

“OFWs, Irregular Migration and Trafficking”



Organized by:



and:



Presented by:



July 26, 2006

Grand Astoria Hotel, Jaldon St., Zamboanga City

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Last July 26, the Center for Migrant Advocacy (CMA), in partnership with Mujeres (Women United for Justice and Equality towards a Responsive and Empowered Society) and the support of Friedrich Ebert Stiftung (FES), held the forum on ‘OFWs, Irregular Migration and Trafficking.’

The forum, held in Zamboanga City, is the second installment of CMA’s 2006 series for the Dr. Alfredo J. Ganapin Advocacy Forum (AJGAF).

Both intense and lively all throughout, the forum drew the participation of 100-plus representatives from migrant groups and advocates from Mindanao and Metro Manila. Representatives from government agencies concerned with migrants and the local government of Zamboanga likewise graced the forum and shared their experiences. And more encouraging, the participants put forward varied but promising suggestions on how to improve the work among migrants, especially irregular migrants and victims of trafficking.

Zamboanga City Vice Mayor Climaco welcomed the participants by stressing the need to properly address the issue and commonly act to help and save OFWs, especially irregular migrants.

CMA Executive Director Ms. Ellene Sana, in her introduction, noted the large number of women from Mindanao leaving for work abroad despite the attendant risks and the actual harm suffered by many of these women migrants. Ellene also made special mention of the plight of irregular Filipinos deported by Malaysia. Lastly, she said the forum aimed to discuss the situation of OFWs from Mindanao, take a peek at how various agencies deal with OFW rights and welfare, identify problems faced by these OFWs, and come up with advocacy approaches and strategies and policy recommendations.

Ms. Zenaida Lawi, Executive Director of Muslimah Resource Integrated Development Inc., discussed her group's work among deported Filipino Undocumented Migrant Workers in Malaysia. According to her, most problems faced by these undocumented workers concern working conditions, low salary, and low treatment as second class citizens. They are always considered as illegal migrants and are always subject to arrest unless they have papers, she added. Ms. Lawi also stressed the need for systematic reporting to identify those already served and those needing service.

Inspector Ronald Anoñuevo of the Philippine Council on Transnational Crime based in Zamboanga discussed his agency's experience in dealing with human trafficking, including their initiatives in international cooperation and legislation. Inspector Anoñuevo also mentioned the lobby work they did for the passage of the anti-trafficking law, improving public awareness, and enhancing law enforcement. He said they also lobbied for the care and rehabilitation of victims, mainly through the DSWD.

Atty. Alejandro Diaz, Director of the Anti-Illegal Recruitment Branch of the POEA, shared his office's work against illegal recruitment. He said their work includes counseling, preventive approaches like the PEOS and IECs, monthly travel advisories in newspapers, radio and TV guesting, holding and attending conferences and other forums. For Mindanao, Atty. Diaz specifically mentioned their problem with the Mindanao backdoor, especially in relation to Malaysia.

Undersecretary Alicia Bala of the Social Technology Bureau of DSWD said her bureau's role is to provide international social welfare services for OFWs in Hong Kong and Japan, reception, reintegration and rehabilitation of deported and repatriated OFWs, services for distressed women, and support victims and witnesses of trafficking. She added they also deploy social worker attaches in Malaysia. Her bureau also helps in anti-trafficking through prevention and protective and reintegration services for families. USec. Bala's bureau also supports victims

and witnesses of trafficking and train LGUs to help victims in reintegration

CMA Board Chair Mr. Noel Esquela, in his synthesis, appealed to participants to make forums such as this a regular opportunity for information exchange. Noting the varied focus and perspectives among participants, Noel asked us to talk and share more often. He stressed the need for information and called for the setting up of a backbone of resources to share. Finally, he called on participants to continue the work, banish our fear, and stay well-informed.

For her closing remarks, Ms. Joanne Barriga, FES Assistant Program Coordinator, congratulated CMA and Mujeres for successfully holding the well-attended forum. She noted the significance of holding the forum in Zamboanga City, noted for its being the first city to convict a trafficker. Joanne also stressed that migrant smuggling and trafficking is becoming one of the most exploitative type of transnational crime.

She also pinpointed the four key responses in place to address irregular migration and trafficking: (1) Law enforcement and prosecution of traffickers; (2) Education and accurate and relevant dissemination of information; (3) Protection of the rights of trafficked persons, with stress on women and children; and (4) Sustainable reintegration programs.

Finally, Joanne extended FES' solidarity with the goals of the forum in creating a labor migration context that is governed by social justice, equal pay for equal work, cultural tolerance, and freedom of association.

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Assistant Program Coordinator, FES

Master of Ceremonies: **Faye Laquio, Mujeres**

Opening Remarks
Hon. Isabelle Climaco
Vice Mayor, Zamboanga City Council



(Greetings in Chabacano!)

Our office received an SOS from the family of a domestic worker who died in Brunei but could not repatriate the body for a month. We called partners in the Department of Foreign Affairs who retrieved and brought the body home. I felt very uncomfortable over this woman who passed away in tragic circumstances. I went to the wake. She spent five years abroad.

Why was she abroad? Where are the husbands? The real heroines are women. They have multifaceted tasks: to care for the home and their children as well as for the home and children of foreigners as domestic workers.

Why did a family risk sending the mother of three children to work abroad without proper documents and to face so many difficulties? Many dream to survive the difficulties in the Philippines and to earn a little more than average to sustain the family. Nothing is nobler.

But if we need to risk our mothers' lives, we have to address this properly given these realities, I am thankful that CMA, FES and my favorite Mujeres organized this forum. We should prevent any more violence. Let us reduce the sad stories.

I welcome you in behalf of the City government and Mayor Lobregat who had to leave for Manila. I can't stay long but we hope and pray women and men will collaborate to help save and help OFWs, especially irregular migrants.

Let's make a difference.##

Introduction
Ms. Ellene Sana
Executive Director, CMA-Phils.



More Mindanawons seek work abroad despite the risks e.g. armed conflict in the Middle East, abuses, periodic crackdown against the undocumented, etc. Among the 1.06 million overseas Filipinos surveyed from April-September 2004, ARMM (including Basilan but excluding Isabela City) led ten regions in posting the biggest increase, more than 100%, in the number of OFWs. Compared to 2000, it had the least number of OFWs at 7,000 and it posted a decline in the number of OFWs, together with Western Mindanao.¹

Masses of Mindanao women leave home to work abroad. The island tops Luzon and Visayas in sending more women than men to work overseas, six out of ten OFWs from Mindanao compared to only four from Luzon and the Visayas. Of the 135,000 OFWs from the island, 66.2% were women while only

¹ NSO Survey of Overseas Filipinos, 2004

34.8% were men.² Soccsksargen or Region XII led Mindanao regions in sending women OFWs for the past three years, accounting for about 28% of women OFWs from Mindanao.

More than half of these women OCWs were 25-34 years old while 17.9% were aged 15-24. (NSCB Fact Sheet, RD XII, Mar 31, 2005). The Davao region or Region IX, on the other hand, contributed the largest number of OFWs to Japan. 67% of 15,000 Mindanao OFWs in Japan were from Davao. Female OFWs consistently outnumbered male OFWs in Davao. The region had 27,000 OFWs based on the 2002 NSO survey.³

On the other hand, thousands of irregular Filipinos were deported from Malaysia in 2002. Thousands more were repatriated or deported in 2005. Of the 1.29 M estimated irregular Filipinos abroad, an estimated 300,000 irregular Filipinos are in Malaysia as of end of 2004.

How does overseas migration affect Mindanawon OFWs, especially the women, their families and the island as a whole? What is their situation and the problems they confront? How extensive are illegal recruitment, trafficking and undocumented migrants? How does government address overseas migration and the problems it entails? Given the increasing overseas deployment from or through Mindanao and the outnumbering by women of the men OFWs, CMA, Mujeres and FES believe the discussion should primarily be by Mindanawons themselves, to better enjoin more of the stakeholders in identifying policy and implementation gaps as well as to better enable CMA and other national migrant advocates to address these issues to the national agencies.

² Mindanao Times, Nov. 16, 2005

³ Mindanao Times, Nov. 16, 2005

Forum objectives:

1. To discuss the situation of overseas migration from and through Mindanao and how various agencies deal with the rights and welfare of OFWs, particularly because it has the backdoor
2. In particular, to identify issues and concerns of current and potential migrant Mindanao women, especially the undocumented, in relation to their vulnerability to various human, migrant and women's rights' abuses, including illegal recruitment, irregular migration and trafficking
3. To identify advocacy approaches and strategies and policy recommendations for Mindanao, regional and local and national government agencies and NGOs to enhance their existing programs to minimize existing gaps/problems in the OFWs' full enjoyment of their migrant and women rights and ensure that Mindanao OFWs are adequately informed##

On Irregular Migration and Trafficking: The Mindanao Experience

Ms. Zenaida Lawi
Executive Director, Muslimah Resource
Integrated Development, Inc.



Good morning to you all, especially to the government officials present who deal with the concerns of Overseas Filipino workers!

I was tasked to share our experiences here in Mindanao. This issue is multi-faceted. I look at migration's two aspects: in-migration and external migration. In-migration happens when our fellow Mindanaoans are forced to try their luck in other countries as regular or irregular migrant workers.

Citizens from the Muslim provinces flee to safer grounds to avoid the armed conflict between the Armed Forces of the Philippines and elements of the Moro National Liberation Front, Abu Sayyaf, and Moro Islamic Liberation Front. There are also other causes of migration, particularly from Jolo and Maguindanao, including organized syndicates and warring

politicians. These caused and cause in-migrations so those from Jolo go elsewhere in Mindanao as well as to Luzon.

External migration is caused by the abject situation of the people of Mindanao. This should not cause a problem because Mindanao is rich. It is the Middle East of the future. We should not lose our hope.

We can solve these problems if we help each other. In external migration, individuals or families have gone to Malaysia by the thousands since the burning of Jolo. Others migrate directly. Others migrate eventually because Malaysia opens its doors to migrants, provided the Philippine government does not intervene.

In the 1980s there were an estimated 500,000 migrants in Malaysia, particularly Bangsa Moro people from south and south western Mindanao. They were mostly undocumented so we can only estimate the data. They are able to go there because of connections.

The Zamboanga backdoor and Sulu was historically the channel of barter. So the Mindanao people, especially those with natural lines or connections, are accepted there even without intervention of the Philippine government. The situation here was very hot then. Because of the military conflict, the government could not facilitate Moros going to Malaysia.

I tried to gather data on Filipinos in Malaysia. But I could not get any data from the Department of Labor and Employment. I also went to the One Stop Processing Center, but also could not get the total number of migrants in Malaysia.

Everybody is to blame. Filipino migrants are forced to go to Malaysia without being recorded because they have no choice. I learned that evacuees have already filled up 5 provinces in Malaysia since the 1980s. Sabahan employment has been going down because capitalists take evacuees who take lower wages, instead of local Sabahans to scrimp on wages.

Thus, the problem in Mindanao is exported to Malaysia. Whether they are regular or irregular is hard to determine especially after the series of deportations that up to now still continues. People don't say regular or irregular. Many are able to get their Malaysian citizenship card or pertinent papers to prove they are Malaysians.

But there are also papers that are not from Malaysian authorities. There are many fixers. Since the 1980s, they are now into the second generation. Many have been sent home but still went back. Many have given birth in Malaysia. Some are into their third generation. So their number in Malaysia can only be estimated. Many of the children are not able to study because they lack the necessary papers. So these young people marry early.

It is just like in Mindanao. There are many who can not find work so they also have many problems. There are also intermarriages so they are already documented as Malaysian citizens. Around 100,000 families are already documented as Malaysian citizens and they have no plan to return.

Irregular Filipino OFWs are the most numerous in Malaysia, estimated at 300,000. The figure does not include non-workers. No office can say their exact number. Not even the One Stop Processing Center which has 9 offices. Their record only covers February 2005 up to June of this year. The highest number recorded stood at 16,905 returnees granted with amnesty. But these OSPC offices have different numbers of repatriates served.

Systematic reporting is still needed to identify those served and those needing service, and those with complete documents and those without papers before returning to Malaysia. Also, the records are based on the manifesto from ships, but the number goes down when compared with those getting documents.

Those not counted, therefore, are irregular migrants who returned to Malaysia after release from the DSWD. These migrants go to host families. Many migrants, however, do not last more than

three months with their host families. So some families end up sleeping in the public market. Now we do not know if they are deportees or regular vendors.

There are more mendicants now who say they are deportees. We still could not give concrete support to deportees, except in Jolo, Sulu in Paticul where there is a housing project from the Provincial Governor's office. The problem is they also leave for Jolo to be closer to the market. Housing is not the solution because what they need are jobs to enable them to feed their families.

Those who are undocumented are left on their own. They go around begging for rice from house to house, raising the number of beggars. Many of those who went back to Malaysia upon release are undocumented. Many were caught on the street so they were deported but their families were left behind because they were not allowed to contact their families. So they have to return to Malaysia again to their families.

Some deportees had to leave behind their things so they need to return to get their things back. Most return to Malaysia because they cannot find jobs in Mindanao. But there are also those coming from Luzon and Visayas and are just passing thru Mindanao.

Most problems concern working conditions, low salary, and low treatment as second class citizens. They are always considered as illegal migrants and are always subject to arrest unless they have papers. Only then can they be released.

But now even those with IDs are arrested because underground offices issue ID for Malaysian citizens. Others workers in big companies who file complaints over working conditions encounter more problems because they are either fired or the company closes down.

When they file a case, they have to pay 20 ringgit to extend their ID. It takes a long time to resolve cases, so eventually they

start having problems with food and accommodation, unlike before when they stayed in the company staff house. They are then forced to go home with their cases still unresolved. Problems pile up while they are following up their complaint. ##

Human Trafficking: The Philippine Experience

Police Chief Inspector Ronald Anoñuevo

Philippine Center on Transnational Crime, Zamboanga City



The total number of victims of trafficking from West Mindanao reached 285 from 2001 up to Jun 30, 2006. Most victims were found in Zamboanga City. The year 2004 registered the highest number of victims. Fifty-six percent of the victims came from Luzon, followed by those from Mindanao. Female victims accounted for 83% of the total.

Government initiatives to address trafficking in persons include international cooperation and legislation. We also lobbied for the passage of the anti-trafficking law, improving public awareness, and enhanced law enforcement. We also lobbied for the care and rehabilitation of victims, which is led by the Department of Social Welfare and Development.

The regional Inter-Agency Committee Against Trafficking (IACAT) was formed in Zamboanga City August 3, 2005. It is chaired by DSWD IX by virtue of the Executive Order of

September 9, 2005. We also conducted a roadshow in September 2005.

PCTC's mission is to formulate and implement concerned programs of action of law enforcement and intelligence agencies to prevent or control transnational crime.

PCTC's functions are to share a central database among agencies for information on criminals, methodologies, arrests and convictions on transnational crimes, and to supervise and control the conduct of anti-transnational crime operations of government agencies.

Thus, PCTC has engaged in advocacies and actions against human trafficking and has conducted several operations. It is mandated to operate in cooperation with primary law enforcement agencies, eg tampered passports, fake immigration stamps.

It recorded 11 cases of trafficking. It has convicted one accused to be guilty and who was sentenced to life imprisonment and to pay the victims. This was the first case of conviction in Zamboanga and the Philippines, a landmark case. Recently, the Philippines has been removed from the international watch list on human trafficking.

In conclusion, I would like to recommend the following:

1. Intensify cooperation with concerned agencies, LGUs and NGOs to combat trafficking in persons;
2. Strengthen supervision over operations by law enforcement units; and,
3. Improve information and intelligence exchange.##

The POEA Anti-Illegal Recruitment Task Force

Atty. Alejandro Diaz

Director II, Anti Illegal Recruitment Branch, POEA



The POEA is doing the following: counseling, preventive approaches like the PEOS and IECs, monthly travel advisories in newspapers, radio program/tv guesting, holding/attending conferences and the like.

There are now stringent requirements for licensing of recruitment agencies. But there are still illegal recruits. POEA offers counseling, legal and para-legal assistance, aid in surveillance, entrapment and prosecution of errant recruitment agencies, and networking.

POEA also has the remedial approach in coordination with other agencies that include free legal assistance, prosecution of illegal recruiters including those which provide escort services.

There are still many holes in our work, so we try to address these. We now have an existing MOA with the NBI to provide us muscle to arrest illegal recruiters as well as with the DoJ for easier

referral of cases through 5 prosecutors. Thus, there will be easier prosecution.

Illegal recruiters have various modus operandi. It is very easy to get a tourist visa to Dubai, especially through Davao. But tourist visa workers in Dubai get trafficked. Thus we revived our inter-agency on escort services at ports and airports.

There are also low cost tickets, e.g. to Palau, favoring irregular migration and trafficking. Applicants for the Employment Permit System program in South Korea who are not going through POEA are surely irregular because they have to go through the government. But the training visa for South Korea is only \$400-600/month while it is \$600-800/month for the EPS, exclusive of overtime.

One problem is our backdoor, especially in relation to Malaysia. Some Filipinos don't want to be documented there.

There were 164 cases involving 408 victims of illegal recruitment from January to June 2006. Eighty-nine were referred to MMLA prosecutors and 75 in different provinces. About 3,075 filed administrative complaints, of whom 1961 availed of conciliation.

On the other hand, 313 illegal recruiters were arrested, including 3 arrested through citizens' arrest. These were all joint operations of POEA, NBI and CIDG.

There are 3 human trafficking cases involving four victims for Saudi Arabia, South Korea and Japan, which are still pending at the DoJ.

POEA also closed 5 recruitment agencies, which were either illegal or legal engaged in illegal recruitment.##

Social Welfare Services to Overseas Filipinos

*Undersecretary Alicia Bala
Social Technology Bureau, DSWD*



Overseas migration is one of our top employers because of poverty and lack of employment opportunities, especially in the Visayas and Mindanao. The BSP has hailed them heroes because of their remittances. We owe OFWs for our economy's progress.

Our role in the department is to provide international social welfare services for overseas Filipinos in Hong Kong and Japan, reception, reintegration and rehabilitation of deported and repatriated OFWs, services for women in especially difficult circumstances and support victims and witnesses of trafficking.

We deploy social worker attaches abroad as part of our country team in Malaysia. They work as technical assistants to the labor attache e.g. your very own LabAatt Liddy Tanedo of Region IX was one of the first social workers to be deployed as labor attaché.

Our social worker attaches in Malaysia are from Zamboanga for cultural considerations because there, our OFWs in Malaysia are mostly Tausugs. Another concern there are our stateless Filipinos. Of the total number of cases attended to by our social worker attaché, 18,047 or 85% were deportees.

We have a social worker technical assistant to the labor attache to seven countries, including Hong Kong and Lebanon, two in Kuwait, both in Dubai and Abu Dhabi, two in Saudi Arabia, both in Jeddah and Riyadh.

The one in Taiwan has been transferred to Lebanon, so it is perfect timing for the Lebanon problem. They manage OFW cases, the Filipino Workers Resource Center for OFW escapees, and make jail and hospital visits.

There are more women victims of abuses than men.

In Japan, our social workers also deal with the Japinos, children of Filipino-Japanese marriages. If the Japanese father acknowledges paternity, they and even their mother have legal basis to stay in Japan. There has been a decrease in trafficking in Japan because of its more stringent migration law.

Zamboanga City has been cited as an international best practice to prevent trafficking.

Repatriates usually complain of unpaid wages, rape on their first day of employment, and war as in Lebanon as reasons to want to come home. The DSWD is the head of the reception committee of the inter-agency task force on deportees. There used to be such committees in both Zamboanga City and Tawi-tawi, but now only the one in Zamboanga City. There is also a one stop processing center.

There is also the inter-agency committee against trafficking and violence against women – LGUs, NGOs, and faith-based organizations that confront the trafficking problem.

The DSWD also has a haven for women, including victims of trafficking, as well as community-based services in partnership with LGUs and NGOs.

We implement anti trafficking through our prevention, protective and reintegration services for families. We also support victims and witnesses of trafficking in humans, including those in Zamboanga. We also train LGUs to help victims in reintegration.

The ILO has made available 1 million dollars to the Philippines, particularly the OWWA, DSWD and CATWAP, to support reintegration of trafficked victims. USAID has also provided funds for training of service providers to equip them in managing trafficked victims.###

OPEN FORUM



Ramon T. Venegas III

This question is for Ms. Zenaida Lawi. Are you satisfied with government's responses on the problems of deportees, for example, providing housing.

Zenaida Lawi,
MURID Executive Director

I ask the same question because it is hard to say I'm not satisfied. What are the particular community-based projects in Mindanao to respond to our deportees since 2003. The Paticul housing was/is not a comprehensive program. I am not satisfied with past and current services because they are not comprehensive, given that deportees run in the thousands.

R. T. Venegas III

Given so many cases filed with the fiscals, is the PCTC up to referral only? What assistance does it give to cases in progress?

Many anti-trafficking programs seem to me to be still up for implementation. When will these be implemented? Most will address legal migrant workers, e.g. deployment, Social Welfare attaches, posts in densely populated areas.

What are the concrete programs to reach out to the undocumented to concretely address their problem even here in the country. Why are there still many undocumented when the implementation of the law is supposedly being pursued?

I personally experienced that the DSWD OIC allowed one high school graduating senior scholar who applied for a permit to travel to Malaysia without her parents and accompanied only by a family acquaintance. When I asked the Undersecretary, he/she angrily asked for data.

I questioned the character of the companion and why the student was given a permit. Most trafficking victims are from the province and they do not know what is trafficking. How do we inform them about the law?

Ronald Anoñuevo,
PCTC

We follow a procedure. For victims, we respond immediately because it is still in the incipient stage - no system is in effect yet and agencies point at each other. We initiated a system of coordination between agencies, eg the Bureau of Immigration, the first to intervene, being the one that intercepts in the pier.

They refer to PCTC which profiles cases and syndicates, study patterns including watch list that is obtained from victims' interviews. Victims can and do provide assistance in our work, for example, through pictures of suspects. One victim even picked the passport of a suspected trafficker that helped in law enforcement.

Data is shared among law enforcement agencies like the National Bureau of Investigation, Bureau of Immigration, Criminal Investigation and Detection Services and the local police. But PCTC has no mandate to file cases. The law enforcers file the cases.



Usec. Alicia Bala,
DSWD

Documented or not, regular or not, all OFWs are attended to by social workers as technical assistants under the Labor Attache. The Contemplacion issue raised the need for social workers. The first was assigned to Australia due to the very high accidental deaths and murders of mail order brides.

Given the 8 million figure of overseas Filipinos, it is impossible for government to reach out to all of them all over the world. We don't even know where they are, especially those 1.9 million undocumented. They usually don't register with the embassies or consulates.

When traveling, Filipinos should register for any eventuality. Some irregular migrants undergo trainings, studies etc. I understand the concern that our services may not satisfy everyone because government resource is never enough given the 72 million left behind in the country. Thus, we harness the NGOs, private sector and faith-based organizations.

Community-based services are not the focus of national agencies, but more that of local government agencies. Laws against trafficking, violence against women and those related to migration specifically cite local government units (LGUs) for prevention, service provision and reintegration. So it is not solely the responsibility of national agencies. LGUs should know/map their OFWs so they will know when these migrant workers are in trouble.

When I arrived, there were Lebanon repatriates whom OWWA promised to return to their origins. LabAtt Liddy Tanedo said one was from Zamboanga and they contacted the family to welcome her. But she doesn't want to come home and wanted the ticket reimbursed by the shipping line. It's not always the recruitment agencies who cause migration problems.

The family is the first defense. A UP CWS study on migration especially women migrants found that it is not poverty that drive them abroad but a search for material things, eg the neighbor with an OFW family member has a nicer house, the latest household appliances.

It's also values. I do not condemn them. It is a combination of values, poverty and the environment. So the media, church, community, church and especially the family has a role to play. LGUs, national agencies and NGOs have to work together. It is

good there are participants from the church because they have a critical role to play, especially in providing opportunities for women given our feminized migration.

I cited only newly funded programs, but there are already ongoing services e.g. road shows nationwide regarding the advantages and disadvantages of migration, legal and illegal. There are always stories of OFWs killed or those who return dead; but these do not deter people from leaving the country.

Another problem is our backdoor, e.g. the exit point in Angeles, given cheap flights especially to Singapore at only \$125 or P 5,000-6,000. In a recent meeting of IACAT, Turkey was identified as a transit area for labor in Europe and the Middle East. The embassy intercepted 40 Filipinos trafficked in Turkey.

We appreciate CMA and Mujeres for initiating this forum so we can share what we are doing, what we need to do, and how to harness resources, especially since government resources are never enough. The President cited small victories, e.g. trafficking conviction.

It's good you tell us you are not satisfied because you keep government in its toes, more focused on its, and with more direction. You make us realize the need to communicate what government is doing.

There are many labor opportunities, e.g. DOLE's job fairs but very few come to apply mostly for blue collar than white collar jobs, like call centers. TESDA sponsors training programs to enhance written and oral communications for local centers and vocational courses that can be credited to formal education and to address migration, including irregular migration and trafficking.



Maydelyn Malii Bahjin,
DSWD ARMM

The Paticul housing project, the first in Mindanao, consists of 180 housing units constructed with DSWD national funds and implemented by the DSWD Sulu, in coordination with the Engineering Infantry Brigade of the Philippine Army, the DPWH, NHA, which provided the lots, and the LGUs of Paticul and Sulu.

The deportees in these housing units are those who have decided to stay there for good, not those in the markets. We gave them livelihood assistance, a day care center, and a small health unit run by Save the Children. Children are enrolled in a nearby school. These deportees are moving toward making their lives more peaceful and productive.



Geraldine Balbuena,
DSWD Region IX

The DSWD provides proper clearance to those who provide proper documents. We can't bar parents who allow their children to travel. We can't quarrel with or tell parents not to let their children go. Not even for eventual trafficking. Not those who want to study Arabic language in Syria.

We can only tell them the danger they might encounter. We have been carrying out anti-trafficking programs even before the law was enacted. DSWD has been in the forefront of serving traffic victims.

We spend half a million pesos every two months for deportees from Malaysia. Mindanaoans go there not only to look for greener pastures but also because Sabah belongs to the Sultanate of Sulu. So Tausugs have historically been going there back and forth. The government has not been remiss in servicing the hungry and penniless. We spend for those who come.

USec Bala

We also provide livelihood assistance. The social worker officer, if given information that the traveling companion is of dubious character, has no reason to give travel clearance.

Children need travel clearance from DSWD, but they can travel if parents consent and provide proper documentation that they are allowing their child, will spend for the travel and the child will return. Before, we didn't allow it if only one parent was accompanying the child. But then with the issues of child custody, we had to change policy.

So far, only two cases were intercepted and DSWD had to prove that the parents were not separated. If at least one parent accompanies the child, there is now no more need for the other

parent's consent. Policy will not detect everything. Somebody has to report to the DSWD.

Vicky Salian,
DFA

This forum should not be in English but rather in local dialects. This should also be sustained or done regularly. CMA should stay here, say for one year to study the situation, rather than come once in a blue moon. All of us here support the campaign against irregular migration and trafficking.

We have data. We also need the help of NGOs. After this forum, what next? Will we see each other again perhaps next year? We need to sit down and come out with solutions. We all have responsibilities. In DFA, one major problem is the prevalent use of fake documents. This makes OFWs prone to trafficking.



Elenita Mondejar,
NAPC

Trafficking victims are just around us. How can they report to the barangay, e.g. a child taken by a Malaysian couple. The people are afraid of the government, because those guilty have connections with port and police authorities.

They cannot even report to the DSWD. Who are assigned in the community? Will the barangay accommodate reports? I hope forums like this will be held at the barangay level. We are afraid to report these cases. How many victims are women? I hope we can all appreciate this problem.

Ronald Anoñuevo

People should not be afraid of government. They should help by reporting. We understand the psycho-social trauma of victims. The DSWD victims assistance program provides for this. Its worker, a trained psychologist to help manage trauma, is based in the Department of Justice.

We do not just investigate those with trauma. There is a special unit at PNP and NBI – the women and children's desk. This unit is specially trained, because the investigative approach is very much different. Please report to government because we cannot do anything if there is no report. Barangay officials are in a position to act on such reports. There are also provisions for reporting by texting PNP or PCTC. 2920. I assure you we will take action.

Noel Esquela,
CMA

It is easy to identify personal trauma. The root of the problem is if she is a victim, she is afraid of syndicates and other

bad elements. Those who investigate, if we say we cannot move without a complaint problem, if we can't prosecute and just throw the responsibility to another agency, you have to address victims' fear first.

At the bottom is fear. How can we ensure for a victim or witness a facility for confidential reporting that will not be traced back to her/him? How can we provide a mechanism that assures them that something is being done? Is there a way to monitor the progress of a complaint? How do we assure victims that we are not only waiting for complaints but actively seeking complaints?

Alejandro Diaz,
POEA

I second the challenge to everyone to report cases of trafficking. The law allows anyone with knowledge of a case to file it unlike for the law against illegal recruitment.

It is difficult to investigate/file a complaint if there's no complainant. Only after a report can agencies act. You can go to POEA, DOJ or IACAT. Moto Propio will not do. The feedback mechanism is we monitor cases filed with or endorsed to DoJ. We usually follow cases.

USec Bala

People are afraid because they do not believe in the authorities. But we know there are more people in government who are more decent than not. We should not equate the misdeed of one as the misdeed of the other, of the whole bureaucracy.

Of course, not all social workers are caring because they may have problems of their own. But this should not be a reason for not approaching government for help. While not the entire bureaucracy, there are more and better service providers in the agencies. Fear is there when the recruiter is the neighbor, where

barangay officials, police or port personnel, the rich and powerful are involved.

The victim can also be witness to a crime so we have the witness protection program. We can't say don't be afraid of the barangay because we are not beside you. If you lack trust at one level of government, go up another level. We can also report through NGOs. If we let fear rule our lives, we allow the crime to continue.

No one will be able to help us. Of course, we should not report to the kakutsaba, but rather report to others. This should be a sustained effort. I challenge you. What we just listened to is what we all can do in our own places because a stone thrown at the sea creates ripples. Let us start with ourselves to help those in distress.

Asarel Duran,
DKD

We have freedom to travel so we cannot blame the government. A problem is that we report only when we have become a victim. Do not be afraid even of the President. Report immediately to avoid being victimized. Better not talk if you can't report. Where lies the mistake sometimes?

The problem lies within us. We are also part of the problem. We all have difficulties but we should be careful. There are those who cheat, and there are those who get cheated. They were cheated because they allowed themselves to be cheated. We should always check if the recruitment agency is licensed.

When we apply for a job abroad, we use a fake name. What is started wrong will end wrong. Government spends a lot to improve our country but a lot have to go to the victims. It really hurts a mother or grandmother when a child is victimized. But we need to blame ourselves first. Thank you for helping us.



*Lt. Col. Commando Pilipinas,
NSO ARMM*

I am here because of documentation: helping document halaws especially in the processing center in Bongao, Tawitawi. NSO has established the Muslim civil registration system because our brother and sister Muslims are not used to documentation so this system is to address this.

We also advocate the inclusion in the statistics calendar of the generation of statistics on OFWs together with the necessary resources. I propose in one stop processing center in Bongao more responsibility can be accorded to ARMM. This is a problem of devolution.

*Leo,
OFW*

I worked in Saudi for 12 years. I want to study in Iraq but there is no valid visa there. But why are there Filipinos there? That is mass-trafficking. Has there been a recruiter who deployed workers to Iraq who got caught?

I would like to share my communication skills but why does not GMA lift the ban? If she's scared we may die there, why not have us sign a waiver that if we die, it is not the government's problem? Our problem is that it is very difficult to find a job here in our country. Who profits? Is it Gen. Cimatú?

Alejandre Diaz

We are around 72 million here and the Philippines is porous. It is so hard to watch all our ports. There are many modus operandi. Many undocumented OFWs do not report. If they are documented, even the Bureau of Immigration can't stop them because they have a right to travel. A tourist visa will be allowed and need not pass through POEA.

One case in Iraq was recruited through Jordan. Those affected have to report to us. A Fil-Am recruited mercenaries to be security guards for American bases or personnel and was apprehended. Not all manage to pass through; some are caught.

There is also now a ban on Lebanon. Material gains outweigh national repercussions as when someone is caught in the crossfire, eg Angelo de la Cruz. His contract in Saudi was finished but he crossed the border to Iraq. Perhaps because of the very enticing salary even if he knew the big risk involved.

Same with Tanguonod. They don't say they wanted that. We can say now that we be allowed to work where we want because we're in charge of our lives. When you're in that situation abroad, you will ask for help and government can't turn a blind eye even if

you executed a waiver. Such bans are for our own good. We have to look for other opportunities. There are 2,000 licensed recruiters and lots of job offers.

A Participant

One of the preventive measures against trafficking is providing information/ education. Do we have this in Zamboanga City?

Alejandro Diaz

Our education program, the PDOS, is giving information re overseas employment: what awaits in the job site; Culture. If woman OFW, what is the status of women there; what to do there; equipment that will be operated. Its purpose is to make people think twice and hard if they will continue. It includes procedures in applying, where to go, where are the licensed recruitment agencies. It is not a formal schooling.

We want to empower prospective OFWs to make intelligent decisions regarding their dream to work abroad. There are similar programs by NGOs. We also tap the media for information dissemination to the public. There is also PEOs from town to town regarding issues, available jobs. Recently, we joined hand with some radio and TV stations to promote the program to better inform the people.##

SYNTHESIS
Noel Esquela
Board Chair, CMA



Before I joined CMA, I was in an anti-graft movement. I also worked with the government in the PCGG and later in the Department of Finance, so I understand its perspective. With both perspectives, I am struck by forums like this as may be the first but we do not want to repeat it.

My personal request in behalf of the organizers is that let this not be the first but become a regular opportunity for information exchange. We exchanged with Ms. Vicky and we emphasized that we would be like a blind elephant if our dedication focused on advocacies make us neglect to see how others working with see the same problems.

As a fruit of this forum, I hope our colleagues here in Mindanao will later launch succeeding forums. Zamboanga has a model in anti-trafficking. We should capitalize on this with the LGU already aware of the problem.

We hope there will be an opportunity for us OFW advocates to regularly meet.

Given government agencies' limited resources and mandates, there are all these participants willing to work with us so we should capitalize on these resources. While Mujeres works on the ground, CMA's focus is policy advocacy. You have here the local picture; CMA has the national picture.

The barangay experience should be shared at the national level. The law should be implemented everywhere. What we also picked up is what do we really know about the problem.

We have different focus and varied perspectives. Let's talk and share more often, but as emphasized and highlighted earlier – there will be no traffickers if we are not afraid. And no one will fall victim to trafficking if we are all well-informed.

At the bottom is the need for information. If we know, let us not be afraid to share and let us provide a backbone of resources to share. The DFA emphasized that if they can access the files of the NBI, NSO, POEA, PNP, task forces and NGOs, they will know who are attempting to leave without documents, what recruitment agency is still suspended etc. We can't decide what to do if we don't know what needs to be done.

We strengthen our weak side by knowing. This is the best-attended AJG Forum. I think there are more than enough people interested in these concerns. Let us not stop here. Let us all continue the work. ##

Closing Remarks

Joanne Barriga
Assistant Program Coordinator, FES



Maayong Udto kaninyong tanan. Alam ko po gutom na kayo ngunit pahintulutan nyo po akong maibahagi ng sandali ang panghuling pananalita.

The Friedrich-Ebert-Stiftung Resident Representative Mirko Herberg extends his congratulations to the organizers, the Center for Migrant Advocacy (CMA) Philippines together with Mujeres (Women United for Justice and Equality towards a Responsive and Empowered Society).

FES also expresses greetings of solidarity to the speakers, Ms. Zenaida Lawi, Mr. Ronald Añonuevo, Atty. Alejandro Diaz, Undersecretary Alicia Bala, and the participants of the second Dr. Alfredo J. Ganapin Advocacy Forum for this year. And last but not the least, we are grateful for the warm welcome of the local government of Zamboanga City, the offices of the honorable

Mayor Celso Loregat and honorable Vice Mayor Maria Isabelle Climaco. Muchas Gracias.

As this is the first time that the AJG Advocacy Forum is held outside of Manila, FES is honored to be part of this effort to reach out to the various stakeholders in the field of labor migration especially here in Zamboanga City.

It is significant that this forum on Irregular Migration and Trafficking is held in Zamboanga City as this is the first city to have convicted a trafficker under the Republic Act 9208 or the Philippine Anti-Trafficking in Persons Law of 2003. As it is relevant in the discussion we had today, may I quote the decision of the preceding judge: “Traffickers in human beings and illegal recruiters prey on the vulnerability and gullibility of the weak and the underprivileged, of poor laborers, seafarers, domestic workers and other workers who use employment abroad as the only way out of their grinding poverty.” It is even more significant because we have learned today the serious challenges of irregular migration and trafficking.

Migrant smuggling and trafficking is becoming one of the most exploitative branches of transnational crime. The total number of migrants who are trafficked and smuggled are unknown but believed to be increasing. Estimates suggest some 700,000 persons are trafficked each year across international borders, most of whom are women and children from very poor families with unemployed or irregular employed parents.

From the presentations of the speakers and discussion in the open forum today, we find four key responses in place to address irregular migration and trafficking in persons.

These are:

- (1) Law enforcement and prosecution of traffickers;
- (2) Educational programs as well as accurate and relevant dissemination of information;
- (3) Protection of the inherent rights of the trafficked persons, with utmost consideration to women and

children subjected to trafficking, gender-based violence and discrimination; and (4) Sustainable reintegration assistance programs for the safe and orderly return of the trafficked persons especially the migrants in distress, abused and without financial resources.

As a German organization, the FES shares the goals of this activity in creating a labor migration context that is governed by social justice, equal pay for equal work, cultural tolerance, and freedom of association. Our roots in the trade union movement inevitably create a united platform for FES and the migration stakeholders to contribute in shaping a just and equitable global labor market. This also means that cooperation has to be established at the community, national, regional and global levels.

Please allow me to give some information about FES for the benefit of those present and not very familiar with our organization. The Friedrich Ebert Stiftung or FES is a German political foundation established in 1925 with the mission to promote democracy, social justice and international understanding through its 80 offices worldwide. This foundation is named after the first democratically elected president of Germany, Friedrich Ebert. FES-Philippine Office has been in existence since 1964 and this is the second year of the FES and CMA partnership.

We believe that our work with migrant workers does not end on writing, studying, talking about them. Words are not enough but actions might help them in their plight. As Undersecretary Bala affirms “each one of us has a role to play.” The road to achieving protection of the human rights for Filipino migrant workers regardless of their status and Filipinos subjected to trafficking and smuggling, is long but with our collective action, the journey is bearable and our destination not unreachable.

For the survivors of trafficking and the irregular/undocumented migrants who are with us today, it is not your fault. Hindi po kayo masama at hindi po kayo mas mababang uri. As Vice Mayor Climaco said in her message, it is normal to want better lives for ourselves and our families. What is not normal

is to be trafficked to a foreign place, prostituted and forced to labor, left penniless and stigmatized, physically ill and psychologically broken and fundamental human rights violated. The moment we come to accept this as normal, is one of the greatest human tragedies of our time.

Maraming salamat po ulit sa inyong pagdalo.
Congratulations. Padayon.##

LIST OF PARTICIPANTS

1. Atty. Alejandro T. Diaz – POEA
2. Usec. Alicia R. Bala – DSWD
3. PCI Ronald Anoñuevo – PCTC Zamboanga
4. Zenaida Lawi – Muslimah Resource Integrated Development Inc.
5. Joanne Barriga – Friedrich Ebert Stiftung (FES)
6. Faye Laquio – Akbayan International Committee
7. Angelina Katoh – Mujeres Inc.
8. Djorina Velasco – Akbayan
9. Maydelyn Malii Bahjin - DSWD ARMM
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12. Emilia N. Salem – Mujeres Inc.
13. Jinky Locson – Mujeres Inc.
14. Hermoso Salem Jr. – Mujeres Inc.
15. Cyril C Ganob – Social Action Apostle
Sta. Catalina Zamboanga
16. Sis. Ester Ramos MMB – Mercedorian Sisters
17. Lourdes Parone – Mujeres Inc.
18. Candelaria E. Dumaque – KKK TUPAI
19. Conchita Soliyin Hukusaka Tupai
20. Catherine Mondejar – Hukusaka Women Tupais
21. Datu Widz K. Sampang – SANGSA’
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25. Jaded B. Bernaldez – Mujeres Inc.
26. Evelyn B. Ludovia – Mujeres Inc.
27. Ardie M. Marquio – DSWD
28. Mylene S. Pilo – Mujeres Inc.
29. Sylvia C. Delos Santos – Mujeres Inc.
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31. Elsa Balogot – Hukusaka
32. Juanita Tatud – hukusaka Womens Tupai
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37. Leddy R. Tañele – OWWA Region IX
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39. Carmelita Rice – Tierra Madre Women’s Organization
40. Veronica Morales – Tierra Madre Women’s Organization
41. Rosemarie Rabutin – Tierra Madre Women’s Organization
42. Lucia Hedlen – Tierra Madre Women’s Organization
43. Mercidita Madrazo – Tierra Madre Women’s Organization
44. Evelyn Ludovice – Mujeres Inc.
45. David Santos – ABS-CBN
46. Fe V. Debosora – Mujeres Inc.
47. Julieta F. Carrera – Mujeres Inc.
48. Imelda Francisco – Mujeres Inc.
49. Wilma B. Pique – Mujeres Inc.
50. Belinda Bautista – Mujeres Inc.
51. Jade B. Bernaldez – Mujeres Inc.
52. Lenzorain Abdul – Mujeres Inc.
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54. CTC Arnojavo – PCTC
55. Zarah Pecson – DEPED
56. Alfred Ari Regino – SACSI – ADZU
57. Mark Bow B. Yu – SACSI –ADZU
58. Emie Basilia – ACORD
59. Xrynia D. Fernandez – KAKAMMPI
60. Hermogenes Pawid – AKBAYAN
61. Teodyver Acquiza – RPN – TV5
62. Victor Campaner – RPN – TV5
63. Osias G. Bunda Jr. - Pasadoz
64. Leoncio Cofino- Pasadoz
65. Eliseo Taub – Pasadoz
66. Ramon T. Venegas III – Representatives of Councilor Mila Velasquez
67. Julie Alipala – Philippine Daily Inquirer
68. Jacinta A. Bacolod – Aduyahan
69. Claire Garcia – Aduyahan
70. Fernando Pilo – Aduyahan
71. Atty Maqtahar L. Manulan – NSO Region IX
72. Lt Col. Commando Pilimpinas – NSO ARMM
73. Liddy Rasul Tañedo – OWWA IX

74. Elenita Mondejar - NAPC
75. Junnie C. Carredo – Akbayan
76. Candido A. Enopia – Pasadoz
77. Daren A. Torres – Archdiocese of Zamboanga Capili
78. Cristituto Yamuta – Pekaza
79. Leopoldo A. Sabado – ABI –TBBG
80. Marisha H. Venturio – Akbayan
81. E. Francisco – NGO
82. Cecile L. Bernel – RUM
83. Peter Garcia – Government Employee
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85. Yolanda Bigay – Celwa
86. Helen Rizalina - Celwa
87. Virgie Mabaylo – Celwa
88. Malak Silvari – Kampung Hidayat Women Association
89. Anna Silagyuna – Kampung Hidayat Women Association
90. Johriya Silini – Kampung Hidayat Women Association
91. Puraida Insani – Kampung Hidayat Women Association
92. Hj.Isniya Insaniya – Kampung Hidayat Women Association
93. Jimmy Pajnila – POI
94. Celedonia S. Cabang – CERWA
95. Ven Anova – FEDCOZ
96. Mannan N. Bilagunna – Kampung Hidayat Women Association
97. Harija A. Silbir – Kampung Hidayat Women Association
98. Asarel B. Duran – DKD
99. Ellene Sana – CMA
100. Rhodora Abaño – CMA
101. Noel Esquela – CMA