

### Protecting Domestic Workers from their Vulnerability to Forced Labour and Trafficking: A Training Tool for Foreign Service Officers, Staff Officers and Attachès Corps

#### **Terminal Report**

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#### Protecting Domestic Workers from their Vulnerability to Forced Labour and Trafficking: A Training Tool for Foreign Service Officers, Staff Officers and Attachès Corps

#### **Terminal Report**

#### A. Summary

This project was conceptualized as an offshoot of the regional project of the International Labour Organization (ILO) on Mobilizing Action for the Protection of Domestic Workers in Southeast Asia. A situational analysis and a series of workshops for strategy formulation undertaken by ILO in 2004 concluded that there was a need to provide a capacity building program for the Foreign Service Corps for them to respond effectively in situations where the migrant domestic workers are highly vulnerable such as in forced labour and trafficking.

The ILO approached the Foreign Service Institute, which is the agency mandated to professionalize the Philippine Foreign Service Corps including the attachès from the Department of Labour and Employment and Officers from the Overseas Workers Welfare Administration, for technical assistance in the implementation of the recommendation. Discussions and meetings with the ILO came up with a proposal to produce a computer-based training program on protecting the migrant domestic workers from their vulnerability to forced labour and trafficking. It is regional in focus, specifically Hongkong, Singapore and Malaysia as destination countries, and the Philippines and Indonesia as sources of migrant workers. It was also decided that it should contain a country-specific module for the Philippines.

In the curriculum content preparation, the ILO hired a consultant, Ms. Elaine Pearson for modules 1 to 5. These modules are regional in focus and contain the provisions on trafficking and forced labour in international conventions and protocols. Atty. Edna May G. Lazaro of the Office of the Undersecretary for Migrant Workers Affairs was invited to prepare the curriculum for Module 6. This module discusses, in general, Philippine laws applicable/relevant to forced labour and trafficking, the various schemes on trafficking and the procedures in rendering assistance to Filipino nationals abroad.

The curriculum content of the CD-based training program was prepared after a series of focused group discussions and meetings with the officers of the Department of Foreign Affairs (DFA), Department of Labor and Employment (DOLE), the Overseas Workers Welfare Administration (OWWA), non-governmental organizations

(NGO), migrant domestic workers and recruitment agencies. The content was validated by a group of experts on labour and trafficking after it was converted into a CD-format training program.

The IT consultant further developed the program in terms of content, visual aesthetics and navigation. It was finally titled "Protecting Domestic Workers from their Vulnerability to Forced Labour and Trafficking: A Training Tool for Foreign Service Officers, Staff officers and Attachè Corps," to keep it focused and with a defined target group of users.

The tool was pilot-tested on 26 to 28 April 2006 at the Foreign Service Institute. The participants were: one (1) Assistant Labour Attachè from the International Labor Affairs Services who is slated for assignment in Singapore, three (3) from the Office of the Undersecretary for Migrant Workers Affairs who are due for assignment as Assistance to Nationals Officers and one (1) Training Specialist. The over-all feedback of the pilot-test participants was highly positive. They highlighted the usefulness of the tool in their future assignments in Philippine Foreign Service posts.

#### B. Project Objectives:

The interactive computer-based training program was basically aimed at raising the awareness of the Foreign Service Personnel on human and labour rights, trafficking and forced labour issues and in providing information on services such as legal, health, counseling, savings, organizing and reintegration strategies. These inputs can be utilized as intervention assistance and response mechanisms for Foreign Service Personnel who are due for a tour-of-duty.

The training program is divided into six (6) modules namely:

- 1. Module I Context: The Situation of Migrant Domestic Workers in Asia and the Philippine Foreign Service Personnel
- 2. Module II Trafficking, Forced Labour and Other Forms of Exploitation Faced by Domestic Workers
- 3. Module III Rights in the Law
- 4. Module IV Immediate Assistance: Short Term Strategies
- 5. Module V Long Term Strategies that Protect Human Rights
- 6. Module VI Protecting the Filipino Domestic Worker Overseas from Forced Labor and Trafficking: A Guide for Assistance to Nationals

#### C. Major Activities:

I. Protecting Domestic Workers from the Vulnerability to Forced Labour, Trafficking and Human Rights Abuses and Providing Support to Victims: Consultation Meeting with Government Agencies

Date: 8 March 2005

Participants:

#### International Labour Organization

1. Ricardo Casco

- National Project Coordinator, ILO

2. Elaine Pearson

- Consultant

#### Foreign Service Institute

3. Marichu Liwanag

- Head, Career Enhancement Programs

Foreign Service Institute (FSI)

4. Arniel Estrella

- Training Specialist, FSI

5. Dionne Marga Morales - Training Specialist, FSI

6. Dulce Amor Fortunado - Training Specialist, FSI

7. Joyce Camus

- Training Specialist, FSI

#### Department of Foreign Affairs

8. Anselmo Ayos, Jr.

- ATN Officer from Baghdad, Kenya

and Lebanon

9. Adriano Castillo

- Administrative Officer in Santiago,

Chile

10. Edna May G. Lazaro

 Special Assistant in charge of Handling Trafficking in Persons Desk Illegal Recruitment and

Isues in Labor Migration

11. Berth Salvador

- posted in Mexico and Beirut as

Foreign Service Staff Officer

12. Maribel Navarro

- posted in Hongkong as ATN

Officer

13. Jaime Calano

- posted in Jordan as ATN Officer

#### Department of Labor and Employment

14. Carmelita Arriola

- Labour Attache in Hongkong, Abu Dhabi and Dubai

15. Virginia Calvez

- Labour Attache in Taipei and Athens

16. Araceli Maraya

- Labour Attache in Saipan

17. Romulo Salud

- Labour Attache in Taiwan

#### Philippine Overseas Employment Administration

18. Francie Baldoza - Welfare Officer, Hongkong
19. Cleto Edralin - handles anti-recruitment
20. Teresita Laurel - handles land-based center

#### Overseas Workers Welfare Administration

21. Elizabeth Estrada
22. Mustapha Glang
23. Rose Ilo
24. Annie Israel
25. Luz Talento
Welfare Officer, Tokyo
Welfare Officer, Jeddah
Welfare Officer, Brunei
Welfare Officer, Singapore, and Osaka
Welfare Officer in Kuwait

The participants in the consultation meetings shared the experiences and problems they encountered with domestic workers abroad. They also suggested, based on their experiences, the strategies and activities that may help facilitate their jobs abroad like putting up counseling rooms, organizing for where the immigration

officer could orient the workers about the laws and rules in the country.

#### II. Consultation Meeting with Non-Governmental Organizations

Date: 8 March 2006

Participants:

#### Center for Overseas Workers

- 1. Grace lota
- 2. Janeth Lawagan
- 3. Ederline Manburam

#### Caram Asia, Action for Health Initiatives Inc.

- 4. Malu Marin
- 5. Mara Quesada

#### Women in Development Foundation

6. Virginia Pasalo

#### Center for Migrant Advocacy

7. Ellene Sana

#### Migrante, International

8. Connie Regalado

#### **AWARE**

9. Ramon Ike Señeres

The participants actively engaged themselves in the discussions as to how the tool can be of greater value to the users or trainees.

Among the items they suggested which could improve the tool content-wise were the inclusions of the following:

- Short and long term strategies in dealing with problems of OFWs:
- b. Clear gender component;
- c. Crisis management;
- d. Topics on organizing fora, practical information, dealing with media and utilizing radio programmes, and putting up of websites and 24-hour hotlines; and
- e. Resource list of NGOs.

#### III. Consultation-Meeting with Returning Migrant Workers

Date:

9 March 2005

Participants:

#### Taiwan, Singapore

- 1. Marites Reyes
- 2. Raquel Asiong

#### Taiwan

- 3. Rhen Umbal
- 4. Lyn Ortiz
- 5. Joy Canero
- 6. Weng Abante
- 7. Grace Estorninos
- 8. May Seniel
- 9. Susan Galisim
- 10. Anna Amosco
- 11. Nett Caliso
- 12. Gemma Guillermo

#### Hongkong, Singapore

13. Azon Gavino

#### **Hongkong**

14. Nimfa Natividad

#### Riyadh

#### 15. Chu Castillo

The migrant workers who participated in the consultation-meeting contributed their experiences as migrant domestic workers. They observed that in Hongkong, there were many cases of rape and harassment and maltreatment. These cases usually took longer because the victims were referred from one person to another. For labour cases, some of the problems frequently experienced by the migrant workers were: no overtime pay; no day-off; no sufficient food; and maltreatment.

#### IV. Consultation-Meeting with Recruitment Agencies

Date: 9 March 2005

Participants:

Society of Hongkong Accredited Recruiters in the Philippines

1. Julie Cabasa

#### LBSE Recruitment

#### 2. Loreto Soriano

The participants emphasized that the Foreign Service Personnel should be able to network and interface with stakeholders i.e. employers, recruitment agencies, brokers and partner agencies. When problems arise, they can be requested to help solve the problems and be part of the solution.

#### V. Preparation of the Curriculum

Duration:

March to August 2005

#### Review of the Curriculum Conducted by the FSI Team

Duration:

September 2005

#### VII. Conversion of the Curriculum to CD Format

Duration:

September to December 2005

#### VIII. First Review of the CD- based Interactive Training Program

#### IX. **Validation Workshops**

Date: 15 to 17 February 2006

3 March 2006

#### Participants:

1. Mr. Ricardo Casco

National Project Coordinator, ILO

2. Atty. Edna May Lazaro

Special Assistant, Office of the

Undersecretary for Migrant

**Workers Affairs** 

3. Atty. Ma. Theresa de Vega -

Special Assistant, Office of the

Secretary, Department for Foreign

**Affairs** 

4. Atty. Jone Fung

Director II, Philippine Overseas

**Employment Agency** 

5. Atty. Virginia Calvez

Labor Attache, International

Labor Affairs Service, Department

of Labor and Employment

6. Mr. Nathaniel Imperial

Office of Asia & Pacific Affairs.

DFA, once served as Vice Consul & Third Secretary in Kuala Lumpur, Malaysia. He will be

assigned in Singapore.

7. Ms. Marichu C. Liwanag

- Foreign Service Institute

8. Ms. Dionne Marga Morales - Foreign Service Institute

9. Ms. Joyce Camus

- Foreign Service Institute

10. Mr. Arniel Estrella

- Foreign Service Institute

#### X. Pilot Testing of the Interactive Training Tool

Date: 26 to 28 April 2006

Participants:

- 1. Ms. Lutricia Alconcel of Labor Arbiter of the National Labor Relations Commission, DOLE, in Singapore.
- 2. Mr. Gil Salceda of the Undersecretary for Overseas Migrant workers Affairs, DFA, for assignment to Hongkong.
- 3. Ms. Ella Cecilia Palma-Aceña due for foreign assignment.
- 4. Mr. Edwin Batallones due for foreign assignment.
- 5. Ms. Janice Morales, training specialist of the Foreign Service Institute

(Please see **annex** for the Evaluation Results)

#### D. The Launching Activity

The interactive training program is tentatively scheduled to be launched on 19 July 2006, at the DFA Bulwagang Blas F. Ople,  $14^{th}$  Floor, DFA Building.

The CD-based program will be introduced to members of the Philippine Foreign Service Corps and attached services in the Home Office.

#### E. Issues and Concerns:

1. The Inclusion of Indonesia in Modules 1 to 5

The inclusion of Indonesia in modules 1 to 5 as a sending country like the Philippines in the migrant domestic workers sector, made it difficult for the teams to review the content, since the Philippine validation team can only confirm facts and issues pertinent to Philippine laws, procedures and experience.

The Foreign Service Institute consequently informed the ILO, through Ms. Linda Wirth, that it is not in a position to validate the content that pertain to Indonesian laws, facts and figures. FSI suggested that the Indonesian Ministry of Foreign Affairs, through the ILO, also undertake a review of the curriculum. The utilization of modules 1 to 5 by the Indonesian Ministry of Foreign Affairs Personnel will require the approval and acquiescence of the Indonesian Ministry of Foreign Affairs.

#### 2. Choice of Consultant as a Curriculum Designer

FSI noted that the consultant in the person of Ms. Elaine Pearson, submitted at the outset a trainor's training manual which was not the expected output for a CD-based training program. The curriculum design, however, was readjusted by the consultant to fast track its conversion into an e-learning tool.

Secondly, the output or the curriculum content prepared by the consultant should have been thoroughly reviewed in terms of the style it was written, its grammatical structure, and usage before it was forwarded to the Information Technology expert. It should have been rewritten to conform with the standard English widely used among the target group of users.

Thirdly, it would have facilitated the work if the consultant were more familiar with both the regional and national laws and issues on labour, and pertinent laws on trafficking and forced labour.

#### 3. Training Arrangements between FSI, DFA, DOLE and OWWA

The continuance of existing procedural arrangements with these government agencies on all FSI training courses, will ensure full usage by the Philippine Foreign Service Personnel of the tool both for pre-assignment and on-site training.

## Proposed Plan for the Utilization of the Training Tool Foreign Service Institute

Activities	Objective	Target Date	Person Responsible
Preparatory Phase			
Refine further the technical and navigation mechanisms of the interactive tool	To further improve the technical lay-out and navigation mechanism of the interactive tool	22 – 31 May 2006	Mr. Bryan Macabales
Conduct Second Testing	To test the effectiveness of the training program by getting the feedback evaluation results	5–13 June 2006	Ms. Sparkle Martinez
Conduct meeting with the Organizers of the Pre-Departure Orientation Seminar (PDOS), to build into the PDOS the Utilization of the Interactive Training Tool	To build or dove-tail into the Pre- Departure Orientation Seminar the interactive training tool	26 June 2006	Ms. Marichu Liwanag Ms. Dionne Marga Morales
Utilization Phase			
IV. Launching	To introduce the interactive training tool to the Philippine Foreign Service Personnel & Attachés Corps	19 July 2006	Misses Joyce Camus & Sparkle Martinez
Coordinate with Philippine Embassies & Consulates, specifically in Kuala Lumpur, Singapore and Hongkong, the utilization of Interactive Training Tool	To introduce the Interactive Training Tool to the Philippine Foreign Service Corps who are already on assignment	July – Dec. 2006	Ms. Joyce Camus & Mr. John Faith Gasta

Noted by:

TERESITA V. BERNER
Director, Foreign Service Institute

# ANNEXES

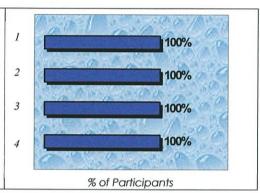
#### Protecting Domestic Workers from their Vulnerability to Forced Labour and Trafficking: A Training Tool for Foreign Service Officers, Staff Officers and Attaches Corps

26 - 28 April 2006

#### **Section 1: Objectives**

#### Module 1: Context: The Situation of Migrant Domestic Workers in Asia and Responsibilities of Foreign Service Personnel (FSP)

- Identify the standards under which Foreign Service Personnel (FSP) have a responsibility to protect domestic workers abroad;
- Understand the reason domestic workers are vulnerable to abuse and why they need adequate protection from embassies/consulates;
- 3. Explain why women migrate to work as domestic workers and outline key migration routes; and
- 4. Distinguish between regular and irregular migration



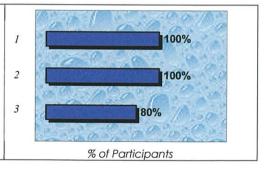
#### Module 2: Trafficking, Forced Labour and Other Forms of Exploitation Faced by Domestic Workers

- Understand and distinguish domestic workers who are trafficked, smuggled, held in farced labour or otherwise exploited;
- Understand the various types of human rights violations faced by domestic workers throughout the migration process; and
- 3. Emphasize that the State is responsible for protecting domestic workers from such violations, both the origin and destination country.



#### Module 3: Rights in the Law

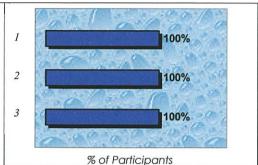
- Understand a rights-based approach, and the impact of human rights in laws and policies affecting migrant workers;
- 2. Identify various laws and policies that can protect migrant workers in sending and receiving countries; and
- 3. Explain laws that can be used to prosecute traffickers and abusers of domestic workers.



The graphs represent the percentage of participants who ticked/checked if objectives were met.

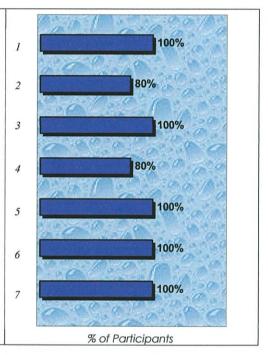
#### Module 4: Immediate Assistance: Short-term Strategies that Protect Human Rights

- Know what kind of assistance is required by migrant domestic workers and how best to provide it:
- 2. Understand the special needs of victims of abuse and trafficking and deal with all migrant workers sensitively; and
- 3. Understand the importance of working with others to provide immediate assistance.



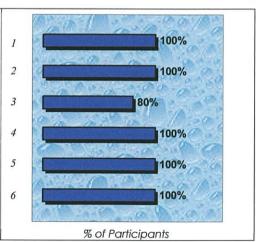
#### Module 5: Long-Term Strategies that Protect Human Rights

- 1. Distinguish between empowering and repressive long-term strategies and give examples of each;
- Identify factors involved in effective awarenessraising of domestic workers;
- 3. State two reasons why regular meetings with concerned migrant groups are useful;
- Identify changes in law and policy needed to protect migrant domestic workers and suggest/recommend relevant plans of action with strategic partners;
- State the benefits of networking with host government and other labour sending countries and give examples of how it should be done;
- Explain how advocacy of NGOs and trade/labour unions can protect domestic workers from trafficking and forced labour; and
- 7. Explain how migrants savings programmes can empower domestic workers in the long –term.



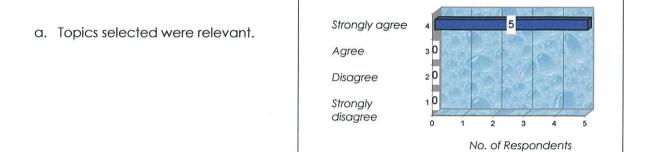
Module 6: Protecting the Filipino Domestic Worker Overseas from Forced Labour and Trafficking: A Guide for Consular and Assistance to Nationals

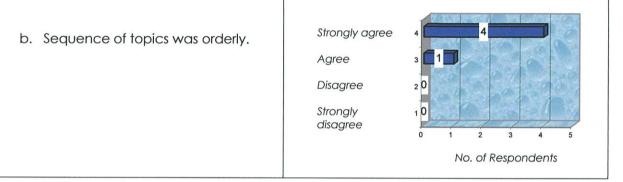
- 1. Recognize the trends in migration;
- 2. Recall regional cooperation and initiatives against trafficking in persons:
- Identify pertinent national laws with regard to dealing with cases of Filipinos overseas being trafficked;
- 4. Describe the diverse employment conditions of our domestics workers in East and Southeast Asia;
- 5. Enumerate the various schemes used by traffickers; and
- 6. Explain the procedure in handling assistance to Filipinos overseas in distress.

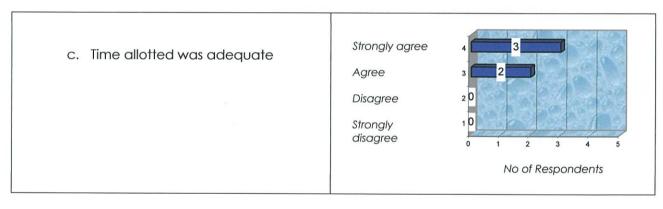


The graphs represent the percentage of participants who ticked/checked if objectives were met.

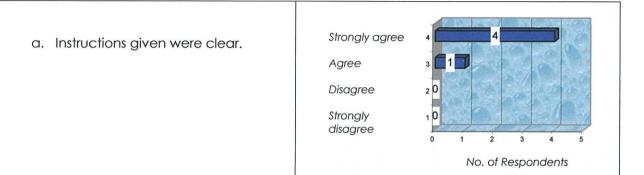
#### Section 2: Content



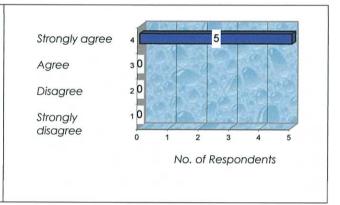




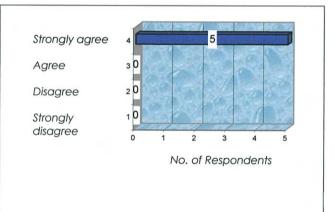
#### Section 3: Navigation



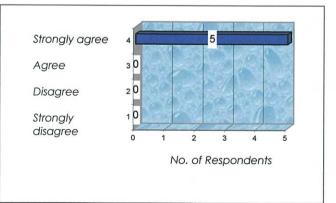




c. Navigation around the program was easy.

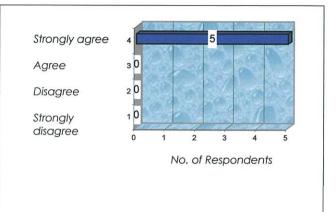


d. The program was user-friendly.

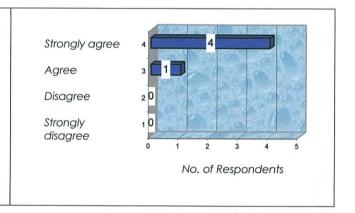


#### Section 4: Venue

a. The venue was conducive to learning.



b. The computer/equipment used were excellent.



#### Section 5: Topics to be included

#### Module 1

- General procedures on how a domestic helper(worker) is given assistance based on a given situation or circumstance.

#### Module 2

- So far I believe the most relevant topics were already included.
- Country-specific procedures on how a trafficked victim is assisted based on the Philippine existing law on trafficking (RA 9208)

#### Module 3

- I think other topics as drugs which is very common especially with OFWs.
- Additional info: on the laws and policies of other migrant worker-receiving countries.

#### Module 4

- Topics are sufficient.

#### Module 5

- I think the topics have been well covered.

#### Module 6

- I think the topics were selected properly and were well prepared

#### Section 6: Topics to be excluded

- None

#### Section 7: Other reactions, observations and suggestions to improve this interactive CD Program

#### Module 1

- Although the statistics were of great importance, A FSP would find it hard to remember all the numbers. What is important are the sample explanations on all the key issues which the FSP must readily be able to explain in plain and simple terms to the domestic workers- of which the interactive CD was able to accomplish. Just check on some grammatical errors. For Module 1- no video on first part after clicking on both video icons; no sound on video on Part V, page 34
- Spelling of QATAR in the CS is Quatar.
- A well developed program.

#### Module 2

- I suggest more case studies on hypothetical instances like the case of Emilia and Adek but of different milieu.
- Topics heavy for those who have no background on international labor laws, although explanations on this module were done in their simplest possible forms. Topics need to be reviewed again to fully digest terminologies and explanations. For me, this module and perhaps the succeeding ones, would be hard for those who are not inclined towards domestic and international labor laws.
- Define the "means by how people are trafficked," maybe more examples on this
  is quite confusing.
  - Shipment of remains should be used instead of repatriation of remains:
- The program was nicely prepared.

#### Module 3

- Heavy for those not familiar with international law, specifically on labor and criminal laws and no exposure in dealing with migration laws and on-hand assistance to nationals.
- The program was well developed.
- One of the cited countries in Module 3 which has laws relating to migrant workers is Singapore. Would it be possible if you could also mention what year these laws/policies of Singapore were enacted/in-force?

#### Module 4

- I cannot understand question no. 10 in Module 4. The choices are not in congruent with the question.
- Exam part: It said "select all that apply" and I have noticed when I reviewed the correct answers, there should be a check mark on other items too (having first-hand experience in ATN)
- Program very well prepared.

#### Module 5

- There was information overload. So many topics were included that after sometime it makes the user get confused. Some explanations were deep for a user, not familiar with intl laws and agreements and other legal terms, to fully comprehend what he/she is reading. It gets boring in the end.
- Everything was covered with regards to providing ATN.
- A well-prepared program for this module.

#### Module 6

- Topics were easy to understand. Clear and precise definitions, and short module so the interest of the learner did not diminish.
- Everything was covered with regards to providing ATN!
- Well prepared program.

#### Protecting Domestic Workers from their Vulnerability to Forced Labour and Trafficking: A Training Tool for Foreign Service Officers, Staff Officers and Attaché Corps

#### Training Rules and Regulations

#### I. <u>Traineeship Eligibility</u>

Personnel of the Department of Foreign Affairs and government agencies with attached services in the Philippine Foreign Service, involved in assistance to nationals and duly endorsed by their respective Departments or Offices, are eligible to undergo this training program either during their Home Office assignment or in their Foreign Service tours-of-duty.

#### II. Requirements

- A computer unit, which can ably run the program at the workplace or residence. This inter-active program does not require a classroom.
- At the start of the program, the trainee should register with FSI at e-mail address fsi\_phil@pldtdsl.net giving the following information: name, address, agency, name of training program, date started, e-mail and contact number.
- 3. The training should be completed within one month after registration.
- 4. The trainee should notify the Foreign Service Institute of the time and date of completion.

#### III. <u>Conduct and Discipline</u>.

1. Any form of dishonesty and cheating in the course of the training and any form of tampering with the CD program's content shall not be tolerated. Any findings of such behaviour will cause the termination of the training. A report will be sent to the Department or mother agency of the erring trainee for any further action deemed appropriate in the premises. Said report will form part of the records of the trainee. The trainee shall likewise be disqualified from availing of other FSI e-training programs in the future.

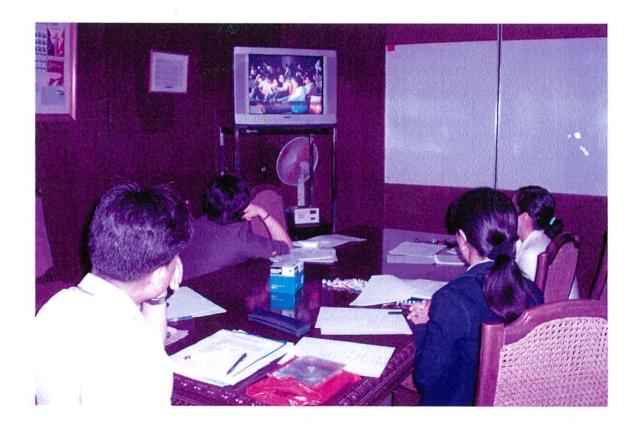
- 2. The CD is issued solely for the trainee's use. It should neither be passed on nor loaned to persons who are not members of the Philippine Foreign Service Corps. Any substitution will be considered an act of dishonesty and both the trainee and the person substituting for the trainee will be held responsible for the act.
- 3. In the interest of maintaining order in the work environment and in order to avoid interruption of the trainee's basic duties and responsibilities, the trainee is advised to undergo training at the trainee's own pace within the one month prescribed for the course.
- 4. The Department of Foreign Affairs, Office of Personnel and Administrative Services (OPAS) in the Home Office and the Administrative Officer under the supervision of the Executive Officer in the Foreign Service, shall maintain a record of the personnel undertaking this training program. In the Foreign Service, the Administrative Officer shall be responsible for the proper distribution of the tool in CD format and shall furnish the Training Division of FSI, through OPAS, with the list of personnel undergoing training.

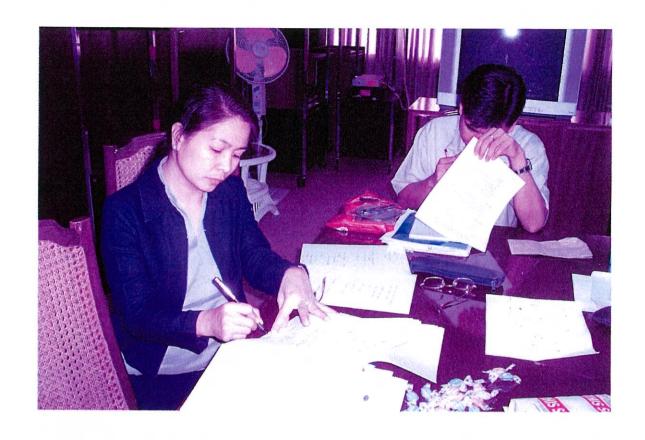
#### IV. <u>Certificate of Completion</u>

The program automatically prints out a certificate of completion if the trainee successfully hurdles all the module examinations. The trainee shall notify the Administrative Officer at post and the Foreign Service Institute of the completion of the course through e-mail and send the facsimile copy of the certificate to FSI through OPAS. An original copy will be issued by the Foreign Service Institute which will be transmitted to the trainee through OPAS.

Signed	:
Nam	e of Trainee
	Office







Constant of

