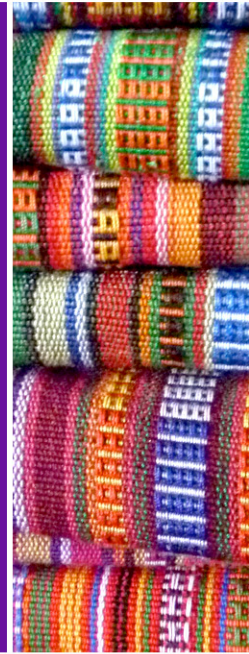


UN.GIFT

Global Initiative to Fight Human Trafficking

Trafficking in Women and Children in Zamboanga, Basilan, Sulu and Tawi-Tawi (ZAMBASULTA)

A Research by the
ATENEO HUMAN RIGHTS CENTER



**Trafficking in Women and Children
in Zamboanga, Basilan, Sulu, and Tawi-Tawi
(ZAMBASULTA)**

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2012

Trafficking in Women and Children in Zamboanga, Basilan, Sulu, and Tawi-Tawi (ZAMBASULTA)

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FOREWORD

Human trafficking is a violation of the human right to life, liberty and human dignity. In both the *Convention on the Elimination of all Forms of Discrimination against Women* (Art. 6,) and the *Convention on the Rights of the Child* (Art. 35,) including its *Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography*, the prevention and/or suppression of trafficking has been specifically mentioned as a State obligation. The UN Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children, which supplements the Palermo Convention against transnational organized crime, promotes cooperation among States to prevent and combat trafficking in persons, particularly women and children, and to protect and assist victims of trafficking with full respect for their human rights.

Trafficking is undeniably a global problem and efforts have been directed towards establishing a comprehensive approach to combat the same at the points of origin, transit and destination. For the so-called “sending” countries, prevention is expected to be at the core of its responses, ranging from identifying and addressing the push factors of trafficking to developing strategies where rescue operations can be carried out at the earliest possible opportunity. Thus, the imperative for newer and comprehensive information cannot be overemphasized.

This urgent need to understand the varying modes of trafficking, its nuanced operations and emerging key players requires up-to-date data and continuous research. Without these, State action and responses in the form of policies and programs remain inadequate, unresponsive and predictable to traffickers.

The Ateneo Human Rights Center (AHRC), with the support of the United Nations Global Initiative to Fight Human Trafficking (UN.GIFT), has embarked on a research project on trafficking in women and children in the Zamboanga, Basilan, Sulu, and Tawi-Tawi (ZAMBASULTA) area. Although the port of Zamboanga City has become a major hub for people trafficked to Malaysia and some other parts of the world, this phenomenon has not been the subject of many research studies. Existing literature on human trafficking in Mindanao in general, has also remained scant.

Thus, in this research AHRC offers to provide a better understanding of the intricacies surrounding human trafficking, particularly in the ZAMBASULTA area. It endeavors to present a contextual background for the use of duty-bearers and service providers in the process of formulating effective strategies in combating human trafficking. The study also hopes to aid in influencing policy development in ZAMBASULTA that would eventually pave the way for the suppression of human trafficking.

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LIST OF ACRONYMS

AHRC – Ateneo Human Rights Center
ASG – Aviation Security Group
Asia ACTS – Asia Against Child Trafficking
ARMM – Autonomous Region in Muslim Mindanao
BI - Bureau of Immigration
BOQ – Bureau Of Quarantine
BOC – Bureau Of Customs
CAAP – Civil Aviation Authority of the Philippines
CAR – Cordillera Administrative Region
CEDAW – Convention on the Elimination of Discrimination Against Women
CIDG – Criminal Investigation and Detection Group
CFO – Commission on Filipino Overseas
CRC – Convention on the Rights of the Child
DFA – Department of Foreign Affairs
DOJ – Department Of Justice
DILG – Department of Interior and Local Government
DOLE – Department of Labor and Employment
DSWD – Department of Social Welfare and Development
ECPAT – End Child Prostitution, Child Pornography, and Trafficking of Children for Sexual Purposes
IACAT – Inter-Agency Council Against Trafficking
ICCPR – International Covenant on Civil and Political Rights
ICESCR – International Covenant on Economic Social and Cultural Rights
ILO – International Labor Organization
IRR – Implementing Rules and Regulations
LGU – Local Government Unit
MIACAT – Municipal Inter-Agency Council Against Trafficking
NBI – National Bureau of Investigation
NCR – National Capital Region
NER – Net Enrollment Ratio
NGO – Non-Government Organization
NICA – National Intelligence Coordination Agency
NISA – Nisa Ul Haqq Fi Bangsamoro, Inc.
NSCB – National Statistical Coordination Board
OCSWD – Office of the City Social Welfare and Development
OPAC – Overseas Passengers Assistance Center
OWWA – Overseas Workers Welfare Administration
PCG – Philippine Coast Guard
PCTC – Philippine Center on Transnational Crime
PCW – Philippine Commission on Women
PIA – Philippine Information Agency
PN – Philippine Navy
PNP WCPD – Philippine National Police – Women and Children Protection Desk
POEA – Philippines Overseas Employment Administration
PPA – Philippine Ports Authority

PPA-PPD – Philippine Ports Authority – Port Police District
RIACAT – Regional Inter-Agency Council Against Trafficking
RTC – Regional Trial Court
SBATTF – Sea-Based Anti-Trafficking Task Force
TFZ – Task Force Zamboanga
TIP – Trafficking In Persons
TVPA – Trafficking Victims Protection Acts
UDHR – Universal Declaration on Human Rights
UN.GIFT – United Nations Global Initiative to Fight Human Trafficking
UNODC – United Nations Office on Drugs and Crime
UNTC – United Nations Treaty Collection
VF – Visayan Forum Foundation, Inc.
WMSU – Western Mindanao State University
ZAMBASULTA – Zamboanga, Basilan, Sulu, Tawi-Tawi

I. INTRODUCTION

A. Background of the Study

Republic Act No. 9208, more commonly known as the Anti-Trafficking in Persons Act of 2003, defines how trafficking is understood in the legal sense in the Philippines. According to the statute, trafficking

refers to the recruitment, transportation, transfer or harboring, or receipt of persons with or without the victim's consent or knowledge, within or across national borders by means of threat or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the person, or, the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation which includes at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs.

Furthermore, the law also considers "the recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation" as trafficking even if the means employed are not covered in the above quoted paragraph.

While the enactment of R.A. No. 9208 established the legal parameters of what trafficking means, clarified the basis for documenting and categorizing cases as involving trafficking, and recognized acts of trafficking as criminal offenses with corresponding penalties, trafficking continues to be widespread in the Philippines. Problems which existed before the law was enacted continue to persist and stifle efforts to combat trafficking effectively, and the prosecution of traffickers has not experienced remarkable success. Because of this patent inability to raise the conviction rate against traffickers, the Philippines in 2009 was placed in the Tier 2 Watch List classification of the Trafficking in Persons Report by the US State Department for "falling short of the standards set by the Trafficked Victims Protection Act of 2000 by the United States government" (ILO, 2009). The country remained in the Tier 2 Watch List the following year. According to the 2010 US State Department Trafficking in Persons Report, law enforcement agencies referred 228 alleged trafficking cases to the Department

of Justice (DOJ) of the Philippines. Out of these cases, prosecutors filed 206 cases in court, a significant increase from the previous year. Nevertheless, only eight individuals in five sex trafficking cases were convicted during the year, including two individuals who remain at large. According to the report, there is some progress in the conviction for trafficking involving sexual exploitation, but not for those involving labor (“Country Narratives – Countries N to Z,” 2010).

There are several factors that prevent successful prosecution. Among these is the apparent lack of resolve and/or ability on the part of the Philippine government to pursue perpetrators. This is manifested by weak implementation of the law, aggravated by a legal machinery made inefficient and ineffective mainly by vulnerabilities to corruption, and lack of resources. Another factor is the weak system for protection and assistance for victims, which discourages them from cooperating with the prosecution. It is common for victims to either refuse to file charges or desist from pursuing the case after they file the complaint. There is also the failure to protect those who are involved in holding the traffickers accountable. Law enforcers and social workers complain about the lack of legal protection against harassment suits filed against them. Two reported murders of government employees, which are yet to be solved, are perceived by many as being connected with their involvement in the fight against trafficking.

This is not to say that the difficulties in dealing with the problem of trafficking center exclusively on prosecution and conviction. Perhaps the more salient problems are the actual occurrence of trafficking, and the difficulty in trying to detect and prevent its commission and address the causes which make it so prevalent. These are the aspects of human trafficking which this study seeks to examine. In particular, this study focuses on the areas of Zamboanga (region IX), Basilan, Sulu and Tawi-Tawi (all parts of the Autonomous Region of Muslim Mindanao), collectively referred here as ZAMBASULTA, which are known hotspots for trafficking.

One reason why trafficking is prevalent in the Mindanao region is the political turmoil in the area, prompting authorities to focus energy and resources more on anti-terrorism campaigns than on the detection of trafficking and the monitoring of possible places of interests such as ports and establishments like restaurants and clubs. Also, often times, traffickers

pose as relatives of the recruited children, making it more difficult for local authorities to sense the danger which the would-be trafficked child is in. Another difficulty arises from what is known as “backdoor trafficking” from Zamboanga (as a take off point) to Malaysia as a destination country, particularly through Sabah wherein, “...the victims are transported using the advertised shipping lines that ply between the city of Jolo in Sulu and Bongao in Tawi-Tawi, and Sabah” (ILO, 2007, p. 98). Backdoor trafficking makes it particularly hard for authorities since the vehicles used by traffickers are more technologically advanced and better maintained than those used by local authorities, making pursuit and apprehension difficult once the vessels have actually set sail.

In ZAMBASULTA, as in almost all other areas in the Philippines, the trafficking problem is strongly linked to the desire of people to migrate for work. The ZAMBASULTA area however is of special interest because of its proximity to Sabah, which is the usual destination, either as a transit point or a final destination. While not all of those trafficked through the ZAMBASULTA area *en route* to Sabah originate from the ZAMBASULTA area itself, those who do view travelling and working in Sabah from an entirely different perspective. Many have families in Sabah, and for the most part, do not consider travelling to Sabah as going abroad. For these people, going to another country, in this case Malaysia, even without the proper exit documents (as is usually the case in human trafficking) is nothing out of the ordinary, and they do not see this circumstance as exposing them to the risk of trafficking. There is also regular commerce and trade between ZAMBASULTA and Sabah carried out with the use of both large vessels and small boats, which seems to contribute to the camouflaging of more unscrupulous activities in the area. Also, because the inclusion of Sabah in Malaysia is still contested by the Philippines, the Philippine government has refused to establish a consulate in the area, as this may be construed as a waiver of the claim on Sabah. Consequently, this results in the lack of protection to Filipino migrants afforded by the presence of an embassy or consulate. Finally, as previously mentioned, ZAMBASULTA is fraught with problems of peace and order and internal conflicts which often result not only in loss of jobs and livelihood but in displacement of communities as well. Considering the dire situation of many Filipinos, there is a tendency for them to readily believe in sham employment offers and thus, they fall prey to traffickers.

B. Review of Related Literature

1. Understanding Human Trafficking

Before any study on effective anti-trafficking measures can be undertaken, it is important to first comprehend fully the problem sought to be addressed. The first portion of the literature presented in this paper focuses on understanding what exactly trafficking is, how it has developed, what the trafficking situation is today, the causes which contribute to trafficking and its corresponding effects, particularly to the victims of trafficking, and its links to the wider activity of migration. The literature will also go deeper into the case of the *halaws*, people who originate from ZAMBASULTA and who have different views about travelling and working in Sabah, Malaysia.

a) Definition of human trafficking

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Protocol) defines “trafficking in persons” as

xxx (a) the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

(c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article; xxx

To date, the Protocol has 146 State-Parties (United Nations Treaty Collection [UNTC], 2011) and may be considered to be widely ratified. The high rate of ratification signifies the recognition of trafficking as a global concern and that its resolution lies in the cooperation and proper coordination among State-Parties. It also signifies consensus regarding the definition of trafficking (note that the above definition of trafficking is virtually replicated in R.A. No. 9208, already quoted earlier in this paper), including the fact that persons, whether adults or children, may be trafficked even with their consent. This innovation is critical since it may be argued that there should be no trafficking if an adult person willingly agrees to be recruited with falsified documents or agrees to be an illegal worker in the country of destination (ILO, 2009).

The Protocol also operates within the framework of trafficking as an organized crime, being run by syndicates. Accordingly, human trafficking is the third largest profitable kind of organized crime, next to drugs and arms trafficking, taking into account its transnational character (ILO, 2009). It makes an annual lucrative earning of about \$9.5 billion (CFO, 2009); and is predicted to eventually surpass illegal drugs and arms smuggling as the most profitable illicit business (Natividad, 2005). To date, however, little is known about the exact earnings of traffickers, most of which have already been laundered to home countries or invested in both illegitimate and legitimate businesses. There is little mechanism to accurately and effectively track them (Aronowitz, 2009).

Trafficking as discussed above would be what could be considered as large-scale trafficking—those tied to organized crime groups who typically utilize false promises and other strategies to lure victims, even resorting to abduction, coercion and violence (Hughes, as cited in Roby, 2005). However, Hughes also notes that trafficking may be conducted on a smaller scale, being carried out not by syndicates, but by individuals such as relatives or acquaintances. In Southeast Asia, small-scale human trafficking or “disorganized crime” is rampant. Individuals like village aunties, truck drivers or small groups conspire for the purpose of trafficking persons (Feingold, 2005).

Trafficking has also been defined by the International Labour Organization as a crime that “disrupts or circumvents the efficient functioning of labour market institutions in source, transit and destination countries” (ILO, 2009). More importantly however, one should not

lose sight of the fact that trafficking is a human rights violation for it not only violates human dignity but also the right of victims to free movement and abode, and the right to work. It also violates their freedom from discrimination and servitude (Sta. Maria, Candelaria, Arriola, 1999). Where it concerns women and children, trafficking is considered a serious violation of their rights under the women's and children's human rights conventions.

b) Brief history of human trafficking

While the term “trafficking” (or traffic) was used in international instruments only since the 20th century, as a phenomenon, its roots may be traced to slavery, which was present in many early civilizations. The Code of Hammurabi shows that there were slaves in Babylonian society dating as far back as 18th Century BC. Accounts of Greek society, notably in Sparta and Athens are also filled with evidence that slaves formed a normal part of any community, the more unfortunate ones being “miners who [were] driven to death by their masters” or those who were engaged in other more brutal forms of forced labor (“History of Slavery,” n.d.).

Slavery developed into a more commercial activity as the centuries progressed. In the 1600s, African slaves were regularly exchanged for goods such as pearls, sugar, and ginger (Becker, 1999). The first slaves introduced into the English-American colonies in Virginia were sold by Dutch traders (“History of Slavery,” n.d.). In 1680, the slave trade was fully established and the transport and sale of slaves became more systematic (Becker, 1999). Furthermore, the practice of slavery became more rampant due to the growing demand for cheap labor in various countries. Slavery also served as punishment for those entrapped in debt bondage. Wars were a frequent source of slaves - with captors enslaving people from towns they had invaded (“History of Slavery,” n.d.). From the years 1701-1810, roughly 4.5 million slaves were shipped to the Americas. Slavery has officially been outlawed in the United States in 1807 (“History Slave Trade,” n.d.).

While slavery may have been outlawed in the 19th century, it may be argued that it, or at least a variant of it, now exists under a new name, “human trafficking.” As the ILO aptly states: “human trafficking is modern-day slavery” (ILO, 2009). Human trafficking, like slavery, robs human beings of their freedom, and degrades them by stripping them of

their dignity and subjecting them to harsh, cruel, and often illegal forms of labor. Like the condition of slaves before, trafficked persons are often not paid properly and are forced to live in substandard conditions, with seemingly no way to escape from their situation. They are treated as commodities to be bought, sold, and replaced, at will.

In the Philippines, trafficking as we now understand it has been going on as early as the pre-Hispanic period where children were brought by their parents to pay for their debts through servitude. This continued up to the Spanish era. Besides wives and daughters being offered to the clergy, children were forced to work in haciendas trying to pay for extremely high-interest loans. During the American occupation, children were treated as chattel, and indigenous children like the Ifugaos and Negritos were sold as slaves (del Rosario & Bonga, 2000, as cited in Sta. Maria, Zantua, Chiongson, n.d.). The problem worsened and eventually led to the entry of girls into prostitution.

In a report of the United Nations Economic and Social Council, the number of arrests for offenses connected to trafficking from 1948-1950 was shown to have reached 1,410 with the conviction rate of 94% (ECPAT, 2007, as cited in Sta. Maria, Zantua, Chiongson, n.d.). Because of economic hardships, migration from rural to urban areas increased, contributing to both external and internal trafficking. Children in particular were highly vulnerable to debt bondage, categorized as the worst form of child labor (ILO 183, art. 3 [1999]) and as trafficking under R.A. No. 9208, due to the practice of delivering them to employers or other people to whom their parents owed money, in order to work off the aforementioned debts. There are also instances where children work because they are lured by promises from employers (e.g., guarantee to provide for their education). Although access to education is mandated by law “[I]n all cases of (child) employment,” (Sec. 4, R.A. No. 9231), both the children and their parents view this as more of a favor to the children rather than a social responsibility that the employer has to fulfill (Sta. Maria, Zantua, Chiongson, n.d.).

c) The magnitude and scope of human trafficking

“The International Labor Organization estimates that there are 12.3 million people in forced or bonded labor, child labor and sexual servitude” (CFO, 2009). A 2006 research conducted by the US Department of State reported an estimate of 800,000 persons trafficked

across the globe annually. In Southeast Asia alone, around 200,000 to 250,000 women and children are trafficked annually (Asia Against Child Trafficking [ACTs], 2009). In the 2004 United States Trafficking in Persons Report, the Philippines along with Cambodia, Laos, Malaysia, Myanmar and Indonesia were classified as *source countries* of trafficked victims from Southeast Asia, while Brunei and Singapore were identified as *destination countries* (as cited in Natividad, 2005). It should be added, however, that in 2009, the Commission on Filipino Overseas (CFO) reported that the Philippines is also a destination country for the trafficking of foreign victims: “A smaller number of women were occasionally trafficked from China, South Korea, Japan, and Russia to the Philippines for sexual exploitation” (CFO, 2009).

The numbers shown above are just estimates. The figure could actually be higher. Aronowitz (2009) asserts,

Governmental and international organizations such as the US Department of State and United Nations continue to publish and revise estimates of the number of the trafficked victims without providing information on how these estimates are reached. The ILO is attempting to provide estimates of worldwide labor exploitation and trafficking while providing information on the methodology used to reach those estimates (p. 21).

For the Philippines, a 2006 US State Department Human Rights Report estimated that 20,000 to 100,000 people are being trafficked in the country every year, with women and children accounting for the majority of the total number of trafficked victims (Kanlungan, 2009). Majority of the children who are trafficked are between 14-17 years of age and girls comprise the bulk of those trafficked as labor and sex workers (ILO, 2007). As to where they came from, one study on internal trafficking that included 70 children, showed that all the regions of the country (12 regions at the time of the study) were sources of at least one trafficked child (Sta. Maria, Zantua, Chiongson, n.d.).

As stated above, although men, women, and children are vulnerable to trafficking, in the Philippines, a large percentage of trafficked victims comprise of women and children, encompassing about 80% and 50% respectively, of the estimated total number (CFO, 2009). Children are even more vulnerable to trafficking compared to women for two reasons, the first being the fact that they are underage. Children, especially those below 15 years of age are

generally not allowed to work. Employers are then tempted not to pay their due salaries and to subject them to exploitative conditions, such as long hours of labor and working in hazardous conditions. The second reason is their lack of proper documentation. Because of lack of proper documents, children are deprived of access to basic services like education and health care. (ACTs, 2009) In contrast, countries like Poland and Ukraine have men as the main target for commercial sex (ILO, 2009), while most of those trafficked from Brazil are also men who are sold as slave labor to work in gold mines in the Amazon jungle (Feingold, 2005).

As far as the recruitment for trafficking is concerned, methods are continuously evolving– from subtler ways to outright buying and kidnapping. Because traffickers are usually familiar with the local contexts of their victims, they are able to gauge the best opportunity and method for targeting these people, particularly children (Sta. Maria, Zantua, Chiongson, n.d.). While the modes of trafficking which emerged during the early nineties like mail-order brides, recruitment for entertainment, and domestic/ factory work in sub-human conditions still persist (Sta. Maria, Zantua, Chiongson, n.d), the manner of recruitment and the avenues used in looking for potential victims have progressed in much the same way that information technology has. Traffickers prowl online social networks to establish contacts and send instructions through online messaging services. They have also taken advantage of other online services such as online booking and check-ins for air carriers. All in all, these technological developments and services have helped traffickers remain anonymous even to their recruits, and have decreased face to face interaction between themselves or their victims, and those who may be able to detect or prevent the trafficking.

d) Push and pull factors of human trafficking

“We didn’t have enough money to buy food. We were always short of cash, especially for my children’s needs. We didn’t even have enough for our everyday expenses. I couldn’t give the things my children wanted (Selma, Filipina woman)” (ILO, 2009).

Although it can be said that the reasons which lead one to migrate for work differ from one person to another, there are often common “push” factors found in the conditions and environments of those who eventually decide to do so which contribute to their making that choice, and common “pull” factors that lure them to a particular destination.

Poverty remains to be the major push factor in trafficking. In the face of unemployment, underemployment and the absence of better-paying jobs in the country, people see working abroad as a necessity in order to survive and uplift the living conditions of their families. (Sta. Maria, Zantua, Chiongson, n.d.) The corresponding pull to poverty's push is the prospect of a higher paying job in another country. There is also the existing market for jobs and services that are not met by the locals of said country, either because they do not want these jobs or because of a shortage of local workers. Legalized prostitution or a policy tolerating it in the destination country is also a strong pull factor for traffickers to recruit for prostitution and other forms of sexual exploitation (Porio, 1999).

However, poverty is not the sole reason why people are driven to work abroad. The desire to leave and work elsewhere can be prompted also by the need to escape from dysfunctional families (Sta. Maria, Candelaria, Arriola, 1999). Another push factor is the persuasive force of community values. Gaining prestige, status, social mobility/power for the family and the self in the community as manifested through remittances, *balikbayan* boxes and a new lifestyle also contribute to the popularity of working abroad (Porio, 1999). Furthermore, those who earn in dollars are highly looked upon in the Filipino communities (Kanlungan, 2009). The pressure to work abroad and earn high income is also augmented by the expectation of family members to receive support and gifts (Porio, 1999).

In the case of trafficked children, needless to say, family dynamics play a major role. As early as ten years old, some children already take on the role of breadwinner for various reasons, such as being pushed by their relatives to work to assuage financial burdens. Oftentimes, children work not only to fend for themselves but for their siblings as well (ACTs, 2009). Some of the relatives who recruit the children have genuinely good intentions but the prospect of earning money takes precedence over the state of the child's working conditions and their education, which leads to the failure of relatives to ascertain the legitimacy of the work the child is involved in. (Sta. Maria, Zantua, Chiongson, n.d.). Children may also be driven away from home and towards being trafficked because of violence in the family. For instance, ILO reports the case of a girl-child who was physically beaten by her father and brothers, left her home, and lived in the streets of Quiapo. Later on, she got involved with a syndicate. Another girl was abandoned by her father, and when left with an aunt, was sold

as a prostitute (ILO, 2007). Some children find it hard to go back to their families after being rescued from trafficking as they fear the violence and treatment that they will again experience upon returning home, which leads to a relapse into the trafficking cycle (Sta. Maria, Zantua, Chiongson, n.d.).

At the community level, trafficked children who come from poor areas in Visayas and Mindanao are usually convinced (if not forced) into working in urbanized areas in Luzon, drawn by the belief (theirs or their relatives') that a better life lies ahead. Traffickers are also pulled more towards targeting children because they are easily convinced into lying as they are instructed to avoid having any encounter with strangers while in transit (Sta. Maria, Zantua, Chiongson, n.d.). Their obedience, often due to vulnerability and being easily intimidated, makes children particularly vulnerable to being trafficked as child soldiers. Although most children are kidnapped, some join rebel forces voluntarily. They believe that they are safer in joining these forces and have better access to food. Other factors would also be lack of education and lack of job opportunities (Aronowitz, 2009). According to Human Rights Watch reports, in proving their allegiance, those trafficked as child soldiers are also forced to commit atrocities against family members and neighbors so that they will be stigmatized and thus, unable to go back home (Aronowitz, 2009).

e) Coping mechanisms

Victims/Survivors of trafficking vary in the way they deal with their experiences. There are those who have "embraced" their fate and have decided to continue working under exploitative conditions since they do not see returning to their country as a viable option. For one, they fear being mocked or ridiculed for the abuses they have suffered, especially if it involves sexual abuse. Another reason is that if they had engaged in prostitution, the fear of being stigmatized by the family and community pushes them not to return and to just remain quiet about their entire ordeal. Some rationalize that since they were forced into prostitution, it is better to be a prostitute in a foreign country than to be one back home (Sta. Maria, Candelaria, Arriola, 1999). Another significant factor why victims choose to remain despite their slave-like conditions is to be able to send money home and pay debts which were mostly incurred in order to go and work abroad.

Some women may be willing to seek assistance and cooperate with law enforcement while some may not. One reason for choosing not to pursue cases against traffickers is fear of reprisal, especially if they think that their recruiters are part of an organized crime or syndicate. There is also that fear that they themselves might get into trouble with the law, since they knowingly entered the destination country illegally or with fake documents.

As for working abroad again, most are still determined to go abroad despite the traumatic experience of having being trafficked, since they strongly believe that there are no work opportunities in the country (ILO, 2009). As a Filipino woman puts it,

I think anyone who has gone abroad would find it difficult to just stay in the country. You will want to leave every time. When I first went abroad, people told me I would go back over and over again... and it was true. [Even though she was nearly forced into prostitution], her view of migration had not changed because not all countries would give me the same experience... Try and try until you die. (Maureen, Filipina woman) (ILO, 2009).

f) Links with migration

Migration is closely linked with trafficking as the latter can occur within the process of migration. Although generally, women who migrate without proper papers are more vulnerable to trafficking, there are those who migrate with proper papers such as spouses or fiancées of people already abroad who still become victims of trafficking. Thus, distinguishing between regular or irregular migrants among trafficking victims seems to be unnecessary (Bautista, 1999).

In a 2009 case study of trafficked Filipino and Thai women conducted by ILO, four roots of migration were identified:

i. Lack of education and limited local employment opportunities

Most victims of trafficking come from poor families and lack education. As a consequence of not being able to reach college or earn a college degree, they find it difficult to land a stable job. Even though some have managed to work, it is oftentimes erratic and only for a short period of time. In addition to this, according to Porio (1999), “[i]n the Philippines, having an education does

not necessarily assure one of a good and well-paying job.”. This pushes them to seek work abroad.

ii. Family relationships

Practices and beliefs of people also contribute to the prevalence of trafficking. According to Macionis (2007), children in lower class families are considered as working hands that will help to uplift the economic situation of the family. Thus, having children is encouraged because the more children there are, the more working hands the family has. Because of this, children are made to be responsible for partially alleviating family burdens. Moreover, the practice of parents and guardians in uprooting the children and bringing them to their landlords to pay for their debts provide the opportunity for said children to be exposed to trafficking for bonded labor, especially since parents find that there is nothing wrong or harmful with this practice. (Sta. Maria, Zantua, Chiongson, n.d.)

iii. Debts

Debts incurred by victims of trafficking are often aggravated by exorbitant interest rates, making it harder for them to pay. In the case of children, traffickers give cash advances to parents making children indebted at the onset. They are consequently forced to remain for an unspecified period until the debt, as determined by the employer, is considered paid. (Sta. Maria, Zantua, Chiongson, n.d.)

iv. Independence

“Outside family responsibility, some women were driven to try their luck abroad out of a desire for financial independence” (ILO, 2009).

g) The case of halaws

Earlier, this study mentioned that people who originate from ZAMBASULTA have a

different view about working in Malaysia; that they do not consider it foreign soil because of its proximity. People who exemplify this are the *halaws*. According to the book, “*Halaw: The Travails of Filipino Deportees from Malaysia*,” published by the Ateneo de Davao University and released in 2005, the history of *halaws* may be traced from the early recurring entry and exit to and from Malaysia of people from Tawi-Tawi and nearby provinces (Danguilang-Vitug & Yabes, 1998, as cited in Cabaraban & Fernandez, 2005). Though the practice initially went without much notice, its frequency eventually alarmed Malaysian locals. Thus, in 1994, there was a general bemoaning of the fact that the *halaws* were becoming competitors with regard to job opportunities and business markets. This negative sentiment from Malaysia was aggravated by the perception that the *halaws* were involved in crimes such as theft, prostitution, and drug trafficking. Thus, the Malaysian government enforced strict rules regarding immigrants found to be lacking in proper documents, and those considered as illegal immigrants suffered atrocities. This fact did not come to the Filipino public’s attention until sometime in the middle of 2002, hence the label “*halaw*”—literally meaning a group of people who have been ejected, cast out, and thrown away (Cabaraban & Fernandez, 2005).

While the proximity of Malaysia seems to be the main reason why it is the most common target destination for imported labor sourced from ZAMBASULTA, two other reasons were pointed out by Dr. Cabarabas and Dr. Fernandez in their book on the subject. The first was the earlier mentioned political turmoil in the area, particularly in the 70’s which led to the displacement of different communities and the separation of many individuals from their livelihood. The second reason was the high demand for human resources due to the growth of the developing industries in what was then newly-independent Malaysia. The latter factor, in particular, contributed to the eventual legalization of importation of foreign laborers, with immigrants coming from all over Southeast Asia to take advantage of the situation. However, with the influx of legal immigrants also came illegal ones. The Malaysian authorities reacted to this by setting up a system which attempted to control the burgeoning number of illegal immigrants. The actions of the Malaysian government coupled with the more hostile attitude locals began carrying towards immigrant workers led to the abuses that were directed against the *halaws* by Malaysian authorities (Cabaraban & Fernandez, 2005).

Less than two months after information of the abuse reached the Philippines,

“*Pagbabalik Tulong*” was created through an executive order. This was a special task force composed of key government agencies, whose assigned tasks included providing food assistance, water and sanitation services, health and medical services, psychological services, transportation assistance, provision of clothing and personal effects, documentation, and processing of passports, among others (Cabaraban & Fernandez, 2005).

While it is laudable that various services are offered to the *halaws* and other deportees, it has also been observed by some that such services to a certain extent have perpetuated the practice of the *halaws*; and encouraged, if not emboldened, other deportees to repeatedly return to Sabah even without the proper documents. This is because when they are deported, they are just brought to the DSWD Processing Center for Displaced Persons in Zamboanga City. After being processed, they are transported back to their places of origin without any kind of reprimand or warning not to travel to Malaysia illegally.

2. Efforts to Combat Human Trafficking

The success of the fight against human trafficking primarily depends on the political will of a country because this will determine the kinds of policies and programs created, if any, to address trafficking, and the resources to be allocated for their implementation. A legal framework is essential, i.e., a law that defines what trafficking is and its scope because “[a]vailable and future data/statistics on the subject will depend on how it is defined. Only then can a fair assessment of the magnitude of the problem be made.” (Sta. Maria, Candelaria, Arriola, 1999) Further, in combating trafficking, it is also important to know how traffickers work in order to design successful prevention programs (Aronowitz, 2009).

a) International framework to combat trafficking

A number of anti-trafficking laws, international conventions, declarations, and protocols have been adopted for the purpose of promoting and facilitating combat efforts against human trafficking. Foremost are the United Nations Convention on Transnational Organized Crime and the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Protocol). In the Protocol, trafficking includes commission of acts, other than falsity or force, as means of recruitment or transport. It also

provides that the means employed in trafficking become irrelevant when children are involved. (Sta. Maria, 2001). Other instruments include the Universal Declaration of Human Rights; the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); the Convention on the Rights of the Child (CRC); the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography, and the Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor, among others.

The common purpose of these instruments is to reduce, if not totally eliminate, cases of human trafficking both in the regional and international levels.

Counter-efforts against human trafficking can be analyzed from the concept of security governance, with efforts being organized into the following approaches: legal measures, prosecution, protection, and prevention in countries of origin and countries of destination (Friesendorf, 2007). It is said that for these efforts to come to fruition, inter-state cooperation must intensify, similar to the heightened transnational police cooperation that emerged after 9/11 (Friesendorf, 2007).

The international community has made use of treaties and other instruments to address human trafficking around the world, particularly in the Asia-Pacific region. These treaties are seen as having the potential for norm creation, and are thus utilized in hopes of changing attitudes towards trafficking. These treaties often also provide for mechanisms which help guarantee observance from those who have ratified them. (Sta. Maria, 2001)

In 1904, the Agreement for the Suppression of White Slave Traffic and the 1910 Convention for the Suppression of White Slave Traffic which followed it paved the way for protection of women and girls against illegal recruitment for illicit purposes. The 1910 Convention provided for the active engagement of state-parties to the treaty with the criminalization of “white slave traffic,” also adding that such an offense is punishable. Following these two landmark conventions is the 1922 International Convention for the Suppression of the Traffic in Women and Children. This treaty was a milestone in that it was the first to coin the term “trafficking in women and children” in its title, therefore explicitly extending the scope of the 1910 convention to also include children of both sexes in “white slave traffic.” (Sta. Maria, 2001)

Shortly after this shift from “white slave traffic” to “trafficking” or more specifically, “trafficking in women and children,” the Slavery Convention came into force in 1927. This convention was placed to put a stop to the slave trade and slavery in general, as well as to avert future cases of forced labor conditions similar to slavery. In 1932, parallel to the Slavery Convention was ILO’s mainstreaming of the issue of forced labor, through its Forced Labour Convention; this was later on supplemented by the Abolition of Forced Labour Convention in 1957. In 1948, the monumental Universal Declaration of Human Rights (UDHR), followed by the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), served as a structure for succeeding human rights treaties. Three years after the UDHR was adopted, the United Nations Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others established that trafficking indeed adversely affected the dignity of the human being. In 1981, the CEDAW entered into force and provided for state-parties to actively eradicate discrimination against women and “take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women” (CEDAW, Art. 6).

Subsequently, the CRC took effect after CEDAW, in 1990. This convention, similar to CEDAW, obliges states to actively protect children’s rights, by such means as establishing safeguards from trafficking. The Convention also identified four broad categories of children’s rights: survival, protection, development and participation rights. (Sta. Maria, 2001, citing AKAP, 1997).

While international treaties and conventions create state obligations for the protection of persons against trafficking, what seems to be crucial is the translation of these obligations from international instruments into domestic laws in the different countries. The articulation of the obligations in local laws helps reinforce the idea that there is a widely-held duty among all peoples (and not merely their governments) to actively oppose trafficking.

b) Domestic legal framework

In the Philippines, the government passed R.A. No. 9208 in May 26, 2003, eight years after it was first proposed. The law was considered a turning point in the area of combating

human trafficking in the country, since it was taken as a clear indication that the State is responding to the problem of trafficking head on. However, the interpretation of some of its provisions has remained debatable (Sison-Arroyo, 2008). Furthermore, to date there is only one trafficking case which has been settled using the law which could set the precedent as to how the courts understand and apply it.

Other pertinent laws which cover acts of trafficking include Republic Act No. 7610 (Special Protection of Children Against Abuse, Exploitation and Discrimination Act, Art. IV on Child Trafficking); Republic Act No. 9231 (An Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Stronger Protection for the Working Child); Republic Act No. 8042 (Migrant Workers Act); Republic Act No. 9262 (Anti-Violence Against Women and their Children Act); Republic Act No. 6955 (Anti-Mail Bride Order Law); and Republic Act No. 9710 (Magna Carta of Women), the latest just signed into law in August 2009.

To make those laws more effective, government entities, non-government organizations, and private institutions must persistently work hand in hand in preventing and decreasing cases of human trafficking in the country.

c) Problems with enforcement and challenges in combating trafficking

Despite the many laws enacted and treaties ratified, there are still challenges that arise from applying the statutes themselves. For instance, the question of whether adult prostitution without coercion is considered as trafficking has been a source of confusion among law enforcers and prosecutors. Also, the lack of provisions granting immunity for those who report trafficking has been a serious concern. Additionally, the fact that the penalty for the use of trafficked persons for prostitution is considerably lower (six months community service for the first offense/one-year imprisonment for the second and subsequent offenses and a fine) relative to the penalty for the violation of confidentiality, (six years imprisonment and a fine) has discouraged some from filing cases under the existing provisions of law (Sison-Arroyo, 2008).

Other difficulties arise from trafficked victims' access to both information and assistance, which should ideally be provided by the government. There is a lack of systematic

documentation and monitoring of trafficked victims returning to the country, which makes it difficult to adequately address all those who might be in need of certain services. The victims themselves are not usually informed of help they are entitled to and which they may receive. Hence, “many trafficking survivors return to the Philippines with little or no knowledge of, or access to, assistance and protection services (including legal recourse)” (ILO, 2009). Others are hesitant to ask for assistance from police and other transport personnel for fear of being prosecuted as part of the trafficking operation (Sta. Maria, Zantua, Chiongson, n.d.). For those who encountered problems overseas, some relied more on the assistance of their Filipino friends and relatives rather than seek the help of the Philippine Embassy or Consulate (Sta. Maria, Candelaria, Arriola, 1999).

Finally, corruption also poses a big challenge in combating trafficking. “Trafficking is...aided by official corruption among enforcement, immigration and judicial officials in countries of origin, transit and destination, thereby threatening the rule of law” (ILO, 2009). “Corruption can either be active or passive. Active corruption would be present on the part of those who assist traffickers in procuring documents and passive corruption would be the failure to react or the turning of a blind eye to the problem of corruption” (Aronowitz, 2009).

d) Recent developments

The US State Department classifies countries into Tier 1, Tier 2, Tier 2 Watch List, and Tier 3 when it comes to human trafficking. Tier 1 countries are those “whose governments fully comply with the Trafficking Victims Protection Act’s (TVPA) minimum standards. “Tier 2 countries are those “whose governments do not fully comply with the TVPA’s minimum standards, but are making significant efforts to bring themselves into compliance with those standards.” Those under the Tier 2 Watch List are the ones “whose governments do not fully comply with the TVPA’s minimum standards, but are making significant efforts to bring themselves into compliance with those standards and: a) The absolute number of victims of severe forms of trafficking is very significant or is significantly increasing; or b) There is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year; or c) The determination that a country is making significant efforts to bring themselves into compliance with minimum standards was based on commitments by the

country to take additional future steps over the next year.” Finally, Tier 3 countries are those “whose governments do not fully comply with the minimum standards and are not making significant efforts to do so” (US Department of State, 2009).

Mainly due to the inability of the Philippine government to secure a significant number of convictions under the trafficking law, the country was classified under the Tier 2 Watchlist for two consecutive years in 2009 and 2010.

The government evidently felt the pressure in addressing the issue. In 2009, The Department of Justice issued a memorandum requiring prosecutors to submit a report to the Office of the Secretary regarding the status of pending human trafficking cases for inventory and monitoring on or before July 31, 2009, a move that came right after the Philippines was downgraded to the Tier 2 watchlist (GMA News, 2009). More recently, Chief Justice Renato Corona stated in an interview last February 2011 that “he wants the courts to speed up the resolution of human trafficking cases to prevent the country from being downgraded to Tier 3 category” (Araneta, 2011). That the government is feeling the pressure is amplified by the fact that the Philippines will be subject to restrictions on non-humanitarian and non-trade-related foreign assistance should it be downgraded to Tier 3.

The Bureau of Immigration (BI), for its part, vowed to step up its anti-human trafficking efforts. As mentioned in a GMA News online report, 21 traffickers were convicted from July 2010 to March 2011—a far cry, according to Justice Secretary De Lima in the same report, from the 25 convictions in the past seven years (2011). Another news article claims that, all in all, there has been a total of 38 convictions in the Philippines relating to human trafficking (ABS-CBN News, 2011).

One instance is the conviction last February 2011 of a woman from Zamboanga for illegal recruitment and human trafficking—specifically, labor trafficking. The city prosecutor in that case claimed that it was the first conviction relating to labor trafficking—the rest being all related to sexual trafficking (ABS-CBN News, 2011). Another recent conviction was one involving two Swedish nationals and three Filipinos engaged in the cybersex den business. The ruling is said to be a landmark victory as it is the first conviction relating to trafficking for cyber pornography (The Philippine Star, 2011).

Finally, the efforts of both government and non-government entities have paid off. In

its 2011 US Trafficking in Persons Report, the US classified the Philippines under Tier 2, and removed the country from its watchlist category.

C. Summary

The literature review has shown that despite the international and domestic frameworks existing to combat trafficking, the government has consistently struggled with efforts to apprehend, prosecute, and convict traffickers not only because of seeming ambiguities and incongruities in the law, but also because of factors that militate against the law's successful implementation. For one, the victim/survivors themselves are not always forthcoming about how they were recruited by traffickers and the identities of the latter. It could also very well be that said victims/survivors have genuinely not encountered the traffickers personally. Second, victims/survivors fear the consequences of bringing their cases before the law enforcers. They do not trust that these officers can protect them and at times, actually suspect them to be in cahoots with the traffickers. They have also experienced being the ones arrested particularly when they have been caught in prostitution dens.

Aside from problems with convictions, prevention efforts by the government which are directed at people who intend to go abroad to work have had to compete with the reality that there are no employment opportunities in the country. Thus, people have not hesitated to venture into what they perceive as “manageable” risk that comes with working abroad. This is particularly true in conflict areas where the community is put in constant danger of being caught in between crossfires or where people have actually been displaced as a result of said conflict. Moreover, as earlier mentioned, some people coming from ZAMBASULTA, including the *halaws*; do not perceive that going to Malaysia without documents or with fake ones can put them in jeopardy of being trafficked, even if they have experienced entering Sabah clandestinely deep into the night.

Preventive and protective strategies have to be reviewed and assessed in order to be able to lay down the framework for an effective formula in combating human trafficking. Both strategies should equally be given importance and priority, especially in terms of investing human and financial resources for their implementation.

This evidence-based research has been conducted for the above purpose, and in order to provide a better understanding of the intricacies surrounding human trafficking in the Philippines, particularly trafficking from ZAMBASULTA to Malaysia.

II. THE RESEARCH

A. Project Objectives

The main objective of this study is to provide data through evidence-based research with respect to the trafficking in women and children from ZAMBASULTA to Malaysia through Sabah.

AHRC hopes that this research would be able to contribute new learning relevant to communities that are vulnerable to human trafficking; and would serve as useful data to both government agencies and non-governmental organizations that seek to address this problem in the ZAMBASULTA area through their respective mandates, advocacies and provision of services. The study also aims to aid policy and law reform through the recommendations at the end of the paper.

B. Target Audience

The primary target audience of this study consists of key civil society organizations, private sector groups and government agencies working against trafficking in women and children from ZAMBASULTA to Malaysia, in particular:

- 1) **Visayan Forum Foundation, Inc. (VF)**, a non-government organization working for the welfare of trafficked women and children and providing various forms of victim assistance such as housing, legal counseling, psychosocial counseling, and life skills training;
- 2) **Western Mindanao State University (WMSU) Human Rights Center** which is based in Zamboanga City and has for its members law students who have undergone the internship program of AHRC;
- 3) **Nisa Ul Haqq Fi Bangsamoro, Inc., (NISA)**, a network of Muslim women's

rights advocates working on gender issues including trafficking, in the context of discourse in Islamic legal theory vis-à-vis women's human rights and gender issues. It supports grassroots initiatives through its member organizations; and

4) **Sea-Based Anti-Trafficking Task Force (SBATTF)**, a task force based in Zamboanga City composed of the following regional/city government agencies, NGOs and transport groups:

- Department of Justice (DOJ) of Zamboanga City
- Department of Social Welfare and Development (DSWD)
- Bureau of Immigration (BI),
- Overseas Workers Welfare Administration (OWWA)
- Department of Labor and Employment (DOLE)
- Department of Foreign Affairs (DFA)
- Philippine Overseas Employment Administration (POEA)
- Philippine Center on Transnational Crime (PCTC)
- Philippine National Police -Women & Children Protection Desk (PNP WCPD)
- PNP - Criminal Investigation and Detection Group (PNP CIDG)
- Philippine Navy (PN)
- National Intelligence Coordination Agency (NICA)
- National Bureau of Investigation (NBI)
- Office of the City Social Welfare & Development (OCSWD)
- Civil Aviation Authority of the Philippines (CAAP)
- PNP - Aviation Security Group (ASG)
- Philippine Ports Authority (PPA)
- PPA-Port Police District (PPA-PPD)
- Philippine Coast Guard (PCG)
- PNP - Maritime Group
- Task Force Zamboanga (TFZ)
- Bureau of Quarantine (BOQ)
- Bureau of Customs (BOC)
- Aleson Shipping Lines, Inc.

- SRN Fast Seacrafts, Inc. (WEESAM)
- Visayan Forum Foundation, Inc. (VF)

C. Research Methods

Four main methods were employed in the research: (1) interviews, (2) round table discussions, (3) case studies, and (4) document analysis. An auxiliary method, lexical domain analysis through surveys, was also employed. Lastly, a validation session was conducted.

1. Interviews

The interviews involved two main groups: (a) potentially trafficked and trafficked victims, and (b) key stakeholders who were directly involved in the different stages of providing assistance to potentially trafficked and trafficked victims. A total of 31 individuals were interviewed: 22 were potential victims or actual victims and nine were key stakeholders.

The main point of conducting interviews was to acquire an insider's perspective and first-hand information on the human trafficking process experienced by women and children in ZAMBASULTA. Below is a tabulation of those personally interviewed by the AHRC research team for this study.

Table 1. Profile of Interviewees

	FEMALE		MALE	
	ADULT	MINOR	ADULT	MINOR
Off-loaded	3		1	
Rescue before starting work	6			3
Experienced exploitative working conditions/jailed	3	1	5	
Stakeholders	a) The Asst. City Prosecutor (also the chair of the SBATTF) b) The Chief of the PNP WCPD in Zamboanga City c) The Chief of the PCTC West Mindanao Field Office d) The Chief of the CIDG in Zamboanga City e) The Chief of the DSWD Processing Center for Displaced Persons f) Two DSWD Social Workers g) One Social Worker from a non-government organization that requested to be anonymous h) One Filipino media practitioner based in Malaysia i) Two Social Workers of VF			

The availability of the potential victims and actual victims was limited due to security and confidentiality concerns, especially in the case of minors. Thus, data from the key stakeholders assumed prime importance in the interviews. Furthermore, although this study did not dwell on the experiences of male adults, data culled from interviewing them were still included to supplement the information gathered from the women and children.

2. Round Table Discussions

This method was designed to focus on the problems experienced by government agencies tasked under R.A. No. 9208 to address human trafficking. The problems seen and experienced by support groups have also been considered. In addition, key topics in the research were also discussed, namely: profile of victims, their families and sending communities, the recruitment process, and the general experiences of the victims during the different stages of the trafficking experience. The RTDs also provided an opportunity for the participants to share and recommend key strategies in combating human trafficking in the area.

3. Case Studies

Case studies were included in order to give context to certain sections of this research.

4. Document Analysis

Quantitative and qualitative reports were obtained (with permission) by the AHRC research team from agencies and organizations dealing with trafficking cases. Relevant information was then extracted and pieced together to fill the gaps and achieve a more comprehensive picture of the trafficking situation involving women and children from ZAMBASULTA to Malaysia.

The quantitative reports include:

- a) Breakdown of deportees from the DSWD-PCDP (January – May 2011);
- b) Number of Victims Trafficked to Malaysia who were sheltered at the Visayan Forum Zamboanga Halfway House (2010);
- c) Number of assisted victims and would-be victims of trafficking in persons (January 2010 – March 2011) from the Overseas Passengers Assistance Center

(OPAC);

- d) Effective Prosecution powerpoint slides by the 3rd Assistant City Prosecutor of Zamboanga City, Darlene Pajarito presented on February 2011 at the SBATTF Strategic Planning ;
- e) Status of Prosecution of cases on Illegal Recruitment and Trafficking (2003-2011) from the DOJ – Zamboanga;
- f) Annual per capita poverty threshold, poverty incidence and magnitude of Poor Families, by Region and Province: 1991, 2003, 2006, and 2009 from the National Statistical Coordination Board (NSCB); and
- g) Average income and expenditure of families by region, at 2000 prices: 2006 and 2009 from the NSCB.

Other reference files and documents incorporated in the results are as follows:

- a) Social case study reports from Visayan Forum – Zamboanga;
- b) Case report on cross-border trafficking from the Center for Peace and Development, Western Mindanao State University;
- c) Compilation of cases of illegal recruitment and human trafficking (2003 – 2010) from the PNP WCPD of Zamboanga;
- d) Two dated (June and July 2011) and two undated social case study reports from DSWD – Sulu;
- e) Two dated (June and July 2011) memos from PNP WCPD – Sulu;
- f) Powerpoint slides by Prosecutor Darlene Pajarito on convictions in Zamboanga City (with convictions from the years 2005, 2007, 2008, 2010, and 2011);
- g) Copies of the Decisions of six cases of convictions from the Regional Trial Court of Zamboanga City; and
- h) Copy of the Supreme Court decision on the case of People vs. Jarma Lalli, et. al.

5. Auxiliary Method (Lexical Domain)

This method was included to provide data on how the general populace in the area of

concern understand and perceive the concepts of trafficking and going to Malaysia for work. The data gathered from this method are important because they provide socio-cultural and psychological dimensions to the research.

There were a total of 420 participants randomly sampled at the Zamboanga City Sea Port. Though the questionnaires came from the researchers, the survey was conducted by the OPAC profilers.

6. Validation Session

A whole day validation session was conducted to verify the preliminary results of the study. There was a total of 37 participants composed of law students from Western Mindanao State University, representatives from key government agencies (DOLE, CAAP, DFA, PNP, DOJ, POEA), and representatives from partner NGOs (Nisa Ul Haqq Fi Bangsamoro, Inc. and Visayan Forum) involved in the validation.

The validation session was done in three segments. First, there was a presentation of the preliminary results. This was followed by dividing the whole group into two for the round table discussions, where the participants critiqued the research and added their own insights and recommendations. Finally, a plenary session was held and rapporteurs from each group presented their output.

D. Scope and Limitations

This research focuses on trafficking from ZAMBASULTA to Malaysia through Sabah, including the different aspects and surrounding circumstances of the phenomenon. Although there have been reports of other possible entry points along the coast of Malaysia which are in close proximity to Tawi-Tawi, Sabah is the primary focus in terms of transit or destination area as it is the most common access point to Malaysia. The information gathered is mostly concentrated on ZAMBASULTA as the sending and transit point. Any data on the Malaysian end is based on accounts of trafficked and potentially trafficked victims, as well as second-hand information from service providers based in the Philippines. Some insights were obtained from a Filipino media practitioner who is based in Malaysia.

Most interviewees were more comfortable with the local dialect. Only a few law student interns from WMSU were able to interview those who spoke Tausug. Aside from actual interviews conducted, most of the qualitative data came from a few organizations/agencies/persons. Thus, to a certain extent the research was dependent on the capacity of the researchers to gather and document data.

III. THE RESULTS

With the available data and the inherent limitations found in any situation which requires analysis of data regarding trafficking in general, what could be examined as far as the ZAMBASULTA area is concerned are the following:

- a) Profile of trafficked and potentially trafficked persons, particularly women and minors - the term “potentially trafficked persons” includes individuals who have been recruited but because of early intervention or inspection by authorities, were not able to reach Malaysia. It also includes the deportees from Malaysia who were sent back to the Philippines through Zamboanga City;
- b) Profile of sending communities;
- c) Profile of traffickers;
- d) Push and pull and other facilitating or enabling factors in trafficking;
- e) Prevalence patterns of trafficking, as seen by studying the modalities and routes utilized for this purpose; and
- f) Experiences of survivors of trafficking and other deportees who suffered human rights violations.

A. Profile of Victims and/or Potential Victims

There are three sets of data. The first set is a breakdown of deportees from January 2011 to May 14, 2011. There is no determination in this data on whether or not these people were trafficked. The second set includes OPAC reports on the number of assisted victims and

would-be victims of trafficking from the first quarter of 2010 to the first quarter of 2011. “Would-be-victims” in this context means that there is reasonable belief that had there been no intervention to prevent these people from going to Malaysia, they would have been trafficked and subjected to labor or sexual exploitation. The reasonable belief rests on certain indicators like fake documents, absence of contracts, vague instructions on what to do, clandestine manner of being transported, etc. The third data set is the list of victims trafficked to Malaysia in 2010 who were sheltered at the VF Halfway House in Zamboanga City. Although there has already been a determination by the VF that these people were indeed trafficked, only one came from the ZAMBASULTA area. Furthermore, there were more men trafficked than women and children, the ratio being 3:1. This third data set is nevertheless important to this research because it shows that Zamboanga City, as a hub, is not only being utilized as a port of exit by traffickers for “recruits” coming from the ZAMBASULTA area, but also for those coming from different regions of the country. Furthermore, the data implies that gender is a very telling factor when it comes to the kinds of exploitation the trafficked persons are subjected to. Forced or bonded labor is often imposed upon men, while prostitution or other forms of sexual exploitation are imposed on women.

In Chapter I, the *halaws* were briefly discussed in order to show that historically, a good number of people from the ZAMBASULTA area have regularly traveled to Sabah, Malaysia for work opportunities. More recently however, the term “*halaws*” has been used more loosely, referring to those who are deported from Malaysia and transported back to Zamboanga City. The deportation scenario is not uncommon as there are deportees who are returned at least once a month.

As mentioned in Chapter I, the Processing Center for Displaced Persons (PCDP) in Zamboanga receives returned or deported Filipinos from Malaysia. However, not all of them are *halaws* and some even take exception to the designation as “deportees” because they regard Malaysia as their home country, having been born there, some speaking only Malay, and also having families and relatives who have resided in Sabah for a long time.

For the purpose of this study, those who have been deported from January to May 2011 were included in the profile of potentially trafficked victims because based on interviews conducted, a good number of the deportees have traveled clandestinely, taking the same means

of transportation and routes as those who have been identified as victims or potential victims of trafficking by the OPAC under the Sea-Based Anti-Trafficking Task Force (SBATTF). The only reason why there is no data on whether some deportees would also qualify as “trafficked” is because there is no information in their records that indicate how and why they went to Malaysia, and what happened to them while they were there. Most deportees are 18 and above just like the OPAC assisted victims; and for both groups, most also originated from the ZAMBASULTA area.

Given the profile of those who were actually trafficked and those prevented from being trafficked, it can be seen that the deportees fit the same profile as far as the geographical origin (see Charts 1 and 2) and age range are concerned (see Charts 3 and 4). The deportees are also vulnerable to trafficking for very similar reasons (e.g., poverty, lack of information on trafficking) and are similarly situated (e.g., caught in internal conflict between rebels and government troops) in a way that makes working in Malaysia very attractive.

Chart 1. Number of deportees from January to May 2011 by place of origin

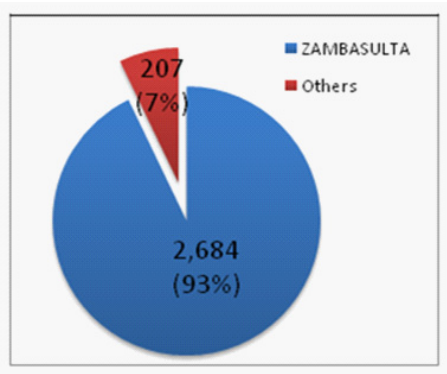
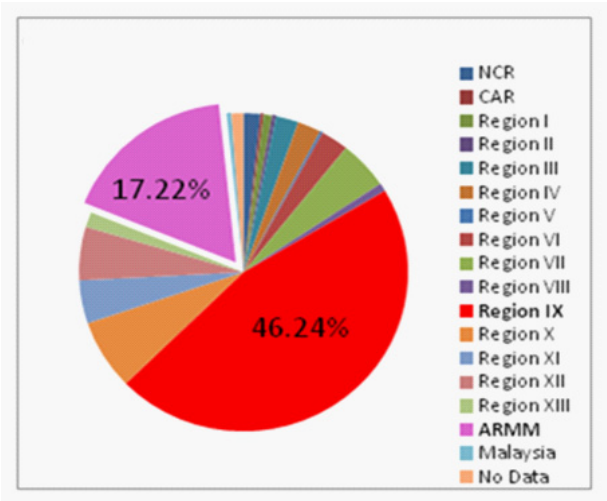


Chart 2. OPAC assisted victims/potential victims by place of origin



Note: The entire Zamboanga Peninsula makes up Region IX, while Basilan, Sulu, and Tawi-Tawi are all found in the Autonomous Region of Muslim Mindanao (ARMM). For a more detailed breakdown of the number of deportees by Region and by Region with Provinces, please refer to Annexes I and II respectively. For a breakdown of deportees within the ZAMBASULTA area, refer to Annex III.

Chart 3. Number of deportees grouped into children and adults

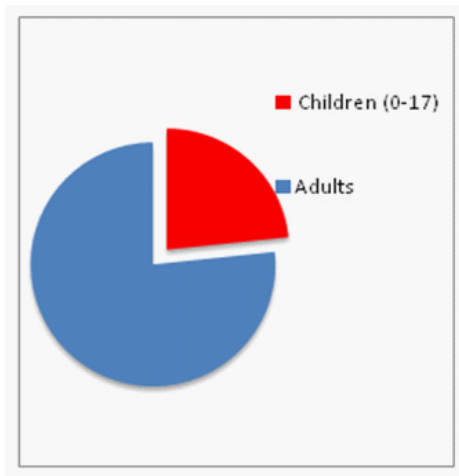
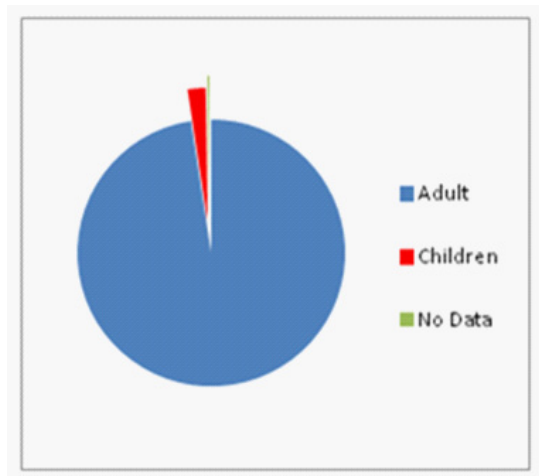


Chart 4. Number of OPAC assisted victims/potential victims grouped into children and adults



However, there is a difference between the percentage of women and men for deportees and the OPAC assisted victims/potential victims (see Charts 5 and 6). There are more men who were deported than women; while there were more women who were “processed” or assisted by OPAC because they fell in the profile of either trafficked and/or potentially trafficked. The assistance rendered by OPAC principally consisted in screening passengers from Zamboanga City bound for Malaysia.

Chart 5. Number of deportees grouped by sex

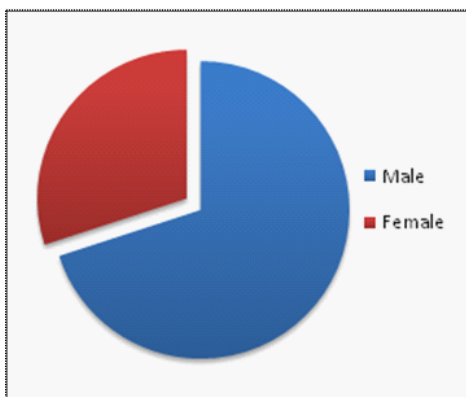
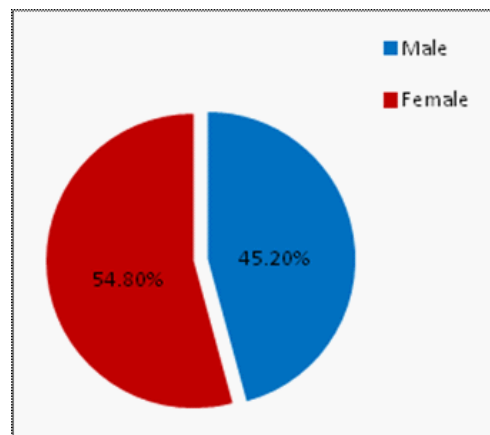


Chart 6. Number of OPAC assisted victims/potential victims grouped by sex



Note: See Annex IV for the combined Age and Gender Distribution per quarter and Annex V for its summary.

Based on the Annual Report prepared by the SBATTF (January to December 2010), although more women (301) were prevented by the BI from boarding the vessel or were “off-loaded” than men (120), there were still more women (1,781 or 50.52%) than men (1,744 or 49.47%) who were permitted to leave by the BI. (See Annex VI for the Annual Report of the SBATTF.)

Despite the above report, there is still no complete data about how many people actually left for Malaysia. Hence, there is no solid baseline to compare who had more returnees - the women or men - because there is no such information. However, assuming that first, the above percentages of women and men who left are fairly representative of those who actually travel to Malaysia; and second, that the data on deportees from January-May 2011 also represents the ratio between the men and women who get deported on a regular basis, then it can be deduced that there are more or less the same number of women and men who leave for Malaysia but that men get deported more than women. This could mean that there are actually more women who do not return and there could be a number of reasons why they remain in Malaysia. The fact that women are being trafficked most likely for prostitution and sexual exploitation while the men are being trafficked more for labor exploitation provides a gender dimension. This is vital in analyzing the trafficking problem and how it should be addressed. The data coming from VF regarding trafficked victims to Malaysia who have accessed its shelter (see Table 2) shows that there were a total of 40 trafficked victims: 30 men and 10 women (one being a minor). All the men were trafficked for forced labor while all the women (including the minor) were trafficked for prostitution and sexual exploitation.

*Table 2. Summary of data on victims sheltered at the VF Halfway House for 2010
(refer to Annex VII for complete report)*

Age Range	16-44 (only one minor)
No. of Females	10
No. of Males	30
Form of Trafficking	
o Forced Labor	30 (men)
o Prostitution/Sexual Exploitation	10 (women)

Status	
o No filed case	38
o No preliminary investigation yet	1
o Pending trial	1

On the other hand, according to some deportees interviewed in the course of the research, the men were deported because immigration authorities inspected their workplace and arrested them when they could not show legal papers. Some observed that this happened when their pay day was very close. If the above data, taken together with the information gathered from the interviews, reflects the general picture and situation of the women and men trafficked to Malaysia, it can be inferred that the women cannot just freely leave because of restrictions imposed by their traffickers or employers, as well as other constraints that prevent them from returning. On the other hand, the men who were exploited for their labor were being deported without difficulty because it would be better for the traffickers and employers if they were arrested before they could collect their wages for service rendered, and deported to the Philippines. Thus, though fewer women seem to get deported than men, it does not follow that they were in more secured jobs in Malaysia or that they possessed legal documents more than the men.

The above information does not necessarily indicate that there are actually less women who are trafficked to Malaysia than men. On the contrary, concern should be raised regarding the reason why these women are unable to return or why they have not been deported when they took the same clandestine routes as the men while presumably not in possession of proper travel or work documents - just like the men. As a matter of fact, in the OPAC Annual Report of 2010 (Annex VI), there were more undocumented women who were intercepted by the OPAC (1,584) than men (1,179).

In the OPAC Annual Report, it is interesting to note that of the reasons given by the trafficking victims/potential victims for going to Malaysia, 81.05% had to do with visiting relatives, friends, boyfriends, husbands or old employers. A far second was to take a vacation (8.21%), and third was to work (5.88%). A small percentage also had tending to relatives (0.81%), as others went to claim their salaries or back wages due them (0.42%). While family ties seem to be a main reason for most travelers, these ties, while possibly existing, may only

be secondary to the primary purpose of finding work in Malaysia. The confidence of traveling without the necessary working documents comes from the belief that they can find jobs through the connections of their relatives and friends there. This informal network also serves as their source of support, which emboldens them to venture to Malaysia without much preparation. Another explanation is that visiting relatives is most likely what they were instructed to offer as the purpose of their travel to Malaysia by their recruiters/traffickers. It is also possible that some women had truthfully declared that they wanted to visit their boyfriends or fiancés. The question is whether this is a genuine invitation from their husbands-to-be for them to visit or if it is just another ploy to lure them into trafficking. From interviews conducted with key informants and also from the potential victims themselves, the research found that some women and minors were also asked about the address of their relatives in Malaysia where they were supposed to stay. They were “off-loaded” when they could not give any address. Those who reasoned that they were going to attend the wedding of their relative were also prevented from leaving when they could not show any wedding invitation. It may also be taken from the annual report that there were also a few who said that they wanted to go (back) to Malaysia in order to collect their salaries. This establishes the fact that people (particularly the men) get deported without being given the opportunity to collect their salaries and even reinforces the suspicion that some were actually deported so that the employers would not have to pay them for work already rendered.

Earlier in the introduction, this research mentioned that the usual target destination of trafficking in the ZAMBASULTA area is Sabah, either as transit or final destination. The data below (see Table 3) shows Malaysia as predominantly a final destination. However, it has been identified also as a transit point to other parts of Southeast Asia, the Middle East and even Africa and Latin America. That the source of this data comes from OPAC means that the people involved either fall under those potentially trafficked or those who have already been considered victims of trafficking, even if they have not yet reached Malaysia. One clear sign that they have, indeed, been trafficked is the fact that they were told to go through Malaysia in order to reach their final destinations. Of those who were interviewed by the research team (all women), some expressed concern at the thought that they had to wait for further instructions on how to get to their destination country upon arriving in Malaysia. Others

attempted to ask for their contracts but were told that all the necessary papers would be given to them in Malaysia. Those who have worked overseas before wondered why they had to go to Zamboanga when the international airports going to the Middle East were in Manila. Despite these initial apprehensions, they nevertheless decided to put their fate in their recruiters.

Table 3. Where they are bound

Country/Quarter	1st N = 568	2nd N = 1184	3rd N= 1669	4th N = 1243	1st (2011) N = 1201	Total N = 5865	Percentage
Malaysia	545	1,109	1,564	1,176	1,049	5,443	92.80%
Brunei	21	65	52	34	21	193	3.29%
Singapore	1		2		1	4	0.07%
Syria	1			3		4	0.07%
Indonesia		1	2			3	0.05%
Africa			1			1	0.02%
Lebanon			2	4		6	0.10%
Chile				1		1	0.02%
Thailand				1		1	0.02%
East Timor			1		2	3	0.05%
Jordan					5	5	0.08%
No Data		9	45	24	123	201	3.43%

Finally, in the 2010 data of VF on trafficked victims to Malaysia provided earlier (see also Annex VII), of the 40 who have been processed by VF, only two ended up being investigated (both for trafficking for sexual exploitation) and as of this writing, only one has ripened into a full-blown case. All the victims have been reunited with their families. It is not indicated why the victims opted not to file cases but from the interviews conducted with different social workers involved in case handling, the following reasons were attributed to such non-filing: security concerns on the part of the victims, slow court processes and the fact that the victims have to relive their ordeal under a justice system that often lacks sensitivity in handling their cases.

B. Background

1. Personal and Family Background

Most of the trafficked and potentially trafficked victims fall between 18 and 25 years of age. As far as the women are concerned, most are either single, single with live-in partners, or single mothers. There are also married women who are separated from their husbands, and those who come from broken families. Most did not finish secondary education, although some finished high school and others graduated from college.

The families of the victims are mostly very poor with no sustained source of income. They are farmers, fisherfolk, daily laborers, vendors, and factory workers. Others claim that their parents are in Malaysia and are waiting for their arrival.

2. Sending Community

In general, victims come from depressed areas or communities living below the poverty line. In Sulu, the sending communities are faced with peace and order problems and militarization. Prostitution is also present in the community, with the existence of the “family of prostitutes”-- wherein the mother and the girl-children are all engaged in prostitution. Military men are purportedly their patrons. This has been a continuing concern for some agencies.

For Tawi-Tawi, the common problem of sending communities is the lack of employment. Locally-sold commodities are also more expensive as compared to cheaper goods which are brought in from Malaysia. Because of this, Malaysia is more or less seen in a positive and non-foreign light by the sending communities, which then makes it difficult for them to envision that going to Malaysia poses a potential danger for trafficking.

In Zamboanga, peace and order is not as serious a problem relative to Basilan and Sulu but the poor communities also become attracted to gambling, alcoholism and drugs.

C. Push and Pull Factors

Table 4 is a matrix showing a summary of the push and pull factors. They are classified

into three overarching themes: (a) economic, (b) socio-cultural, and (c) personal and other reasons. The inputs here are based on interviews with victims, NGOs and government agencies working in the ZAMBASULTA area.

Table 4. Push and pull factors

	PUSH	PULL
ECONOMIC	<ul style="list-style-type: none">- Poverty- No jobs in sending communities	<ul style="list-style-type: none">-Employment opportunities and perceived higher salaries in Malaysia-Demand for unskilled labor-Lower cost of living
SOCIO-CULTURAL	<ul style="list-style-type: none">-To stay away from <i>buno</i> (war) and <i>rido</i> (clan war)-General acceptance of practice of sending people in the community away for work purposes-Enhanced status in the community of people working in Malaysia; Working in Malaysia is viewed as lucrative-Peer pressure-Feeling of having a moral obligation to help	<ul style="list-style-type: none">-Perception that Sabah is not so different from their communities-Peaceful political climate and no conflict
PERSONAL/ OTHERS	<ul style="list-style-type: none">-Personal ambition-Desire to explore after graduation-Substitute to drug trafficking-To escape domestic violence-Desire to rebel against family/peer pressure	<ul style="list-style-type: none">-Promise of being able to afford one's wants-To be reunited with family members who are in Malaysia; join boyfriends, fiancés

The push and pull factors complement each other and traffickers are well aware of their victims' vulnerabilities. Traffickers then try to feed on the latter's fears, needs and wants because they know the communities well. More often than not, at least at the recruitment or transport stage of the trafficking process, the victims have little doubt that their traffickers also

come from the ZAMBASULTA area.

It is also evident that poverty is the overriding reason why people are driven to work abroad. It is because of poverty that they have readily accepted the traffickers’ words as truth, even though they have entertained doubts as to the legality of their employment. Living in poeverty has not only made them desperate for work, but has also prevented them from developing and attaining their full potential as productive members of the community. As stated earlier, most of them have not reached high school and very few went to college. Interviews with trafficked women conducted in the course of this research also reveal that their parents had no steady source of income, lacked skills, and did not finish secondary level in school. Predictably, family members were also not in the best of health to say the least, and often “took turns” being ill.

1. Supporting Statistics on the Push and Pull Factors

a) *Government statistics*

The above findings coming from the profile of interviewed victims and key informants find support in government statistics as can be seen in the subsequent tables. In Table 5 extracted from the most recent available data of the National Statistical Coordination Board (NSCB) from its website (see www.nscb.gov.ph), it can be observed that the Zamboanga Peninsula (Region IX) and ARMM are at the bottom in terms of average annual income.

Table 5. Average income of families by region (2009)

REGION	AVERAGE INCOME		AVERAGE EXPENDITURE	
	Average Annual Income in Pesos	Rank	Average Annual Income in Pesos	Rank
NCR	227,00	1	197,000	1
CAR	136,000	4	108,000	4
I	116,000	5	94,000	5
II	115,500	6	90,000	7
III	139,000	3	119,000	3
IV-A	158,000	2	135,000	2
IV-B	90,000	14	77,000	14
V	95,000	13	85,000	9.5

VI	99,000	8.5	89,000	8
VII	111,000	7	92,000	6
VIII	98,000	10.5	78,000	13
IX	88,000	15.5	71,000	16
X	98,000	10.5	83,000	11
XI	99,000	8.5	85,000	9.5
XII	96,000	12	82,000	12
XIII	88,000	15.5	74,000	15
ARMM	62,000	17	54,000	17

In Table 6, the Zamboanga Peninsula (Region IX), ARMM and Region XIII (CARAGA) all in Mindanao, are the three highest in rank when it comes to poverty incidence among families.

Clearly, because of poverty, the people's capacity to develop or upgrade their skills and level of education is seriously undermined. This incapacity has led to difficulty in finding better work opportunities and has forced them to take the risk of traveling abroad even without the necessary information and documents. As mentioned earlier, the peace and order situation - the conflict between the rebels and the military in Mindanao exacerbates the people's situation because it results in displacement and risk to both their lives and livelihoods.

Table 6. Annual per capita poverty thresholds, poverty incidence and magnitude of poor families (2009)

REGION	Annual Per Capita Poverty Threshold		Poverty Incidence Among Families		Magnitude of Poor Families	
	(In Pesos)	Rank	(Estimates in %)	Rank	(Estimates in numbers)	Rank
NCR	19,802	1	2.6	17	64,404	16
CAR	16,122	11	17.1	13	54,949	17
I	17,768	5	17.8	12	179,179	13
II	15,306	16	14.5	14	94,433	15
III	18,981	2	12.0	15	244,273	7
IV-A	17,779	4	10.3	16	248,179	6
IV-B	15,769	14	27.6	9	162,609	14
V	17,146	6	36.0	4	335,388	3
VI	16,036	12	23.8	11	345,703	2
VII	17,848	3	30.2	7	415,303	1
VIII	15,910	13	33.2	5	287,156	4

IX	15,160	17	36.6	3	242,285	8
X	16,568	9	32.8	6	275,433	5
XI	17,040	7	25.6	10	226,284	9
XII	15,762	15	28.1	8	224,882	10
XIII	16,858	8	39.8	1	187,278	12
ARMM	16,334	10	38.1	2	218,043	11

Finally, from the statistics coming from the NSCB website, which in turn utilized data coming from the Department of Education, it can be seen that the ARMM and Zamboanga Peninsula rank among the lowest when it comes to the net enrolment ratio (NER). According to the NSCB,

Among the provinces, for SY 2006-2007, Davao del Sur had the lowest NER for elementary level at 63.5 percent and Sulu for secondary level at 15.2 percent. Majority of the provinces in the bottom 20 for NER for both elementary and secondary levels are from Mindanao. It is noted that at the secondary level, those provinces in the bottom 20 list have NER way below 50 percent.

*Table 7. 20 Provinces with Lowest NER in Elementary and Secondary Education:
SY 2006-2007 (in percent)*

Elementary				Secondary			
Region	Province	NER	Rank	Region	Province	NER	Rank
XI	Davao del Sur	63.5	79	ARMM	Sulu	15.2	79
X	Lanao del Norte	65.1	78	ARMM	Maguindanao	18.3	78
ARMM	Sulu	66.2	77	ARMM	Tawi-Tawi	21.5	77
XII	Sultan Kudarat	68.4	76	ARMM	Basilan	22.5	76
XII	Sarangani	69.2	75	XI	Davao del Sur	31.9	75
ARMM	Basilan	69.4	74	XII	Sarangani	33.7	74
IX	Zamboanga del Sur	69.6	73	X	Lanao del Norte	36.0	73
VII	Negros Oriental	69.7	72	VII	Negros Occidental	37.7	72
ARMM	Maguindanao	70.5	71	IX	Zamboanga del Norte	38.2	71
XI	Compostela Valley	70.7	70	XI	Davao Oriental	38.3	70
IX	Zamboanga Sibugay	71.1	69	XII	Sultan Kudarat	41.3	69
XI	Davao del Norte	71.8	68	V	Masbate	41.9	68
XIII	Surigao del Norte	72.2	67	IX	Zamboanga Sibugay	42.0	67
III	Aurora	72.3	66	X	Bukidnon	42.1	66
VI	Antique	72.7	65	XI	Davao del Norte	42.6	65

VI	Negros Occidental	73.0	64	IX	Zamboanga del Sur	42.7	64
VIII	Southern Leyte	73.6	63	VIII	Samar (Western Samar)	42.8	63
XII	South Cotabato	73.6	62	XII	North Cotabato	44.1	62
VIII	Leyte	73.7	61	XI	Compostella Valley	44.2	61
VI	Iloilo	73.8	60	XIII	Surigao del Sur	44.3	60

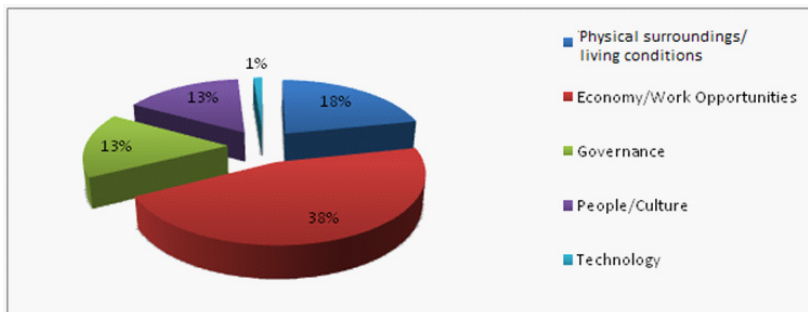
b) Lexical Domain Results

This study used surveys to randomly look into the general perception of people with regard to Malaysia and the concept of trafficking. The results of the surveys are as follows:

i. Going to Malaysia for Work

A huge majority of the respondents (N = 420) derive from relatives their knowledge about going to Malaysia for work. Though friends are second in line, they trail far behind—with 8.57% as compared to 81.43%. Others obtain information from their own experiences and from newspaper reports. See Chart 7 for a detailed breakdown of the sources of information

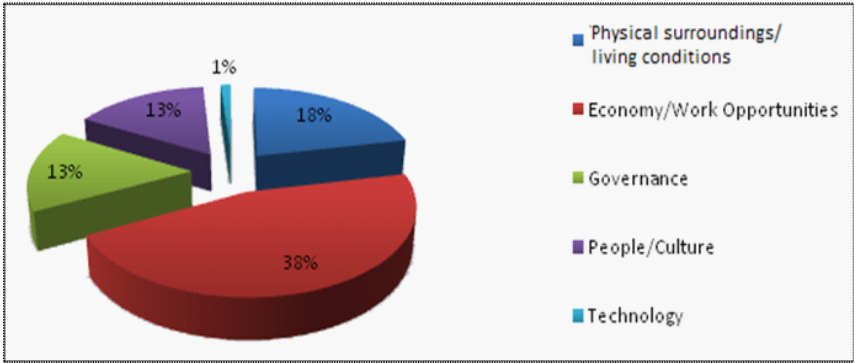
Chart 7: Source of information



The respondents listed down several positive information about going to Malaysia for work. Frequently mentioned is the information that Malaysia's economy is good and work opportunities are plenty (38%). Respondents noted that one can find good jobs that pay high salaries in Malaysia, which will go a long way because the cost of living is cheap. Others are of the impression that Malaysia offers decent living conditions, its physical surroundings are beautiful and clean, and it is a good

place for tourists to visit (18%). There is the perception of good governance, based on comments that Malaysia has efficient government systems that are not corrupt, its people are disciplined and the environment is peaceful and orderly (13%). Equally cited is the sense that Malaysians treat Filipinos well; they are hospitable and friendly (13%). Malaysia’s advanced technology was also listed a few times (1%). See Chart 8, which summarizes the positive information about going to Malaysia for work.

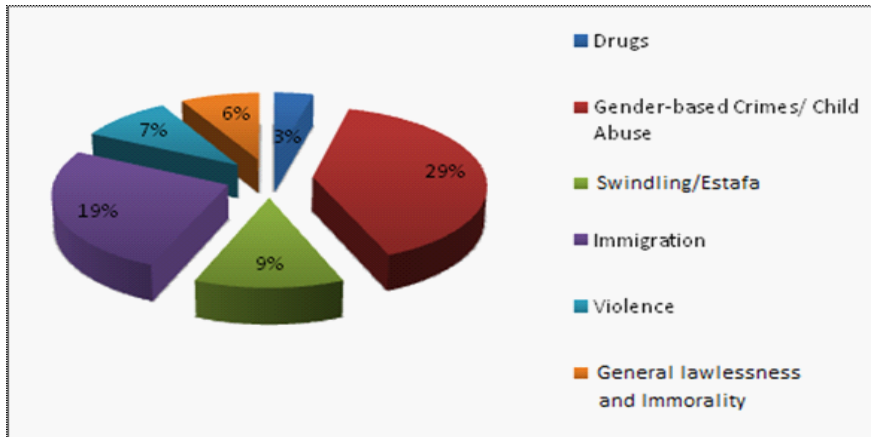
Chart 8: Positive information about going to Malaysia for work



There seems to be a considerable level of awareness of the negative aspects of going to Malaysia for work. It is noticeable and perhaps not coincidental that while the negative information that the respondents identified is varied, nearly all are elements or circumstances that make up the trafficking process. Those who work in Malaysia reportedly become victims of gender-based crimes and child abuse (29%). In particular, they fall prey to prostitution, illegal recruitment, and child labor. There is mention of immigration problems when travelling to Malaysia for work (19%). Accordingly, many people enter Malaysia illegally, and those who are undocumented are arrested, deported or become “TNT” (this is short for “*tago nang tago*,” referring to Filipinos who hide from authorities because of their illegal stay in a foreign country). Many of the undocumented migrants are allegedly swindled, deceived, or taken advantage of (9%). There is drug-related violence and Filipinos are arrested and detained for selling shabu or low-grade cocaine (7%). There appears to be some indication of general lawlessness based on information that there are many illegal and immoral activities in Malaysia (6%). More specifically, Filipinos are reportedly maltreated by

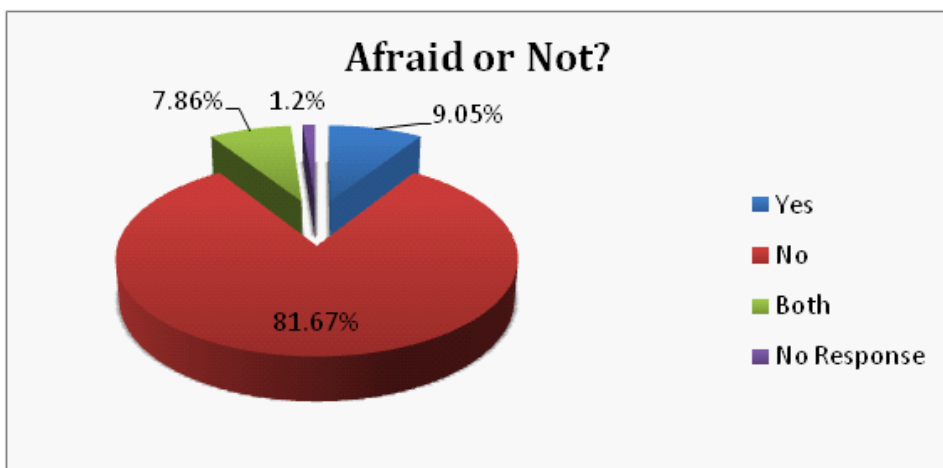
their employers, robbed, and subjected to torture (3%). See Chart 9 for an overview of the negative information.

Chart 9: Negative information about Malaysia



Despite the misgivings, a huge majority (81.67%) are not afraid to go to Malaysia for work (see Chart 10). This could be attributed to the level of trust that the respondents repose on their sources of information – about 90% of whom are relatives and friends whom they believe always give them accurate information to prepare them for going to Malaysia. It may also indicate that, despite negative perceptions and apprehensions regarding travel to Malaysia, the need to find work abroad bears greater importance and priority.

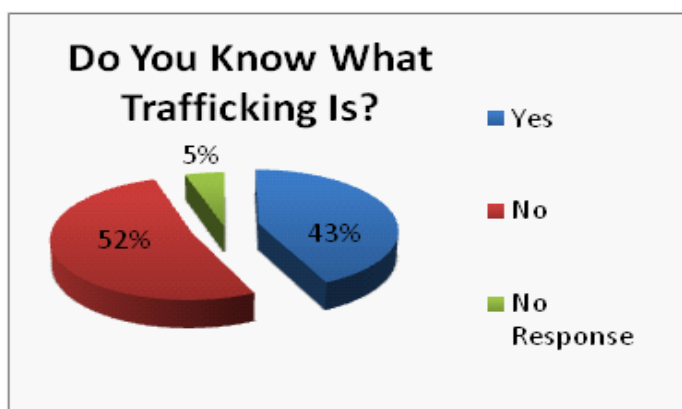
Chart 10: Wariness with regard to going to Malaysia for work



ii. Perceptions on Trafficking

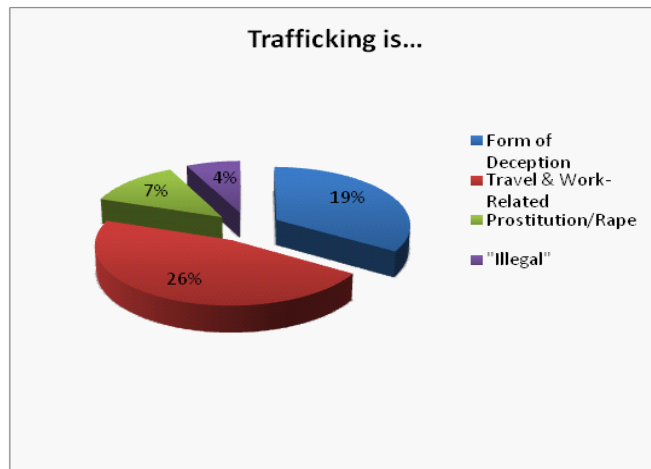
More than half of the respondents do not know what trafficking is (52%). Respondents who indicated that they know what human trafficking is (43%) enumerated the following as their sources of information: (1) media—through television, the news, the internet, and the radio; (2) school—through readings, teachers, and seminars; (3) the government—through publications and publicity materials such as tarpaulins; (4) other people—through friends, relatives, and even strangers; and (5) non-government organizations. On this note, it can be said that advocacy and awareness campaigns are indeed working. However, there is a need to intensify such campaigns, if only based on the fact that 52% of the respondents are not aware of trafficking and/or the occurrence of such (see Chart 11).

Chart 11: Awareness on the concept of trafficking



Those who indicated that they know what trafficking is associate it with words and phrases that are descriptive of aspects of trafficking (see Chart 12). The most frequently used terms are travel and work related (26%): entry without passport; illegal recruitment; and bringing people to other countries to work without pay, or to be abused or sold. Other associated words are deceit, deception, and taking advantage of others (19%). Prostitution and rape were also brought up (7%), and when the former was mentioned, it referred only to the prostitution of women and children, not men. Violation of the law and human rights were mentioned a few times (4%). These individual responses capture bits and pieces of the concept of trafficking, which when

pieced together form quite an accurate picture of what trafficking is really about.



Although 85% of the participants believe that trafficking happens in Malaysia, less than one-third believe that it could happen to them (see Charts 13 and 14). While they are ready to consider others as vulnerable, they feel that they themselves are not exposed to the danger of being trafficked. This may be attributable, again to the presence of friends and relatives who serve as their source of information and also as their support system.

Chart 13: Belief that trafficking happens in Malaysia

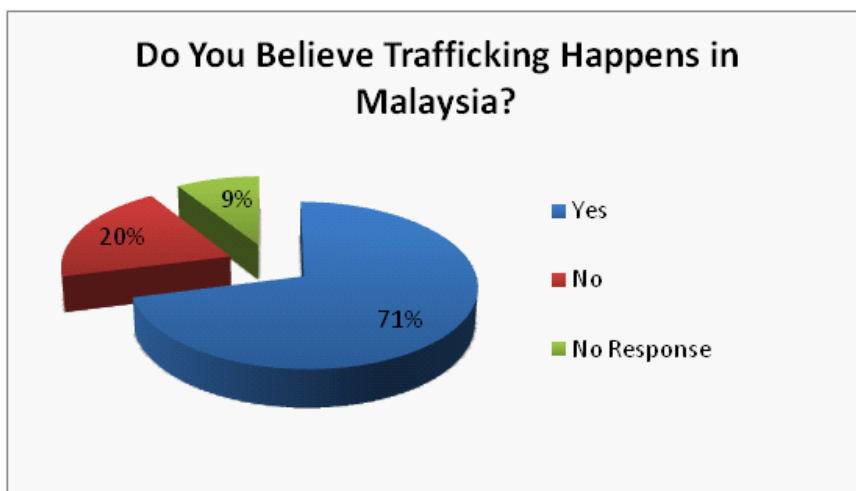
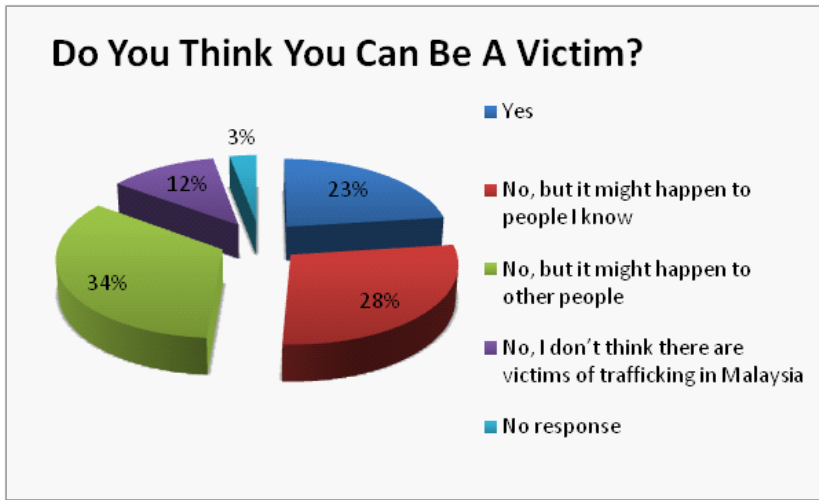
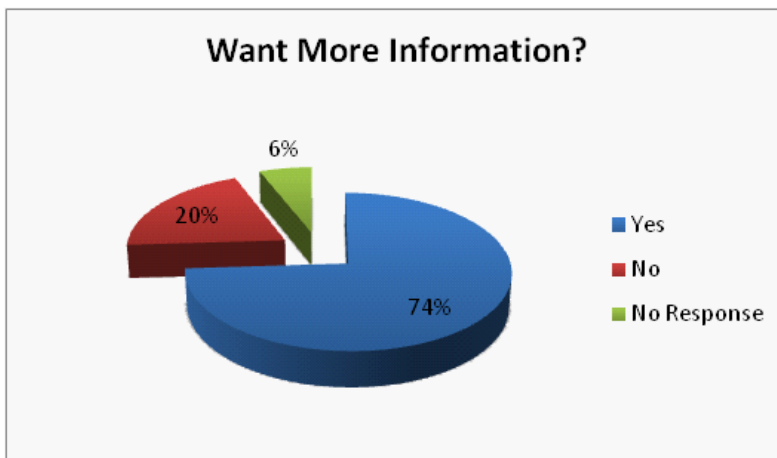


Chart 14: Feeling of vulnerability vs. feeling of invincibility



The need for more information highlights the participants' acknowledgment that they should learn more about trafficking in Malaysia, and that this is a problem that may affect them. Almost two-thirds of the respondents want more information about trafficking (see Chart 15). Raising awareness should be done at the community level and should target not only those who are planning to work but also their parents who traffickers often approach as well.

Chart 15: Need for more information



Aside from poverty, most parents consent to sending their children away because of ignorance of the law and lack of awareness of the risks of trafficking. In one of the interviews, a girl from Zamboanga del Norte shared that her parents simply

told her, “*o sige, kailangan matulungan natin yung pamilya natin para may makain tayo.*” [Go ahead. We need to help our family so that we may have something to eat.]

2. Focus on Children: What Entices Them

Although the desire of most people to work in Malaysia may be attributed largely to their state of lacking and wanting, as well as to fulfilling a dream of stability and security in Malaysia, there is added motivation particularly for children. Some children may be impelled not necessarily by the need to escape from poverty or to avoid conflicts, but sometimes by a mere sense of adventure and the urge to “rebel.”

“*Uy, mag-abroad ako. Sama ka?*” [Hey, I’m going abroad. Want to come with me?] This is a common question addressed to the victims by their acquaintances, according to a key informant. If they become interested, said acquaintance would then introduce them to the recruiter. There are also those who run away from their homes after some misunderstandings in the family. They seek their friends for shelter, and would eventually be asked, “*o, gusto mo ba pumunta sa Manila? Punta na lang tayo dun kasi di naman kayo nagkakasundo ng magulang mo.*” [Do you want to go to Manila? Let us just go there, anyway, you do not get along with your parents.]

It may thus be observed that there are two types of minors who find themselves victims to trafficking in persons: (1) those who assume adult responsibilities for the sake of the family, and (2) those who are easily influenced by peers to rebel against their family. Below are cases studies summarizing some of the experiences of children who were victims of trafficking.

Case #1:

“*Ziya*” is a 14-year-old girl with an elementary education. She and her five siblings have been working since their primary school years because their father had already died and their mother earns very little as a housekeeper. She lives in a community caught in armed conflict. School and work are difficult because of the armed conflict.

Ziya’s parents were eager to send her abroad after having been convinced that the conditions and journey would be safe. Although *Ziya* felt that she was too young to go abroad she went anyway, in obedience to her parents’ wishes and out of her desire to help the family. She and her parents were told that she was going to Syria to be employed as a housekeeper with a salary of P4,000/mo. and that she was to travel using a fake passport. When she discovered later that she was actually being sent to Malaysia, she could not do anything but cry and feel helpless over the fate that awaited her.

Case #2:

“Jamal,” “Sabeen,” and “Chandra,” are young teenage girls ages 15, 17, and 18, coming from poor families. Sabeen’s father lives and works in Malaysia and she desires to be reunited with him. Her mother went to work there as a domestic helper, saved some money, and has vague plans of returning.

Jamal, Sabeen, and Chandra were shown photos of other girls in Malaysia living a good life, which convinced them to go to Malaysia to work. They were also enticed by the promise that they would earn a lot, and their place of work is beautiful and near shopping malls where they could afford to buy anything they liked.

Case # 3:

“Ramon,” “Jose”, and “Roberto” have been living in a shelter for two weeks and already wanted to go home. Ramon only finished Grade 4 and wants to become a soldier. Jose finished Grade 3, while Roberto was able to reach 1st Year High School. All of them just want to have permanent jobs. The three minors plan to go back to school. They said that now they would not easily be fooled by job offers from abroad, and that they will just look for local work. Although they still want to work in Malaysia, they want to do so with the proper papers.

Ramon’s mother worked as a domestic helper in Malaysia while Jose’s father is a welder there; both have the proper working documents.

Case #4:

“Gino”, “Joel,” and “Jason” are all minors, ages 15, 16, and 17. All three were pedicab drivers from Iligan City. They were recruited by an acquaintance who promised them good jobs with a P15,000 monthly salary. They were told that they were to work in a palm oil plantation in Malaysia. From Iligan, they were transported to Zamboanga with a group of 26 other males. Once in Zamboanga, they were told that their salary would be 15 Malaysian ringgits a day (approximately P5,850.00/mo.), which was much lower than what they were promised

They were told that before going to Malaysia, they should get rid of their mobile phones because they can get new ones from their employers, and to spend all their Philippine pesos because these have no value in Malaysia. They had no passports and documents but they were told that their passports will be processed in Malaysia. They were told that they were free to decide how long they wanted to work in Malaysia and that they could come back by simply telling their employers. They were also informed that only their lodging would be provided, and they would have to spend for food.

Joel convinced his mother to allow him to work in Malaysia. Jason was not allowed to go but went anyway. Gino was allowed to go but later told his mother that he wanted to back out. Nine other recruits backed out, all of whom had money from their relatives which they used to go back home.

3. Returning to Malaysia

It is interesting to note that even after the trafficking experience, some victims still contemplate returning to Malaysia. While there are those who are drawn back to Malaysia

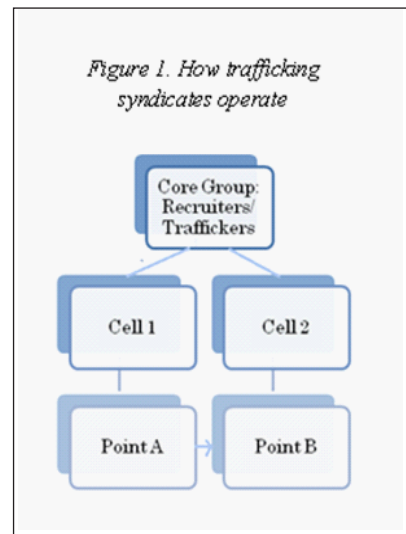
because they still think that opportunities there are better, there are those who are strongly motivated to return owing to matters of the heart. According to resource persons from DSWD, one common reason female victims of trafficking long to return to Malaysia is because they have boyfriends or fiancés there, some of whom offer money to pay for the women's return fare. Some have started their own families in Malaysia.

D. Profile of Traffickers

The “recruiter” is oftentimes someone the victims have just met, someone introduced to them by an acquaintance, or someone they personally know and trust (e.g., relative, friend, neighbor). As far as relatives are concerned, there are two kinds of recruiters: one who recruits without knowing that they are actually part of a trafficking scheme and one who is aware of the trafficking which will eventually happen. For the purpose of this research, only the second kind is considered a “recruiter”.

Even though victims may have encountered recruiters individually and on separate occasions, in reality, recruiters all operate under one scheme and are usually part of an organized group or syndicate, as illustrated below in Figure 1.

On top of the organization is the core group of illegal recruiters and traffickers. They operate in cells. Members of each cell are not familiar with members of the other cells. To illustrate: a victim would be initially instructed by the recruiter to go to Point A. At Point A, the victim will be escorted by members of Cell 1. The victim would stay under their supervision for a certain period, which lasts from as short as a few hours, to a few months. Then, Cell 1 would give the instructions to the victim as to where to go next (Point B). At Point B, the victim would then be under the supervision of Cell 2. Particular cells are only concerned with supervising the victims while they are with them. This “supervision” includes hiding them from the authorities, rationing food, and giving instructions.



There have been instances where those who were initially trafficked subsequently became recruiters themselves. Hence, in an ironic twist of fate, some of the “victims” have transformed into “perpetrators,” thereby continuing the trafficking cycle. At present, the trend is that the traffickers pay for almost everything—transportation fees and requirements, pocket money, food, and board and lodging while the victims are staying at certain transit points. Although there are some who would shell out a few thousands of Pesos, most victims who were interviewed did not pay for anything. However, one interviewee mentioned that in reality, fare expenses are eventually deducted from the victims’ salaries, though the victims are usually not aware of this.

Moreover, traffickers generally pay huge sums to finance the following: bribery of key persons who help in facilitating trafficking, bribery of victims and their families in exchange for the filing affidavits of desistance and settling amounts in court. For example, one of the participants in the interview shared:

Si Haji, nagawa niyang mai-settle lahat. Ang dami talagang nabiktima niyan. May nakuha siyang P2000, P3000, may ilang big amounts, nakuha niyang i-settle lahat through her attorney. Lahat nagbibigay ng Affidavit of Retraction.

(Haji was able to settle everything. She was able to victimize a lot. Some, she charged P2000, some P3,000. She was also able to extract big amounts from a few others. But she was able to settle everything in court through her attorney. All the victims filed Affidavits of Retraction.)

The above statement offers a look at how powerful traffickers are, especially since they can bribe their way out of prosecution. However, it is not only money which plays a big factor in escaping accountability. The participation or complicity of some people occupying influential or powerful positions in government has been credited with the failure to file and successfully prosecute trafficking cases.

E. The Trafficking Experience

1. Modes of Trafficking

a) In terms of recruitment

Traffickers operating through sham agencies are now becoming rare because of

previous efforts to hunt and shut them down. The current trend is recruitment through the use of personal, informal channels, and social networks.

Another notable pattern is the increasing use of technology to facilitate the trafficking process. There is more communication between the parties through text messages and online interactions. The victims' tickets are sent via e-mail, while instructions as to where to go and who to wait for are conveyed through text messaging. Sometimes, the victims also find job opportunities through social networking sites which advertise openings for "direct hires."

b) In terms of transportation

Through the use of fake passports and documentation, traffickers manage to successfully get their victims to board legal vessels travelling from the Philippines to Malaysia. Some victims, however, do not have passports and are hidden in dark places inside the ship through the help of some ship personnel. Traffickers are said to have connections within the shipping lines; hence, they are able to get the victims on board without going through the main entrance, and without having to go through the OPAC screening process.

Escaping through private ports is also prevalent. According to the social worker from the center handling girl-child victims of trafficking (name of center was requested to be kept confidential), one such port is located west of Zamboanga City. The same port was mentioned a number of times by some victims who were interviewed when they identified their entrance, transit, and exit points. Also, some traffickers reportedly camouflage their illegal operations through island hopping tour packages and offers. This makes smuggling victims out of the country easier because authorities only conduct monitoring and surveillance operations in the public ports where there are vessels going to Malaysia. These trips are scheduled on Mondays and Thursdays. The island hopping tour packages and offers, however, run on a daily basis, and utilize private ports. Through these private ports, victims board fast crafts and speedboats to get from one island to another.

Other victims are provided with domestic plane tickets in order to reach Zamboanga City. Since the trend nowadays is that ticket and other transportation expenses are provided by the traffickers free of charge, the offer to go to Malaysia becomes ever more enticing for the victims.

c) *In terms of employment exploitation*

Another common *modus operandi* among employers is the withholding of salaries. When a substantial amount is accumulated or when payday is near, employers call the police and have the victims arrested because they do not possess working visas. Victims who have been deported are eager to go back to Malaysia because of the false hope that they will be able to claim their unpaid salaries from their employers.

Case #5:

“Tobias” has nephews in Malaysia with Identification Cards (IC) so he was encouraged to go there to work. From Bongao in Tawi-Tawi he went to Sandakan riding a “lantsa.” He found a job as a roof cleaner—a job that earned him 25 Malaysian ringgits per day. He was doing fine until one day, immigration officials made a random visit to his workplace to check on the papers of the workers. He was caught without the proper documents, was arrested and sent to jail. He spent six months in jail in Kota Kinabalu, during which he experienced being beaten.

Note: While it is not unusual for immigration officials to make random visits to workplaces to check on working papers of employees, it is quite coincidental that Tobias, together with some others who were deported, were apprehended at the time when their salaries were nearly due.

d) *The trafficking cycle*

According to a DSWD social worker, a typical trafficking cycle starts with the recruitment of victims, usually women, by relatives, friends or acquaintances in the victims’ hometown. The would-be victim believes the promises of the recruiter and would then be given everything she needs to get to Zamboanga, including pocket money. When she reaches Zamboanga, someone is waiting to take her either to a pension house, a dormitory, or a residential home. Having reached one of those places, she then waits for the next instructions to be given. She is either told to buy a boat ticket, herself, or she is instructed to wait for someone to take her to the pier, usually along with other recruits. Options taken by the traffickers vary, especially now that the OPAC is very keen on interviewing passengers.

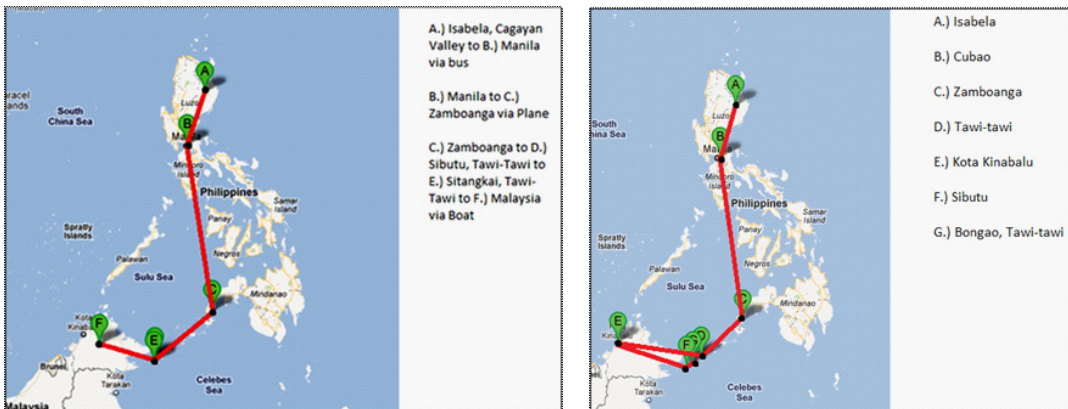
When a rescue operation is conducted, the members of the SBATTF would then enter the picture. While the members of the police force are busy conducting investigations, the DSWD ensures that those rescued are given temporary shelter. If the victims decide to file cases, DSWD provides assistance and support until they are sent home. The after-care program of DSWD also sees to it that the victims are monitored and provided assistance after

they are sent home. Although most would no longer want to return to Malaysia, there are still some who are lured by promises that the conditions would be better the next time.

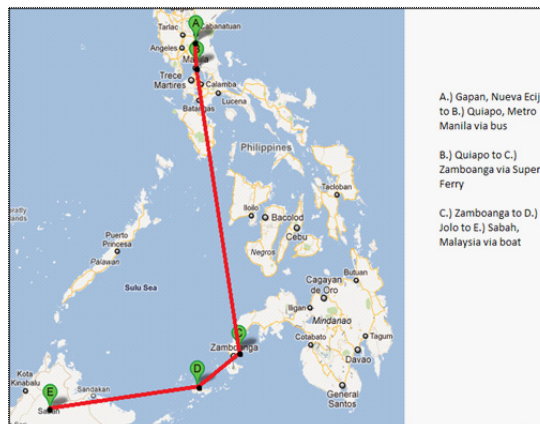
2. Routes

Below are (Google) maps showing a sampling of the different routes taken by the victims (or would-be victims) on the way to Malaysia. The specificity of the data varies, ranging from identifying the province in general to mentioning the town or barangays. Some also indicate the particular vessel or the means by which they transferred from one point to another.

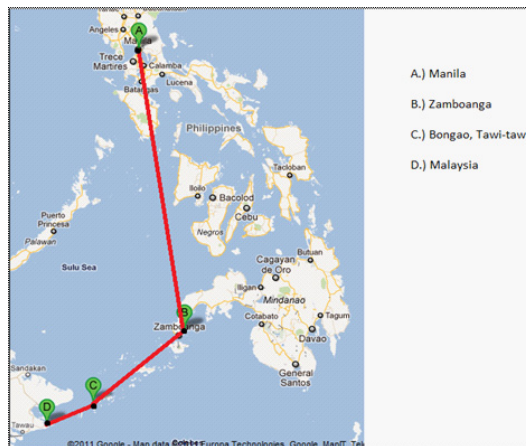
a) Point of origin: Isabela in Region II, Luzon



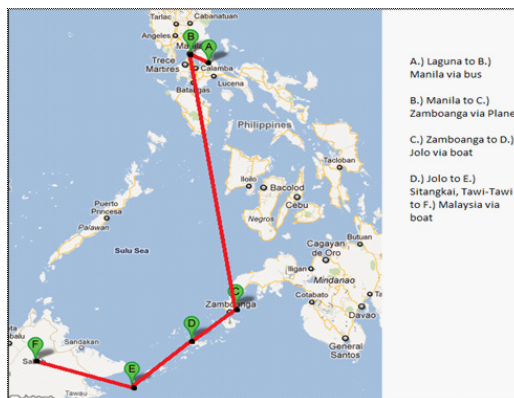
b) Point of origin: Nueva Ecija in Region III, Central Luzon



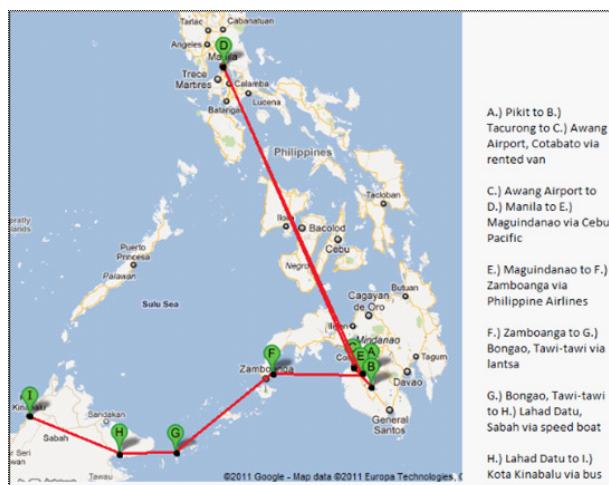
c) *Point of origin: Metro Manila or National Capital Region, Luzon*



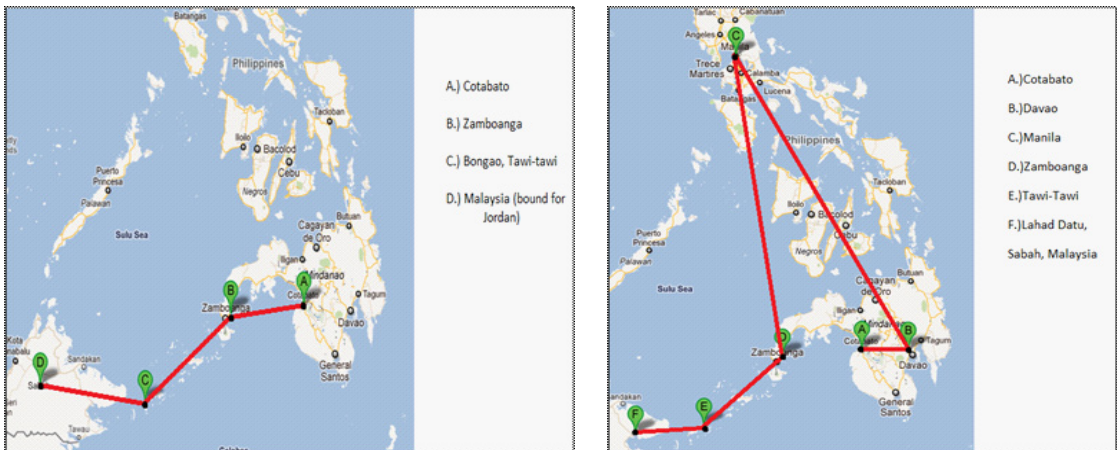
d) *Point of origin: Laguna in Region IV-A, Luzon*



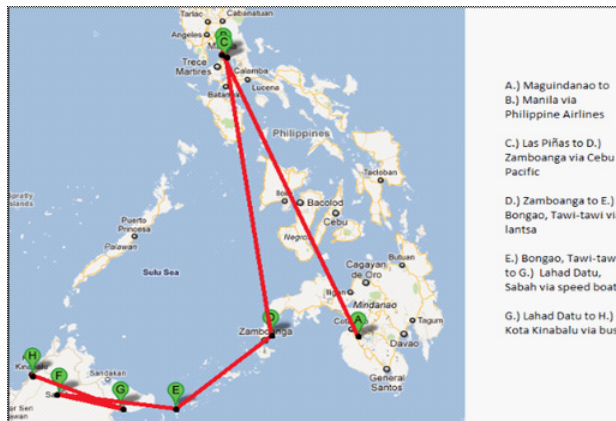
f) *Point of origin: Pikit, Cotabato in Region XII, Mindanao*



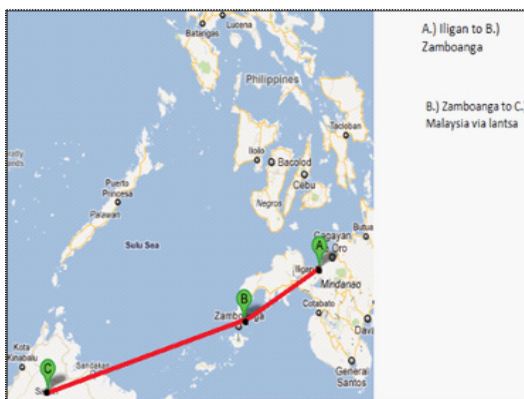
g) *Point of origin: Cotabato in Region XII, Mindanao*



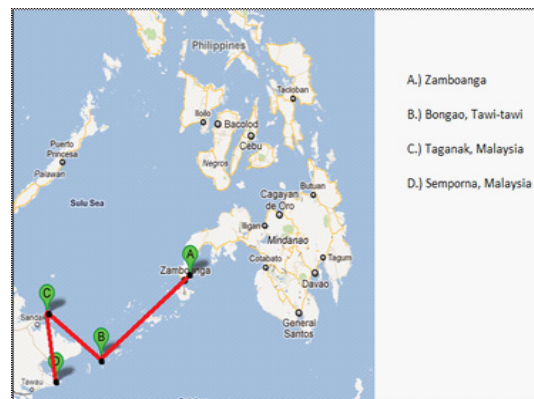
h) *Point of origin: Maguindanao in ARMM*



i) *Point of origin: Iligan, Lanao del Norte in Region X, Northern Mindanao*



j) *Point of origin: Zamboanga in Region IX, Western Mindanao*



Based on the sampling of routes, Zamboanga is the most common transit point to Malaysia, and in isolated instances also a point of origin and exit point. It is Tawi-Tawi that frequently appears as the final jump-off point, with Sulu and Zamboanga as alternative exit points, but only in a few instances. There are victims or would-be victims who originate from ZAMBASULTA, but there are also a considerable number of individuals who come from different points of origin from all over the country to go to Malaysia via Zambaonga and Tawi-Tawi. In some cases, Malaysia is just a point of transit to other destination countries, such as Jordan.

The lack of data on Basilan and Sulu does not imply that there is very little or no trafficking in such areas or that they do not fall within the trafficking routes. This is only a reflection of the fact that the above data is largely based on interviews conducted in Zamboanga City.

*Table 8. Summary of points of origin, transit points and exit points
(based on the 14 sample routes identified by victims)*

Area	As a point of origin (frequency)	As a transit point (frequency)	As an exit point
Zamboanga	1	12	2
Basilan			
Sulu		1	1
Tawi-Tawi		2	12

Case # 6:

“Reina” learned from her parents that a certain Maiduaga (female, in her forties) is recruiting applicants for domestic help in Qatar, Dubai, Jordan, and Syria. She initially applied for Qatar and Dubai but did not pass the medical exam so she ended up applying for Syria.

While her papers were being processed, Reina worked for four months as all-around domestic help of Maiduaga earning Php1,500/month. Thereafter, a certain Weng (the recruiter in Manila) informed Maiduaga that Reina’s passport and visa were ready. Maiduaga gave her a plane ticket to Manila where she will be met by Weng.

Reina flew to Manila on May 18, 2011. The husband of Weng, who coordinated with her through text messaging, picked her up at the airport. She lived at Weng’s house in Las Piñas City for four days until she flew to Zamboanga on May 22, 2011. She was instructed by Weng to take a tricycle from the airport to a restaurant in Zamboanga where she was met by three men. The men brought her to the pier where she rode a lantsa to Bongao, Tawi-Tawi. There were 16 recruits in all on board the lantsa – one man and fifteen women, including Reina and a 15-year old girl. They were headed to different countries; many were bound for Jordan.

Upon arrival in Bongao, Reina and the other recruits were transported to a large house. They were transported in batches of five on two motorcycles. There were about 40 women already there who were all waiting to travel to Jordan, Lebanon, and Saudi Arabia.

On or about May 26, 2011, Reina and 24 others all rode a speed boat to Sabah. It took them two hours to get there; it was night time when they arrived. They stayed in someone's house in Sabah for the night. The next day, they were transferred to Lahad Datu where they stayed in another person's house for two days. From there they took a bus to Kota Kinabalu where they stayed at a hotel. After another two days, they moved to the hotel owner's house and stayed there for one week only to find out that they had to be sent back to Bongao because the stamps on their passports were fake. They stayed in another person's house in Sabah for two more days. While there, a police officer came over to inspect the house so the guides herded the 16 to the room upstairs and were told to be quiet until the police left.

Reina and 15 others were transported back to where they came from using the same modes of transportation – from the house of the hotel owner, back to the hotel in Kota Kinabalu, to Lahad Datu, then Sabah. They took the speed boat again back to Bongao where they were brought to a house located in a school compound. On June 21, marines entered the house and told them not to be afraid. They were told that they were being rescued and will be brought to Zamboanga City. On the same day, they boarded a vessel and arrived in Zamboanga City on June 22, 2011, escorted by the marines and DSWD to the Visayan Forum Port Halfway House.

Reina recounted that when they were transported from one place to another in Malaysia, it was always at nighttime and with instructions not to make any noise, otherwise the neighbors might report them. At some point they all started crying and told the guides that they wanted to go home. The guides told them that they could no longer go home because they would be arrested by the police. The victims had the impression that all the guides were Malaysian who knew how to speak Tagalog because that is what they were told.

Describing how she felt while in Malaysia, Reina said: “Grabe ang takot namin nung nasa Malaysia kami. Iyak kami nang iyak. Sa kusina kami natutulog dahil hindi na kami nagkasya sa kwarto. Kahit saan kami tumira, bawal lumabas.” (We were extremely terrified when we were in Malaysia. We kept on crying. We even slept in the kitchen because we could no longer fit inside the bedroom. Anywhere we went, our movement was restricted—we could not leave the premises.)

3. Experiences of trafficked women and children

a) Experiences of trafficked women and children through the trafficking process

Table 9 summarizes the experiences of the women and children who were trafficked to Malaysia, at each phase of the trafficking process, i.e., pre-transit, in transit, while at work, and post-rescue. The term “in transit,” includes all experiences that take place from the time the victims left their place of origin up to the time they arrived at their final destination. Thus, some victims’ experiences may have lasted only a few hours while others’ may have lasted for months.

Table 9. Summary of experiences of trafficked women and children through the trafficking process

Pre-transit	<ol style="list-style-type: none"> 1. Instructions given include: <ol style="list-style-type: none"> a. Dress appropriately and modestly b. Memorize all information stated in passports c. When asked about the purpose of travel, the following are the only acceptable answers: <ol style="list-style-type: none"> o Going to study in Manila o Visiting a sick relative o Attending a wedding, burial, or baptism o Visiting boyfriend o Going as couriers of certain items for relatives o Seeking treatment for an illness o About to give birth 2. Sexual exploitation while waiting for transportation 3. Having to pay fees for an alleged “On-the-Job-Training” opportunity
In transit	<ol style="list-style-type: none"> 1. Contracted skin diseases 2. Dehydration 3. Vomiting 4. Ship accidents 5. Meager food supply 6. Confiscation of personal documents and means of communication 7. Being told that should they refuse to work they will be thrown overboard 8. Sexual abuse committed by seafarers on board 9. Rape during stopovers 10. The realization of having been duped (e.g., One victim was optimistic until she witnessed an exchange of money between the recruiter and the would-be employers, which led to her realization that she is going to be victimized.) 11. Homesickness 12. Being forced to hide in covert areas of the ship so as not to be seen (for those who were just sneaked into the vessel)
While at work	<ol style="list-style-type: none"> 1. Induced intake of drugs either for sexual exploitation or to enable one to work longer hours in cases of forced labor 2. Hunger 3. Contracted hepatitis, scabies, and other diseases 4. Absence of safety gears 5. Harassment 6. Having to hide inside freezers, hotel rooms, and other places during police raids 7. Harrowing experiences with violent bar customers 8. Different forms of physical abuse (e.g, lashes)

	<ol style="list-style-type: none"> 9. Being locked up in an apartment and forced to have sex with customers (usually they are with fellow Filipinas who are being forced to do the same) 10. Forced sex quota of 11 men per day (most days averaging on four to five men) 11. Unwanted pregnancy 12. Receiving no pay 13. Being forced to undergo abortion 14. Having multiple employers for forced labor 15. When one of them dies, the identification card (showing Malaysian nationality) of that person is taken and sold to someone else for the latter to be able to stay longer, and when their identification card expires, they experience difficulty in having it renewed
Post-rescue / Residual effects	<ol style="list-style-type: none"> 1. Further abuses by Malaysian/Indonesian authorities 2. Abuse by host country's prison officials (e.g. mauling) 3. Abuses by seafarers on board 4. Necessity of trauma counseling before some would admit to having been recruited and sharing their experience for documentation purposes 5. Experience of trauma, paranoia, and vulnerability to mental illnesses 6. Difficulty in moving on because of social stigma; sometimes, the name of the recovery/rehabilitation centers "add insult to the injury" 7. General difficulty in returning to normal life; some claim that things can never be back to normal 8. Some resolve to ignore the dangers of trafficking until such time that they get used to it and find ways to escape 9. Refusing to admit who their recruiters are 10. Family becomes abandoned due to victim's distress and consequent insanity

b) Specific experiences based on the type of exploitative work

Table 10 shows the specific experiences of women and children grouped by the type of exploitative work that they were engaged in, i.e. prostitution or commercial sexual exploitation, domestic help with very poor work or living conditions and other work that is harmful to health and safety. Common to all is the element of force which manifests itself in different forms, such as coercion to perform the work under abusive circumstances, deprivation or restriction of liberty or freedom of movement and inducement to take drugs in order to increase the capacity to work longer hours or weaken resistance to work under

exploitative conditions. The non-payment of wages or salaries also markedly cuts across all three forms of exploitation.

*Table 10. Specific experiences of trafficked women and children
grouped by type of exploitation*

Prostitution/Commercial Sexual Exploitation	Domestic Help with Very Poor Work / Living Conditions	Other Work that is Harmful to Health and Safety
<ol style="list-style-type: none"> Domestic trafficking Use of drugs in prostitution Forced to undergo abortion Detained when caught without documentation in the brothel-apartment where victim was trapped Forced sex with 4-5 men per day (though the bar owners wanted 11 men per day) without pay except for occasional meager tips Forced to work at bars and be taken out by customers 	<ol style="list-style-type: none"> No freedom to go out, no day-off, no salary No sleeping quarters and no permanent place to stay Harassment 	<ol style="list-style-type: none"> Working as a waitress in a bar but is subject to abuse No salary for 5 months and induced to take drugs to be able to work for 12 hours

c) Summary of human rights violations

It is evident that the above experiences violate human rights and the fundamental freedoms recognized under the Universal Declaration of Human Rights. To name a few, the abusive and exploitative conditions infringe upon the right to life, liberty and security of persons (Article 3); freedom from slavery and servitude (Article 4); freedom of movement (Article 13); freedom from arbitrary deprivation of one’s property (Article 17); right to free choice of employment and just and favorable conditions of work and remuneration (Article 23); right to rest and leisure including reasonable limitation of working hours (Article 24); and right to a standard of living adequate for the health and well-being of one’s self and one’s family (Article 25).

The exploitation is magnified when the victims are children because despite their

physical and mental immaturity they are made to undergo harrowing experiences that even adults cannot bear. For this very reason, the Convention on the Rights of the Child recognizes the need to extend special care and assistance to children. Among the rights enshrined in the Convention that are patently violated under the circumstances described in Tables 9 and 10 are the child's right to life, survival, and development (Article 6); right to be protected from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse (Article 19); right to a standard of living adequate for the child's physical, mental, spiritual, moral and social development (Article 27); right to rest and leisure (Article 31); right to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development (Article 32); and right to be protected from all forms of sexual exploitation and sexual abuse (Article 34).

Case #7:

"Sylvia" is only 16. While staying at the trafficker's house, which was one of the transit points to Malaysia, she was raped by the brothers of the trafficker. Everyday she was given very little food. In Malaysia, she was forced to have sex with four to five male customers per day; she was actually expected to have sex with 11 men. She did not receive anything from her employers; only occasional small tips from customers.

Case #8:

"Iya" and "Leila" aged 15 and 13, are sisters. The recruiter came to their house and offered them work to wash dishes in a restaurant in Malaysia. The girls urged their father to allow them, saying that they did not want to miss the opportunity of working in Malaysia. The father, who trusted the recruiter, eventually agreed. Soon, Iya and Leila were sent to Malaysia via Zamboanga. When they were brought to the employer upon their arrival in Malaysia, the latter instructed the recruiter to send the girls back to the Philippines because they were minors. However, instead of sending them home, the recruiter brought Iya and Leila to a second employer who forced them into prostitution.

Meanwhile, their father, who was in the Philippines, had no idea about what was happening to his daughters. He thought they were in good hands because from time to time they would call their father to tell him that they were fine. Also, the father would occasionally receive some money, thinking it was part of their salary. However, the girls were not given any real compensation but only saved up the little that they got as tips from customers.

Iya and Leila were later rescued and placed in a shelter in Malaysia for two months, along with many other rescued victims. They were sent home afterwards. Only then did the father find out about what his daughters actually went through.

Iya and Leila filed a case against their traffickers. The pimp and other facilitators have been arrested and are now in jail. They are Filipinos.

Case #9:

“Dora”, married to an Imam who is a Malaysian national, has been living in Sabah with her husband and their child. Eight years ago, for P1,500, she travelled to Malaysia on board an unregistered 30-seater boat that travelled to Semporna and Sandakan.

Dora thought that after eight years she had put her past behind her and had finally settled down but one day, the police suddenly showed up and demanded for her papers. Unable to produce any, she was arrested and jailed for 11 days in Labuan and two days in Kota Kinabalu. Afterwards, she and her child were deported to the Philippines. Throughout this ordeal, nothing was said about the sentiments of the husband on her and their child’s deportation, and she never heard from him since then.

This case highlights the vulnerability of women and their children in Malaysia even though she may be married to a national of that country. This fact does not seem to add to their security and protection.

IV. THE GOVERNMENT AND THE PRIVATE SECTOR: RESPONSIBILITIES AND VULNERABILITIES

A. Responsibilities of Government and Non-Government Entities in Addressing Trafficking

Section 20 of R.A. No. 9208 created the Inter-Agency Council Against Trafficking (IACAT), which, among others, was mandated under Sec. 21 to “promulgate rules and regulations as may be necessary for the effective implementation” of the law. Thus, the IACAT formulated the Implementing Rules and Regulations (IRR) which detailed the tasks of different national agencies.

The following government agencies are the members of the IACAT (see Annex VIII for their specific responsibilities): DOJ, DSWD, DFA, DOLE, POEA, BI, PNP, and the National Commission on the Role of Filipino Women [now the Philippine Commission on Women (PCW)].

Sections 19 and 20 of the IRR also provide for the roles and responsibilities of local government units and non-government organizations that are part of the IACAT (see Annex IX for details).

B. Implementing the Law Against Human Trafficking

1. Interception by SBATTF at Zamboanga City Seaport

The SBATTF was created in 2007 as the enforcement arm of the IACAT in Zamboanga, to investigate, intercept, monitor, and provide custodial care to victims of trafficking. SBATTF's area of responsibility includes both the seaport and the airport.

One of the members of the SBATTF is the BI. At the onset, the main challenge for the BI was how to screen passengers in order to determine who are potentially trafficked, since it lacked human resources and the skills to make such determination. Before the creation of the task force, the BI inspected only two documents: a valid passport and a 2-way (roundtrip) ticket. As long as a passenger possesses these, he or she would be permitted to travel. With the initiative of SBATTF head Prosecutor Darlene Pajarito, a Memorandum Circular was issued directing the BI to make its own assessment on whether there are indicators that a passenger is a trafficked or potentially trafficked victim, and whether such passenger should be allowed to board the vessel going to Malaysia.

The SBATTF through its enforcement arm, the OPAC, initially made recommendations to the BI regarding passengers who were identified as trafficked or potentially trafficked, which inevitably created tension between the two entities. Although BI is a member of SBATTF, it is not part of OPAC. However, after several meetings, they came to an understanding that the SBATTF (through OPAC) would screen and intercept passengers prior to reaching the BI in order to strengthen the prevention efforts against trafficking. All persons leaving Zamboanga City for Sandakan undergo trafficking vulnerability assessment conducted by the OPAC. OPAC recommends to the BI passengers for off-loading. However, when OPAC finds that certain passengers are deemed to be in high risk of being trafficked, it may proceed with interception

The Problem of Private Ports:

“One limitation to OPAC's operations is the existence of numerous private ports. There are more than 30 private ports in Zamboanga City but there exists no mechanism to monitor and control the departure of boats from these ports. There have been cases where, in the guise of island hopping, boats leave Zamboanga City for Bongao or Taganak Island in Tawi-Tawi. From Taganak Island or Bongao, the boats head to Semporna, Sabah which is near Sandakan.

instead of the regular recommendation.

OPAC is comprised of representatives from the Zamboanga City PNP-WCPD, VF, DSWD, PCTC, and NBI. The CIDG also sends representatives to OPAC when necessary. On average, there are eight to nine persons operating the OPAC. This number varies depending on the availability of personnel from the aforementioned agencies.

Intercepted and off-loaded passengers are interviewed by the police after which, they are transferred to VF's halfway house for temporary shelter while arrangements are being made for them to be sent home or transferred to a DSWD facility. Some minors are turned over to shelters that are registered with the DSWD.

The DOJ orients off-loaded passengers about trafficking and explains the legal process of going to Malaysia for work. The objective of the orientation is to have the passengers come to the realization that they were in danger of being trafficked because they did not go through the regular recruitment and travel process.

2. The MIACAT in Bongao

A Municipal Inter-Agency Council Against Trafficking (MIACAT) was recently established in Bongao, Tawi-Tawi. Current efforts of the MIACAT are focused on the integration of the actions of various concerned government agencies and NGOs in the fight against trafficking. The MIACAT's efforts to institutionalize coordination among agencies are aimed to ensure that there will be no gaps in the flow of MIACAT's services and activities, notwithstanding any future change in personnel.

Other efforts of MIACAT include conducting surveillance, community education, advocacy and awareness programs, and coordination with SBATTF. When either suspected traffickers or potential victims get past the Zamboanga Port, SBATTF alerts MIACAT to ensure that the victims are intercepted in Tawi-Tawi.

The MIACAT also organized the Provincial Anti-Trafficking Task Group. This is headed by the Deputy for Operations of the Provincial Director of PNP Tawi-Tawi and is composed of all the PNP units within the jurisdiction of Tawi-Tawi, members of the IACAT, and other stakeholders, including concerned NGOs. There are also efforts by the MIACAT members to establish an OPAC in Bongao, similar to the one in Zamboanga City.

3. Rescue

Rescue of victims or potential victims is not limited to interception at the port. There are instances when law enforcement agencies or NGOs receive tips from informants or reports from concerned citizens of a trafficking or suspected trafficking situation, which trigger an investigation and usually result in the rescue of victims. The victims may be in transit to Malaysia or may have reached Malaysia and have succeeded in contacting relatives or friends for help.

When the victims are already in Malaysia, the rescue process tends to be long and tedious. The DFA has to contact the Philippine Embassy in Kuala Lumpur, which then has to coordinate with its contacts in Sandakan. DFA volunteers would look for the victims based on the information given by the complainant, and also coordinate with the Malaysian police. If they find the victims, the latter are issued travel documents, especially when a victim does not have a passport, or is carrying an expired one.

“Checking” is equivalent to a raid in Malaysia. Malaysian police conduct checking at workplaces from time to time. Victims of trafficking who are caught are deported. However, a number have spent time in prison. Sometimes they are also tipped off or reported to the authorities by their employers.

Case #10:

“Zara”, 17 years old, is from Zamboanga del Sur. She was brought to a bar in Sabah, where she was engaged in prostitution for two months. One day, a reporter from a Philippine television network went to the bar in order to rescue Zara and another Filipina, who apparently had been in contact with the television network for quite some time. The reporter posed as a customer and insisted that he be allowed to “take the girls out” and bring them home with him. After he succeeded in bring the girls out of the bar, he arranged for the girls’ safe return to the Philippines.

4. Preventive Measures

Preventive measures undertaken by government and non-government organizations, other than interception of potentially trafficked victims at the port, are mainly in the form of raising the level of awareness of people, especially vulnerable persons, on what trafficking is, what the red flags are, and where to go for help. The government intervenes through information dissemination, awareness-raising, and preventive counseling by the DSWD

and the Regional IACAT (RIACAT). SBATTTF and other NGOs also help through capacity building and advocacy campaigns.

5. The Road to Recovery

After the victims or potential victims are intercepted or rescued, they are referred to the appropriate government agencies and NGOs for documentation and provision of shelter and other assistance.

a) The DSWD Home for Women

The DSWD Home for Women is a government shelter for women who are victims of trafficking and other forms of abuse. The services offered by the Home include custodial care, home life services, and after-care program. “Custodial care” refers to the provision of shelter, which begins from the time a client is referred to the Home for custody. While the victims are under the custody of the Home, they undergo the appropriate program, including counseling, therapy, and life skills training. “Home life services” refers to the catering to the victim’s everyday needs while living in the Home. “After-care” refers to the monitoring and assistance extended to the victims after they are discharged from the Home and reintegrated into the community. The Home has the capacity to provide shelter and assistance to 50 to 70 victims with its staff of two social workers, a psychologist, a physician, three house parents and three security guards.

If a victim decides to file a case against her traffickers, the DSWD coordinates with the proper agencies, such as the PNP, CIDG, NBI, and DOJ. Throughout the entire process of investigation and prosecution, victims are always accompanied by a social worker from the DSWD. If the victim chooses to go home, she is provided financial assistance for transportation, usually ranging from P3,000 to P5,000 per person. Minors remain under the protective custody of the DSWD until such time that their parents or other family members are located. They must also have undergone the appropriate rehabilitation or restoration program and have been assessed as ready to be reunited with their family.

The length of stay at the Home differs depending on the situation and condition of the victim and the assessments of the social worker, psychologist, and physician. Should the

victims decide to file a case, they can either stay at the Home, or go back to their places of origin upon their request and with the prosecutor's approval. Some prefer to immediately return to their families and would rather not file a case. If based on the assessments it is shown that the client is in the condition to be discharged from the Home, the DSWD makes arrangements for their travel and reintegration.

After-care services include a reintegration program, livelihood assistance, and educational assistance. These are to ensure that the victims are able to start anew and to help prevent the re-trafficking of the victims.

b) NGO catering to girl-child victims of trafficking

The services provided by the center are similar to that of the DSWD Home for Women. The length of stay at the center is on a case-by-case basis. If based on the assessment, the child's family is deemed capable of protecting the child, the latter is allowed to go home.

Most of the cases of the girls in the center are ongoing; however, some cases were dismissed due to several factors, including the child's desistance or lack of evidence. When the child expresses that she no longer wants to push through with the case, especially when the child tells the psychologist during counseling that she no longer wants to recount the painful experiences, the child's wish is respected.

All the girls under the care of the center either go to regular schools or are enrolled in non-formal education, in cases where there is difficulty in obtaining the documents necessary for their enrollment. During the summer break, some of the girls take on summer jobs outside the Center, if security considerations permit.

The girls are given training on livelihood skills and income-generating projects. For instance, they are taught how to make *taho* (a soya-based beverage), avocado powder, *guyabano* powder, and *tanglad* (lemon grass) powder—all of which are sold and the proceeds are shared among the girls. Some are trained in reflexology and shiatsu massage—but they are only allowed to practice inside the shelter, for security reasons.

Except for a few restrictions to ensure the safety and security of the girls and the center, the girls enjoy a normal life, although they are not allowed to spend the night elsewhere. At present, two of the girls are in college. The rest are either in high school or in grade school.

C. Prosecution of trafficking and trafficking-related cases

As of June 17, 2011, 37 criminal cases for violation of R.A. No. 9208 and related laws on illegal recruitment (R.A. No. 8042, now punishable under R.A. No. 10022), child abuse and exploitation (R.A. No. 7610) and the worst forms of child labor (R.A. No. 9231) have been filed in Zamboanga City. Several challenges have been encountered in the prosecution of the cases. Of the 37, six have reached judgment where the trial courts convicted the accused. One case was affirmed by the Supreme Court on appeal with modification on the award for damages, which was increased by the higher court.

1. Summary of trafficking or trafficking-related cases filed

A summary of the cases is presented in Table 11 and the number of cases filed from year to year since 2006 is shown in Chart 16. Note that in Chart 16, there is a considerable increase in the number of cases filed in 2011. Chart 17 shows that more than half of the cases pertain to sexual exploitation.

The numbers account for the cases filed in Zamboanga City alone during the first half of the year, and does not include several others that were filed in the rest of Zambaonga Peninsula and the BASULTA area.

*Table 11. Summary of trafficking or trafficking-related cases filed
(Zamboanga City DOJ Data from 2006 to June 17, 2011)*

Date received / filed at the Office of the City Prosecutor	Specific charge / Nature of trafficking	Composition of victims	Status of the case (Date of conviction, if applicable)
1. May 16, 2006	Violation of R.A. No. 9208 – Qualified trafficking (sexual exploitation) Violation of R.A. No. 8042 - Illegal recruitment (large scale)	5 females	DISMISSED (Victims failed to appear in court)
2. May 24, 2006	Violation of R.A. No. 7610 in relation to 12(d), par. 2 of R.A. No. 9231 – child abuse and child labor	2 minor females	PENDING PRELIMINARY INVESTIGATION

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3. August 31, 2006	Violation of R.A. No. 9208 - Qualified trafficking (sexual exploitation)	1 minor female, 2 adult females	DISMISSED (Affidavit of Retraction)
4. October 10, 2006	Violation of R.A. No. 9208 – Qualified trafficking (sexual exploitation)	2 adult females	CONVICTED (Promulgated August 6, 2010)
5. November 10, 2006	Violation of R.A. No. 9208 - Qualified trafficking (sexual exploitation)	(Complainant is DSWD)	PENDING PRELIMINARY INVESTIGATION
6. January 12, 2007	Violation of R.A. No. 9208 - Qualified trafficking (sexual exploitation)	2 adult females	FILED IN COURT
7. July 31, 2007	Violation of R.A. No. 9208 - Qualified trafficking (sexual exploitation)	1 adult female	PERMANENT DISMISSAL
8. August 1, 2007	Violation of R.A. No. 9208 - Qualified trafficking (forced labor) Violation of R.A. No. 8042 - Illegal recruitment by a syndicate and in large scale	2 females (age unidentified) and 1 adult female	CASE ELEVATED TO THE RTC (Motion for Reconsideration – Denied)
9. October 10, 2007	Violation of R.A. No. 9208 – Qualified trafficking (sexual exploitation) Violation of R.A. No. 9231- child labor		PENDING TRIAL
10. February 5, 2008	Violation of R.A. No. 9208 - Qualified trafficking (sexual exploitation)		FILED IN COURT (Note: All accused are at large)
11. April 12, 2008	Violation of R.A. No. 9208 - Qualified trafficking Violation of R.A. No. 9231 -child labor		PROVISIONALLY DISMISSED (as against 1 respondent), DISMISSED (as against another respondent). (Note: One other respondent is at large)

12. October 2, 2008	Violation of R.A. No. 9208 - Qualified trafficking (sexual exploitation) Violation of R.A. No. 8042 -Illegal recruitment		PENDING TRIAL
13. January 8, 2009	Violation of R.A. No. 9208 - Qualified trafficking (sexual exploitation) Violation of R.A. No. 7610-child abuse		PROVISIONALLY DISMISSED (as against 1 respondent) (Note: Another respondent is at large)
14. February 4, 2009	Violation of R.A. No. 9208 - Qualified trafficking (sexual exploitation)		PENDING TRIAL
15. August 1, 2009	Violation of R.A. No. 9208 - Qualified trafficking (sexual exploitation)		PENDING TRIAL
16. August 4, 2009	Violation of R.A. No. 9208 - Qualified trafficking (sexual exploitation)		PENDING PRELIMINARY INVESTIGATION
17. January 1, 2010	Violation of R.A. No. 9208 - Qualified trafficking (sexual exploitation)		DISMISSED (as against 1 respondent) PENDING PRELIMINARY INVESTIGATION (as against another)
18. July 6, 2010	Violation of R.A. No. 9208 - Qualified trafficking (forced labor)		FILED IN COURT
19. October 1, 2010	Violation of R.A. No. 9208 - Qualified trafficking (sexual exploitation)		PENDING PRELIMINARY INVESTIGATION
20. September 20, 2010	Violation of R.A. No. 9208 - Qualified trafficking (sexual exploitation)		PENDING TRIAL

21. September 24, 2010	Violation of R.A. No. 9208 - Qualified trafficking (sexual exploitation)		DISMISSED
22. December 18, 2010	Violation of R.A. No. 9208 - Qualified trafficking (sexual exploitation)		FILED IN COURT (as against one respondent) PENDING PRELIMINARY INVESTIGATION (as against other respondents)
23. January 19, 2011	Violation of R.A. No. 9208 - Qualified trafficking (sexual exploitation)		PENDING PRELIMINARY INVESTIGATION
24. January 19, 2011 (Another set of respondents and complainants; not the same as the one above)	Violation of R.A. No. 9208 - Qualified trafficking (sexual exploitation)		PENDING PRELIMINARY INVESTIGATION
25. January 27, 2011	Violation of R.A. No. 9208 - Qualified trafficking (sexual exploitation)		PENDING PRELIMINARY INVESTIGATION
27. March 4, 2011	Violation of R.A. No. 9208 - Qualified trafficking (forced labor)		DISMISSED (as against 1 respondent) PENDING PRELIMINARY INVESTIGATION (as against 3 others)
28. April 13, 2011	Violation of R.A. No. 9208 - Qualified trafficking Violation of R.A.8042 -Illegal recruitment		PENDING PRELIMINARY INVESTIGATION

29. April 28, 2011	Violation of R.A. No. 8042- Illegal recruitment		PENDING PRELIMINARY INVESTIGATION
30. April 28, 2011 (Another set of respondent and complainants; not the same as above)	Violation of R.A. No. 8042- Illegal recruitment (forced labor)		PENDING PRELIMINARY INVESTIGATION
31. May 24, 2011	Violation of R.A. No. 9208 - Qualified trafficking Illegal recruitment		PENDING PRELIMINARY INVESTIGATION
32. May 27, 2011	Violation of R.A. No. 9208 - Qualified trafficking (forced labor)		FILED IN COURT
33. May 30, 2011	Violation of R.A. No. 9208 - Qualified trafficking Illegal recruitment		FILED IN COURT
34. June 7, 2011	Violation of R.A. 9208 - Qualified trafficking		DISMISSED
35. June 13, 2011	Violation of R.A. No. 9208 - Qualified trafficking Illegal recruitment		PENDING PRELIMINARY INVESTIGATION
36. June 15, 2011	Violation of R.A. No. 9208 - Qualified trafficking		DISMISSED
37. June 17, 2011	Violation of R.A. No. 9208 - Qualified trafficking Illegal recruitment		FILED IN COURT

Chart 16. Number of TIP-related cases filed in Zamboanga City

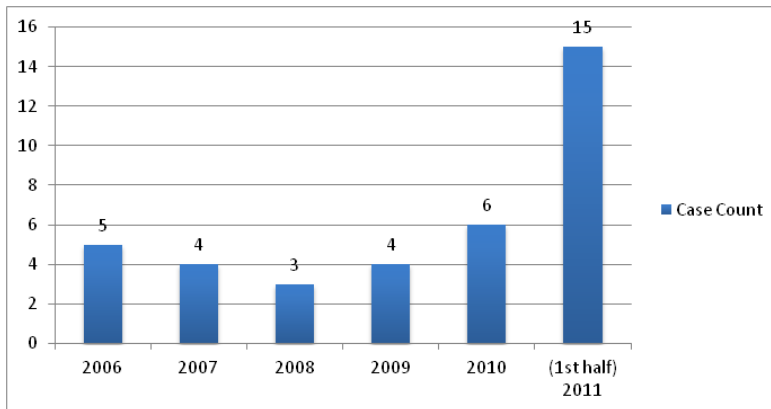


Chart 17. Number of cases involving sex trafficking (2006-2011)

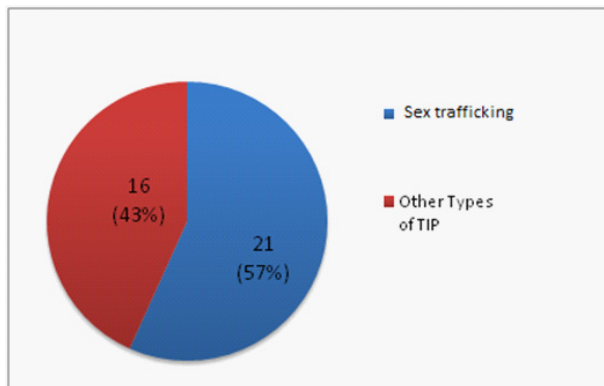
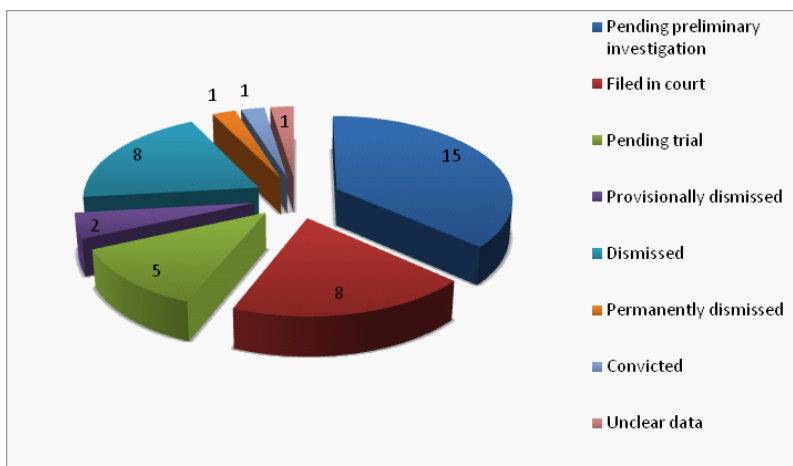


Chart 18. Status of the cases (2006-2011)



2. Challenges in the prosecution of cases

Among the several challenges faced by the prosecution, unwillingness to cooperate and desistance of the victims are the most common. Cases of desistance are sometimes out of the victim's own volition. Many victims choose not to cooperate from the very beginning because of fear, financial and practical considerations, and the desire to move on with their lives. But oftentimes, especially for those who have initially decided to cooperate with the prosecution, they are influenced by the machinations of traffickers who pay them off with bribes in exchange for their desistance in pursuing the case. Bribes can go as high as P200,000, with an accompanying offer to finance the victim's education.

Based on the experience of the Office of the City Prosecutor of Zamboanga City, the most effective way to prevent desistance is for the victims to be placed in shelters or safe houses and enrolled under the Witness Protection Program. This way, the traffickers cannot access them, although there have been cases where the traffickers succeed in contacting the relatives of the victims, who in turn convince the victims to desist.

The slow judicial process also poses a problem. Many times, when cases drag on for too long, the victims lose interest in pursuing the case.

There is also the problem of gender insensitivity of court personnel, lawyers, and even judges in handling cases of trafficking especially when it involves sexual exploitation, or when the victim is a child, or both. Even Supreme Court decisions have acknowledged that rape victims are subjected to the indignities of trial (*P. v. Estrada*, G.R. No. 178318, January 15, 2010), and that they go through the process, the trouble and the humiliation of trial for such a debasing offense (*P. v. Alcazar*, G.R. No. 186494, September 15, 2010).

Finally, there is the perpetual issue of corruption, which Prosecutor Darlene Pajarito considers as the number one problem, lamenting the fact that there is no hard evidence to prove corruption. When it comes to corruption, nobody seems to be willing to file a complaint or take the witness stand to prove the allegations.

3. Successful Prosecution of Human Trafficking Cases

A total of six cases have reached judgment in Zamboanga City where the accused were convicted of trafficking. One of the cases was appealed to and affirmed by the Supreme

Court, with a slight modification on the award for damages.

In reviewing the six cases, it is worth noting that all the victims were women, with ages ranging from 20 to 25. There were 13 victims, such number accounting only for those who decided to file criminal complaints. The number does not include the women who were mentioned in the cases but did not participate in the litigation. Twelve of the 13 victims did not complete college education. While most of them had jobs, albeit low paying, some were unemployed. All the victims were offered different jobs (e.g. entertainers and food servers) in Malaysia, except for one who was offered a job in Brunei as sales clerk / receptionist. Save for a victim who became a domestic helper and another victim who was told by her employer that she was already his wife, all of them ended up working in Malaysia as prostitutes in “karaoke bars.”

The modus is consistent across the six cases. The recruiter assured the victims and their families that the working conditions in Malaysia are very good, and that they would not have to pay anything to be able to leave the country. The women were promised particular jobs, but upon arriving in Malaysia they were made to work as prostitutes in clubs and forced to have sex with at least one customer per day, each customer having sexual intercourse with them more than once. One victim recounted that she had sexual intercourse for 40 times in one month, and another victim remembered being forced to have sex with a customer even if she still had her menstruation. The victims were forced to work at any time of the day or night depending on the demand. They were not paid a single ringgit for their “services.”

In all the cases, the perpetrators gave specific instructions to the victims to avoid detection by authorities during transit. The victims were instructed to pretend not to know each other and not to roam around the boat. When asked as regards the purpose of their travel, they were coached to say that they were visiting a relative or friend, and to never admit that they were going to Malaysia to work.

The manner by which the victims were treated was also consistent. When told of their real job, the victims wanted to quit but the employers said that they could not leave because they have been paid for. Apparently, the recruiters received payment in advance of delivering the women to their employers. The victims were told that they would be allowed to go back to the Philippines only if they pay the amount of money already paid by their employers to

the recruiters. This arrangement left them with no choice but to work as prostitutes so that they could pay their debt and return to the Philippines. Those who refused to have sex with customers suffered physical violence either from the customer or from the employer. The victims also could not escape from the places where they were staying because their employers took their passports from them. Some feared being arrested by the Malaysian police, since they did not have the proper documents to work in Malaysia. Two of the victims were able to go to Malaysia without passports, utilizing the backdoor route.

On the other hand, the perpetrators were either personally known to the victims (some were relatives) or known to people that the victims knew. This set up made it easy for the traffickers to get the trust of the victims and convince the family of the victims to allow them to work in Malaysia. At least one of the recruiters admitted to having worked as a prostitute herself in the same bar in Malaysia where she now “supplies” women. Most of them were alleged to have contacts both in the Philippine and Malaysian government agencies who helped facilitate the travel of the victims from their point of origin until they reached Malaysia.

The prosecution of the six cases relied mainly on the strength of the testimonies of the victims. The defenses commonly raised by the accused were denials and alibis, which were uncorroborated. Some of the stories of the defense pictured the perpetrators as victims of the Malaysian employers. Yet it is noticeable that while they claimed to be victims, the accused did not do anything to claim redress. Another common defense is the argument that the victims were very eager to go to Malaysia to work despite knowledge of their possible work there. Other accused attacked the character and credibility of the complainants, such as alleging that the victim had children with different men. These tactics, however, proved ineffective as the courts considered them immaterial to the prosecution of the offense.

In sum, the above cases reflect a common pattern that remains the same in the other cases encountered in this research.

D. Vulnerabilities of Philippine Government Agencies and Private Sector Organizations

This research has previously discussed vulnerabilities of victims or potential victims to trafficking. This section specifically focuses on government entities and private sector groups and how they have willingly or unwillingly facilitated, mediated, permitted or failed to address trafficking. The information on the matrix below was mainly drawn from interviews with key informants and the round table discussion conducted in Zamboanga City with government agencies and non-governmental organizations from Zamboanga, Sulu and Tawi-Tawi. It will be observed that the sources of the vulnerability of government entities and private sector groups stem from several factors but can generally be categorized under the following:

1. Lack of awareness of the situation and the applicable law;
2. Incapacity to respond because of lack of mandate, skills, resources/facilities, and/or political will;
3. Lack of moral support and legal protection for government employees who perform their duties with integrity;
4. Complicity of agents or employees of agencies or entities with the traffickers in various capacities and at different stages of the trafficking cycle;
5. Willingness of agents or employees to be the recipient of bribes and engaging in other forms of corrupt practices;
6. Laxity, neglect of duty, lack of coordination, and/or incompetence in strictly enforcing the law and rules;
7. Lack of monitoring of all possible exit points, including private ports;
8. Lack of mechanisms to ensure the integrity of public documents, such as birth certificates;
9. Justice system weakened by the slow process to obtain remedy, gender and child-insensitive proceedings, and lack of credibility of institutions for redress; and
10. Insufficient intervention programs that fail to discourage people from taking the risk of going to Malaysia.

AGENCY	CORRUPT PRACTICES / WEAKNESSES IN THE SYSTEM	SOURCE
Bureau of Immigration	<p>There have been instances when BI officials:</p> <ol style="list-style-type: none"> 1. Allow people to leave Philippines with no return ticket 2. Have been lax when asking for required documents such as clearances, itineraries, visas, etc. 3. Have cooperated with traffickers and designated a special lane for victims at the airport to let them pass even with incomplete or false documents 	Interview
	<ol style="list-style-type: none"> 1. Lack of awareness and documentation of trafficking in Zamboanga City 2. Some BI agents allow “tourists” to travel to Malaysia with one way tickets 3. Some BI agents facilitate documents and charge PHP1,500-5,000 for instant release 4. Some BI agents do not follow standard operating procedures (SOP), sometimes using “humanitarian considerations” as reason to depart from SOP (e.g., in one instance there was no scrutiny of required documents when a child was allowed to travel with two alleged grandparents simply based on the observation that the child seemed really close to the two) 	Round Table Discussion
	Two cases have been documented wherein BI agents were the ones who arranged for the departure of trafficked victims)	
Coastguard	<ol style="list-style-type: none"> 1. Some do not turn over intercepted traffickers; they allow traffickers to pass after being bribed 2. Some patronize prostitutes within the vicinity 3. There have been instances when the coastguard refused to transfer arrested suspects to the city jail and instead released the suspects 	Interview

	4. There have been reports of whistleblowers being relieved from duty	
Coastguard / Navy	<ol style="list-style-type: none"> 1. No ship stationed to intercept vessels which facilitate mid-sea boarding / transporting of trafficked people 2. Lack of capital asset to address human trafficking because it is not considered a national security issue 3. Lack of proper coordination with other government agencies 	Round Table Discussion
PNP-CIDG and PCTC	<ol style="list-style-type: none"> 1. Lack of funds and resources from the national government 2. Lack of personnel 3. Lack of facilities (the SBATTF does not even have its own office) 4. Numerous cases filed against police officers that hamper their operations; these also hamper the promotion of the police officers, which in turn affects their morale and drive 	Interview with CIDG and PCTC
Department of Health	Weakness in the referral system; cases reach the DOH but are usually not referred to DSWD	Round Table Discussion
DSWD	Insufficient budget	Round Table Discussion
	Lack of proper documentation	
Justice / legal system	Weak rule of law and flawed justice system	Round Table Discussion
	Legal action against traffickers is difficult because by the time the court hearing takes place, witnesses have disappeared; trial therefore cannot continue and cases are dismissed	
	Disregard for basic policies with regard to signing affidavits of desistance	Interview with SBATTF Chairperson

	<ol style="list-style-type: none"> 1. Cases that drag on too long cause distress to the children who have to prepare for a day or two prior to the hearing; when cases get postponed, they have to go through the process all over again 2. The children just want to get over with the trial because they feel that until hearings are ongoing, they cannot fully move on 3. Manner of questioning by lawyers is not child-sensitive—they shout at the children and utter offensive things like <i>“Nagustuhan mo rin ‘yon, di ba? Bakit ka nagrereklamo?”</i> (You liked it, right? Why are you filing a case?) 	Interview with social worker at the center catering to girl-child victims of trafficking (name of center requested to be kept confidential)
Law Enforcement Agencies	Lapses in coordination that sometimes result in losing the victim (e.g. there were instances when the victims were sent home even before the fiscal was able to interview them and the victims could no longer be located afterwards)	Interview with SBATTF Chairperson
	<ol style="list-style-type: none"> 1. Delayed updating of records and lack of up-to-date equipment 2. Lack of budget 3. More information sharing needed 4. Lack of consistency in observing standard operating procedures 	Round Table Discussion
Local Civil Registrar	There have been reports of a certain local civil registry office providing falsified birth certificates	Round Table Discussion
Local Government Units	<ol style="list-style-type: none"> 1. Lack of political will to fight trafficking in some areas 2. Politicking results in lack of sincerity to combat trafficking; limited administrative capability to support community-based programs for deportees in their places of origin 3. Irregular submission/ non-submission of feedback reports by concerned LGU social workers on the status of referred cases 	Round Table Discussion

	There have been reports of LGUs issuing permits to bars which double as trafficking centers	Interview
Media	Unnecessary pressure on the government agencies involved resulting in additional stress, which in turn adds burden to the heavy load of the key players (police, judicial system, etc.)	Interview with PNP-WCPD Chief
	Overgeneralization in reporting which tends to bring an entire government agency in a bad light when only a few people or isolated cases are involved; it dampens the morale of those genuinely giving more than they should in the fight against trafficking	Interview with SBATTF Chairperson
		Round Table Discussion
Non-Government Organizations	<ol style="list-style-type: none"> 1. Disposition of cases is sometimes hampered because they cannot process cases independently of lead government agencies 2. Lack of coordination with Malaysian NGOs in order to acquire more information 	Round Table Discussion
	Lack of programs that can effectively keep victims from taking the risk and going back to Malaysia	Interview with PNP-WCPD Chief
National Statistics Office	<ol style="list-style-type: none"> 1. Falsification of marriage/death/birth certificates 2. Delayed registration of birth can be abused 3. Children born in Malaysia who are not registered in the Philippines are highly vulnerable to trafficking 	Round Table Discussion
PNP-WCPD	<ol style="list-style-type: none"> 1. Lack of resources 2. No operational funds for trafficking cases have been allocated 	Interview with PNP-WCPD Chief

Philippine Port Authority	1. Bribery	Interview
Regional Task Force for Deportees	<ol style="list-style-type: none"> 1. No proper documentation, checking, or monitoring of private ports 2. Limited monitoring powers 3. Challenge in data collection; some may return to Malaysia under a new identity and be deported several times 	Round Table Discussion

E. Vulnerabilities of the Malaysian Government

As the issue at hand involves crossing borders, it is also important to look at the Malaysian government's vulnerabilities that may contribute to the proliferation of trafficking. Of the various sources of information, only the round table discussion yielded information. According to the participants, immigration authorities allow ineligible migrants into the country and do not monitor establishments where victims are trafficked. Yet, the Malaysian authorities have allegedly been arresting Filipinos without proper documentation. It was also mentioned that the rigorous implementation of immigration laws which are aimed to regularize and register illegal aliens (who have been deemed ineligible for permanent residency in Malaysia) puts vulnerable victims at risk. Although the research has not yielded concrete evidence of complicity on the other side of the border, there is little doubt that without a counterpart syndicate or group that has its own network of people from within and outside the government, it would be extremely difficult if not impossible for traffickers from the Philippines to sustain their operations from the ZAMBAULTA to Malaysia.

V. RECOMMENDATIONS

The following recommendations include inputs of government and non-government stakeholders who participated in the round table discussion or were interviewed in the course of the research. Stories of victims and potential victims of trafficking have especially been valuable in arriving at these recommendations. Suggestions of the researchers are also reflected. Hopefully, these will contribute to changes in policies, programs, and the relevant laws in order to better respond to the problem of trafficking.

A. Strengthen the Anti-Trafficking Law, R.A. No. 9208

(1) There should be attempted and frustrated stages of trafficking in the law because the presence of exploitation or the intent to exploit is not always apparent and often difficult to prove if the intervention or rescue of trafficked victims occurs at an early stage where the acts committed do not yet clearly indicate that the purpose of such act is to exploit the victim for labor, sex, removal or sale of organs, or engaging children in armed activities.

(2) Use of Trafficked Persons for Prostitution under Sec. 11 should be meted out a heavier penalty than mere community service for the first offense because without the customers who create the demand for paid sex from the trafficked victims, the traffickers cannot sustain their illegal activities. It would also send a strong message that people, especially women and children, should not be commodified and made as objects of trade or commerce.

(3) Law enforcement agencies and social workers should be immune from suit when they conduct rescue operations in vessels and other points of intervention in order to protect them from harassment cases filed by traffickers and their accomplices.

(4) Clarify and improve the definition of “for exploitation purposes” in the law so that there will be no confusion as to whether certain acts may already be considered an element or part of “exploitation” for trafficking purposes.

(5) There should be a provision which will give IACAT members legal authority to arrest those engaging in trafficking activities so that they would not have to rely on merely the power to effect citizen’s arrest.

(6) Section 10(h) provides that government officials or employees who shall issue or approve the issuance of travel exit clearances, passports, registration certificates, counseling certificates, marriage license, and other similar documents to persons who fail to observe the prescribed procedures and the requirement as provided for by laws, rules and regulations, shall be held administratively liable, without prejudice to criminal liability under the Act. The concerned government official or employee shall, upon conviction, be dismissed from the service and be barred permanently to hold public office. His or her retirement and other benefits shall likewise be forfeited. The same sanctions should be imposed on public officials or employees who are found guilty of committing other “Acts that Promote Trafficking in Persons,” as well as “Acts of Trafficking in Persons,” “Qualified Trafficking in Persons,” or “Use of Trafficked Persons.” Further, it should be clarified that conviction results in the automatic dismissal, permanent disqualification, and forfeiture of benefits, without prejudice to the imposition of the appropriate sanctions imposable under existing administrative laws if administrative liability is determined prior to judgment in a criminal case.

B. Intervention for Deportees

(1) Millions of pesos are spent each year to assist the deportees primarily for immediate shelter and return to their places of origin. Many of the deportees have been deported several times in the past and have availed of assistance each time. The government should review whether this system has encouraged persons to travel to Malaysia despite the risks because the assistance to deportees would always be there anyway as a safety net. If such is the situation, there should be other mechanisms in place to prevent the negative repercussion and abuse of the system.

(2) The influx of deportees is a logistical challenge in terms of maintaining an accurate database. In order to capture and preserve accurate and up-to-date information, the DSWD Processing Center for Displaced Persons should be provided with modern technology, as well as additional human resources. On the aspect of technology, the Center should be given the technical know-how and equipment to record and store the data. Ideally, it should be equipped to record personal identification through the use of biometrics considering that many

deportees change their names and adopt different identities for their personal documentation. The Center should also be supplemented with additional personnel in order to facilitate the conduct of the intake interviews. More importantly, the government should consider establishing an anti-trafficking task force based at the Center in order that the deportees can be properly screened to identify trafficked victims. A multi-agency group was deployed at the Center when it was newly established but this was not sustained.

(3) The Department of Foreign Affairs and the DSWD should coordinate in coming up with a protocol on how to handle children born in Malaysia of Filipino parents but who were deported to the Philippines for lack of identity papers. Most of them speak Malay only and have no roots in the Philippines which make them more vulnerable than the other deportees. Their status/nationality or citizenship should be clarified and identity papers should be issued to them.

(4) The Center should put together standard awareness-raising modules that all deportees should undergo before they are transported back to their places of origin. The modules should contain information on what trafficking is, including compelling accounts of victims of trafficking in Malaysia; identifying red flags; and what to do if and when they are trafficked and who to contact for help.

(5) The intake sheet used by the Center should include an inquiry into possible complicity of government officials in the Philippines and Malaysia.

C. Resource Development

(1) Prioritize programs and allocate sufficient funds to combat trafficking so that this problem can be dealt with holistically. The lack of funds forces implementers to focus only on the most impending need like rescue operations but without sufficient funds, they cannot even pursue the traffickers properly for lack of equipment and tools. Also, the tendency is to concentrate only on this aspect and leave campaigns for awareness-raising and information dissemination to other entities like the civic organizations and NGOs.

(2) Even then, resources, both human and financial, are also lacking as regards the advocacy component. While rescue operations, prosecution, and similar activities are very

important in the fight against trafficking, awareness-raising on the issue is an important preventive measure to lessen victimization. The efforts should be concentrated at the barangay or grassroots level in order to ensure that the information reaches persons who are vulnerable to trafficking. Stakeholders should consider drafting a training manual consisting of detailed modules to raise awareness at the grassroots level.

D. Witness Protection and Assistance

(1) Strengthen support to victims on all aspects especially during the prosecution against their traffickers. It may be necessary to amend the Witness Protection Program Act in order to extend the program to all victims of trafficking regardless of the presence of actual threat. This is because threat on the security and safety of the victims and their families is almost always present in trafficking cases.

(2) Provide victims with alternative and viable sources of income. Emphasis is given on viability because Malaysia will always be an attractive alternative regardless of risks for as long as there are no other feasible options.

E. Law Enforcement and Prosecution

(1) Strengthen the monitoring of backdoor exits, including the private ports; and implement a stricter procedure for registration of sea vessels, both public and private.

(2) Strengthen the MIACAT in Bongao, Tawi-Tawi considering that Bongao is the primary exit point to Malaysia.

(3) Speed up processes in the justice system and give more attention to trafficking cases. The prosecution should invoke Supreme Court Circular No. 151-2010, which provides that cases involving violation of R.A. No. 9208 shall be heard continuously, with hearing dates spaced no more than two weeks apart. It also provides that pending human trafficking cases should be given priority and decided with dispatch and newly-raffled cases should be heard and decided no more than 180 days from arraignment of the accused.

(4) Increase support for the Office of the Prosecutor by linking it with law groups that

can provide assistance in conducting witness interviews, drafting of affidavits and providing legal representation to victims. Law school-based human rights institutions that are located within the area, such as the Western Mindanao State University Human Rights Center, are strategic partners with high potential to provide paralegal and legal assistance. The Integrated Bar of the Philippines has an Anti-Trafficking in Persons Action Team that may also be harnessed to provide legal support.

F. Awareness-Raising and Enhancement of Knowledge and Skills

(1) There appears to be confusion as to the nationality and rights of children born of Filipino parent/s in Malaysia resulting in a form of “statelessness” for these children whose births are not registered. The appropriate government agencies, such as the Department of Foreign Affairs, Departments of Social Welfare and Development, and the National Statistics Office, should conduct trainings on citizenship and birth registration, and provide assistance for the late registration of children who are Philippine nationals.

(2) Enhance the knowledge and skills of community leaders, e.g. barangay officials, on the anti-trafficking law, detecting suspicious persons, modus operandi of traffickers, etc., as they would be the very persons who would easily detect traffickers or recruiters entering their jurisdiction.

(3) Conduct child-sensitivity and gender-sensitivity training to law enforcers, service providers and also to the communities to help eliminate the social stigma of being violated and victimized because of trafficking.

(4) Mainstream gender-sensitivity and anti-corruption themes in trainings.

(5) Conduct skills training in order to fill the knowledge gaps of the law enforcers with regard to affidavit-drafting, case build-up, entrapment operations, and how to ask the right questions in order for the elements of the crime of trafficking to surface.

(6) Train members of the media in order to enhance their understanding of trafficking as well as issues relating to privacy and confidentiality. The training should also address issues relating to the reporting on suspected corruption of government officials in order to ensure accuracy and fairness.

(7) Train non-government organizations in gathering information on potential indicators of corruption. The training should include interview protocols and templates that focus on corruption, which can be added to existing intake interview processes and forms.

These recommendations are in no way exhaustive, and may not ensure total eradication of the problem of human trafficking in ZAMBASULTA. Yet these are reforms that have to be instituted in order to escalate the fight against trafficking. Laws, policies, and programs that aim to address the problem should always be dynamic. Where perpetrators find new ways of committing human rights violations, such as human trafficking, so should the anti-trafficking community be more vigilant and resolute in its goal to contribute to the promotion and protection of human rights.

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Video

Moving Young

<http://video.search.yahoo.com/search/video?p=escape+domestic+violence+moving+young+unfpa+state+of+the+world+population+2006>

**ANNEX I.
NUMBER OF DEPORTEES PER REGION
(01 JANUARY 2011 TO 14 MAY 2011)**

Source: DSWD □ Processing Center for Displaced Persons

Breakdown of the Number of Deportees Per Region (January □ May 14, 2011)			
ZAMBASULTA	2684	Region VI	2
ARMM	2	Region V	1
Region XIII	6	Region IV	115
Region XII	12	Region III	6
Region XI	7	Region II	2
Region X	15	CAR	3
Region VII	29	NCR	7

**ANNEX II. BREAKDOWN OF DEPORTEES PER REGION
(01 JANUARY 2011 TO 14 MAY 2011)**

Source: DSWD □ Processing Center for Displaced Persons

ZAMBASULTA	CHILDREN				YOUTH				ADULT		SR. CITIZE N		TOTAL		GRAND TOTAL (M&F)
	0-6		7-12		13-17		18-24		25-59		60-above				
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
ZAMBOANGA CITY															
TOTAL	26	37	13	12	16	8	70	54	114	76	1	1	240	188	428
ZAMBOANGA DEL NORTE															
Dipolog City							1	1	4			1	5	2	7
Gutalac	1								1	1			2	1	3
Labason									3				3		3
Sibuco									5	1			5	1	6
Sindangan							1	1	3				4	1	5
Siocon	2		2	1			4		2	3			10	4	14
Sirawal							1		3				4		4
Tampilisan									2				2		2
TOTAL	3		2	1			7	2	23	5		1	35	9	44
ZAMBOANGA DEL SUR															
Bayog							1		1				2		2
Dimataling								1						1	1
Dinas							1		1				2		2
Imelda											1		1		1
Labangan							1		1				2		2
Lakewood									1				1		1
Margusatubig								1	1		1		2	1	3
Molave								1						1	1

	CHILDREN				YOUTH				ADULT		SR. CITIZEN		TOTAL		GRAND TOTAL (M&F)
	0-6		7-12		13-17		18-24		25-59		60-above				
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
Pagadian					1		2	1	2	1			5	2	7
San Miguel										1				1	1
TOTAL					1		5	4	7	2	2		15	6	21
ZAMBOANGA SIBUGAY															
Alicia	1	3					1		3	2			5	5	10
Ipil							4	1	4				8	1	9
Kabasalan									1				1		1
Malanggas									2				2		1
Naga						1	2		1	2			3	3	6
Olutanga							2						2		2
R.T. Lim									1				1		1
Talusan									3				3		3
Titay							3		1				4		4
Tungawan									1	2			1	2	3
TOTAL	1	3				1	12	1	17	6			30	11	41
BASILAN															
Isabela City	1	1	4	5	6	2	3		13	5			27	13	40
Lamitan	12	12	7	7	12	3	44	5	58	31	4	1	137	59	196
Maluso	6	4		5	10	3	17	6	31	15	1		65	33	98
Sumisip	9	8	5	3	1		26	7	33	20	3		77	38	115
Tipo-Tipo	23	17	8	13	5	5	17	3	23	22			76	60	136
TOTAL	51	42	24	33	34	13	107	21	158	93	8	1	382	203	585
SULU															
Indanan			1	1	3		12	4	18	5			34	10	44
Jolo	12	9	6	3	11	12	30	11	54	32			113	67	180
Kalingalan Caluang	2	7	5	3		1	11		14	5	1		33	16	49
Luuk	6	9	4	4	2	3	32	6	38	18	3		85	40	125
Maimbung							3	1	6	4			9	5	14
Panamao	1	1					1			1			2	2	4
Pangutaran	9	9	9	5	6		20	6	15	13			59	33	92
Parang	2	3	1			1	8	1	18	4			29	9	38
Patikul							8		5	1			13	1	14
Siosi	5	14	2	4	1	2	27	6	24	10	1		60	36	96
Tongkil							1	1	13				14	1	15
TOTAL	37	52	28		23	19	153	36	205	93	5		451	220	671
TAWI-TAWI															
Bongao	23	27	15	20	26	8	113	15	211	48	5		393	118	511
Mapun	3	7	5		4		16	3	28	10		1	56	21	77
Sitangkai	1	2	3	1	5		16		41	6		1	66	10	76
South Ubian	2	5	1	2	1		23	2	42	5	1		70	14	84
Taganak			1		1		14		19	5			35	5	50
Tandubas		1			2		21		26	2	2	2	51	5	56
TOTAL	29	42	25	23	39	8	203	20	367	76	8	4	671	173	844

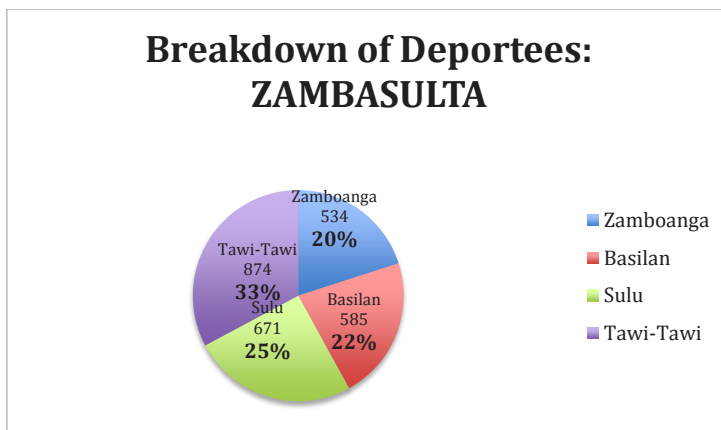
Trafficking in Women and Children in ZAMBASULTA

	CHILDREN				YOUTH				ADULT		SR. CITIZEN		TOTAL		GRAND TOTAL (M&F)
	0-6		7-12		13-17		18-24		25-59		60-above				
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
PALAWAN (note: Palawan was included here because of its proximity to Tawi-Tawi and because it is also a common transit point)															
Balabac	2	1		1	1	1	20	3	30	1			53	7	60
Bataraza							7	1	7	2	1		15	3	18
Brooke's Point							2		4				6		6
Ezpañola					2	2	6	1	5				13	3	16
Narra							1		1				2		2
Puerto Princesa							1	1		2			1	3	4
Quezon							1		1				2		2
Roxas									1				1		1
Taytay									1				1		1
TOTAL	2	1		1	3	3	38	6	50	5	1		94	16	110
ARMM															
LANAO DEL SUR							1		1				2		2
REGION XIII															
AGUSAN DEL SUR							1	4		1			1	5	6
REGION XII															
SOUTH COTABATO								1	1	2			1	3	4
SULTAN KUDARAT						1			4	1			4	2	6
SARANGGANI							1		1				2		2
REGION X															
BUKIDNON									3				3		3
MISAMIS OCCIDENTAL								2	5	1			5	3	8
MISAMIS ORIENTAL									1	1			1	1	2
CAGAYAN DE ORO								1	1				1	1	2
REGION IX															
DAVAO DEL SUR								1	1	2			1	3	4
DAVAO ORIENTAL									1	2			1	2	3
REGION VII															
SIQUIJOR										1				1	1
BOHOL									3				3		3
CEBU					3		5		13	2			21	2	23
NEGROS ORIENTAL										2				2	2

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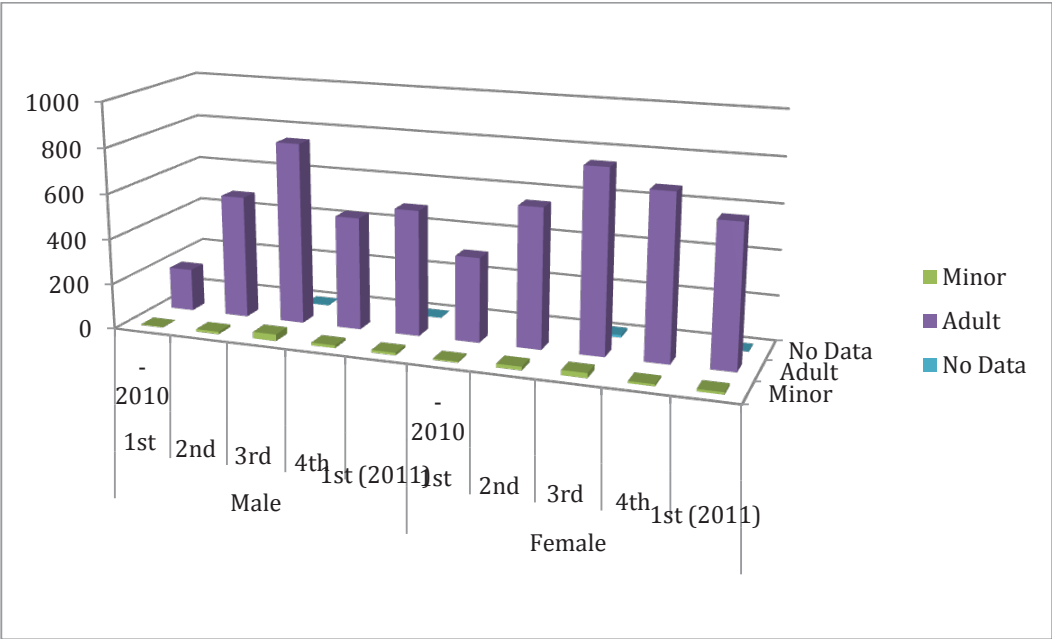
REGION VI	CHILDREN				YOUTH				ADULTS		SR. CITIZEN		TOTAL		GRAND TOTAL (M&F)		
	0-6		7-12		13-17		18-24		25-59		60-above						
	M	F	M	F	M	F	M	F	M	F	M	F	M	F			
NEGROS OCCIDENTAL										1					1	1	
ILO-ILO								1							1	1	
REGION V																	
CAMARINES SUR								1						1		1	
REGION IV																	
BATANGAS									1						1	1	
LAGUNA										1	1			1	1	2	
CAVITE									1		1				2	2	
REGION III																	
NUEVA ECIJA									1						1	1	
BATAAN										1				1		1	
PAMPANGA											2				2	2	
BULACAN		1							1						2	2	
REGION II																	
ISABELA DEL SUR										1					1	1	
CAGAYAN VALLEY										1					1	1	
CAR																	
MOUNT PROVINCE									1						1	1	
KALINGA APAYAO										2					2	2	
NCR																	
MANILA											1				1	1	
METRO MANILA		1						1	2		2				1	5	6

**ANNEX III.
BREAKDOWN OF DEPORTEES FROM ZAMBASULTA**



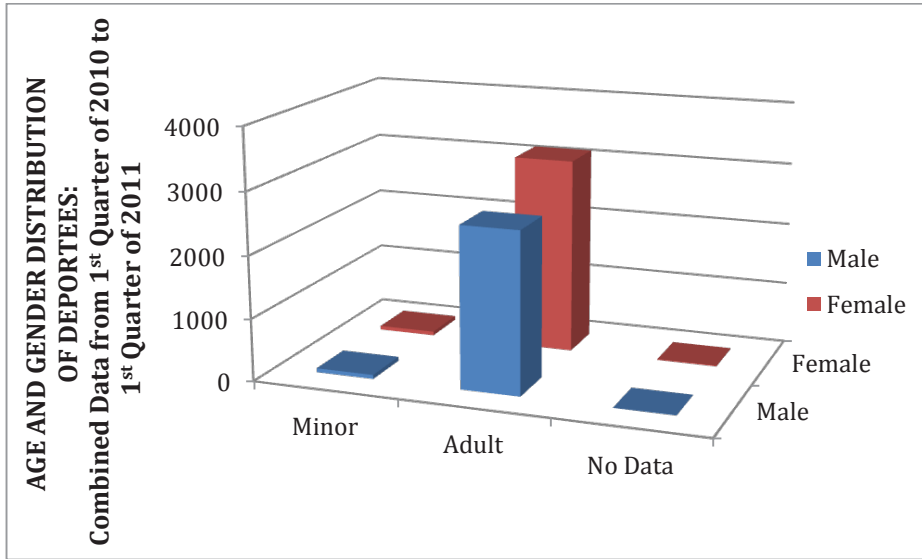
**ANNEX IV.
AGE AND GENDER DISTRIBUTION OF DEPORTEES
PER QUARTER**

AGE AND GENDER DISTRIBUTION: Per Quarter															
Quarter	Male					Female					Total				
	1 st (2010)	2 nd	3 rd	4 th	1 st (2011)	1 st (2010)	2 nd	3 rd	4 th	1 st (2011)	1 st (2010)	2 nd	3 rd	4 th	1 st (2011)
Minor	2	11	29	12	11	5	16	22	9	10	7	27	51	21	21
Adult	188	543	802	497	553	373	614	803	725	625	561	1157	1605	1222	1178
No Data			2		1			11		1			13		2
Total	190	554	833	509	565	378	630	836	662	636	568	1184	1669	1243	1201



ANNEX V.
SUMMARY OF AGE AND GENDER DISTRIBUTION
OF DEPORTEES

AGE AND GENDER DISTRIBUTION: Combined Data from 1 st Quarter of 2010 to 1 st Quarter of 2011				
	Male	Female	Total	Percentage
Minor	65	62	127	2.17%
Adult	2583	3140	5723	97.58%
No Data	3	12	15	0.25%
Total	2651	3214	5865	
Percentage	45.20%	54.80%		100%



**ANNEX VI.
ANNUAL REPORT OF THE
SEA-BASED ANTI-TRAFFICKING TASK FORCE**

CASE DISPOSITION

Case Disposition	Number		Total	Percentage
	Male	Female		
Off-loaded by BI	120	301	421	9.02%
Permitted to Travel by BI	1,744	1,781	3,525	75.58%
Backed-out to Travel	10	23	33	0.71%
Rescued/Intercepted by SBATTF (For Employment Passengers Without OEC, Tourist Passengers with One-Way Ticket, Minors Not Accompanied by Parents)	8	66	74	1.59%
Name Not Found in the Passengers Manifest (Permitted to Travel)	14	16	30	0.64%
Not Monitored (Referred for Off-Loading, for Further Assessment to BI)	182	366	548	11.75%

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Did not make it to BI stamping passport	7	25	32	0.69%
Suspected Illegal Recruiter	1	0	1	0.02%
Total	2,086	2,578	4,664	100%

CATEGORY OF MIGRANT

Category of Migrant	Number		Total	Percentage
	Male	Female		
Documented	65	70	135	2.90%
Undocumented	1,179	1,584	2,763	59.24%
Tourist	569	656	1,225	26.27%
Others:				
Alleged Illegal Recruiter	1	1	2	0.04%
Shipper	5	3	8	0.17%
Malaysian Citizen	2	0	2	0.04%
Researcher	1	0	1	0.02%
With Dependent Pass	0	1	1	0.02%
No data	264	263	527	11.30%
Total	2,086	2,578	4,664	100%

PURPOSE OF TRAVEL

Purpose of Travel	Number		Total	Percentage
	Male	Female		
Visit Friends/Relatives/ Boyfriends/Husbands/Husbands Grave/Imprisoned Brother/Old Employer	1,697	2,083	3,780	81.05%
Employment	116	158	274	5.88%
Vacation / Tour/Holiday	166	217	383	8.21%
Others:				
Attend Wedding	3	18	21	0.45%
To spend honeymoon	0	1	1	0.02%
To attend Christmas party/ attend practical training/ study/conduct research/ attend DTI Summit/attend seminar/conference/ workshop	5	8	13	0.28%

Trafficking in Women and Children in ZAMBASULTA

Business/inquire prices of fish in Malaysia/check quality products/check cargo ship in Sandakan	16	5	21	0.45%
To stay/be with husband and Kids/To take care of husband and errand/stay in Malaysia	1	7	8	0.17%
To verify employment in Brunei	0	1	1	0.02%
To get things/belongings/pick-up valuable things/assist brother with luggage	9	8	17	0.36%
To get things and claim remaining salary/collect 3 months salary	2	0	2	0.04%
To make a deal with employer about his salary	1	0	1	0.02%
Mission building-SDA Charity Works	4	5	9	0.20%
To fetch aunt with 2 kids/ fetch kids/ fetch sibling of wife/ fetch nephew and niece/ fetch child of cousin/ fetch ailing/sick mother/ fetch sister/uncle/ grandparents/cousin	8	6	14	0.30%
To assist widowed sister/ accompany ailing grandmother in going back to the Philippines/ just requested by sister to accompany her to Malaysia/ accompany sister/mother/ grandparents/live-in partner	4	4	8	0.17%
To look for long lost brother/ for daughter's husband/ for husband/ for aunt/for nephew/ for sister	5	3	8	0.17%
To get married/marry Malaysian BF/Bruneian BF	1	11	12	0.26%
To locate Chinese BF	0	1	1	0.02%
To process documents for Malaysian citizenship	0	2	2	0.04%
To tend to mother's death/ follow-up claims of husband's death/get cadaver of mother	1	2	3	0.06%

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To get TOR and assist mother	1	1	2	<i>0.04%</i>
To ask money from brother	1	0	1	<i>0.02%</i>
Disclosed that she was illegally recruited	0	1	1	<i>0.02%</i>
To return to Malaysia	2	7	9	<i>0.20%</i>
No data	43	29	72	<i>1.54%</i>
Total	2,086	2,578	4,664	100%

Note: The entire Zamboanga Peninsula makes up Region IX, while Basilan, Sulu, and Tawi-Tawi are all found in the Autonomous Region of Muslim Mindanao (ARMM).

ANNEX VII. VICTIMS SHELTERED AT THE VISAYAN FORUM HALFWAY HOUSE (2010)

AGE	SEX	PLACE OF ORIGIN	FORM OF TRAFFICKING	STATUS/UPDATE
21	F	Zamboanga City	Prostitution/Sexual Exploitation	No case filed Reintegrated with her family
22	F	Tarlac City	Prostitution/Sexual Exploitation	No case filed Returned to Tarlac City
25	F	San Pedro, Laguna	Prostitution/Sexual Exploitation	No case filed Reintegrated with family in Laguna
24	F	Sto. Domingo, Nueva Ecija	Prostitution/Sexual Exploitation	No case filed Reintegrated with family in Nueva Ecija
16	F	Tarlac City	Prostitution/Sexual Exploitation	Filed a case which is pending trial Returned to her home in Tarlac City after she completed her testimony
23	F	Navotas City	Prostitution/Sexual Exploitation	Case is under preliminary investigation; perpetrators are at-large Currently working in South Korea as entertainer
24	M	Cebu City	Forced Labor	No case filed

Trafficking in Women and Children in ZAMBASULTA

				Reintegrated with family in Cebu City
27	M	Cebu City	Forced Labor	No case filed Reintegrated with family in Cebu City
25	M	Cebu City	Forced Labor	No case filed Reintegrated with family in Cebu City
32	M	Banatayan, Cebu	Forced Labor	No case filed Reintegrated with family in Cebu City
21	M	Cebu City	Forced Labor	No case filed Reintegrated with family in Cebu City
21	M	Cebu City	Forced Labor	No case filed Reintegrated with family in Cebu City
40	M	Poblacion, Santa Fe, Cebu City	Forced Labor	No filed case Reintegrated with family in Cebu City
39	M	Sierra Bullons, Bohol	Forced Labor	No case filed Reintegrated with family in Cebu City
41	M	Sierra Bullons, Bohol	Forced Labor	No case filed Reintegrated with family in Cebu City
39	M	Sierra Bullons, Bohol	Forced Labor	No case filed Reintegrated with family in Cebu City
30	M	Sierra Bullons, Bohol	Forced Labor	No case filed Reintegrated with family in Cebu City
35	M	Sierra Bullons, Bohol	Forced Labor	No case filed Reintegrated with family in Cebu City
38	M	Sierra Bullones, Bohol	Forced Labor	No case filed Reintegrated with family

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				in Cebu City
32	M	Sierra Bullones, Bohol	Forced Labor	No case filed Reintegrated with family in Cebu City
23	M	Sierra Bullones, Bohol	Forced Labor	No case filed Reintegrated with family in Bohol
36	M	Sierra Bullones, Bohol	Forced Labor	No case filed Reintegrated with family in Bohol
25	M	Sierra Bullones, Bohol	Forced Labor	No case filed Reintegrated with family in Bohol
44	M	Ubay, Bohol	Forced Labor	No case filed Reintegrated with family in Bohol
25	M	Sierra Bullones, Bohol	Forced Labor	No case filed Reintegrated with family in Bohol
25	M	Sierra Bullones, Bohol	Forced Labor	No case filed Reintegrated with family in Bohol
43	M	Sierra Bullones, Bohol	Forced Labor	No case filed Reintegrated with family in Bohol
32	M	Sierra Bullones, Bohol	Forced Labor	No case filed Reintegrated with family in Bohol
35	M	Sierra Bullones, Bohol	Forced Labor	No case filed Reintegrated with family in Bohol
25	M	Jagna, Bohol	Forced Labor	No case filed Reintegrated with family in Bohol
22	M	Bilar, Bohol	Forced Labor	No case filed Reintegrated with family in Bohol

Trafficking in Women and Children in ZAMBASULTA

22	M	Sierra Bullones, Bohol	Forced Labor	No case filed Reintegrated with family in Bohol
27	M	Sierra Bullones, Bohol	Forced Labor	No case filed Reintegrated with family in Bohol
37	M	Lopez Jeana, Misamis Occidental	Forced Labor	No case filed Reintegrated with family in Misamis Occidental
30	M	Lopez Jaena, Misamis Occidental	Forced Labor	No case filed Reintegrated with family in Misamis Occidental
22	M	Oriquieta City, Misamis Occidental	Forced Labor	No case filed Reintegrated with family in Oriquieta City
28	F	Binan, Laguna	Prostitution/Sexual Exploitation	No case filed Reintegrated with family in Laguna
22	F	Tarlac City	Prostitution/Sexual Exploitation	No case filed Reintegrated with family in Tarlac City
33	F	Talavera, Nueva Ecija	Prostitution/Sexual Exploitation	No case filed Reintegrated with family in Nueva Ecija
23	F	Tarlac City	Sexual Exploitation Prostitution/Sexual Exploitation	No case filed Reintegrated with family in Tarlac

**ANNEX VIII.
SPECIFIC MANDATE AND RESPONSIBILITIES OF
GOVERNMENT AGENCIES
WHO ARE MEMBERS OF THE IACAT**

AGENCY	RESPONSIBILITIES
Department of Justice (DOJ)	<i>(i) Ensure the prosecution of persons for violations of the Act; (ii) Designate and train special prosecutors who shall investigate and prosecute cases of trafficking;</i>

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AGENCY	RESPONSIBILITIES
	<p><i>(iii) Establish a mechanism for free legal assistance for trafficked persons, in coordination with the DSWD, Commission on Human Rights (CHR), Integrated Bar of the Philippines (IBP), and other NGOs and volunteer groups;</i></p> <p><i>(iv) Provide witness protection to trafficked victims and their witnesses;</i></p> <p><i>(v) Conduct training and continuing education program on investigation and prosecution for trafficking in persons and other related offenses for prosecutors and law enforcement officers;</i></p> <p><i>(vi) Receive, evaluate, process, and investigate claims for compensation by trafficked victims, when applicable, pursuant to Republic Act No. 7309 (Victims Compensation Act);</i></p> <p><i>(vii) Review and recommend policies and measures to enhance protection against trafficking in persons;</i></p> <p><i>(viii) Recommend the negotiation of mutual legal assistance and extradition treaties with other countries in coordination with the DFA; and</i></p> <p><i>(ix) Coordinate with and/or provide assistance to the Anti-Money Laundering Council (AMLC) on cases of trafficking in persons with possible money laundering underpinnings.</i></p>
Department of Social Welfare and Development (DSWD)	<p><i>(i) Provide psychosocial counseling, temporary shelter, and other support services to victims/survivors of trafficking and their families;</i></p> <p><i>(ii) Make available skills training and livelihood services to victims/survivors of trafficking;</i></p> <p><i>(iii) Develop programs and other support interventions to facilitate the recovery and reintegration of trafficked victims into their families and communities;</i></p> <p><i>(iv) Provide social welfare services to Filipino victims of trafficking in other countries through the DSWD Social Welfare Attaché and social workers posted in foreign countries, which may include but not limited to stress management, repatriation, and other appropriate psychosocial interventions for their protection and welfare;</i></p> <p><i>(v) Conduct technical assistance and capability building activities for social welfare officers/social workers of LGUs and NGOs;</i></p> <p><i>(vi) Accredite NGOs that provide programs and services to ensure that they meet the standards set by the Department; and</i></p> <p><i>(vii) Provide temporary shelter and psychosocial services to foreign nationals who are victims of trafficking in persons as confirmed by the Bureau of Immigration.</i></p>

Trafficking in Women and Children in ZAMBASULTA

AGENCY	RESPONSIBILITIES
Department of Foreign Affairs (DFA)	<p><i>(i) Make available its resources and facilities overseas and to provide services for trafficked persons regardless of the manner of their entry to the receiving country;</i></p> <p><i>(ii) Explore means to further enhance its assistance in eliminating trafficking activities through closer networking with government agencies in the country and overseas, particularly in the formulation of policies and implementation of relevant programs;</i></p> <p><i>(iii) Actively participate in bilateral, regional, and international initiatives and cooperative arrangements aimed at suppressing trafficking in persons and protecting and assisting victims of trafficking to include monitoring of inter-country adoption cases.</i></p> <p><i>(iv) Take necessary measures for the efficient implementation of the Machine Readable Passports and Visas to protect the integrity of Philippine passports, visas, and other travel documents to reduce the incidence of trafficking in persons through the use of fraudulent identification documents;</i></p> <p><i>(v) Establish and implement pre-marriage, on-site, and pre-departure counseling program on inter-marriages. For this purpose, the DFA shall promulgate the necessary guidelines to implement the said program; and</i></p> <p><i>(vi) Integrate into the pre-departure orientation seminars for foreign service personnel a training module on trafficking in persons.</i></p>
Department of Labor and Employment (DOLE)	<p><i>(i) Ensure the strict implementation of and compliance with rules and guidelines relative to the employment of persons locally and overseas;</i></p> <p><i>(ii) Monitor, document and report cases of trafficking in persons involving employers and labor recruiters;</i></p> <p><i>(iii) Make available existing resources such as employment and livelihood programs as part of the government's measure to suppress trafficking in persons; and</i></p> <p><i>(iv) Conduct public awareness programs and activities to prevent victimization.</i></p>
Philippine Overseas Employment Administration (POEA)	<p><i>(i) Implement an effective pre-employment orientation seminar and pre-departure counseling program to applicants for overseas employment;</i></p> <p><i>(ii) Formulate a system providing free legal assistance to trafficked persons which shall include the following:</i></p> <p style="padding-left: 40px;"><i>(a) Provision of legal assistance to victims of trafficking in persons by means of, or in the guise of, recruitment for overseas employment, as defined in Section 6 of R.A. No. 8042, such as free legal advice, assistance in the preparation and filing of administrative and criminal actions for trafficking as defined in the Act, without</i></p>

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AGENCY	RESPONSIBILITIES
	<p><i>prejudice to the filing of administrative and/or criminal actions for illegal recruitment, as defined in R.A. No. 8042, when proper;</i></p> <p><i>(b) Assistance in the prosecution of persons who engage in, promote and facilitate trafficking in persons by means of, or in the guise of, recruitment for overseas employment, as defined in Section 6 of R.A. 8042; In this connection, the POEA shall likewise adopt a policy of confidentiality in all cases referred to it involving possible violations of the Act;</i></p> <p><i>(iii) Adopt policies and procedures, prepare, and implement programs geared towards the eradication of trafficking in persons as well as acts that promote trafficking in persons such as, but not limited to, the following:</i></p> <p><i>(a) Comprehensive and Integrated Education Program on overseas employment which shall be undertaken in partnership with other relevant organizations and government entities. Such education program shall cover all stages of recruitment and employment and shall provide information useful for overseas workers including a module on anti-trafficking program and measures;</i></p> <p><i>(b) Nationwide multi-media and sustainable grassroots information campaign to create public awareness on the realities of overseas employment and dangers of becoming victims of illegal trafficking activities;</i></p> <p><i>(c) Conduct special operations, complementary to the power of the PNP, on persons and entities engaged in recruitment for overseas employment reported to be violating the provisions of the Act for the purpose of effecting closure of said establishments pursuant to the provisions of R.A. No. 8042; and</i></p> <p><i>(d) Database of cases involving, and personalities involved in, trafficking persons separate and distinct from its illegal recruitment cases for monitoring purposes;</i></p> <p><i>(iv) In cases of repatriation involving workers recruited and deployed by licensed agencies, the POEA shall notify the agency concerned to provide a plane ticket or Prepaid Travel Advice (PTA) and shall impose sanctions on said agencies for failure to cooperate in providing welfare assistance to OFWs they have deployed; and</i></p> <p><i>(v) Continue to regulate private sector participation in the recruitment and overseas placement of workers through its licensing and registration system pursuant to its rules and regulation on overseas employment. It shall formulate and implement, in coordination with appropriate entities concerned, when necessary, a system of promoting and monitoring the overseas employment of Filipino workers, taking into consideration their welfare and protection from the dangers and risks inherent in overseas employment, including illegal trafficking.</i></p>

Trafficking in Women and Children in ZAMBASULTA

AGENCY	RESPONSIBILITIES
Bureau of Immigration (BI)	<p><i>(i) Strictly administer and enforce immigration and alien registration laws;</i></p> <p><i>(ii) Adopt measures for the apprehension of suspected traffickers both at the place of arrival and departure;</i></p> <p><i>(iii) Ensure compliance by the Filipino fiancés/ fiancées and spouses of foreign nationals with the pre-departure and counseling program requirement of the Act;</i></p> <p><i>(iv) Strictly implement the requirement for a parental travel authority duly processed by the DSWD for minors traveling abroad unaccompanied by one parent, and the travel clearance for minors traveling abroad unaccompanied by both parents;</i></p> <p><i>(v) Ensure compliance by Overseas Filipino Workers of the departure requirements of the POEA;</i></p> <p><i>(vi) Conduct periodic training and seminar on fraudulent document detection and passenger assessment to enhance the level of skill and competence of all its immigration officers and agents in document fraud detection;</i></p> <p><i>(vii) Conduct periodic study of the trends, routes, and modus operandi employed by the traffickers including its recruitment base, transit countries and country of destination;</i></p> <p><i>(viii) Establish a network with other law enforcement agencies and immigration counterparts of source, transit and destination countries to facilitate exchange and sharing of information on the activities of trafficking syndicates;</i></p> <p><i>(ix) Establish network with LGUs for the effective apprehension of suspected traffickers and their cohorts;</i></p> <p><i>(x) Develop a program for the procurement and installation of International Civil Aviation Organization (ICAO) □ compliant machine readers and fraud detection equipment at all international airports and seaports in the country to deter trafficking in persons; and</i></p> <p><i>(xi) Develop and distribute materials containing advisory and other pertinent information to enhance awareness against trafficking in persons.</i></p>
Philippine National Police (PNP)	<p><i>(i) Undertake surveillance, investigation, and arrest of individuals or persons suspected to be engaged in trafficking;</i></p> <p><i>(ii) Coordinate closely with various law enforcement agencies to secure concerted efforts for effective investigation and apprehension of suspected traffickers. For this purpose, it shall also:</i></p> <p style="padding-left: 40px;"><i>(a) Pursue the detection and investigation of suspected or alleged trafficking activities at airports through its Aviation Security Group,</i></p>

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AGENCY	RESPONSIBILITIES
	<p><i>at seaports and/or harbors through its Maritime Group, and at land transportation terminals through its police station and when proper, file the appropriate charges against traffickers in the proper court;</i></p> <p><i>(b) Coordinate with the Philippine Ports Authority (PPA) which may have initially processed complaints at their □Balay Silungan sa Daungan; □and</i></p> <p><i>(c) Coordinate with local and barangay officials with respect to the apprehension and/or arrest of traffickers.</i></p> <p><i>(iii) Establish a system to receive complaints and calls to assist trafficked persons, and the conduct of rescue operations;</i></p> <p><i>(iv) Direct and supervise the enforcement of its mandate under the Act and its rules and regulations;</i></p> <p><i>(v) Supervise the conduct of investigations relating to apprehension occurring at land transportation terminals, domestic seaports and airports and monitor the filing of appropriate cases against traffickers;</i></p> <p><i>(vi) Formulate plans and programs for the prevention and/or reduction of trafficking in persons;</i></p> <p><i>(vii) Integrate in the program of instruction comprehensive, gender sensitive and child-friendly investigation and handling of cases of trafficking in persons in the Philippine National Police Academy (PNPA), Philippine Public Safety College (PPSC) and other training schools operated and managed by the PNP; and</i></p> <p><i>(viii) Establish anti-trafficking section under the Women and Children Complaint Desk (WCCD) in all city and municipal police stations.</i></p>
National Commission on the Role of Filipino Women (now Philippine Commission on Women [PCW])	<p><i>(i) Actively advocate and participate in international and regional discussion and initiatives in trafficking in women and include the same in all of its international commitments and policy pronouncements. Where possible and appropriate, work with the Department of Foreign Affairs in forging bilateral and multilateral collaborative projects on trafficking;</i></p> <p><i>(ii) Assist the Council in the formulation and monitoring of policies addressing the issue of trafficking in persons in coordination with relevant government agencies;</i></p> <p><i>(iii) Assist the Council in the conduct of information dissemination and training to frontline government agencies, NGOs and the general public;</i></p> <p><i>(iv) Assist in the development of gender responsive documentation system in coordination with other agencies and the National Statistical Coordination Board (NSCB) through its monitoring of the situation of women particularly on violence against women;</i></p>

AGENCY	RESPONSIBILITIES
	<p>(v) Assist the Council in the formulation of prevention and reintegration programs for victims of trafficking including the demand side; and</p> <p>(vi) Conduct studies on the root causes, magnitude and forms of trafficking in women and document best practices in prevention programs.</p>

ANNEX IX.

SPECIFIC MANDATE AND RESPONSIBILITIES OF LOCAL GOVERNMENT UNITS AND NGO MEMBERS OF THE IACAT

LOCAL GOVERNMENT UNITS	NGO MEMBERS OF IACAT
<p>(a) Monitor and document cases of trafficked persons in their areas of jurisdiction;</p> <p>(b) Effect the cancellation of licenses of establishments which violate the provisions of the Act and ensure its effective prosecution;</p> <p>(c) Undertake an information campaign against trafficking in persons through the establishment of the Migrants Advisory and Information Network (MAIN) desks in municipalities and provinces in coordination with the DILG, PIA, Commission on Filipino Overseas (CFO), NGO,s and other concerned agencies;</p> <p>(d) Encourage and support community-based initiatives which address trafficking in persons;</p> <p>(e) Provide basic social services for the prevention, rescue, recovery, rehabilitation, and reintegration/after-care support services to victims of trafficking in persons and their families;</p> <p>(f) Enact ordinances or issuances aimed at providing protection and support to trafficked persons and adopt measures to prevent and suppress trafficking in persons; and</p> <p>(g) Strengthen, activate and mobilize existing committees, councils, similar organizations and special bodies at the provincial, city, municipal and barangay levels to prevent and suppress trafficking in persons.</p>	<p>(a) Assist government agencies in formulating and implementing policies, programs and IEC campaign against trafficking;</p> <p>(b) Assist in capability-building activities of government personnel and share their experiences and expertise in handling trafficking cases;</p> <p>(c) Coordinate with concerned government agencies, LGUs and other NGOs in reporting alleged perpetrators, rescuing victims of trafficking, and conducting investigation/surveillance, if indicated;</p> <p>(d) Undertake programs and activities for the prevention, rescue, recovery and reintegration of the victims of trafficking and other support services for their families;</p> <p>(e) Document and/or assist in the documentation of cases of trafficking;</p> <p>(f) Disseminate guidelines to all its network members, local and international, on policies and programs addressing issues on trafficking in persons;</p> <p>(g) Formulate educational module to address the demand side of trafficking; and</p> <p>(h) Perform such other tasks as may be agreed upon by the Council.</p>



THE
ATENEIO
HUMAN RIGHTS
CENTER

The Ateneo Human Rights Center (AHRC) was founded in October 1986, a few months after the historic EDSA Revolution drew attention to the indomitable might that is People Power. While the dictatorship infamous for human rights violations was overthrown through peaceful and bloodless means, it became obvious immediately thereafter that much work still had to be done in the field of human rights. AHRC was established as one of the first university-based institutions engaged in the promotion and protection of human rights in the country.

Housed in the School of Law of the Ateneo de Manila, AHRC strives to do its part in espousing the university's challenge that every Atenean should use the gift of excellence to be "lux in Domino" – light in the Lord. It keeps faith with the guiding principle of forming men and women for others which underlies Ateneo pedagogy. As Fr. Bievenido F. Nebres, S.J., former President of the University, said: "The vigor of the Ateneo's social centers and the many socially oriented activities on campus . . . reflect our commitment to place excellence at the service of others."

AHRC's initial program was the Summer Internship Program. It was designed to provide law students with exposure to human rights work and advocacy and produced the first crop of interns in the summer of 1987. Since then, the Internship Program has been expanded substantially.

In 1990, two additional programs were put up: Research and Education, and Litigation. The Research and Education Program grew out of the need of various groups and sectors for more training and education on human rights issues and laws. The need for such training and education as well as the proposal to create a litigation unit to handle human rights cases were particularly articulated by interns borne out of their experiences during the Summer Internship Program. These developments eventually led to more intense advocacy on human rights issues.

Also in 1990, the AHRC became the Secretariat of the Human Rights Committee of the Law Association for Asia and the Pacific (LAWASIA). In 1993, the interns initiated the creation of the Child Rights Desk named *Adhikain para sa Karapatang Pambata* (AKAP) that became a pioneer in the legal promotion and protection of children's rights in the Philippines. In 1996, the AHRC took on the role of Secretariat of the Working Group for an ASEAN Human Rights Mechanism.

Subsequent developments include the establishment of specialized desks, namely the Urduja Women's and Migrants' Desk and the Katutubo (indigenous peoples) Desk. Today, AHRC pursues its mandate of protecting and promoting human rights through increasingly varied programs and services. Among other things, it is engaged in legal assistance, research and publication, law and policy reform advocacy, training and education, institution building, curriculum development, and values formation.

In pursuing its goals, AHRC works closely with various government agencies, the academe, NGOs, grassroots organizations, and other civil society groups. Partnerships have been established and maintained with national and international organizations whose operations and expertise are relevant to the respective sectors served by AHRC.

As a unit of the Ateneo Law School, AHRC also actively participates in the integration of human rights laws into the mainstream. Through curriculum development, AHRC introduces law students to human rights advocacy and awareness within the framework of the legal system. AHRC has also been instrumental in the introduction of human rights courses into the Ateneo Law curriculum. Elective courses now include subjects such as Human Rights Law, Children's Rights Law, Gender and the Law, Street Law, Indigenous Peoples Rights Law, International Humanitarian Law and Refugee Law.

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