

Filipino Domestic Workers: the struggle for justice and survival

Maria (not her real name) was limping when she arrived at the airport of Manila from Saudi Arabia. She is one of the 80 Overseas Filipino Workers (OFWs) who was repatriated in August 2009 by the Philippine government from the Middle East. All of them were women who worked as domestic helpers and fell victim to various kinds of abuses from their employer or the agency that recruited them.

Maria's leg was fractured after her employer's son pushed her from the stairs for not following his order. She also said she was made to sleep under the stairs and fed only once a day. But the worst part was when her male employer raped her. "He was touching me, kissing me and forced me to have sex with him. I couldn't fight back" she said.

Her troubles started when she was illegally recruited by an agency in Riyadh last year. She was promised a salary of 400 dollars a month, but ended up getting paid only half of this. She was also forced to work long hours for multiple tasks. "We were treated like animals, we barely got enough sleep" Maria said.

The Visayan Forum Foundation (VFFI) is a non-government organization that promotes the welfare of OFWs. According to VFFI President Cecilia Flores Oebanda, there has been a 20 per cent increase in the incidence of persons trafficked for domestic work: from 539 in 2008 to 697 in 2009. "If we talk about human trafficking, we have to think that it comes in many forms, like forced labour, organ donor trafficking, child trafficking but what alarms us most now is that this year there is an increase in forced labour among domestic workers" she said.

"Many of our domestic workers were promised good salaries but when they arrive at their destination, they only receive half, which means there is contract substitution. Many of them are fooled, the employer confiscates their documents, passports, and they are not allowed to go out. Most of the time they are locked up in the house and they really experience different kinds of abuse" Oebanda added.

In 2003 the Philippines enacted the Republic Act (RA) 9208, also known as the Anti-Trafficking in Persons Act. The law foresees measures aimed at preventing the trafficking of persons including the rehabilitation and integration of the trafficked individuals. Trafficking means recruiting, transporting, transferring and receiving people across national borders by means of threat, coercion, abduction and deception for exploitative aims such as prostitution, forced labour and the removal or sale of organs.

The International Labour Organization (ILO), an agency of the United Nations, has called the attention of the Philippines on forced labor. The ILO's Committee of Experts on the Application of Conventions and Recommendations has made a direct request to the Philippine government to provide information on the application of RA 9208 in practice, such as the information on the prevention and protection measures, including copies of reports, studies and inquiries, as well as available statistics.

To coordinate and monitor the anti-trafficking law, the government created an Inter-Agency Council which has already submitted its report to the Department of Labor and Employment (DOLE). "The report will be submitted to the ILO", said DOLE Director Jay Julian.

Senior State Prosecutor Deana Perez said there have been 16 convictions since 2005. From 577 anti-trafficking cases that were filed in court since the law was created in 2003, only 242 cases are now pending trial while the rest are dismissed, archived or acquitted. "Many of the cases were dismissed after the victim had decided to settle, because they had been offered money or because they had gone back to work abroad

instead of waiting on their cases. It's really sad but it's a matter of economic necessity. Between justice and survival, they choose survival," said Perez.

In the Philippines there is also an Overseas Employment Agency (POEA) that holds orientation seminars in partnership with local government units as an effective preventive measure against illegal recruitment. "Human trafficking starts with illegal recruitment, people don't get trafficked if they are not recruited illegally," said POEA deputy administrator Hans Cacadac.

During the seminar, trained personnel educate the public on the good and bad aspects of overseas employment, the risks involved and the types of vulnerable jobs and cases encountered by OFWs in these jobs. "We advise them to be careful especially if the job being offered is dirty, dangerous and demeaning like domestic work abroad. They have to check if the recruiter is legal and licensed with the POEA. Likewise the employer abroad should also be registered" said Cacadac.

Nina Corpuz, the author of the article "Filipino Domestic Workers: the struggle for justice and survival", won the 2010 edition of the journalistic prize for the best story on labour rights, awarded by the International Training Centre of the ILO (ITC-ILO), the training arm of the ILO.

The article was selected among stories written by professional journalists who attended the training courses on "Communicating Labour Rights", yearly organized by the ITC-ILO. The courses introduce journalists and media professionals from all over the world, to international labour standards, with the aim of raising public awareness of their relevance to local labour and social issues. The award ceremony will take place in Turin, Italy, on Monday 21st June 2010 at the ITC-ILO Campus.