.S. colonial occupation in the Philippines may have ended in 1945, but its military presence remained a long time until its eviction by the Philippine government in 1992, a few years short of the end of its 99-year lease. The bases provided military support as well as economic opportunities for many Filipinos in the surrounding communities of Olongapo and Angeles City. However, an active entertainment industry sprang up around the bases, catering to U.S. servicemen's “rest and recreation”, with as many as 16,000 women working as prostitutes (Ahern, 1992). Many AmerAsian (American-Asian) children were born as the result of unions between American military personnel and Filipina entertainers and sex workers. According to Ahern (1992), over 50,000 Filipino AmerAsian children were born from this period.

As described by Ahern (1992), Filipino AmerAsian children have largely experienced stigmatization for being mixed race and illegitimate children of prostitutes. They also experience enduring poverty. Many mothers abandon them due to being unable to provide for them, while others who stay with their families are also forced into prostitution or begging. In particular, Filipino AmerAsians who are of African American descent (who make up 25% of the Filipino AmerAsian population) face social and employment discrimination and were more likely to be abandoned by their mothers and less likely to be adopted. As a result, depression is common among many AmerAsians. Many AmerAsians grow up with no contact with their fathers, which affects their ability to claim child support or to apply for U.S. citizenship, since they have no legal recognition or evidence of a parent-child relationship. In 1982, the U.S. Congress passed the AmerAsian Immigration Act, which gives preferential immigration status to AmerAsians from South Korea, Vietnam, Thailand, and Cambodia. However, the Philippines and

Japan, both of which have large AmerAsian populations, were visibly excluded with no explanation, even though their experiences and hardships were similar to AmerAsians in the other countries.

The growth and experiences of the AmerAsian population provide a cause of concern for ongoing U.S. military presence in the country. Following the closure of the bases, a Visiting Forces Agreement (VFA) was co-signed by the U.S and Philippine governments and came into effect in 1999, allowing American troops to operate in the Philippines and establishing the bilateral military “Balikatan” exercises between U.S. and Filipino military personnel (The White House, 2001). On top of the VFA, the Enhanced Defense Cooperation Agreement (EDCA) between the United States and the Philippines, signed in April 2014, brings American troops and military operations back into the archipelago, with the caveat that no permanent base will be established (Talev and Mattingly, 2014). With the increasing presence of U.S. military operations in the Philippines, there is a risk that the sex industry will spring up again, potentially bringing more AmerAsian children and starting anew the cycle of poverty and prejudice.

Members of the AmerAsian community and fellow advocates in the Philippines and the U.S. have pushed the Philippine and American governments for policy changes, including provisions for immigration benefits to Filipino AmerAsians and preventing further U.S. military presence in the Philippines. Their stories have been shared through documentaries and global print media. Despite these efforts, not much has changed.

Japanese-Filipino children

Ubalde (2013) cites Yoko Sellek (1997), who notes that relations between Japanese and Filipino nationals date back to the late nineteenth century, when Japanese migrants came to the Philippines to address problems related to population growth. More Japanese contractual workers arrived in the 1900s to work in Baguio, many of whom settled in the country until World War II, when they were drafted into the Japanese military. After the war, many were repatriated to Japan, while those who remained concealed their Japanese ancestry by destroying legal documents to avoid discrimination by Filipinos. In the 1980s, once Filipino animosity against the Japanese had wound down, many Filipino nikkeijin (people of Japanese descent living outside Japan) began looking for their long-lost family

members in Japan (Afable, 2008) and attempted to claim Japanese citizenship after the Japanese government revised its Immigration Control Act in 1990. While many Filipino nikkeijin lacked the right documentation to claim Japanese ancestry, some were granted Japanese nationality and eventually migrated to Japan, demonstrating the socio-economic power of having Japanese blood (Fresnoza-Flot, 2008). For others not granted nationality, descendants were given special privileges and benefits up to the fourth generation to work in Japan, presenting problems for those born in succeeding generations.

After the nikkeijin, a new generation of children born to Japanese and Filipino parents after World War II gained prominence. In the 1970s, large numbers of Japanese men visited the Philippines as sex tourists, an industry supported by the government as a stop-gap measure to address widespread poverty (Suzuki, 2010). In turn, in the 1980s, many Filipino women sought employment in Japanese as entertainers. According to the International Organization for Migration (2011), between 100,000 to 200,000 Japanese-Filipino children were born as a result of liaisons and relationships between Japanese men and Filipino women. While many of these couples married and raised their children in either Japan or the Philippines, many others also separated, with the child being raised by the Filipino mother alone. Many single Filipino mothers based in the Philippines faced complicated issues related to immigration, where the lack of a proper visa meant the inability to return to Japan with their Japanese-Filipino children.

Suzuki (2010) shares that, before 2008, Japanese citizenship was not awarded to Japanese-Filipino children born out of wedlock. Through the activism of Filipino mothers living in Japan, Japanese-Filipino children, and other supporters, the Nationality Law in Japan was revised to allow the children of Japanese nationals born outside of wedlock to become Japanese nationals, if they were legally recognized by their Japanese father through registration in his family register (*koseki tohon*) before the age of twenty years. Many were able to claim their Japanese citizenship and thus were able to migrate to and work in Japan, earning higher wages and gaining access to the benefits of Japanese citizenship. However, many others were not recognized by their Japanese fathers and could not become Japanese nationals. Today, many Japanese-Filipino children are growing older, entering the workforce, and starting their own families, and as such, the need for recognition from their Japanese families or obtaining work visas in Japan is becoming increasingly important as a way to combat widespread poverty among this population of transnational children and youth.

Korean-Filipino children

According to Miralao (2007b), the modern mass migration of South Korean nationals to the Philippines began in the 1990s. Unlike past Korean migrations of the past, where poverty and political oppression were driving forces for Koreans to find opportunities elsewhere, Miralao argues that modern Korean migration to the Philippines has largely been driven by Korea's prosperity. Following Korea's rapid industrialization leading to its admission to the Organization for Economic Cooperation and Development (OECD) in 1996 and classification as a highly industrialized country by international finance institutions, Korea amplified its trade relationships with other countries, including the Philippines. Miralao (2007b) refers to Kutsumi (2004), who writes that the set-up of Korean companies in the Philippines triggered the modern movement of Korean nationals to the country. Furthermore, more Korean families could afford to send their children to study and learn English closer to home and at an affordable price in the Philippines, giving them a competitive edge in the Korean job market, where English is increasingly considered an essential skill. As of May 2014, there were over 1,500 Korean nationals on student visas (Bureau of Immigration, 2014), making South Korea the most represented country among international students enrolled in the Philippines. Finally, many Koreans were also attracted to the Philippines warm climate and vacation spots, made more enticing by the presence of Korean-owned resorts and businesses. From January to December 2014, there were close to 1.2 million Korean nationals visiting the Philippines as tourists (Department of Tourism, 2015).

With the growing influx of Korean nationals to the Philippines, relationships between Korean and Filipinos inevitably happened, with some leading to children. There are no official statistics on the number of Korean-Filipino, or Kopino, as coined by Son Bum-Sik, founder of the Kopino Children's Association, children, but there are claims that there are anywhere between 4,000 to 30,000 Kopino children (Kwaak, 2014). In many cases, the relationships between Korean men and Filipina women do not last long or beyond when pregnancy occurs, leaving their Kopino children without their Korean fathers' recognition or support. According to the Kopino Children's Association, many of the Kopino children they serve are born to parents who ended their relationships and separated, and only a fraction are born to Filipina entertainers (Garcia, 2012).

While there is little information available for this emerging phenomenon, based on the experiences of other transnational children by birth, Kopino children may grow up without knowing their fathers or even how to find them, leaving their Filipina mothers to struggle with their upbringing alone. A few organizations have responded to the needs of Kopino children, such as the Kopino Children's Association, as well as migrant support centers and media in Korea. However, more long term institutional support is needed. According to Kwaak (2014), June 2014 marked the first time two Kopino children and their Filipina mother won a paternity suit, wherein a Korean family court established blood ties between the children and their Korean father and thus enabling the children to seek financial support. However, the claim for citizenship continues to be a struggle. Under the South Korean Nationality Act, children who are not legally recognized by their Korean parent at the time of birth cannot obtain Korean citizenship.

Because this is an emerging phenomenon, there is an absence of useful data and resources to address the needs of this population of transnational children. This is exacerbated by the halted support from the South Korean government. However, with the precedent set by other groups, most notably the JFC community, Kopino children may have an easier time seeking support and a more enabling environment for asserting their rights.

Children of immigrant families

Immigrant transnational children and youth come from families with non-Filipino heritage who have moved to and settled in the Philippines. The 2010 Census of Population and Housing found that the number of foreign citizens in the Philippines was 120,062, as of 2005. This population includes permanent residents, temporary residents, students, work permit holders, and traders. While this may represent only a small proportion of the total population, these communities and their contributions to Philippine life are worth further examination, as the social landscape of the Philippines is transformed by transnational movements and encounters.

Chinese-Filipino and Spanish-Filipino communities

Some immigrant communities have been present in the Philippines for hundreds of years, yet may still maintain transnational ties abroad. The Chinese-Filipino community is among the oldest immigrant communities in the Philippines. Chinese people have had recorded relations with Filipinos since the 10th century, as evidenced by artifacts demonstrating trade and transitory relations between the two peoples (Patanne, 1996). Since then, many Chinese migrants have settled in the country and intermarried with indigenous Filipinos.

Today, Chinese migration into the Philippines continues, many of whom may have family already settled in the Philippines. Others come as entrepreneurs or students. Historically, there have been members of the Chinese-Filipino community who have maintained transnational ties with their families in China. Chu (2001) noted that Chinese migrants maintained business and family relationships in China, often returning to their home villages for visits. For example, during the Spanish colonial period, Chinese men married women and baptized children as Catholics, while still honoring their wives and children in the mainland by leaving inheritances for them after death. Today, there continue to be examples of continuing transnational ties in the Chinese-Filipino community. Yande (2001) studied the Chinese-Filipino community in Cebu City and attributed the city's economic growth and success partly to the Chinese-Filipino community's efforts in linking the city with China and its business opportunities. However, apart from the business sector, there is little information about the extent of transnationalism within the Chinese-Filipino community, while there are many examples of enduring Chinese cultural affinity, which may not be rooted in familial relations in China.

The Spanish-Filipino community is also among the oldest, with Spanish migration to the Philippines beginning at the dawn of the colonial period in 1521. With governance of the Philippines taking place out of Mexico for part of the time, migration from Spain and Mexico took place for the majority of the colonial period, leading to unions with Filipinos. Today, while Spanish culture has left an indelible mark in the Philippines, there are a few Spanish-Filipino families that maintain enduring ties with family in Spain. The ease with which Filipinos with documented Spanish heritage can claim Spanish citizenship has helped to facilitate renewal of these ties with Spain.

Indian-Filipino community

Ajit Singh Rye (1981) traces Indian and Filipino links back to the period prior to the spread of Islam, when Indic cultural and linguistic influences spread throughout the islands now known as the Philippines. He also references the British occupation of the islands from 1762 to 1764, when Indian sepoys (Indian soldiers serving the British army) and laborers from Madras (present-day Chennai) were serving as part of the occupation. After the occupation, many of the sepoys and laborers stayed in Manila, either as prisoners of wars or escapees. They eventually settled in different parts of Luzon, with a large group in living in Cainta, Rizal, where many residents today are descendants of these settlers.

After the British occupation, there was no migration from India to the Philippines until towards the end of the nineteenth century, when traders from Sindh province set up businesses in the country. In the beginning of the twentieth century, people from the Punjab region began migrating to the Philippines seeking job opportunities under the American occupation. Since then, the Indian community in the Philippines has primarily been of Sindhi and Punjabi descent, though Indians from other regions have come as either students or working in international organizations, with the majority living in Metro Manila. They have since established businesses, cultural centers, and places of worship (such as the Sikh Temple in Paco, Manila).

Singh Rye (2006) notes that the Indian community in the Philippines have maintained their distinct cultural identity within the larger Filipino community. Based on the limited literature, the majority are classified as immigrants, with permanent resident status and therefore maintain Indian citizenship, while others are naturalized Filipino citizens, and many maintain active links with family in India. At the same time, we know that many live integrated with the greater Filipino community. Mixed marriages between Indians and Filipinos have become more widely accepted, and Philippine-born children may be proficient in Filipino languages and have grown up with Filipino cultural values. Singh Rye (2006) notes that, “The understanding of the Filipino national culture has greatly narrowed the socio-cultural gap that has existed for so long between the Indian and the Filipino communities,” suggesting that the community may serve as a positive example of how the Philippines can include transnational identity into its social fabric.

Vietnamese and Indonesian communities

In addition to those communities who have been settled in the Philippines for many years, two communities that have faced issues with ambiguous status in the Philippines in the past 40 years are migrants originally from Indonesia and Vietnam, two of the Philippines' neighboring countries. These case studies demonstrate the Philippine government's slow and often reluctant response to the needs of its immigrant communities. With enduring poverty and lack of access to social services and employment opportunities as the result of having ambiguous status in the country, this has implications for the welfare of current and future transnational children and youth whose families migrated to the Philippines under unusual circumstances.

Evangelista and Evangelista (2007) wrote an account of the Vietnamese refugee settlement in the Philippines, particularly in Palawan. Following the end of the Vietnam War in June 1975, between 1 to 2 million Vietnamese refugees began leaving the country on small boats. Along the way, they were picked up by passing ships, with some being sent to the Philippines. The UNHCR had set up Refugee Processing Centers in Bataan in the north and in Palawan in the south, to house and train the refugees until they were to be resettled in the U.S. The people living in the camps eventually developed their own livelihoods, including setting up popular Vietnamese restaurants, becoming hairdressers and dressmakers, and selling gold jewelry. Many were eventually resettled in the U.S., Canada, and Australia, but the camps remained open and many Vietnamese remained in the Philippines. Pressure to repatriate the remaining refugees to Vietnam began in the 1980s, but no action was taken until 1996, when a group of refugees were forcibly repatriated. In 1997, the Center for Assistance to Displaced Persons (CADP), under the Catholic Bishops Conference of the Philippines (CBCP), was able to mobilize funding to move the remaining refugee community of about 150 families to a new village, which was called Vietville, and to assist with building new enterprises in order to make the community more self-reliant. The remaining members of the community began integrating with the local community more, due to limited resources and livelihood opportunities within Vietville. The younger generation attended local schools and universities, and some Vietnamese-Filipino intermarriage occurred. Nonetheless, since the Vietnamese community were in the Philippines on a temporary though extra-legal basis, their opportunities were limited. They were ineligible for many jobs and even for some diplomas, and they were not issued passports, so they could not travel. Eventually, in 2001, government representatives approached members of the community to discuss issues related to their

status, with the intent of filing a bill to grant permanent residency to the former Vietnamese refugees. However, some members of the community along with Vietnamese lawyers contested the filing of the bill, as it would interfere with their applications to resettle in the U.S., Canada, and Australia. In an updated report by Calunsod (2014), most of the remaining members of the community migrated to the U.S. in 2005 and 2006, with only two of the original group of migrants remaining in the Philippines.

A similar story on ambiguous status followed immigrant communities from Indonesia. According to Tan-Cullamar (1993), modern Indonesian migration to the Philippines began in the early 1900s, due to hardships from the Dutch occupation and scarce resources in Indonesia's outlying islands. Many entered the country illegally, though Tan-Cullamar refers to Severino Ramos et al's *Philippine-Indonesia Relations* in pointing out that crossing the border was not a crime until after 1946, when both countries gained independence and political borders were delineated. The Indonesian migrant communities have settled in different parts of Mindanao, where they work as farmers, fisherfolk, and traders, though employment opportunities are hard to come by. While they recognize their Indonesian heritage, many were born in the Philippines and have no wish to leave.

Many Indonesians living in Mindanao lost their Indonesian citizenship and did not avail of the opportunity provided by the Indonesian government to reclaim it, and the Philippines does not recognize them as citizens. According to a study conducted by the UNHCR and the governments of Indonesia and the Philippines, there are over 6,000 people of Indonesian descent with undetermined nationality currently living in the Philippines (Tan, 2014). This population also experiences economic hardship due to poor access to employment, resources, and social services, largely due to their ambiguous status. Furthermore, they face difficulties with the fees associated with renewing their alien registration cards, which can include hefty transportation costs and even late fees. While many acknowledge their Indonesian identity and heritage, many also consider the Philippines their home.

Miralao (2007a) posits that the Indonesian migrant community in Mindanao may “emerge as important transnational nexuses in coming years.” Indeed, it is already setting a precedent on the policy front. The UNHCR reported that they are working with the governments of Indonesia and the Philippines to verify the citizenship status of people of Indonesian descent living in Mindanao (Tan, 2014). Once

status has been determined, it will be easier for each government to provide needed social protections and services. This model will also be used with the Filipino communities living in the Indonesia.

Initial Analysis

In light of the literature review, we have identified several common strengths among different transnational children and youth populations, which makes them stand out from their peers who don't grow up in similar conditions.

1. *Higher income.* Many parents of transnational children and youth have access to employment opportunities that provide higher income to their families. In particular, overseas Filipino parents and immigrant families are able to leverage their transnational ties to earn more and have access to higher-paying opportunities that ultimately provide well for their children.
2. *Social capital.* Because of their enduring transnational ties, transnational children and youth have wide networks across borders from which to derive financial and moral support. These networks can enable social mobility by casting a wider net for opportunities, particularly for those transnational children and youth whose families come from poor backgrounds.
Transnational children and youth also benefit from the
3. *Cultural capital.* Because their transnational ties also means engaging with different cultures directly or through their families, transnational children and youth are exposed to cultural knowledge and opportunities that can help them to succeed, such as knowledge of different languages.
4. *Unique mindset.* The worldview of transnational children and youth are not limited to their immediate communities. By knowing that their families are spread across geopolitical borders, they adopt a mindset that enables a keen awareness of their connectedness to a global community.

5. *Resilience.* Growing up in transnational families has its own unique set of challenges, from family separation to cultural adaptation. However, children and youth who grow up living and coping with these challenges may be better able to handle similar pressures as adults, as documented by those studying the children of OFWs. This may not be applicable to all populations.

At the same time, we can see that different populations of transnational children and youth experience common vulnerabilities.

1. *Family separation.* All populations of transnational children and youth experience separation from family, whether nuclear, extended, or non-relatives who serve familial roles to them in the form of financial or other support. Children of OFWs experience separation from at least one parent; *balikbayans* experience separation from their extended families; many children of transnational encounters such as AmerAsians and JFCs grow up without knowing their non-Filipino fathers; and immigrants to the Philippines are separated from their own families in their home countries.
2. *Identity formation.* Transnational children and youth have encountered issues with identity formation in the absence of their family. Part of this is cultural identity formation, particularly for *balikbayans*, AmerAsians, Japanese-Filipino children, Korean-Filipino children, and immigrants.
3. *Adaptation difficulties.* Certain populations of transnational children and youth, including *balikbayans* and immigrants to the Philippines, face challenges adjusting and adapting to Philippine society, due to their experiences growing up outside of the country. Cultural adaptation and linguistic challenges are among some of the many difficulties faced here.
4. *Documentation issues related to visas, residency, and/or nationality.* Numerous transnational children and youth face issues related to their status in the countries where they have transnational ties. AmerAsians, Japanese-Filipino children, and Korean-Filipino children face ongoing struggles with legal recognition and citizenship in the countries of their non-Filipino

parents. Certain groups of immigrants, such as the Indonesians in Mindanao, to the Philippines may not be eligible for residence or citizenship.

5. *Lack of power and agency.* The participation of transnational children and youth is often not included in family decision-making, regarding a family member's career choices, moves to other countries, or their own circumstances regarding access to an absent parent.

6. *Unique family experience related to gender.* Because of the feminization of migration and the overwhelming prevalence of male visitors to the Philippines, transnational children and youth face unique difficulties related to the vulnerability of their mothers. The transnational family faces challenges in navigating the changing role of mothering, which affect their children in different ways.

7. *Discrimination.* Many transnational children and youth face discrimination for a number of reasons. AmerAsians, Japanese-Filipino children, and Korean-Filipino children face a degree of discrimination for their race and for their mothers' occupations (for those whose mothers worked as entertainers).

It may also useful to examine the differences between those children and youth who are born into families that are already transnational and those whose families become transnational in the course of the child's formative years. Based on the review of the literature, it is clear that differing circumstances for transnational families reflect differing levels of agency with regards to a child's transnational identity. For example, a child with one non-Filipino parent is tied by heritage to his/her transnational identity, whereas a child with an OFW parent can stop being transnational upon return of the parent to the Philippines. Therefore, the long-term movements of transnational families are worth examining. The following is a general breakdown of the two categories.

Condition	Population
<i>At Birth</i>	Filipino children born to one non-Filipino parent
<i>Circumstance</i>	Filipino children born into OFW families
	Filipino children born outside of the Philippines

	Non-Filipino children born in the Philippines
	Filipino children who migrate during formative years
	Filipino children with at least one parent who migrates during the child's formative years
	Non-Filipino children who migrate to the Philippines in their formative years

Framework for the rights of transnational children and youth in the Philippines

In reviewing the circumstances of different populations of transnational children and youth in the Philippines and anticipating a discussion of policy interventions for their protection and well-being, it is necessary to discuss a framework for human rights that take into consideration their unique experiences. Transnational children and youth are already entitled to all of the rights under the Convention on the Rights of Children. Furthermore, this framework is not meant to privilege them over other populations of young people; rather, this acknowledges and addresses their unique contexts and circumstances as a result of their experiences living in transnational families.

The foundation for the framework for the rights of transnational children and youth is based on Abenir's *In Their Voices: The Rights and Capabilities of the Anak ng OFW* (2014), which outlines a set of rights and capabilities based on a review of internationally binding human rights conventions that relate directly to the experiences of transnational youth in the Philippines. An expanded review of these international conventions, with consideration for the experiences of different populations of transnational children and youth, has been consolidated to ten basic rights that apply across the board.

1. Right to agency

The transnational youth's right to agency is defined by his/her capability of forming his/her own views, make his/her own decisions, and take his/her own actions. The CRC outlines in Article 12 that the child with agency has the right to express views on matters that affect the child and has the opportunity to be heard in any proceedings that affect the child.

The right to agency ensures that the transnational youth has the right to actively participate in relevant matters in the context of migration and other transnational encounters. Pollock and Van Reken (2009) emphasize, “Children are persons in their own right, and *not merely extensions of their parents.*” They further write that if the children of globally mobile families are included in discussions and preparations regarding their parents' career choices, then they will understand that they are valued and respected members of the family, thereby improving family relations. Abenir (2014) describes the right to agency as essential to demonstrating that children of OCWs are important actors in their families' financial management and in sustaining transnational communication with their overseas parent(s).

2. Right to survival and to a standard of living adequate for development to the maximum extent

Transnational youth have the right to live and live well. The CRC recognizes in Articles 6 and 27 that every child has the right to live and to a quality of life that ensures the child's full development, including those related to physical, mental, spiritual, moral, and social matters. These extend to full access of opportunities for development, including universal access to education, healthcare, social services, and economic opportunities. Abenir (2014) specifically points to the right of the children of OCWs to benefit from remittances as necessary for the capability to live a good and prosperous life.

3. Right to preserve his or her identity

Transnational youth have the right to preserve his or her identity, however that is manifested. The CRC (Article 8) and the CMW (Article 31) include nationality, name, and family relations as among those areas of identity that are entitled to protection by the State. Those youth that belong to ethnic, religious, or linguistic minorities are also given the right to enjoy his/her culture (CRC, Article 30; CCPR, Article 27).

Because transnational youth have enduring ties to communities outside of the Philippines, their right to enjoy those parts of their identity that are outside what is perceived as mainstream representations of Filipino culture must be upheld and protected. These add to the richness of Philippine society, which already enjoys a history of cosmopolitanism. Conversely, preserving identity also calls for a greater

understanding of the cultures of the Philippines, which are part of these transnational youth population's identities. For globally mobile youth who grew up with limited exposure to the Philippines, programs can be developed to facilitate learning.

4. Right to nationality and registration of birth

The UDHR (Article 15) sets the foundation for all persons to have the right to a nationality, with the CRC (Article 7) and CMW (Article 29) reinforcing this right specifically for the children of migrants. Historically, this right was to ensure that persons are not rendered stateless.

Furthermore, the CRC (Article 7) and CMW (Article 29) references registration for all children after birth. This is especially important for those populations of transnational children and youth who are deprived of this in one of the countries of their parent's nationality.

5. Right to equal and effective protection against discrimination on any ground

Transnational children and youth and their families have the right to be protected against discrimination of any kind. As outlined earlier, many transnational youth populations experiences different forms of discrimination, whether in terms of race, language, or a parent's occupation, among many others. The International Convention on the Elimination of All Forms of Racial Discrimination (CERD) was developed primarily to protect all people from all kinds of discrimination on the basis of race and to assert their civil rights, as outlined in Article 5. The CCPR (Article 26) protects all persons from discrimination on any ground, and the CRC (Article 2) protects children in particular, with the State charged with the responsibility of taking appropriate measures to ensure children are protected from all forms of discrimination, including unbiased access to social services.

6. Right to know, remain with, and maintain direct and regular contact with persons whom they consider family

The CRC and the CCPR clearly establishes family as the cornerstone of society, whose welfare is essential to the well-being of all children and who must therefore be supported by all sectors of its

community. Specifically, the CRC points out in Articles 18 and 27 that both parents or the child's legal guardians have common responsibilities, within their capacities, in the upbringing and development of the child, bearing the best interest of the child in mind, and are entitled appropriate assistance for child care from the State through the development of relevant institutions, facilities, and services. Thus, the relationship between the transnational youth and his/her family are essential for his/her upbringing and development.

The CRC outlines several points for the rights of children to develop a relationship with his/her family. Article 7 states that children have “as far as possible, the right to know and be cared for by his or her parents”, while Article 9 declares that a child shall not be separated from his/her parents against their will, except when such separation is in the child's best interests. Article 20 says that children who have been temporarily or permanently deprived of his/her family environment are entitled to special protection and assistance by the State. Abenir (2014) also outlines the right for children to be with responsible primary caregivers and/or guardians. Pollock and Van Reken (2009) write that the relationship between parent and child is the most important factor in determining the well-being of globally mobile children.

7. Right to enduring transnational ties

Transnational youth have the right to have enduring transnational ties to their loved ones, including their family and friends who are far away from them. This is intricately tied to technology needed to facilitate maintenance of those ties. For Abenir (2014), this is manifested in the right to transnational communication and universal access to information and communication technology (ICT). This right is supported by the UDHR (Article 12), CRC (Article 16), CCPR (Article 17), and CMW (Article 14), which protect all persons from arbitrary interference with privacy, family, home and correspondence or other communications. Furthermore, Article 10 of the CRC provides children the right to maintain contact with both parents. Policy and programming considerations for sustaining transnational ties must then be related to expanding access to basic, functional ICT services.

8. Right to social security

The UDHR (Article 22) states that “everyone, as a member of society, has the right to social security and is entitled to realization . . . of the economic, social, and cultural rights indispensable for his dignity and the free development of his personality.” Social security entitles all people to services that enable each person to develop in all forms, including biologically, socially, and emotionally. These services can include resources for food, shelter, healthcare, and education. Article 26 of the CRC ensures that children benefit from social security. Article 27 of the CRMW also allows for the possibility for migrant workers and their families to benefit from social security in the country of employment, as long as they fulfill the requirements of the host country. In those instances where they cannot qualify for social security in the host country, there exists the possibility of reimbursing the family for those contributions.

9. Right to freedom of movement

Because of the global nature of transnational families, it stands to reason that transnational children and youth should be able to move and travel freely in order to maintain their connections to their loved ones. The UDHR (Article 13), CCPR (Article 12), and the CRMW (Article 39) all explicitly state the freedom of movement, including the right to freely leave and return to his/her own country. CCPR Article 12(4) also states that no one should be arbitrarily deprived of the right to enter his own country. The right to travel and free movement enables transnational children and youth to remain connected to their families living outside of the Philippines. It is also possible that, under protection of this right, transnational children and youth can access the countries of their non-Filipino parent as well.

10. Right to family reunification

Another important point for the relationship between transnational youth and his/her family is the right for family reunification. Article 10 of the CRC calls for “positive, humane, and expeditious” treatment for families applying to enter or leave States for family reunification. Article 44 of the CRMW also reiterates the family as a “natural and fundamental unit of society” entitled to protection from the State and, as such, the State should facilitate the reunification of migrant workers with his/her family members, including their minor, dependent, unmarried children. Abenir's (2014) analysis points to the right to family reunification as essential to the capability to constitute the social structure of the family.

Additionally, at this stage, there are literature gaps in many key areas.

Further exploration of the concept of transnationalism in the Philippine context

More literature featuring the voices of transnational children and youth themselves

A few populations, such as Korean-Filipino children and *balikbayans* such as third culture kids and returned child migrants, need further exploration in the Philippine context.

Other emerging transnational populations currently are not covered by research.

Analysis of existing policies and programs related to migration processes, such as laws around child support

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