

A Synthesis of Project-handled TIP cases

Overview

International migration has been the anchor of trafficking, not only for labor but for sex as well. Although it is difficult to ascertain how many women and children have been trafficked, it is easy to see how both documented and undocumented migrant workers are especially vulnerable to trafficking.

UNICEF reports that in the last 30 years, trafficking in women and children for sexual exploitation alone has victimized more than 30 million people in Asia. The US Department of State further estimates about 600,000 to 800,000 people - mostly women and children - are trafficked across national borders annually, excluding millions trafficked within their own countries. However, this figure is far from reflecting the seriousness of the situation as more indeterminate number of victims are trafficked with impunity. Over half of these victims end up in sex or entertainment industry.

In the Philippines, migration for income had become an attractive option for migrants, predominantly women, as the ultimate way out of poverty, regardless of the negative reports of the risks and problems. This is further aggravated by government policies promoting feminized jobs for women such as teaching, domestic service or entertainment, nursing and other care taking jobs abroad which normally carry low pay, low status and exposure to labor, sexual exploitation and trafficking.

Of the approximately 7.4 million OFWs in many parts of the world, it is estimated that around 1.62 million of them are irregular migrants, many are suspected to be victims of trafficking. These do not include those who pass through backdoor exits since official mechanisms are not able to monitor backdoor trafficking via Mindanao, where transport to neighboring countries like Sabah and Malaysia is easily facilitated, and requires no official documentations.

The lack of reliable data and the difficulties in producing concrete assessments of trafficking within and across the Philippine borders have resulted in agencies repeating statistics, thus under representing the problem. Further, existing literatures on the subject of trafficking has been sparse and could only give little more than estimates on the true magnitude of the problem.

The Philippine government is still in the process of developing a centralized database system on monitoring and documenting trafficking. Law enforcement agencies, including the Women's Desks Officers used to have three different reporting formats for recording preliminary information on trafficking and trafficking-related cases, thus making comparative analysis of the problem difficult.

In response to this need, the USAID/Solidarity Center/TUCP Anti-Trafficking Project in partnership with members of the National Technical Working Group (TWG) developed a standard reporting format for trafficking and trafficking related cases, approved for use by all WCCDs nationwide through Napolcom Memorandum Circular 2004-003.

This study aims to analyze information on trafficked persons, both for sexual and labor exploitation purposes. This however only covers those which passed through the Project and does not include trafficking incidents/cases handled by partners in which the Project was not involved. It is hoped that this analysis would provide our partners baseline information on the scope of problems of trafficked persons. The recommendations generated in this study are hoped to contribute efforts in addressing prevention, protection and reintegration of victims and prosecution of traffickers.

Methodology and sample

Preliminary information on cases under this study were obtained through filled up standard report forms submitted to the project by area coalitions and other anti-trafficking advocates. Other

incidents were received through referrals [from area partners, other networks and trafficking survivors themselves], project's hotline numbers, email, SMS messaging and direct interviews with victims themselves.

In cases involving two or more alleged victims, particularly illegal recruitment cases with victims anywhere from 1-100, the project do not have information on individual victims, but taken as one incident, reference is made to available data from concerned agency handling the case. The project however communicated with representative of the group for additional information.

Also, information on some cases were obtained from second sources, particularly in cases when victims have already been repatriated and no longer communicated or refused to give information on their experiences and just wanted to forget the violence committed against them.

Information about internationally-trafficked victims were validated through interviews/direct representations and follow up calls with concerned agencies, including DFA-OUMWA, POEA and OWWA. For local trafficking, the project collaborated with DOLE, LGUs particularly social welfare offices and PESO for additional information.

In order to develop a comprehensive response to victims' specific anti-trafficking needs, the project sustained communication with victims and their families through SMS, home visits during area meetings, collateral interviews with parents, immediate relatives, neighbors, friends including fellow trafficked victims [in cases of victims trafficked in groups].

Summary of findings

A total of 58 incidents were documented, including 8 cases of violations of RA 9208, involving a total of 275 victims. Of this number, 21 victims were trafficked internationally for sexual exploitation, 6 [1 adult and 5 minors] for local prostitution, 5 in mail-order bride, 2 in debt bondage, 22 for internet-related pornography, 203 for illegal recruitment [local and international] and 16 for child trafficking in domestic services/child labor. Of the 275 respondents, all but 5% were female; 14% below fifteen years; 9% 15-18 years and 77% aged over 18.

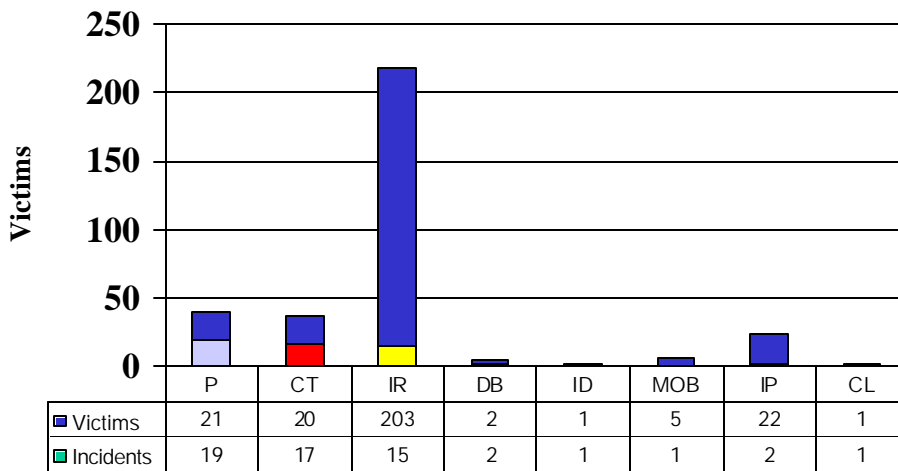
The Project's along with TWG members and area partners' interventions in these cases involved assistance in the rescue [both local and international trafficking]; reintegration for those who have already been withdrawn/rescued from trafficking situations; free legal services/assistance for those who are determined to file cases against their recruiters/traffickers; case monitoring and information on recruiters/recruitment agencies and job order requirements.

Chart 1: Matrix of Incidents

Legend

Prostitution - **P** Child trafficking - **CT** Illegal recruitment - **IR**
 Debt bondage - **DB** Illegal dismissal - **ID** Mail-order bride - **MOB**
 Child labor - **CL** Internet-related pornography - **IP**

Matrix of Trafficking Incidents



Profile of Victims

Majority of the respondents came from poor and big families, ranging from 3 to 12 siblings. All of them came from financially restrained families, with parents who had little education, and who were either constantly under or unemployed. Families with employment mostly worked in the informal sector, or in small, low-income enterprises, including domestic services.

Of the 21 internationally trafficked victims, 10 were married; 4 were separated from their respective partners/husbands; 1 a widow; and 5 singles. Of the 6 victims for local prostitution, 1 was adult and the rest were minors.

Some of the respondents had jobs before they left abroad. These included factory workers, sales ladies, laundry women, househelpers and vendors. Four were in local prostitution.

Majority of the respondents had some high school education, but were not able to complete it. Others attended college but did not finish it. Minors were still in their high school level at the time of the recruitment.

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Push and pull factors for migration

Key to the stories of the respondents is that in the midst of grinding poverty and family problems, migration or if within the Philippines, in areas more urbanized and economically edged, had

become the only viable option to earn what they thought was a more decent livelihood and to make their lives better.

The global demand for feminized jobs and recruiters and individuals perpetuating misinformation on demand of these labors, further encourage women to migrate despite risks associated with working overseas. For example, workers recruited to Malaysia were convinced that there were work in construction, restaurants and bars as waitresses or dancers, but only to end up in prostitution. Lack of education and knowledge on recruitment process further rendered these victims dependent on and vulnerable to recruiters/traffickers.

To better facilitate the giving of victims' consent, recruiters/traffickers took charge of completing all the papers, which oftentimes were faked. They were also assured expeditious processing of documents or entry to into another country, transportation, placement fee and other expenses were mostly taken care of by the recruiters. There were also verbal promises of money, anywhere from 45,000-50,000 for African and Malaysian recruits. Surprisingly, it only took a week or so for processing of papers. Majority had fly-now pay later scheme with the payment being deducted from their salary. This scheme pushed potential recruits to agree to the recruitment, whether local or international.

Offenders

Trafficking in persons takes many different forms and patterns. With these different patterns, mechanisms and routes, there are also different categories of traffickers and exploiters who take on different roles in various stages of the trafficking cycle.

In internal trafficking cases involving children for prostitution and househelp services, respondents were recruited through informal channels, by members of their own community including neighbors, friends and in some cases recruiters in behalf of both licensed and unlicensed recruitment agencies.

In international trafficking, individuals and other groups limit their participation in the trafficking cycle to one or more roles.

For example, in at least 11 different incidents involving women trafficked to Malaysia, one individual was involved whose participation was merely to fund the entire trafficking process and oversee the entire operation, which includes contacts with recruiters, individuals and agencies for processing of papers, arrangements on transportation and contacts with final employers. The project was not able to establish as to whether this individual was protected by or connected to a trafficking syndicate, it is however apparent that she was also involved in other large-scale illegal recruitment/trafficking cases still pending in various law enforcement agencies.

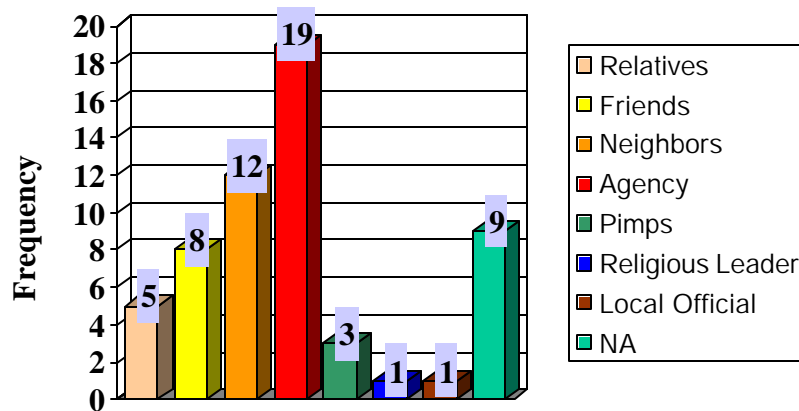
Recruiters involved in sample cases were mostly members of the community whose participation were to seek out potential victims and secure their consent. For both internationally and local trafficked victims, Filipinos were involved as frontline recruiters, normally women in their 40s. Recruitment was better facilitated when recruiters were introduced by someone from the community, a neighbor or a family friend. In one case of child trafficking for local prostitution, a gay recruiter was involved in the recruitment of two (2) minors to work as GROs in a club in Pampanga. Gay recruiters were seen to be non-threatening to the prospective recruits because of their sexual orientation.

In Malaysian cases, other individuals were involved in merely facilitating easy exit or entry of victims from/to Malaysia. Victims met them only in point of exits from the origin to entry of final destination.

In at least two incidents, victims were accompanied by individuals whose participation was merely to make all arrangements for pre-arranged passage at immigration checkpoints.

In international trafficking for prostitution, victims only meet their final employers upon arrival in destination country. In Malaysian cases, mama sans or wives of club owners were mostly Filipina. It was also established from reports of victims that at least two recruiters used to be trafficking victims themselves.

Chart 2: Individuals involved in recruitment



Organized criminal groups: their characteristics and modus operandi

Trafficking in human beings usually involves illicit practices, from illegal recruitment either through licensed or unlicensed recruitment agencies, recruiters and other unscrupulous individuals who deceive victims regarding the kind of work in which they will be involved once having arrived in the destination country. Even in some cases like the women trafficked to Malaysia knew that they would be getting into prostitution or sex industry or were at least aware that they would be in an environment conducive to prostitution, they did not realize that that they would be held in confinement, kept in restraints if they tried to escape or their documents confiscated and worked in slave-like conditions.

In internal trafficking for purposes of child trafficking either for labor or prostitution, since movement from one place to another requires no passport or other documents, victims would simply show tampered baptismal, and birth certificates. In ports/seaports, labor personnel, coast guard and other agencies require recruiters to show papers on results of recruitment with attached original birth certificates of the recruits. However, more often than not, they were allowed exit even if the documents are fraudulent. Recruits were seldom asked to show IDs or other papers to verify the accuracy of the papers and even if they do, the recruiters have already instructed the recruits to use fake IDs with their real names but their ages changed. All minor victims recruited for labor and prostitution-related work have used fake birth and baptismal certificates, but still allowed to pass through exit/entry checkpoints.

In international migration, despite legitimate channels, many victims chose to resort or get along with the recruiters/traffickers plans of migration outside the regular procedures, which they tell victims to be quicker, more convenient and cost-effective. Almost 98% of the project-handled cases involved victims using fraudulent or tampered documents, including passport, birth certificates and other papers needed for the passport. It is a norm that victims change names, address, age and other personal circumstances.

Project-handled cases have identified several methods and strategies which made trafficking possible and easy, including:

Illegal recruitment

The elements of deceit and fraud were strongly present in the recruitment of victims. For those trafficked internationally, almost all were promised work in “decent jobs” either as singers, dancers, waitresses or service crew, but later finding themselves in trafficking situations. For example, although the women trafficked to Malaysia were informed of the kind of work they will do there, they had no or very little foreknowledge about the wide range of sexual services that would be required of them.

For local prostitution, victims were promised to work in canteens, domestic services and convenience stores only to end up in clubs/entertainment establishments offering sexual-related services.

Fraudulent documentation

In international trafficking, victims have resorted to using falsified passport issued/arranged by the recruiters/traffickers. Falsification of passports has taken many forms. There was the “baklas passport” in at least two incidents. Assumption of someone else’s identity was a common activity in at least five (5) incidents, which as a result, involved the falsification of birth certificates, using the neighbor’s or elder sister’s personal circumstances. Minor recruits were transported or deployed using this scheme.

Inter-Marriages

Pictures of five women mail-order brides from Leyte were taken and advertised in the Korean mail-order web page [www.filipina777.com]. Personal introduction or meeting of prospective couples was arranged by a Filipina [a native of Leyte herself] who have been married to Korean national, who according to reports of the victims, was the owner of the marriage site. The Filipina was reported to be asking introduction fee from potential husbands anywhere from 1 million-4 million.

Transit Points / Cross-Border Traffickers / Backdoor Exits

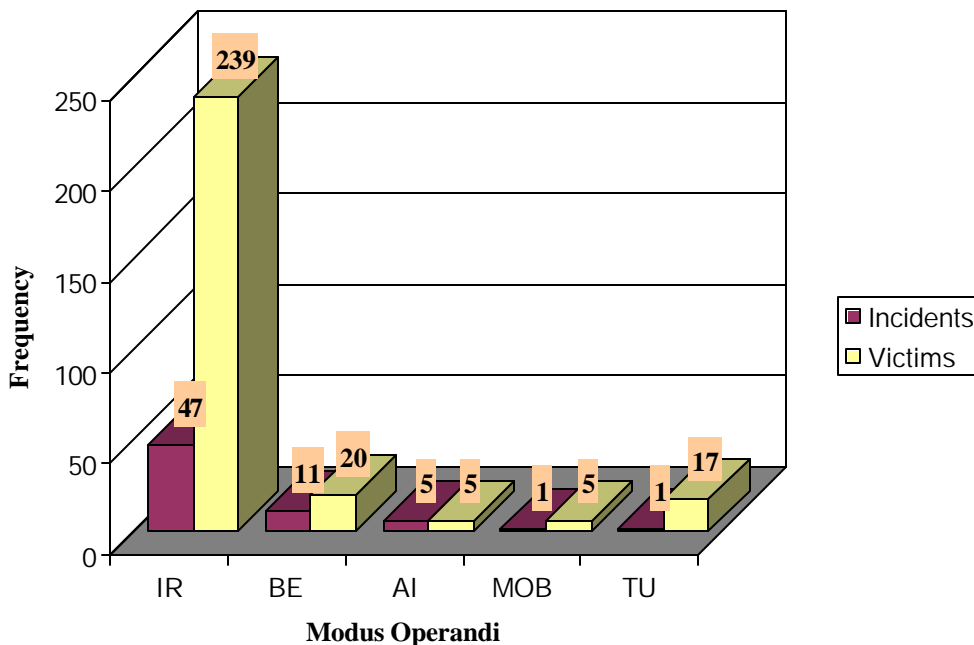
At least 11 incidents involving 20 victims involved transportation using the southern backdoor, particularly Zamboanga, an area in the Philippines where there is minimal official surveillance and is physically close to Malaysia. They left on cargo ships or on boats. Prior to the expiration of their allowed stay in said country, victims exited to Brunei, had their passports chopped and then went back working in the bar.

Tie-up or kabit system

One prevented illegal recruitment case involved a licensed agency with no job orders tying up with another licensed agency with job order for work in Korea and recruiting workers through the facilities of the latter.

Chart 3: Modus operandi

LEGEND



Illegal Recruitment - IR
Tie-up (kabit system) - TU

Backdoor Exit - BE
Mail Order Bride Scheme - MOB

Assumed Identity - AI

This is to note that in 58 cases, the recruiters/traffickers would use one or more modus operandi.

Trafficking routes

The various recruiters/traffickers and other individuals involved in trafficking cases both for local and international utilized air, land and sea routes in transporting victims. It was apparent that some traffickers would use uniform routes and patterns.

Means of transportation

For victims trafficked abroad for purposes of sexual exploitation, out of 20 incidents, at least 97% were transported by sea [for Malaysia cases] via back door exits in big vessels, the rest through regular commercial flights. In trafficking for purposes of labor exploitation, 100% were transported via regular commercial flights. It was also apparent that victims from Luzon recruited for Malaysia were transported via commercial flights going to Zamboanga.

Ports of exits

The most frequently used is the Zamboanga ports which travel by sea to Malaysia (as transit or destination country). This is followed by Ninoy Aquino International Airport.

Trafficking routes

It is apparent in the cases that a number of routes were utilized by different recruiters. When travel by the sea, Malaysia, the closest country geographically to the Philippines, is the most accessible and serves as a destination country as well as the ideal transit point from the Philippines to other countries like Brunei. At least 17 incidents involved Malaysia as the final destination.

A large percentage of the victims came from General Santos City followed by Bataan. Others include Manila, Cavite, Tarlac, Laguna, Cebu, Batangas, Cagayan Valley, Leyte, Mindoro, Cotabato, Agusan del Norte, Surigao City, Davao, Bulacan, Pampanga and Bicol.

The top destination country is Malaysia, followed by Singapore. Others include Saudi and Korea. For internal trafficking, on top of the list is Manila, followed by Cavite and Tuguegarao Cagayan. The rest are Pampanga, Laguna, Bataan, Cebu and General Santos. Manila remains the top transit area for inter-country and cross-border trafficking, followed by Zamboanga. Others include Bulacan, Batangas, Isabela, Butuan and Tacloban City. At least two training areas were identified, Nueva Ecija and Las Pinas before the victims were trafficked abroad.

Based on information provided by the victims, the following routes were commonly used.

[Origin-Transit-Training-Destination]

INTERNATIONAL

1. Bataan-Manila-Zamboanga-Malaysia [3]
2. Bataan-Manila-Zamboanga
3. Manila-Zamboanga-Malaysia [5]
4. Tarlac-Manila-Zamboanga-Malaysia [4]
5. Cagayan-Manila-Zamboanga-Malaysia [2]
6. Cagayan-Manila-Zamboanga
7. Lipa City, Batangas-Manila-Zamboanga-Malaysia [2]
8. Bataan-Nueva Ecija-Manila-Singapore
9. Pampanga-Bulacan-Manila-Singapore
10. Mahaplag, Leyte-Tacloban-Manila-Korea
11. Cavite-Manila-Dubai-Africa

DOMESTIC

1. General Santos-Manila [3]
2. General Santos-Cotabato
3. General Santos-Zamboanga
4. Mindoro-Batangas-Dasmariñas, Cavite
5. Laguna-Manila-Tuguegarao, Cagayan [3]
6. Tupi, Cotabato-General Santos City
7. Bicol-Manila-Cavite
8. Agusan del Norte-Butuan-Manila-Las Pinas
9. Surigao City-Isabela-Bulacan-Bataan
10. Manila-Bataan
11. Noveleta-Dasmariñas
12. Noveleta-Manila-Pampanga
13. Davao-Manila-Cavite
14. Cavite-Manila
15. General Santos-Manila-Pampanga
16. Noveleta-Dasmariñas
17. Dasmariñas, Cavite-Los Banos, Laguna

Cost and Debts

Some two hundred [200] victims of illegal recruitment were charged placement fee anywhere from Php 2,500.00 to Php 75,000.00. It is apparent from the cases that victims recruited by individuals/established recruiters offering employment abroad through direct hiring paid higher placement fees [Php 4,500.00 - Php 75,000.00] compared to those who applied through agencies

[Php 2,500.00 - Php 30,000.00]. Surprisingly, 80% of the victims made use of the services of individual/established recruiters.

In international trafficking for prostitution, victims were mostly deployed through fly-now, pay-later scheme, except for one prostituted victim in Africa who paid an initial P15, 000 placement fee, the remaining to be deducted from the promised salary. In the case of Malaysia recruits, recruiters shouldered travel expenses and other pre-departure expenses. However, upon arrival at the brothels, victims realized that they have been deceived. All expenses incurred during the recruitment and deployment will have to be deducted from the victims' salary. Likewise, trafficking victims sold by recruiters to brothel owners were obligated to pay back the latter through salary deductions. Recruits were normally sold to club owners anywhere from 2000-2,500 Malaysian ringgits [P28, 000-35,000]. Additionally, the brothel owners also charged them for food, housing, water and electricity. Trafficking victims learned about this arrangement only upon arrival.

Deception

Deception was mostly employed during the recruitment stage. None of the victims knew at the time of the application or recruitment that the jobs they applied for entailed prostitution or even if they knew, they had little knowledge of the level of sexual services they had to perform. Majority were promised decent and high paying jobs as singers, dancers, waitresses, salesladies, factory and construction workers, favorable working conditions and decent living environment. When they were eventually informed that the kind of work was in prostitution, it was too late to back out. For instance, one woman was promised work as a bartender in Paris, France but ended up being prostituted in Ivory Coast, Africa.

Victims of domestic trafficking who were recruited to work as house helpers were informed of the nature of their work. However, employers did not adhere to the salaries agreed upon prior to departure. For example, one trafficking victim employed as house helper was not paid according to what was arranged during the recruitment stage.

Three [3] child trafficking victims [domestic] knew they would be working as Guest Relations Officers (GRO) at pubs/bars but were not aware that they too would be exploited and end up in prostitution.

A number of trafficking victims have consented to the use of fraudulent documents in their travels. Some unsuspecting victims were handed their documents only at the airport, when there was not enough time to verify these documents.

Exploitation

International and domestic trafficking victims were subjected to varying degrees of exploitation prior to departure, during transport, and upon arrival at the destination area. In most cases though, intimidation and exploitation does not occur until after arrival at places of destination.

Prior to departure, only women-victims experienced exploitation. At least two victims were subjected to physical screening, and were required to entertain bar customers in local bars in the guise of "pre-departure training." During the transport phase, one Malaysia recruit was forced to undress before her recruiter and was pressured to have sexual intercourse with him. Upon arrival at the destination country, for Malaysia cases, recruits were housed in cheap motels and later sold to brothel owners. It is here where exploitative practices occur ranging from seizure of travel documents to physical and sexual violence. Victims were locked up in total confinement, compelled to go out with customers on "short time" or bookings [overnight service] and had to pay a huge debt. Brothel owners told them that the only way to easily pay off their debts was to go out with as many clients as possible.

Passports and travel documents of twelve [11] trafficking victims were confiscated by their employers. A certain amount has to be paid to obtain back their travel documents. Four [4] trafficking victims were barred from calling their families and friends hence the confiscation of their mobile phones.

Prostituted trafficking victims who refused to entertain costumers were threatened and physically abused by their floor managers. Deprivation of decent food and comfortable sleeping quarters, and seizure of service tips from costumers were among the common forms of punishment.

Nine [9] trafficking victims were forcibly introduced to substance abuse to make them uninhibited in dealing with customers.

All prostituted trafficking victims had to adhere to the club's policies. They had to reach a quota of four to eight [4-8] customers a night, and at least seventy [70] ladies drink a month. If they did not reach their quota, all tips from customers were seized. One trafficking victim who refused to give her tip was made to sleep beside the dogs and was forbidden to speak with the other girls. Other than water, she was not given food for two days.

One [1] trafficking victim was imprisoned in Malaysia for allegedly violating immigration policies. Her travel documents were not processed because her employer confiscated them. Another victim who was supposed to work as a waitress was eventually sold to a Malaysian man as his wife. Another woman was prostituted in a variety of settings and at multiple locations. In one instance, an agreement to service a single client resulted in being gang-raped by several of his friends. Demands for oral and other forms of sex were a norm. All women trafficked to Malaysia had to pay their employers about PhP80, 000 to get out of prostitution, tripled the amount of their debts.

In cases of illegal recruitment, ten [10] trafficking victims were illegally dismissed after the company told them it was running out of business.

In domestic trafficking cases, exploitation comes in the form of sexual, physical, and emotional abuse: One [1] trafficking victim employed as domestic helper was subjected to long working hours and very low pay, and was being sexually abused by her male employer.

Seventy percent [70%] of project-handled trafficking victims who reached destination areas complained of lack of food. When sick, they were not provided necessary medication and were asked to work.

Coping mechanisms

Trafficking victims, particularly those who have been prostituted, employed various tactics to cope with their misery in prostitution and to get out of the trafficking situation.

Two [2] prostituted trafficking victims who refused to go out with customers offered to do all household chores including the laundry, scrubbing of floors and toilet bowls and cooking in exchange for food. One [1] trafficking victim became a customer's girlfriend while three [3] victims

became friendly to their favorite customers. These customers later helped the victims escape from the bar. One [1] trafficking victim who was barred from calling her family discreetly bought another phone.

Trafficking victims who refused to surrender their tips wrapped their money in condoms and inserted it in their vagina.

One [1] prostituted victim who was forced to go out with customers even during menstrual cycle inserted four pieces of cotton balls in her vagina so as not to bleed.

In domestic trafficking, five [5] victims resorted to stealing from their employers or customers.

Reports of Government collusion/corruption

The victims divulged that there were cases when government officials from the national and local levels colluded with recruiters/traffickers.

On recruitment and deployment of victims

A barangay captain helped in the recruitment of fifty-six [56] trafficking victims who were promised non-existent work in a factory in Belgium. Nobody was able to leave the country. One [1] trafficking victim revealed involvement of airport personnel in facilitating her exit from the country while an official from the Bureau of Immigration allowed passage of another victim using fraudulent documentation.

On filing of court cases

Government officials often times mediate in out-of-court settlements between victims and recruiters. One [1] national government official urged a victim to agree to the out-of-court settlement offered by the recruiters. The latter was willing to pay the victim Php 100,000.00 in exchange for the victim's declaration of desistance. Two [2] barangay officials facilitated the settlement of one case. The victim was paid Php 30,000.00 to discontinue filing of court case. Another law enforcement officer threatened a victim not to file a case against her recruiter saying that the club owner was a mayor's relative. Two [2] prosecutors were not expediting court procedures giving recruiters the opportunity to bail out based on legal technicalities, and, causing victim's disinterest in pursuing her court case.

Victim's willingness to report to authorities

Of the 58 cases monitored by the project, 30% filed court cases against their recruiters. While 5% intended to file, the remaining 65% were not interested and preferred to face more pressing concerns. Most of the victims are already working. Some victims who were reunited with their families chose not to file cases because they did not want their neighbors and communities to know about the trafficking incident, and felt it was enough that they came home alive and safe. There were also instances when the victims cannot identify their recruiters, do not know their recruiters whereabouts, or were threatened by their recruiters. Some victims found it difficult to file cases because recruiters are their relatives or neighbors. Some recruiters refunded victims' placement fees while others re-deployed or promised re-deployment of victims, particularly those who were illegally dismissed from their employment abroad. Recruiters who deny trafficking allegations filed estafa cases against the victims allegedly for non-payment of loans. At least 3 intermediaries filed cases against recruiters when they found they can be prosecuted.

Chart 4: Matrix of Cases

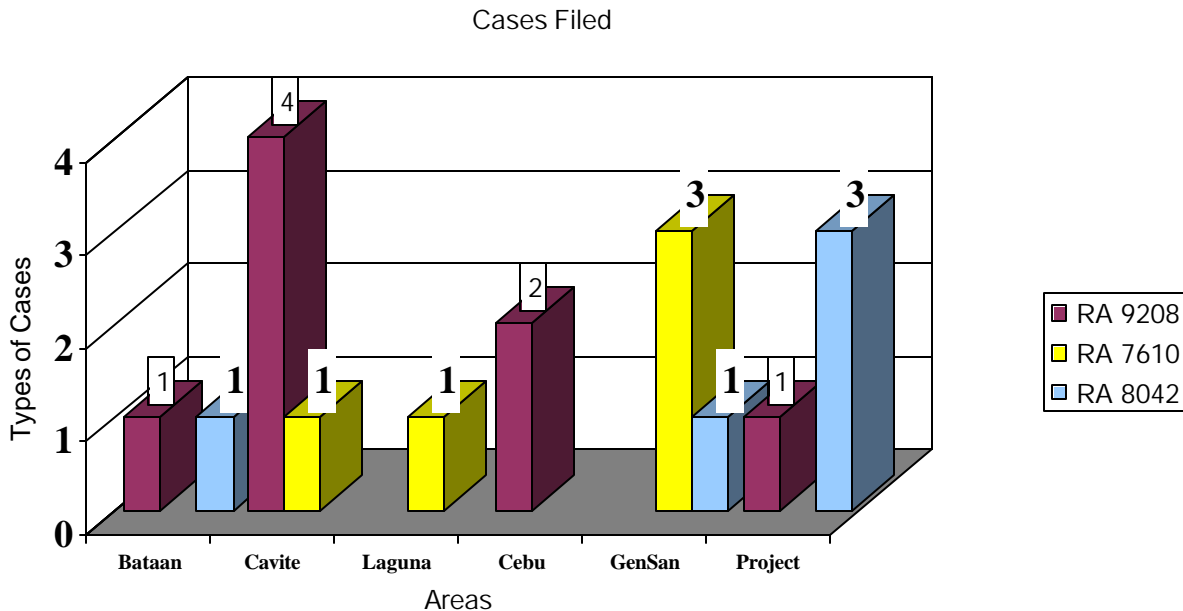


Table 1: Status of cases

Areas	Total Cases	Pending	Dismissed	Withdrawn
Bataan	2	Prosecutor [1]		1
Cavite/Mindoro	5	MTC [4]		1
Laguna	1	RTC [1]		
Cebu	2		Archived [1] Dismissed [1]	
General Santos	4	RTC [2] Pros [2]		
Proj. Secretariat	4	RTC [2] Pros [1]	1	

Responses of government and non-government organizations

Several functions/interventions defined the roles/participation of different national government agencies, LGUs, NGOs and other anti-trafficking institutions in project-handled cases.

On prevention

The project prevented victimization [illegal recruitment, and, mail order bride scheme] of some two hundred [200] potential illegal recruitment victims in partnership with LGUs, NBI, CFO, NBI, DFA-OUMWA, PESO and POEA.

Rescue and Safe Return Home

The Project facilitated the rescue and reunification of thirteen [13] domestic trafficking victims with their families, in partnership with the Philippine National Police (PNP), the Philippine Coastguard, Criminal Investigation and Detection Group (CIDG), Department of Social Welfare

and Development (DSWD), City/Municipal Social Welfare and Development Offices (C/MCSWDO), Department of Labor and Employment (DOLE) and Local Government Units (LGUs).

Rescue and Repatriation

The Project facilitated the rescue and repatriation of thirteen [13] international trafficking victims from Malaysia, in partnership with the Department of Foreign Affairs - Office of the Undersecretary for Migrant Workers Affairs [DFA-OUMWA], Bureau of Immigration [BI], Department of Interior and Local Government - Patrol 117 [DILG-Patrol 117], Philippine Center for Transnational Crime [PCTC], Philippine Overseas Employment Administration [POEA], National Police Commission [Napolcom], Overseas Workers Welfare Administration - Ninoy Aquino International Airport [OWWA-NAIA], different Local Government Units [LGUs]

Legal Assistance

Legal assistance/counseling were extended to victims in partnership with Federacion Internacional de Abogadas [FIDA], Integrated Bar of the Philippines [IBP], Public Attorney's Office [PAO], Department of Justice [DOJ], National Bureau of Investigation [NBI], Philippine National Police (PNP), Commission of Filipinos Overseas [CFO], Law Inc., Overseas Filipino Workers Association [OFWA], Philippine Overseas and Employment Administration (POEA), and Bataan Parole and Probation Office.

Witness Protection Program

The Project assisted a trafficking survivor in the filing of application for the Department of Justice's Witness Protection Program. Among the services availed in the program included reimbursement of transportation expenses incurred starting October 2004, substance allowance, and security protection during court hearings.

Financial Assistance

One trafficking survivor was approved for financial assistance in the Commission on Human Rights (CHR) financial assistance program.

Medical Assistance

One prostituted victim (Africa) was referred to San Lorenzo Hospital for blood and HIV testing.

Education Assistance

One [1] trafficking victim was enrolled at a vocational course (cosmetology). In Bataan, the Project was able to tap the services of non-formal educators for non-formal education of victims including their dependents and other members of the family.

Livelihood

One trafficking victim availed of the livelihood program offered by the Informal Sector of the Philippines through provision of start up funds in putting up a jewelry/bead business.

Shelter

A number of trafficking victims were housed in shelters managed by DSWD, LGUs, PNP, DOH, and other partner non-government organizations.

Counseling Services

All victims of trafficking referred and handled by the project went through face-to-face and telephone counseling sessions focusing on critical stress debriefing, crisis counseling, feelings/trauma on the trafficking incident, issues with their families that arose from the trafficking incident, immediate plans, and programs that could be availed from both government and non-government agencies.

Assessment and Conclusion

Information gathered in this study and actual experiences of the project have led to the following observations:

A number of areas have been identified major origin, transit/training and destination areas of trafficked victims both for local and international trafficking. Information and education campaigns should therefore cover these areas and groups at risks, mostly women and children. There is also a need to improve the conduct of these education programs. More focus should be on practical tips to protect one's self and others from illegal recruitment and trafficking.

Majority of victims were desperate travelers, they even in one way or the other agreed to use fraudulent documents to expedite their deployment. Some of the recruiters were even strangers to them or someone they had just met, but still they blindly trust in the promises of good life somewhere else, only to find out they would end up in trafficking situations. Traffickers/illegal recruiters have various ways to deceive potential recruits, often better facilitated when they associate with known people in the community or were introduced to victims by someone from the community, a barangay captain, a neighbor, relative or a friend. Despite the huge amounts of money spent on education programs, these do not prevent victims from falling prey into trafficking. The current government information program should be evaluated and assessed. More focus should be geared towards ensuring that prospective victims are informed of proper procedures in the recruitment, processing of papers, immigration process, modus operandi of both licensed and unlicensed recruitment agencies and individual recruiters, including practical tips to verify the legitimacy of work offered both local and overseas.

Most of the cases handled involved victims trafficked to Malaysia, through the southern back door route to Sandakan and Kota Kinabalu. Information gathered in this analysis may be useful in the government's bilateral initiatives with the Government of Malaysia. There is also a need to look into port and airport operations in some identified travel patterns, particularly the Manila-Zamboanga-Malaysia route and the alleged collusion of immigration/port personnel with traffickers/illegal recruiters.

Prevention remains the cost effective measure to address trafficking. With limited resources on repatriation, in most cases, rescued victims have no other option but stay in the embassy or temporary shelter pending the approval of their repatriation, which usually takes at most three months. Only a fraction of trafficking victims was actually repatriated. There were also instances, for example, at least three victims had to pay for the plane fare in going back to the Philippines, which only added to their huge debt. Exploitation does not end in destination country but continues up to their repatriation. There was also one instance where concerned government agencies were not informed of the arrival of four (4) trafficked victims from Malaysia, the notice came only on the day of the repatriation. There is gap in the embassy's inability to send notice of repatriation to the airport or to DFA. The fast turnover of action officers in government agencies handling trafficking concerns also poses a challenge.

For local trafficking, reintegration of victims to their families were oftentimes delayed by the lack of transportation assistance, or processing of papers needed for their return like the conduct of home visits, endorsement of home parenting assessment and other related papers like certified true copy of birth, baptismal and medical certificates, among other things.

Trafficking victims adopted various coping mechanisms to bear the misery in prostitution. There was a lot of peer bonding as they only had one another to depend on. Once rescued/withdrawn from trafficking situations, they desperately needed social services and similar support from their respective families, the communities and the government. Unfortunately, current social services are available only for documented workers, slim to none for trafficking victims who are often undocumented workers. There is a need to expand the coverage of these services to trafficking victims.

Only a fraction of cases were filed in court. When asked why some victims did not report their cases to the authorities, they said that they were afraid their recruiters/traffickers would retaliate, some don't want others or the communities to know about what happened, feel stigmatized for having been in prostitution and do not want to be pitied. Others lose trust and interest when after their repatriation, no government agency has contacted them again. In some cases, victims file cases only when their recruiters/traffickers file estafa allegedly for non-payment of loans. For victims, filing of a case is not a priority. This is where reintegration programs should come in, which should include witness protection for those willing to file cases, employment opportunities, temporary shelter pending their return to their families, counseling and other support services needed to rebuild their lives.

In terms of data on trafficking, the standard report format proved useful in getting preliminary information needed for investigation and prosecution work. However, all frontline personnel in law enforcement and other agencies should be trained on how to use the form. Other anti-trafficking agencies and other units receiving trafficking and trafficking-related information (such as consular offices, embassies of the Department of Foreign Affairs, POEA, DSWD and others) should also adopt the form for uniform system of recording trafficking information.

Further, it must be emphasized that effective measure to combat trafficking requires collaborative work between and among stakeholders in the government, the communities, non-government organizations and private service providers including the general public. At the international level, the government should collaborate with various countries, particularly destination countries, including various NGOs and other concerned anti-trafficking institutions in prevention, protection, prosecution and reintegration aspects. At the national level, government agencies should strengthen inter-agency cooperation, sharing of information and joint work in combating trafficking. At the local/community level, various actors should catalyze community-based approaches for sustainable solutions on the problem, particularly prevention and reintegration.

Recommendations

The recommendations outlined below represent the major concerns that emerged from interviews with victims and partners and actual experiences of the project in handling the cases.

Some Specific Areas for Improvement

International

- public information on trafficking and the law and regulations
- number and preparation of personnel in embassies and consular offices, including social welfare and labor attaches
- turnover of action officers handling trafficking concerns
- tracking system for victims; rescue; repatriation, including appropriate notices; reintegration
- information for victims and families on programs and services and procedures
- 24/7 information and services for victims and families
- urgency in rescue and repatriation
- networking/agreements with governments, unions, and NGOs overseas

In-Country

- coordination among LGUs [source and destination] and the community on reintegration
- alternative incomes and after-care services and feedback mechanisms [victims return to trafficking situations]
- other reintegration concerns
 - conduct of home visits
 - endorsement of home parenting assessment
 - related papers [i.e. birth certificates, baptismal, medical, etc]
- shelter facilities, personnel, services, admission requirements

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- victims allegedly in conflict with the law are detained together with adults
- victims' sense of well-being in relation to pursuing cases
- case build-up for prosecution
- delayed resolution of cases [exhaustion of the 90-day resolution period]