



KALAYAAN

A Justice Bulletin : December 2008

Why “*Kalayaan*”? Today, thousands of children in Metro Manila lack foundational freedoms: freedom of movement, the right to choose what happens to their bodies, the chance to work for a different future, freedom from fear. Recognizing this daily battle, local, regional and national branches of the Philippine government and organizations like International Justice Mission (IJM) are working to promote these freedoms, rescue children from abuse and give every child a reason to hope.

Kalayaan is a free quarterly newsletter focused on the problem, relevant laws and brutal reality of child trafficking for sexual exploitation, sexual abuse against children, and children who have been illegally detained in adult prisons. Hear from government officials, advocates and social workers who specialize in these issues. Encounter stories of victim rescue, perpetrator accountability, victim aftercare and structural change as they relate to abuses against children. Read *Kalayaan* and change the way the Philippines sees justice.



RAPE VICTIM RECEIVES CLOSURE AFTER FIVE-YEAR TRIAL

Last fall, IJM client Jaelin* received justice in court when the perpetrator who assaulted her five years ago was found guilty of rape and sentenced to imprisonment for 20 to 40 years.

On March 1, 2003, the perpetrator assaulted and raped 16-year-old Jaelin after forcibly entering the building where she resided. Despite her fear and apprehension after the assault, the victim reported the crime to local police, who responded to the complaint.

The perpetrator was arrested and put on trial for the violent assault. However, the victim could not afford legal representation, putting the case in jeopardy. Her case was referred to IJM Manila's legal team through the Child Protection Unit of Philippine General hospital. IJM attorneys Reynaldo Bicol and Leah Apostol appeared as private prosecutors in the case, and an IJM social worker assured that the victim's needs were met. IJM staff also referred her to aftercare partners to ensure she had access to services she needed as she healed from the traumatic experience.

IJM'S FOUR-FOLD PURPOSE

- Victim Relief
- Perpetrator Accountability
- Victim Aftercare
- Structural Prevention

Finally, on September 2, 2008, the court rendered its decision, finding the accused guilty of the crime of rape. In addition to the prison sentence, he was ordered to pay the victim fines amounting to P100,000 in moral damages and civil indemnity.

The former victim is now living independently, though she continues her relationship with her IJM social worker, who provides counseling and support as she navigates the healing process.

*To conceal the identities of victims and safeguard casework, pseudonyms have been used throughout these accounts. Actual names and casework documentation are on file with IJM. All text and images © 2008 International Justice Mission.



Is child trafficking really a problem in the Philippines?

? What is sex trafficking?

Sex trafficking is a massive global enterprise based upon force, coercion and deception. Traffickers transport or detain their victims for the purpose of exploitation and profit through acts of sexual violence.. Trafficking deprives people of their human rights and freedom, it is global health risk, and it fuels the growth of organized crime.

? How big is the problem in the Philippines?

The Philippines is ranked fourth among countries with the highest number of prostituted children. The 2007 United States Department of State *Trafficking in Persons Report* put the number of Filipino child victims of trafficking at 60,000 to 100,000.

? Where do these children come from?

Most trafficked Filipino children are from the Visayas and Mindanao regions¹. Often they are driven into the hands of traffickers by desperate economic circumstances. These children are trafficked to the cities to become factory workers, domestic helpers or engage in prostitution.

? What can be done?

There is an enormous need for increased rescues of trafficking victims, diligent prosecution of traffickers, and for people freed from slavery to be treated as victims of crime, not criminals.

1. 2007 U.S. Department of State *Trafficking in Persons Report*



CHILD TRAFFICKERS GET 20 YEARS IN PRISON, P1 MILLION FINES

Two women were pronounced guilty of trafficking minors for sexual exploitation on November 27, 2008 and sentenced to each serve 20 years in prison, plus pay a fine of P1 million each. The conviction of the accused is only the 13th for this crime in the Philippines.

In this rare trafficking case, four female victims ranging from 14 to 16 years old from Paranaque were trafficked to Daraga, Albay in the Bicol Region and made to work against their wills as guest relations officers in a bar.

Department of Justice (DOJ) Assistant Secretary Geronimo Sy referred the case to IJM for aftercare of the victims and

legal intervention by IJM attorney Liwliwa Agbayan. After only a year of trial, Judge Jaime M. Guray of the Regional Trial Court of Paranaque City, Branch 260, convicted the accused of trafficking victims for sexual exploitation in violation of the Anti-Trafficking in Persons Acts of 2003 (RA 9208).

“This conviction is a clear statement that the trafficking of minors is unacceptable in the Philippines,” said Carmela Andal-Castro, Director of IJM, Manila.

“This is a great example of how collaboration among the DOJ, law enforcement and the non-government organization sector can bring key results in the fight against trafficking.”

WHO IS A “TRAFFICKER”?

According to Section 3 (a) of R.A. 9208, a trafficker is someone who transports, transfers, harbors or receives a person within or across the Philippines, by unlawful means for an exploitative purpose.

FIVE TRAFFICKING VICTIMS RESCUED AT AQUINO AIRPORT

IJM-supported members of the Anti-Trafficking Task Force at Ninoy Aquino International Airport intercepted five minors who were on the verge of being trafficked to Saudi Arabia on July 30, 2008. An employee of the travel agency who was allegedly deploying the minors to work abroad was also apprehended. The five minors were recruited from different provinces in the Mindanao region. They were issued fake travel clearances and fraudulent passports and were told they were to work in Saudi Arabia as nurses, cashiers and clerks.

In September a Resolution was issued, recommending prosecution of the travel agent for violation of the Anti-Trafficking in Persons Act of 2003. This successful rescue would not have been possible without close coordination between IJM, Visayan Forum Foundation and government partners.



VICE PRESIDENT DE CASTRO AND IJM CEO DISCUSS MUTUAL BATTLE AGAINST EXPLOITATION OF WOMEN & CHILDREN

This summer, IJM President and CEO Gary Haugen met with Vice President Noli De Castro to discuss continued collaboration in the fight against the trafficking and exploitation of Filipino women and children. Haugen was joined by a delegation of IJM staff from the Philippines and the United States.

An outspoken advocate for the rights and protection of abused overseas Filipino workers and victims, De Castro thanked the delegation for its support of his efforts to rescue women and children trafficked in and out of the Philippines for sexual exploitation

De Castro commended IJM for its role in obtaining the Philippines' eleventh child trafficking conviction under R.A. 9208, which resulted in a life sentence for the perpetrator. He called on IJM to continue their operations in the Philippines, noting, that such actions send a powerful message to those who exploit others. He thanked IJM for their participation in recent rescue operations conducted by his office with various law enforcement groups.



Andrey Savchenko and Mia Andal-Castro, directors of IJM Cebu and Manila, join president of IJM, Gary Haugen, to address anti-trafficking strategies with Vice President De Castro during a July meeting.

The Vice President demonstrated his continued commitment to protect Filipinos at risk of abuse by pledging his personal and official support to IJM. De Castro vowed to mobilize the full weight of his office to assist IJM in its prosecution of cases. This includes the facilitation of case referrals and partnerships with prosecutors, law enforcement agencies and government officers that can provide aftercare, educational and vocational opportunities to survivors of trafficking.

He also noted that he would utilize IJM's wide network of international field offices in South Asia, Southeast Asia, Africa, and Latin America to widen the capabilities of his own campaign to protect Filipinos abroad. De Castro directed his staff to liaise with IJM and create a memorandum of agreement, formalizing the partnership between the two organizations.



International Justice Mission is a human rights agency that secures justice for victims of slavery, sexual exploitation and other forms of violent oppression. IJM lawyers, investigators and aftercare professionals work with local officials to ensure immediate victim rescue and aftercare, to prosecute perpetrators and to promote functioning public justice systems.

Based in Washington, D.C., IJM has 14 field offices in South Asia, Southeast Asia, Africa and Latin America.

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SEEK & JUSTICE

Carol's Story*

"I remember when I was in third grade. We mourned the death of my grandmother. She was a big loss, not only because she was so sweet and kind, but also because she was a good dressmaker. She ran our store and also took care of us whenever my parents were working. When we lost her, we also lost our one source of income.

Two years after that, my mom gave birth to my youngest brother and stopped working. Then the company where my dad was working closed. That was the start of our misery. We were financially unstable, but it got even worse when we lost our house in a fire the next year. Those times were really a challenge.

When my high school years came things were still bad. I went to school with only enough money for my fare getting there. Going home I had to walk, and for my snacks I depended on my dear friends. In those days, my youngest sibling drank *AM* instead of milk.

There was such suffering, but my mom never stop praying and reminding us to ask for God's guidance. But as a teenager I wanted a different life, so I became the reason for my mom's headaches. I ran away from home and lived the way I wanted.

I met IJM in 2006. It was during that time that I realized I was on the wrong path. I asked God for peace of mind, but never thought that I could go back to my family. God sent IJM to help me. I got to start over again when they provided temporary shelter, counseling and even educational sponsorships. They taught me how to reach out.

Now, I am a family-oriented person: adviser to my siblings, budget officer for my mom who is working abroad, and an accounting student. Prayers may not be answered as expected, but surely God's will is the best way."

-After spending a year trapped in forced prostitution, Carol was rescued from a bar in Matakí by local authorities in collaboration with IJM

**Names have been changed.*



BIBLICAL FOCUS

God has bestowed each of us with certain gifts and resources. Being stewards of those resources means as Christians we are to use these gifts for God's work.

Read Isaiah 59:14-16

What do these verses say about God's expectations of his followers? Why do you think "righteousness stands at a distance"? What gifts, resources, relationships, expertise and power has God given you that may be used on behalf of the oppressed?

What can you do about injustice?

Speak up for the oppressed through prayer. Speak to the God of justice, mercy and power. Advocate for justice, carefully speaking truth to people in power.

Stand with the oppressed.

Be used by God to deliver people from their oppression. Consider situations in your own family, community and world. What truth can you tell on behalf of those being victimized by the abuse of power? What power can you bring to bear on their behalf? What specific actions can you take on behalf of justice? Where will you begin?

PRAYING FOR JUSTICE

Pray that IJM and other local non-government organizations will be able to develop and deepen relationships of mutual benefit and trust with government officials and law enforcement officers who are responsible for rescuing oppressed children.

Pray that local governments and law enforcement personnel will have the will and determination to vigorously prosecute perpetrators of crimes against children.