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Trafficking in Women and Children: Violence Against Women and Humanity

Statement by Catherine P. Maceda, Deputy Executive Director, Commission on Filipinos Overseas, Republic of the Philippines

Madam Chairperson, distinguished delegates,

I am pleased to be given this opportunity to address this workshop on "Women as Victim and Survivors". My presentation will focus mainly on trafficking of women and children as a global issue that strikes at the core of humanity, gender equality, and human rights.

Nature of the Problem

Trafficking in human beings is modern-day slavery at work. It is a manifestation of violence against women. Its victims, predominantly women and girls, suffer the brunt of this insidious form of violence. It is about abuse, exploitation, coercion, deception, abduction, rape, physical and mental abuse, prostitution, forced labor, and indentured servitude. It is about high profits and low risks. In certain cases, it is even about death.

Trafficking is a violation of human rights. It is, by the very least, anathema to development.

The Philippines equally shares the concern of the global community over the increasing tide of trafficking. It recognizes trafficking both as a "women's issue", and as a transnational crime whose profits feed into the wider spectrum of illegal activities perpetrated by organized crime groups, at the expense of human rights.

Scope of the Problem

Our government's concern over the issue of trafficking is anchored on the fact that at least seven million Filipinos, or ten percent of our population are currently residing or working overseas.

CFO estimates show that there are nearly 7.3 million Filipinos overseas as of December 1999. Almost three million of these are overseas workers; 2.37 million are permanent residents overseas; and nearly two million are considered irregular migrants. Women account for at least 60% percent of our regular migrants.

In my agency, we counsel between 14,000 to 19,000 fiancées or spouses of foreign nationals every year. Over 33% of them are matched through pen pal arrangements, pen pal clubs, marriage bureaus, through the internet, or through public advertisements.

Beyond these seemingly innocent figures lie the fact that some of our migrants are victims of trafficking. How much of them are actually trafficked is something we have yet to clearly establish. On the basis of cases brought to our attention, it is estimated that they are present in no less than 46 countries.

From 1995 to early 2000, the Philippine Department of Foreign Affairs and the Commission on Filipinos Overseas have attended to no less than 690 trafficking victims. There are, of course, thousands more, left unreported.

A review of these cases have helped us establish some trends and features of the problem. Allow me to share this with you:

The number of trafficking cases has been increasing, with 1999 accounting for at least 38% of the cases;

64% of the victims are women;

20% of women victims were forced into prostitution;

48% were trafficked to Asia Pacific countries; 29% to the Middle East; and 20% to Europe;

42% were forced to work in slavery like conditions;

Victims paid as much as \$6,000 to recruiters

33% of the victims were repatriated.

The trafficking routes, as we have documented from these cases, are complex. Many of these countries, we have noted, do not have laws against trafficking. For a few that have, enforcement is weak and unsustaining. The absence of "harmonized" sanctions, and the existence of permissive legal regimes along the migration routes, unfortunately, have been capitalized by human traffickers.

Trafficking assumes various forms and character. It can occur through legal or illegal means. Some are characterized by voluntariness in the transaction, while others involve coercion and even abduction. Some of the victims were aware of the risks and the pitfalls; others were lured by false promises. In many cases, however, the migrant's freedom of choice is significantly impaired by economic desperation. In all these cases, however, there is only one indisputable fact – women and children have been sold for profit.

Philippine Response to the Problem

The Philippines addresses the issue of trafficking through four core areas of intervention, namely: Prevention, Protection, Prosecution, and Reintegration.

Our government has taken serious efforts to address trafficking in human beings. The United Nations Office for Drug Control and Crime Prevention, in a rapid assessment report it released in November 1999, noted that "considerable administrative and legislative efforts to address problems associated with migration" already exists in the Philippines.

The principles and fundamentals of our programs to promote the well-being of Filipino migrants are enshrined in the Migrant Workers and Overseas Filipinos Act of 1995.

Our preventive agenda is anchored in promoting growth with social equity and the dispersal of development initiatives. The root causes of our migration problems are founded on limited opportunities for gainful employment at home and we intend to address this.

As part of our preventive agenda, my agency has been undertaking, since 1987, community awareness and information program on the realities of migration.

President Estrada also launched in December 1998 the Migrants Advisory Information System which stores information on at least fifty nine countries, including its immigration policies, culture, welfare policies, and other information of import to prospective migrants. Through this system, we hope to be able to provide accessible and accurate information to the public on the migration laws of other countries.

In today's world, battles are won not just through numbers. They are won through information and education.

As such, we have systematically integrated "International Migration and Development" as a learning area in the curriculum of primary and secondary students. The Catholic Bishops Conference of the Philippines is actively supporting this initiative through the training of teachers in private schools. To date, we have trained no less than 43,000 school teachers nationwide. We are doing this with the hope that we may educate our youth on such matters as social responsibility, love for one's country, human rights, and other intrinsic values that should make them more responsible citizens of the country and of the global community.

The Department of Foreign Affairs has likewise pursued a more vigorous campaign against passport irregularities. Secretary Siazon announced this January that machine-readable passports and visas are expected to be issued by the DFA this year.

Diplomatic channels have been utilized to advocate for more relevant international instruments to protect migrants. In 1996, the Philippines initiated the "Manila Process" to provide a forum for continuing dialogue among countries in

the region on migration-related issues, including trafficking of women and children. Just recently, the Philippines, in cooperation with the United States, hosted the Asian Regional Initiative Against Trafficking Meeting. The meeting produced the Regional Plan of Action Against Trafficking in Women and Children.

Trafficking of persons is a transnational crime. It therefore requires more than just the creative response of one or two governments. Individual efforts of countries will have to be harmonized and coordination among source, destination, and transit countries, improved. Ultimately, it is the collective resolve of nations that will define the outcome of our battle against trafficking.

Our preventive agenda seeks to promote informed decision-making and the empowerment of migrants through information. Pre-departure and pre-employment seminars are extended by the government to departing workers, immigrants, and even prospective migrants. More than 200,000 workers and 50,000 immigrants avail of pre-departure seminars conducted by our government every year.

Counseling services are systematically provided, as a matter of government requirement, to people in inter-marriages. Through these counseling sessions, would-be traffic victims can be easily detected.

We have developed a serial sponsors data base that enables us to identify foreigners who traffic men and women abroad under the pretext of intermarriage. An average of 100 individuals are counseled every day by our agency and no less than 400 individuals are on hold, at any one time, due to suspicions of fraud or irregularity in their documents.

As part of our protection agenda, we have heightened our monitoring capabilities through the establishment of information systems such as the case monitoring system. This gives us the capability to monitor the development of specific cases, identify particular action officers, and process data for policy formulation purposes. We have started in February this year, the computerization of trafficking-related cases reported to our Foreign Affairs Department.

To enhance information sharing, sixteen agencies of our government signed in December 1999, a Protocol for the development of the Shared Government Information System. This will allow agencies of our government to share information on migration, thereby enhancing law enforcement capabilities.

As part of our Prosecution efforts, stricter enforcement of special laws related to migration have also been initiated through the assignment of special prosecutors to handle these cases. Additional law enforcement coordinating bodies were also established to address the extensive and international character of trafficking. A legislative measure on the suppression of trafficking in women and children is also nearing its enactment by our Congress. This bill defines the various acts that constitute trafficking and provide heavy penalties against offenders.

Our Embassies and Consulates are engaged in continuous networking activities with governments and the civil society. It is through these linkages that we hope to be able to promote better coordination on matters involving the arrest and prosecution of traffickers, as well as better treatment for our migrants.

As part of our reintegration agenda for victims and survivors of trafficking, our government provide repatriation assistance for trafficking victims. The Department of Social Welfare and Development has also developed a Special Project for Women in Especially Difficult Circumstances. This project aims to enable victims to resolve their problems and be restored to normal functioning. It is important to note, however, that services of this nature will also have to be provided in the host countries. This is where the assistance of the civil society, the NGOs, the business sector, and the academe is considered essential.

Trafficking victims suffer from serious physical and emotional effects resulting from their experiences. Medical and health problems are evident in many trafficking victims. Post traumatic stress disorder is common as are intense feelings of guilt, fear, shame, anger, depression, disorientation, betrayal, and distrust.

Conclusion

Madam Chairman, distinguished delegates,

A collective approach, both at the national and international level, is both an essential and an indispensable component of the campaign to address trafficking in women in children, as well as all forms of violence against women. Service providers, community leaders, judicial, law enforcement, medical authorities both from government and the civil society, will have to work together to address the multi-dimensional and complex problems resulting from violent acts against women and children.

The four core areas of prevention, protection, prosecution, and reintegration will have to be simultaneously addressed by existing and future efforts. Any intervention that fails to consider this will be an exercise in futility. An

international standard should be developed and adopted to secure the protection and well-being of traffic victims.

Technical cooperation should be pursued, particularly in investigating the extent and forms of trafficking, as well as in the development of skills in the area of investigation, law enforcement, service delivery, and prosecution. It is for this reason that I am pleased to announce the Philippine participation in the UN Global Programme Against Trafficking in Human Beings. The Center for International Crime Prevention and the UNICRI are cooperating with the Philippine Government as part of the efforts to extend technical assistance for capacity building and training among law enforcers, prosecutors, and service providers. The programme is also looking at ways to support the other institutional initiatives that I have covered in my discussions earlier.

Policies that encourage civil participation and cooperation from trafficking victims in the prosecution of traffickers will have to be developed. The present restricting environment which discourages trafficking victims from escaping from their conditions of abuse and vulnerability will have to be modified to one that facilitates cooperation and promotes empowerment of victims of violence. Laws will have to provide penalties against traffickers, including provisions for the confiscation of earnings or profits to compensate victims and survivors of trafficking. At the same time, laws should ensure that trafficking victims are not further stigmatized by an insensitive investigation and prosecution process.

Both source and destination countries should provide mechanisms for judicial remedies against trafficking victims. They should be extended witness protection and opportunities to institute criminal and civil proceedings for damages against traffickers. States of destination should make available a system for social support and should grant residency permits to trafficking victims on humanitarian grounds.

Madam Chairperson, distinguished delegates,

The tasks seem daunting, but we have no other recourse but to move forward and to move fast.

We have no alternative but to make things happen for the sake of the victims, the survivors, and those who may yet be the next victim of this crime against women, children, and the rest of humanity.

Thank you.
