

ROLE OF NGOs IN COMBATING TRAFFICKING IN PERSONS

By Carmelita G. Nuqui
Executive Director, Development Action for Women Network (DAWN)
President, Philippine Migrants Rights Watch (PMRW)

*(Delivered for the Conference on Migration and Trafficking in Persons held on
10 February 2006 at the Bayview Park Hotel Manila, on the occasion of the
10th anniversary of DAWN)*

According to the United Nations, the number of trafficked persons globally has risen to 2.4 million per year. Of this figure, about 600,000 to 800,000 persons, according to US Trafficking in Persons Report, are trafficked across international borders. The International Labor Organization (ILO) reports that women and children from Southeast Asian countries like Burma, Cambodia and the Philippines are being trafficked abroad and end up working as prostitutes, beggars or laborers in rich countries.

Trafficking in the Philippines

Trafficking in the Philippines does not only take place within the context of international labor migration, but also for the purpose of marriage, the local sex industry, and for commercial adoption or sexual exploitation of women and children.

One major daily reported that in the Philippines, “at least 50 women and children everyday fall victim to human traffickers.¹” Young women are recruited from the provinces with promises of high paying jobs in cities here and abroad, but most end up in bars in the provinces, as training supposedly, to help them adjust as entertainers abroad. These young women are even forced to have sex with patrons.

According to one NGO based in the Philippines, there were 400,000 women in prostitution in 1998. This figure excludes the unregistered ones, the seasonal prostitutes, overseas entertainers and victims of external trafficking.² One fourth of them are children.

Out of the 200,000 or so street children, some 60,000 sell their bodies. While up to 600,000 women and children are trafficked through the Internet in at least 50,000 websites³.

The victims of sex trafficking are usually poor and uneducated women and children who go abroad because they cannot make a living or achieve job security in the Philippines. While some women go abroad to work or marry, others work as "entertainers," a euphemism for prostitutes.

¹ See “Trafficking in Women and Children,” by Justice Florida Ruth Romero published in Philippine Daily Inquirer, May 22, 2005

² See "RP Has 400,000 Prostitutes," *TODAY*, 25 February 1998

³ Sources: Gabriela, Institute for Social Studies and Action

Overseas Labor Migration

The Philippines has a long history of overseas labor migration. From the 15 farm workers who left the Philippines to work in sugarcane fields in Hawaii in 1906, there are now almost 8 million Filipinos scattered in 192 countries all over the globe. DOLE Secretary Patricia Sto. Tomas reported that more than 1 million overseas employment contracts were processed in 2005. Global deployment of OFWs reached 981,677 or 5.2% higher compared to 933,588 deployed in 2004.⁴

From the United States, the market for Filipino migrant workers expanded to the Middle East in the 1970's. The 1980's marked further market expansion, with a heavy demand for semi-skilled and unskilled workers. Entertainers were hired by Japan, medical practitioners were recruited by Canada and the United Kingdom, domestic workers were in demand in Europe, Hong Kong and Singapore.

Up to the mid-1980s, the vast majority of migrant workers from the Philippines were men, but by the late 1980s, when the demand for service grew in the international arena, more women workers started to join the migrant work force. This era marked the feminization of migration.

Feminization of Migration

In 1975, women only comprised 12% of workers who left for abroad, or some 2,275 women. In 1987, this figure increased to 47.2%, climbed to 69% in 2002, to a high of 75% in 2004⁵. Most of these Filipino women migrants render their services as domestic workers and many others as "Overseas Performing Artists" (OPAs).

In 2004, there was an increase in demand for professional and technical workers. Hiring of Filipino professional/technical and related workers went up to 92,987 from 78,956⁶. The proportion of service and professional/technical workers still continued to comprise the greater bulk of the total deployment of newly hired OFWs. It must be noted that workers belonging to these categories were women migrant workers, a significant portion of whom were medical workers (nurses and health care assistants), teachers and performing artists.

Deployment of Filipino Women to Japan as "Overseas Performing Artists"

Filipino entertainers abroad are called overseas performing artists (OPAs) by the Philippine government. This classification includes the composers, musicians and singers, choreographers and dancers, actors and stage directors, circus performers. The 2004 figures of the POEA indicated that 71,480 OPAs left the country to work abroad. Of this figure, 70,619 or 98% left for Japan and the rest were deployed in other countries. In 2002, Japan-bound Filipinos recorded by POEA reached a high of 77,870, higher than the 2001 record of 74,093.

⁴ www.dole.gov.ph

⁵ POEA

⁶ 2004 POEA Annual Report

The International Organization for Migration (IOM) calculates that Japan's sex industry hosts about 150,000 foreign workers today, and the International Labor Organization (ILO) Japan reports that Philippines, Columbia and Thailand are the top source countries, although the number of women from Russia, Korea and China has gone up. The 2005 US report cited that a significant number of the 71,084 Filipino women who entered Japan as entertainers in 2004 ended up in sex trade trafficking. Recently, because of the restrictions in the entry of entertainers to Japan, it has been reported and observed that Filipino women go to Korea as entertainers.

Several researches conducted by NGOs and scholars have documented the experiences of Filipino women entertainers in Japan and these studies attested to their persistent trafficking (DAWN, 1997, 2001, 2003; CATW, 2001; Ballescas, 1991; IOM, 2001; ILO, 2004).

Work Situation of OPAs in Japan

Prior to their departure, OPAs sign a contract, based on the model contract designed by the POEA with their prospective employer or the Japanese promotions agency. The contract specifies the duration and effectivity of the contract, place of performance, compensation, authorized deductions, hours of work, overtime and rest day, food and accommodation, life and medical insurance, repatriation of remains, transportation, termination of contract, settlement of disputes, and non-alteration of contract.

In actuality however, the terms and conditions of the contract signed by the OPA are not followed. An OPA is not paid monthly. She gets to collect her salary only upon completion of her contract, which is usually after 6 months. This is the usual practice of Japanese employers supposedly to make the OPA toe the line.

Upon arrival of an OPA in Japan, she is met at the airport by the club owner and/or promoter and her passport is confiscated. Such a practice is being done to make sure that the women do not escape. Deprived of their documents, the women are forced into physical confinement.

The skills training the women received prior to their departure are useless. In Japan, their performance is not gauged on how good they sing and dance but on how many customers they manage to lure into the club every night. Since the women sit down with customers and pour their drinks, they are forced to deal with drunk customers and the women also get drunk.

POEA Memorandum Circular No. 2, Series of 1997 states that OPAs are not allowed "To engage in *dohan* or other similar practice, do lewd shows, or perform other indecent acts and do menial jobs, such as waitressing, janitorial and other non-contract related work."

To engage in *dohan*, in Japanese parlance, means to accompany or to go with, or pairing. The *dohan* system in nightclub jargon means a scenario whereby the hostesses or hosts before business hours, meet their customers and have dinner or go out for a drink, and then go to the club together.

As a club regulation, *dohan* requires a woman entertainer to meet a certain quota or minimum number of private dates a month, from once a week to daily.

Although the practice varies from club to club, *dohan* is the usual way by which women are able to lure more customers to become club regulars. This means more income for the club because a customer pays around 12,000 yen (about US\$100) for every date. Of this, only 20 to 30 percent goes to the talent or the woman. Women however can receive extra payment if they agree to render sex work.

In a study conducted by the Development Action for Women Network (DAWN) on Gender Security and Human Rights⁷ a number of women interviewed said that they practice *dohan* mainly for monetary compensation and the gifts they get from their customers. The practice, according to those interviewed, enables them to collect all items that they can send or bring home as presents for their families and friends when they return to the Philippines.

The need to send money back home has lured women entertainers to engage in *dohan*, a practice which puts them in risky situations such as exposure to possible sex trade and prostitution. There are customers who mistake the women's consent to go out on *dohan* as an agreement to have sex.

Despite several measures put in place by the government, the practice of *dohan* persists as more women compete for limited customers and a substantial income they would otherwise not earn home.

Other violations of employment contract signed by the women include having ghost venues or non-existing performance venues, and the practice of flying booking. Deploying artists to a venue other than the one stipulated in the contract is called "flying booking" and is not allowed.

Trafficking of women and children in Japan has almost always been associated with the entertainment/sex industries which is heavily controlled by syndicates like the Yakuza. Given the nature of their job, the environment and the culture of the entertainment world, Filipina entertainers face the risks of sexual harassment and verbal and physical abuse from both their employers and customers.

Role of NGOs in Combating Human Trafficking

Non-government organizations (NGOs) for a long time have been concerned and working on the issue of trafficking in persons. As early as the 1980s, NGOs in the Philippines and in Japan have been reporting on the increasing cases of trafficking of Filipino, Thai, East European and Latin American women in Japan.

Awareness-Raising, Consciousness-Building, Information Dissemination

NGOs have brought into mainstream consciousness of people and society the issue of trafficking in persons. They work for the recognition of the problem, that it indeed exist, and create awareness and consciousness that human trafficking is a crime. With their persistence and

⁷ DAWN, Toyota Research on Gender Security and Human Rights, 2000.

dedication, NGOs reach out to as many people as they can to inform people of the issue, including the risks involved and their rights, as well. Through various means – via the internet, the distribution of newsletters, pamphlets, brochures and other reading materials, to television and radio guestings and interviews.

NGOs also organize forums, discussions and conferences like this one that we are having to raise public awareness and for a deeper understanding of the issue at hand.

Education and Training

The years of experience in dealing with the issue of trafficking have provided NGOs with the expertise on the issue of trafficking and competence in dealing with victims. They are thus in a position to educate and train people on the matter. The experience in many countries is for NGOs to be part of the group that educates and trains law enforcers on the handling of the issue.

Provide data and information

Researches have been conducted by many NGOs on the issue of human trafficking and these materials have provided states, legislators and advocates with information and data on the subject. Being in direct contact with the victims, NGOs get critical and vital data needed for the necessary interventions.

Direct Services to Victims

NGOs have direct contact with victims of trafficking. They provide a wide variety of services to these victims, which include social and psycho-social interventions such as counseling, legal and para-legal assistance, shelter, re-integration projects for women and their families.

Lobbying

NGOs also lobby for the passage of bills and other vital legislation for the protection of women and migrants. NGOs in the Philippines get invited to present their side on issues before congressional hearings. Most of the time, their positions and views on matters differ with those of government but they do provide inputs that help legislators craft better bills.

For years, NGOs in the Philippines, including DAWN, CATW-AP, and other women NGOs have lobbied for the passage of the anti-trafficking bill. After eight years, their efforts paid and the Republic Act 9208 or the Anti-Trafficking Law was finally passed in 2003.

Critical Ally and Partner of Government

The primary responsibility of protecting its own people lies with the government. But more and more, NGOs have provided direct and necessary services, which the state does not provide.

At times, the relationship between government and NGOs may be conflicting. While, on one hand, NGOs collaborate with governments to reach their objectives, they also criticize some state policies. Being autonomous, NGOs state their own opinions and views that reflect their experiences in dealing with the issue. But although NGOs and governments may have differences in policies, strategies or ideologies, they have a common goal, and that is to end trafficking.

There is a need for partnership between government and NGOs, and other institutions to strengthen enforcement of law, and for proper implementation of laws and policies. Only by collaborating at various levels – policy, legislation, direct service provision or a holistic re-integration - can there be comprehensive solutions to this nefarious human rights violation.

Cooperation, collaboration in the local, regional and international arena

Cooperation and collaboration among NGOs and other agencies within the local, regional and international arena are necessary to fight trafficking in persons.

Last year, with the implementation of the new immigration policy of Japan restricting the entry of entertainers called by the Philippine government as “overseas performing artists”, DAWN and other Philippine NGOs such as CATWAP, Batis, the Center for Migrant Advocacy, the CBCP-ECMI, Kanlungan Center Foundation, Philippine Migrants Rights Watch, the Scalabrini Migration Center, the Third World Movement Against the Exploitation of Women, and WomenLead came up with a unity statement supporting the new policy. While recognizing the loss of jobs and monetary rewards, the impact and consequences of the deployment of entertainers to Japan were looked into and considered.

At the regional and international levels, conferences and discussions on sharing of experiences and best practices, as well as measures and solutions to the problem of human trafficking have been held. These meetings have greatly helped in fighting solutions to the problem.

Trafficking networks operate transnationally. International human trafficking is a big organized crime. Thus, it is imperative that states, agencies, NGOs, and other institutions work together to fight the crime. No one organization or state can solve the problem. There is a need to work together to find a common workable solution. It takes a network to fight this network of criminals. Human traffickers are organized, and to counter them we need to be united and organized as well.

The Role of DAWN

DAWN is one of the leading NGOs in the Philippines working on the issues of women and migration. Founded in February 1996, DAWN focuses on assisting returning distressed migrant women from Japan and their Japanese-Filipino children (JFCs) who need to regain and strengthen their sense of dignity and self-worth and reclaim their wholeness. It aims to:

- 1) ensure the immediate reintegration of returning distressed migrant women with their families and the larger Philippine society;
- 2) create alternative livelihood opportunities for returning migrant women as an option to migration;
- 3) generate a strong public opinion against all forms of violence and discrimination inflicted on migrant women and children;
- 4) build a wide network of support for distressed Filipino migrant women and their families; and
- 5) develop DAWN as a competent and self-sustaining support institution for distressed migrant women and their families.

DAWN provides a holistic approach in assisting its clients through its programs: Social Services, Alternative Livelihood, Research, Education and Advocacy, Networking.

The Social Services program serves as the point of entry in reaching out to these distressed women migrants and their JFCs. Foremost among our direct services is the case management and para-legal assistance to women and JFC members.

DAWN started with only 30 women and 42 JFCs in 1996. To date, we have handled about 350 cases of women and 440 Japanese-Filipino children. The number of women and children seeking assistance from DAWN increases everyday. We get referrals from the Embassy of Japan in Manila, some Philippine government agencies, as well as those who have read about us in the papers and heard about DAWN from radio and television programs that have featured the organization. Among the cases we assist are those concerning work contract violations, abuse and harassment in the work place, abandonment of Japanese husband and other marital concerns, JFC's right to paternal recognition and support, as well as the citizenship of the JFCs. DAWN also provides women and children with health care, educational assistance, counseling, airport/travel assistance, Manila-based DAWN Center for women returnees and their JFCs, lessons on Japanese culture and language, workshops and other get-together activities to further support their various social, mental, health, and emotional needs, among others.

Aside from direct services to women and children, DAWN also further establishes its role in the society through extensive information campaign, advocacy programs and partnership building. Among the effective means it utilizes are: print and broadcast media, its quarterly newsletter (SINAG), research, conferences, fora and study tours for local and foreign visitors interested on migrant issues, DAWN web site, and lobby work in the Upper and Lower Houses for the passage of bills beneficial to women and migrants, among others, both in the Philippines and in Japan. DAWN-PMRW also lobbied before the Japanese government to intensify and strengthen its efforts to combat trafficking in persons. We are in constant touch with various Philippine, Japanese and other international agencies that are involved in anti-trafficking.

DAWN is also an active member of the Philippine Migrants Rights Watch (PMRW), a civil society network that promotes the recognition, protection and fulfillment of the rights of Filipino migrants. It is also a member of the Coalition Against Trafficking in Women (CATW-AP) and the OFW Journalism Consortium. DAWN, PMRW, and the CATW-AP were among the NGOs who actively lobbied for the passage of the Anti-Trafficking in Persons Act, which was signed into law in 2003.

One of its major advocacy programs is *Teatro Akebono*, the theater group of DAWN women and children members that perform in the Philippines and in Japan. The stories especially written for the play depict the lives and personal experiences of DAWN members. The program does not only tap the acting and singing potentials of the participants but it has also become their source of empowerment, healing and recovery as it paves the way towards their discovery and development of skills. JFC members of Teatro Akebono also get the chance to discover and

appreciate their paternal roots during their Japan tour and also look forward to meeting their Japanese fathers whom they have never seen or talked to or have lost touch in a long time.

Bouncing back into society after a traumatic or distressing experience abroad is never easy. Thus, DAWN set up its own alternative livelihood program called Sikap-Buhay or SIKHAY. SIKHAY means striving for a better life or self-empowerment. Set up on March 2, 1996, the project serves 1) as therapy for the women; 2) as training ground for entrepreneurial development and management; and 3) as a vehicle for advocacy for the continuing plight of migrant women. It has three project components: sewing, handloom weaving and tie-dye.

To date, DAWN has assisted 106 women in skills training in the different training centers after which they underwent in-house training at DAWN's SIKHAY. Apart from acquiring the skills, women are likewise trained to become efficient and responsible in handling tasks relevant to the program to further prepare them in managing their own projects in the future. As a result, some of them have already found work outside the program or have put up their own businesses.

From the 106 women trained, there are at present ten active Sikhay members, who produce quality items made of batik and other indigenous materials, tie-dyed shirts, as well as hand-woven items, which are marketed and sold in various local bazaars and in other countries especially in Japan through the support of our networks. This is the members' alternative source of income, which help provide the needs of their families.

The Challenges Ahead

With globalization, the movement of people from one country to another has increased and will continue to increase. People, especially those coming from developing and poor countries, move to more developed countries in search of better opportunities. Not only men, but more and more women leave their own towns and countries.

With the feminization of migration, more focus should be given to women, who have always been more vulnerable to abuse and exploitation. The challenge for women and girls is to fight for their dignity and rights. And all of us here could and should help – government, church, media, civil society.

We should not underestimate the role that non-government organizations (NGOs) play in the fight against human trafficking. NGOs are vital players in the fight against trafficking in persons.
