Situating Human Trafficking in the Philippines: Global, National and Personal Contexts

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It begins with a painful, all-too-familiar story. The friend of a friend promises a young girl from an impoverished family a high-paying job abroad as a waitress. The amount being offered both astonishes and delights her, and she responds with a resounding yes. How can she not want to help her family, after all? Magically, the paper work is prepared in the blink of an eye. She is to be sent to the Middle East, but must first pass by Malaysia as a stowaway. So she boards a motorized banca as the dusk begins to fall, hoping to evade roving coast guards on her way from Tawi-tawi in the southern part of the Philippines to Sabah in Malaysia. Before long, she finds herself in a cramped, dark space, her wrists encrusted in cold metal. She is handed a large box of condoms and is blithely informed that this will have to be her daily quota from now on — that is, if she hopes to eat at all. By then, it’s too late, as we witness the plight of yet another trafficking victim.

At home, things are not so different. One woman I spent hours with recently — let’s call her the sad and beautiful "D," so thin she was almost like a wooden Balinese statue — was telling me how she had been raped at the age of three by her uncle (shockingly, with the consent of her mother) and sold by her into a local brothel by age of five. By 13, when she was old enough to fight, they decided to shackle both of her ankles, until she finally developed gangrene on both legs.

How did you go to the bathroom, I asked? The chains were long enough for me to walk a few feet to wash myself, she said. And food? Some days, there was food, Ma'am; others, nothing at all.

Eventually, she escaped while her mother and uncle were drunk, and found the key to her chains. She couldn’t read or write, nor could she speak any Filipino, but she somehow managed to make her way to the big city. The bus drivers were so disgusted by the smell of her gangrenous legs that they gave her a free ride all the way to Manila — right in front of Quiapo church. Eventually, she gave birth right outside it — painfully alone and bereft of any human contact.

Luckily, a woman took pity on her and took her in. Had the woman not helped her, it is hard to say what would have happened to D and her newborn child. Today, she has three children. She sleeps with two of them on the streets of Cubao; one is in a foundation.

She has a 2nd grade education. She also happens to be a wonderful cook. But we live in a country that often requires high school degrees even of our street cleaners, which is not always practical, as you can see. So she's reduced to sleeping right outside a cafeteria, cleaning it, getting free food from it and turning tricks with a few johns just to get a little cash. Of the $7 she makes with every john, around $2.50 has to go to the pimp; the rest she spends so her family can use a toilet and shower since they live with no running water at all.

As we talked, cockroaches scurried around the children’s bodies. Already, her 5 year-old daughter, winsome and equally beautiful, has begun to catch the roving eye of countless men roaming the streets at night.

How do I help this woman, I had to ask myself? She wanted a high school degree at all costs, which meant that she would have to turn tricks for years in order to be able to do so. Unless new programs were put into place for those who have not had the benefit of a grade school education — such as victims of trafficking, abuse and war. Training and capacity building for alternative forms of livelihood are now being negotiated with the Technical Education and Skills Development Authority, which helps those
without high school and college degrees in the country. Perhaps she will not need a high school degree and can instead be trained and given a certificate as a cook.

But there are thousands upon thousands like her, and recently I witnessed how respectfully they are often treated by policemen, even when they aren’t committing any crimes — simply because they are guilty of being female vagrants.

The government is already working on her case. But the rage at her mother? Her uncle? Does she feel rageful at her children, I quietly wondered? At what point does a perennial victim break and eventually go amok?

Listening to her story, I felt deeply sad for her — at the loss of a childhood, at the betrayal of a mother, at the nostalgia for a relationship that could never, ever be.

Today, there are thousands of victims of human trafficking in the Philippines every year. From 2005 to 2012, there were 1,693 human trafficking cases officially recorded in the country, 364 of which took place in 2011 alone. Needless to say, the unrecorded cases are countless.

Still, despite the massive planning and surveillance costs these clandestine rescue networks entail, at least 16,814 people have now been rescued by different government agencies. Regrettably, only 100 traffickers have been convicted — 70 of whom have been prosecuted during the current administration alone. If these numbers seem demoralizing to many, the fact remains that, in his little time in office, Aquino has prosecuted more traffickers than his predecessor did in nine entire years. Indeed, this is why the country was upgraded to solid Tier 2 Status last year, no longer in the notorious Tier 2 Watch List.

So what is the nature and context of human trafficking in the Philippines? Is it fundamentally different from what happens in other parts of the world, including the United States? What are its origins, and how has it evolved in recent years? What is the socio-political ecology that encourages trafficking, and what is the nature of this geography? Finally, how has the Philippine government responded to the problem, and what are the challenges it continues to face?

I’d now like to address these questions in the hopes that the case of trafficking in the Philippines might help shed light on the problem of trafficking in other parts of the world.

A brief historical background

The most accepted definition of human trafficking is that it is a form of forced labor in the contemporary context. In the Philippines, there is a long history of slavery (which is distinct but belongs to the same social continuum) dating back to the pre-colonial period. Unlike the United States, slavery in the Philippines usually took the form of debt bondage, where persons were forced to enter into servitude to pay off debts -- usually under the employ of relatives.

In a pre-modern context, slavery became characteristically flexible. Enslaved persons as debtors had a variety of options to negotiate their way out of servitude, either through inter-marriage with free persons or through acts of extraordinary service and bravery. Indeed, it was not uncommon for enslaved persons to have their own debt slaves, and for the latter to have their own servants.

Alongside debt bondage, chattel slavery also existed in pre-colonial times. Lowland Christianized populations, who have made up the national majority since the seventeenth century, were known till the end of the nineteenth century to buy and sell non-Christian highland or forest-dwelling minorities, usually
to perform domestic work. This form of trade, however, remained small and highly local, never taking on any regional significance.

At the same time, Muslim polities in the Philippine south have engaged in large-scale raiding and the trading of humans from colonized Christian settlements in the north since the seventeenth century. Until the late nineteenth century, Muslim datus (chiefs) were able to resist colonial incursions precisely in -- and through -- their ability to traffic in slaves. Many of these captives were sold abroad, while others were eventually integrated into local societies, inter-marrying with free persons, converting to Islam and becoming slave raiders themselves.

Both Spanish and US colonial regimes sought to put an end to these forms of slavery, but could never quite extinguish forms of debt bondage. Today, practices of servitude and relations of dependency between the rich and poor bear traces of this history of slavery and trafficking prior to, and in the midst of, colonial rule. We see this, for example, in the situation of domestic and factory workers within the country. While many are voluntary migrants, there is also an unknown number who are compelled by violence or deception to move from impoverished rural areas or urban slums to seek employment. They are forced to live under conditions not of their choosing, often subjected to harsh treatment and abuse. The history and processes of slavery, debt bondage and forced migration in the Philippines form the backdrop for understanding the workings and effects of larger global processes in the country.

As my opening stories suggest, the international traffic in humans is predicated upon, and elaborated from, practices of domestic trafficking and labor exploitation as migrants move from impoverished rural areas to more developed urban centers.

It goes without saying, of course, that imperialism, colonization and globalization — with their implicit power differentials between core and periphery — introduced an international market eagerly willing to invest in the trafficking and consumption of Filipino bodies.

But there is an important difference between the traditions of slavery and debt bondage in previous centuries and those that have arisen in contemporary times. Where traditional forms of servitude were mitigated by personal, quasi-kinship relations between masters and servants, more contemporary practices have been based on the structural nature and economic imperatives of an inexorably globalized capitalist marketplace. It is to these structuring features of globalization informing human trafficking — what we might think of as its socio-political ecology, if you will — that I now wish to turn to.

*Structural features: the socio-political ecology*

It is not surprising that most trafficking victims are poor, lacking in education, and desperate for employment opportunities elsewhere. Most are victimized by illegal recruiters and sent to countries banned to Filipino workers. Tragically, all remain unprotected by an entire social continuum — parents, friends, schoolteachers, immigration officials, and airport/port authorities — that should never have turned a blind eye on them in the first place. The system, at some level, had irrevocably let them down. To understand this chronic failure, it is necessary to get a sense of the structural forces underlying human trafficking.

Poverty, unemployment and underemployment have no doubt played a significant role. The bleak prospects for gainful and creative employment have made people vulnerable to the lure of illegal recruiters offering better prospects abroad. Additionally, poverty brought on by civil war, as we see in parts of rural and southern Philippines -- where polygamy is common -- create rich breeding grounds for trafficking, leading to sexual and labor exploitation. Already violently displaced, refugees of civil war tend to look upon forced migration as an improvement upon their present situation.
In the Philippines, civil strife and massive unemployment on a national scale led the Marcos dictatorship to adopt a policy of encouraging overseas migration throughout the 1970s. Given the urgent need for skilled and unskilled workers in the oil-rich Middle East, the booming economies of East Asia, and the aging populations of Western Europe, North America and, lately, Israel, huge markets opened up for Filipino labor.

Succeeding administrations have sought to capitalize upon the global demands of what has increasingly become the Filipino brand: that of “caring labor”—i.e., domestic workers for households, elderly care, doctors, nurses, and even primary school teachers—to encourage the migration of Filipino workers. Overseas employment as a national policy has served the dual purpose of defusing political tensions, especially from an educated and expectant middle-class faced with discouraging prospects at home, and boosting economic development by way of domestic consumption through recession-proof remittances—close to $18 billion in 2012, for example—from abroad. In addition, the relative absence, until very recently, of population control policies in this predominantly Catholic country, has resulted in the steady increase of surplus labor available for export to global markets.

What we have seen in the Philippines, then, is a combination of growing global demands for caring labor, sophisticated policies for cultivating and marketing Filipino labor overseas, and the concomitant dependence upon remittances to fuel domestic consumption, real estate booms, and economic growth. Such an environment inevitably opens up multiple pathways for the workings of human trafficking. While the globalization of labor promises to improve economic prospects, it also paves the way for the proliferation of illegal recruiters, as well as local and transnational pimps, seeking to capitalize upon the inflated expectations of Filipino workers and their families.

But the illegalities of trafficking can only thrive, given socio-political institutions tolerant of (or at least indifferent to) the commodification of human beings. The relentless search for profits characteristic of globalization means that institutions often pursue “investment opportunities” rather than seeking the protection of migrant workers. Corruption both high and low is but symptomatic of the ways that greed and the profit-seeking motives of trafficking tend to contaminate the very institutions that are dedicated to fighting them. Just as cops can’t keep up with sophisticated crooks who are better armed and better funded, so, too, are state agencies often unable to enforce otherwise good laws in the face of traffickers who are able to bribe and pay their way into, and out of, the legal systems of migration and recruitment.

It is also important to say something about the very structure of trafficking as a socio-economic activity. As many others have remarked, traffickers never work in isolation, but always in concert with others—from illegal recruiters to corrupt police, to an entire panoply of service providers in the finance, communications and transportation industries. Trafficking, in this sense, is a networked phenomenon: its operations are de-centralized, with shifting locations and shadowy agents. It works as much on the level of violent coercion as on artful dissimulation, which creates complicated relations between perpetrators, victims and the latter’s families, making it difficult to detect—much less prosecute—human traffickers.

Finally, we should note the difference between early modern and contemporary versions of chattel slavery. The former was characterized by the careful supervision and harsh discipline of slaves by masters. Slaves were regarded as a scarce and expensive property that was racially inferior. In contrast, the slavery that is the product of contemporary trafficking practices is much more global and less racially particular. Anyone can potentially be trafficked, given the right conditions, regardless of color or creed, gender or age. And given advances in communications, transportation and computerized banking, government policies that encourage migration, along with rising global demands for certain kinds of
labor, traffickers can take advantage of larger supplies of humans, turning them into cheap and disposable -- but eminently renewable -- commodities.

Modern trafficking thus exposes workers to harsh conditions and great degrees of exploitation, while depriving them even more systematically of any sense of identity and community. Slaves in older systems were situated in particular places — the plantation, household or factory — and grouped together according to a particular racial identity. These conditions made it possible for them to come to the degree of self-knowledge necessary to engage in acts of individual and group resistance. In contrast, modern-day slaves are even more victimized and separated from any sense of commonality and community. Such conditions make it extremely difficult for them to resist their conditions in any organized and sustained fashion, much less access the aid of states and NGOs. At the same time, the dispersed and de-centralized network operations of trafficking thriving upon computerized money laundering adds to the difficulties in prosecuting traffickers, given the difficulties of tracing the money trail and establishing criminal responsibility.

**Geography and political economy of trafficking**

What about the geography of trafficking as it is shaped, and continues to shape, its political economy? As I have said, it is important to make a distinction between domestic and international trafficking in the Philippines. But where international and domestic trafficking are concerned, Muslim Mindanao continues to remain a rich source of supply (given the long history of trafficking in the area, easy access to the seas, proximity to Malaysia and therefore the Middle East and Europe, not to mention coastlines that are impossible to police and regulate). However, it should be noted that Filipino power brokers — many of whom are politically well-connected -- appear to find it more logistically convenient to engage in the trafficking of Filipinos domestically. In contrast, the heads of syndicates profiting from the trade of Filipino bodies overseas tend to be the owners of clubs and bars from the host countries themselves. Naturally, Filipino middle-men and women (surprisingly, so many Filipino traffickers are women) play a significant role in both contexts, but they themselves are not usually owners of overseas properties where trafficking takes place, nor are they generally economic power brokers with genuine institutional and infra-structural power.

That Filipino power brokers tend to stick with domestic trafficking operations may be due to the fact that the costs of owning clubs and bars overseas remains generally prohibitive, as are the legal and administrative requirements they have to adhere to as foreign nationals. Hence, the rhetoric of combating international trafficking heard frequently in the Philippines often tends to gloss over the infinitely more corrosive problems of domestic trafficking.

Where the domestic trade is concerned, the nodal points of trafficking can be readily found at an intra-city level. There, young men and women are forced to work in clubs located in areas zoned for tourists. Such clubs are established with the active collaboration of certain members of the police and law enforcement, including the occasional involvement of high-ranking government officials.

There are also sweat shops and incarceration in homes — where forms of abuse and coerced labor take place among migrants — but remain difficult to prove or measure, and therefore hard to prosecute.

**Government responses to human trafficking: the Aquino administration**

I’d now like to shift to the current Aquino administration. What are the challenges it faces and what are some of the solutions it has sought to enact to combat human trafficking?
Human trafficking is after all the world’s third largest criminal enterprise, generating $15 billion last year alone — behind only the international drug and arms trades. Prevention will have to begin in countries of origin, putting all of us in the front lines in the fight against human trafficking. So why do trafficking numbers remain so high? How do the traffickers do it? Take a country like Syria. Word on the ground is that applicants apply for a visa using a fake affidavit of support for vacation from a fictitious person there and “go for a visit.” Now, the Bureau of Immigration is supposed to scrutinize each transaction carefully but some handlers invariably tend to be corrupt, money may exchange hands and — voilà! — the paper work is complete.

Over 3,310 Filipinos have been repatriated from Syria since March 2011. Alarmingly, the Jan 2012 mass repatriation of 204 Filipinos from Syria revealed that 90 percent of them had been irregular or undocumented; 99 percent had been trafficked; 93 individuals were not in the Bureau of Immigration database; and 29 out of 95 passports had counterfeit Departure Border Stamps.

Abroad, prosecuting foreigners for having abused Filipinas has been next to impossible. For example, in Saudi Arabia — where we send a high percentage of our overseas workers — domestics are not even covered by the labor code. Prosecuting overseas criminals — given the burden of proof required — is notoriously expensive, and embassies are already saddled with huge expenses even without them. Issues pertaining to national territory are also fairly complicated, and depend upon the host country’s laws: in general, embassies cannot simply raid a dwelling where abuse is allegedly taking place. When there is strong evidence, however, the Philippine Overseas Labor Office can sometimes intervene. Otherwise, many have had to escape on their own to get to the embassy before earning the plane fare home.

At home, the problem of human trafficking remains deeply entrenched. Powerful national syndicates bribe and sow fear among employees in government agencies. The discreet, but no less widespread, involvement of a number of local and national politicians, along with members of the Philippine National Police — given the profitability of human trafficking itself — makes it difficult to eradicate without more thorough-going reforms. What these reforms might look like, and how they are to be made, would be the subject of a separate paper.

For now, what remains to be said is that traffickers target the most vulnerable sectors of society. Among victims, women still comprise the most significant percentage. They are generally trafficked for the purpose of sexual exploitation, which includes sexual tourism, forced labor and domestic servitude. Indeed, violence is arguably inherent in the experience of being trafficked.

In 2010, there were 190 reported cases (the highest since 2004, according to the Philippine Commission on Women) on the violence against women in the context of trafficking. Still, it is heartening to note that, in 2011, the number went down to only 62 reported cases.

There is also the challenge of finding adequate funds to combat trafficking. Despite the significant increase in funding for the Inter-Agency Council Against Trafficking (IACAT) from approximately $230,000 in 2010 to $1.5 million in 2011, there is still much work to be done on the enabling environment that allows trafficking to happen in the first place. Like genocide, human trafficking takes place in a socially-incremental continuum — where teachers, bus drivers, immigration officials, airport and embassy officials, not to mention law enforcement -- routinely turn a blind eye.

Finally, there is the challenge that emerges from the political process itself. Different state agencies tend to pursue their specific agendas and programs. For example, the Human Development and Poverty Reduction Cabinet Cluster, which covers 26 government agencies dealing with poverty and development, is often the site of vigorous debates regarding government priorities. Where one agency, for instance, may be more preoccupied with growth at the expense of other variables (strengthening agricultural
infrastructure by spending funds on farm machinery, say), another one might be more concerned with the provision of labor. Some agencies want jobs to be provided at all costs (even if this means Filipino nationals will have to work abroad), while still others are preoccupied with possible human rights violations. Like other countries, political decisions in the country are a matter of lengthy and complex negotiation.

How, then, has the Aquino administration responded to the challenges posed by the workings of human trafficking?

In view of its avowed commitment to reform, it is not surprising that the administration has been far more aggressive than its predecessors in dealing with the problem, working in concert with the United States, the United Nations and other partners. Today, it addresses transnational crime in cooperation with other countries, adopting the “4Ps” — the international approach to anti-trafficking: Partnership, Prevention, Prosecution and Protection.

Locally, there are 14 government agencies involved in anti-trafficking efforts throughout the country: the Philippine National Police runs Women & Children’s Complaint Desks and has trained about 3,000 of their personnel in victim identification. The Department of Labor and Employment has shut down “entertainment spots” exposing young people to prostitution. Overseas, the Department of Foreign Affairs deals with host country governments and overseas Filipinos, including those who have been illegally recruited or trafficked. The Bureau of Immigration oversees travel requirements, apprehends suspected traffickers in places of arrival and departure, and is attempting to establish patterns of deployment used by trafficking syndicates. The Commission on Filipinos Overseas also has a 24/7 hotline that assists victims of human trafficking. As of September 2012, a total of 13,129 calls were received, and 186 cases served by the 1343 Action Line on Human Trafficking. For the rescued, the Department of Social Welfare and Development maintains 42 shelters all over the country to provide safe residential recovery and psychosocial reintegration.

The government’s strategic stance on curbing human trafficking has resulted in considerable improvement in the trafficking situation throughout the country. Cases are now being strictly monitored, while the response to victims and their families has improved and become more effective. Incidents of human trafficking have decreased, thanks to a sustained campaign to disseminate information about the problem. The prosecution of trafficking criminals continues, as courts are encouraged to take action.

While the attempts of the Aquino administration to address the problems of international trafficking have been laudable, it has yet to carry out more concrete steps to eliminate the deeply entrenched patterns of domestic trafficking: for one thing, victim identification skills among government personnel could be strengthened. Such problems, as I have indicated above, are far more politically delicate and explosive to deal with than those of international trafficking, and are often more difficult to track since they don’t require the same amount of paperwork.

Meanwhile, government agencies such the Department of Social Welfare and Development, the Department of Foreign Affairs and the Philippine Overseas Employment Administration have sought to focus on educating Filipino migrant workers about the hazards of working abroad and dealing with false labor recruiters.

Practical advice comes with some basic resources. Those applying as domestic helpers are urged to avoid countries where Filipina domestics are routinely mistreated. They are also advised to avoid countries banned by the Department of Foreign Affairs and check the licenses of recruitment agencies to make sure they are certified by the Philippine Overseas Employment Agency. Finally, they are warned against
dealing with "fixers" claiming to provide visas, paying excessive placement fees to shady recruiters, and to be wary of ads requiring them to send payment for processing papers to a Post Office Box.

More recently, the government has sought to expand and strengthen the Anti-Trafficking of Persons Act (R.A. 9208) for the added protection of trafficking victims in the country. In the wake recent catastrophes like typhoon Pablo, which has devastated parts of the Visayas and Mindanao, many have been invariably drawn to seek jobs overseas. The government is seeking to ensure that they are protected against human traffickers who may take advantage of the situation.

Ultimately, the government will have to face the deeper problems underpinning the ongoing migration of Filipinos abroad: employment and underemployment within the country itself. Successful efforts have been made to jump-start the economy – resulting, I'm happy to say, in a GDP growth rate of 7.3% in the last quarter alone. We are trying to close down diploma mills, where graduates have remained incapable of passing certification exams in fields like nursing. Indeed, significant mismatches between education and jobs has also been a problem, with students still expecting to study nursing in contexts where demand has gone down, unlike in fields like marine science, where the job prospects are much better. The Technical Education and Skills Development Authority can also help those without high school or college degrees; ideally, they will also be able to assist those who do not have these degrees, ideally in the near future.

We are also trying to increase our manufacturing sector so the economy is not only buttressed by the services sector alone; this will not only increase GDP growth but will also improve the quality of jobs in the country, thereby increasing our average earning capacity.

Finally, there is the international context of "recipient countries," that is, countries where Filipinos are most heavily trafficked to. These include such regions as: North America, Malaysia, Japan, Korea, the Middle East and Europe. Sustained cooperation from such countries in the fight against human trafficking would be most welcome. Filipinos routinely return home from the Middle East in body bags, after having been brutally abused, with little hope of redress.

One exception, however, continues to stand out: the United States. We are deeply grateful that the US, as a major recipient country, continues to actively combat human trafficking, providing considerable support to the Inter-agency Council Against Human Trafficking. For a developing country like the Philippines, the assistance of international partners has been critical, given the transnational nature of the problem itself. It is precisely for this reason that US aid has been so welcome.

My participation in this conference, which takes place on the tenth anniversary of the passage of Washington State's first law to criminalize trafficking—thanks to the eminent leadership of Velma Veloria—is a small testament of the Aquino administration's commitment to combat this form of modern "slavery."

Thank you.
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