

# An Evaluation of the International Justice Mission's "Project Lantern"

## *Assessment of Five-year Impact and Change in the Public Justice System*

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21 October 2010

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## Acknowledgements

This evaluation was made possible first and foremost by the IJM staff concerned, who gave generously of their time, insight, and collaborative will to orient us to Project Lantern and the organization as a whole, assist our design and planning of the research, facilitate all sorts of logistics prior to and during our field data collection in the Philippines, and provide timely and comprehensive feedback to our many questions throughout the process. In particular, we would like to thank Andrey Sawchenko, Director of IJM's Cebu Office, whose engagement and responsiveness throughout was most helpful, Andrey's senior team Mae Sampani, Sam Inocencio, Mike Albert, and Tait Purviance, and, last but in no way least, Maribel Rizado, Andrey's assistant who made sure all our needs were met without a single nudge from our side. Dave Shaw, from IJM's Asia Regional Team, was our primary contact at Headquarters level and did a great job coordinating the process from beginning to end.

We are also grateful for the many stakeholders and key informants who participated, actively sharing their experiences and perspectives in the interviews and focus group discussions we carried out in Cebu. Thanks are also due our note takers from the University of the Philippines Cebu College, Magnolia Ariza and Mae Claire Jabines, who made sure we had complete, accurate transcripts, in English, of the focus group discussions. The two weeks of data collection on the ground were filled with rich and extensive feedback on Project Lantern's interventions and what they have yielded. In addition, a range of important reflections were shared on the persistent, deeply rooted challenges associated with efforts to reduce sex trafficking as well as on not yet fully exploited opportunities for IJM and its partners to pursue as their vital work carries on. Suffice it to say that the contents of this report have benefited mightily from informants' invaluable feedback and reflections.

Finally, it has been inspiring and a great privilege to get to know so many courageous and capable leaders in the fight against sex trafficking in the Philippines. They leave us with no doubt that there is room for hope for the far too many who remain at risk or already are being or have been sexually exploited.

## Abbreviations and Acronyms

DOJ	Department of Justice
DOLE	Department of Labor and Employment
DSWD	Department of Social Welfare and Development
ESSR	Economic Self-Sufficiency and Reintegration
IACAT	Inter-Agency Council Against Trafficking
IJM	International Justice Mission
LGU	Local Government Unit
MOU	Memorandum of Understanding
NBI	National Bureau of Investigations
NGO	Non-Governmental Organization
PHILJA	Philippine Judicial Academy
Php	Philippine Pesos
PNP	Philippine National Police
PL	Project Lantern
PJS	Public justice system
Region VII	Central Visayas, known as the 7th out of the Philippines' 17 regions
RATTF	Regional Anti-Human Trafficking Task Force
RIACAT	Regional Inter-Agency Council Against Trafficking
RSIU	Regional Special Investigations Unit (predecessor to the RATTF)
RA 9208	Republic Act No. 9208 (also known as the Anti-Trafficking in Persons Act of 2003)
TIP	Trafficking in persons
TOT	Training of trainers
USG	United States Government
WAHT	War Against Human Trafficking (a network of NGOs in Cebu)

## Executive Summary

Project Lantern is the International Justice Mission's five-year anti-sex trafficking project in Cebu, the Philippines, funded in 2005 by the Bill & Melinda Gates Foundation. Cebu, located at the confluence of transportation networks and marked by a booming regional economy and high numbers of tourists from all over the world, is a human trafficking source, point of transit and destination. While the Philippines has criminalized human trafficking through the Anti-Trafficking in Persons Act of 2003 (Republic Act No. 9208, or RA 9208), availability of the protection of this law is predicated on a functioning public justice system. The primary intended outcome of Project Lantern, therefore, was to demonstrate the effectiveness of a law enforcement-based strategy to reduce the prevalence of sex trafficking and commercial sexual exploitation of children in the Metro Cebu area.

An external project evaluation was commissioned in May 2010 to assess change in the Metro Cebu public justice system's response to sex trafficking and the role of Project Lantern in fomenting that change. The evaluation emphasized components of the system primarily targeted for change through the project: law enforcement, social services, and prosecution and conviction of perpetrators through the court system. An evaluation framework and methodology was developed and agreed upon with IJM, including a set of evaluation questions to assess resulting changes and a rating scale for each of the relevant dimensions of a strong public sector system. The latter was created to define the standard against which the evaluators would assess the strength of the system. The evaluation collected qualitative data from project stakeholders—select informants screened for their experience with the project and participation in anti-sex trafficking efforts in Cebu, including IJM staff—through a series of 23 interviews with 28 individuals and 7 focus groups with 39 total participants. The evaluation also utilized quantitative data from project monitoring documents and external research supported by IJM.

### FINDINGS

At an overall level, Project Lantern's law enforcement-based approach to combating sex trafficking in Metro Cebu has demonstrated its merit by contributing to significantly enhanced police operations, services to rescued victims, and prosecution of criminals as well as to a public justice system that is increasingly capable and mobilized to crack down on and deter sex traffickers. The evidence points to more vigorous and sustained law enforcement and criminal justice as crucial elements of a broader, comprehensive response to a phenomenon that is clearly deep-seated, multi-dimensional, and resistant to simple, short-term solutions.

The findings for the primary questions addressed in the evaluation are supported by evidence and analysis presented in the main body of this report.

### PROJECT OUTCOMES

#### ***Evidence of a reduction in sex trafficking of children and Project Lantern's contribution***

The evaluation found considerable evidence of an observed reduction in the availability of minors in commercial sex establishments in Metro Cebu since the start of Project Lantern and connects Project

Lantern-supported improvements in the public justice system's enforcement of RA 9208 to this change. Using the availability of minors to researchers posing as customers for commercial sexual exploitation as a proxy, quantitative evidence points to a significant decrease in child sex trafficking activity in such establishments and through intermediaries in Metro Cebu. Qualitative data, however, presents a more equivocal picture. Informants from aftercare and community-based services, law enforcement, prosecutors and judges agreed that commercial sexual exploitation of children in establishments and on the streets is less visible and possibly has declined in the project area. Anecdotal evidence suggests that to some degree commercial sexual exploitation of minors has moved to less visible markets and other geographic locations. Available data on re-trafficking of former victims is very limited in scope and scale, but suggests that when resources are dedicated to provide services to an individual and follow her, as Project Lantern has done, she may be less at risk of being trafficked or voluntarily re-entering the commercial sex trade.

#### **LAW ENFORCEMENT**

##### ***Evidence of improved law enforcement operations***

While constrained by inter-agency tensions and general inaction at the level of local government, Project Lantern's training, support and close collaboration have succeeded in stimulating the response of law enforcement to sex trafficking, most notably in expanding sex trafficking intelligence gathering, surveillance, raids, arrests, and rescues by a committed cadre of PNP personnel receiving direct project support. PNP respondents at the level of the Regional Anti-Human Trafficking Task Force (RATTF), in particular, expressed increasing ownership of the cause and willingness to take on more significant criminal syndicates and business owners violating RA 9208. These changes occur against a backdrop of widespread police corruption and protection of criminals, which no doubt remains a formidable obstacle to effective law enforcement.

##### ***Evidence of contribution to a stronger law enforcement system***

Project Lantern has contributed to a stronger RA 9208 law enforcement system primarily through the establishment and development of the RATTF, an increasingly independent, committed, and effective unit of the police dedicated to combating sex trafficking. The evidence for sustainability, however, remains limited, with gains in performance depending heavily on the project's ongoing support. Progress is constrained by a wider law enforcement system that remains under-resourced, insufficiently mobilized on the issue, and vulnerable to corruption.

#### **COURT SYSTEM**

##### ***Evidence of improved results from the court system***

Against the backdrop of an overwhelmed, ill-equipped and resource-starved legal system, Project Lantern has helped to push forward a growing number of sex trafficking cases, bringing newfound expertise, drive, and professionalism to the prosecutorial function in particular. More specifically, qualitative data provides convincing evidence connecting increases in criminal sex trafficking charges and resulting court cases to Project Lantern's strong, ongoing investments in building well-constructed, substantiated legal cases and effectively prosecuting them, including through monitoring witnesses and supporting their testimony. The slow speed of cases remains a serious liability, with many victims

unwilling to stay the course through the protracted judicial process.

***Evidence of contribution to a stronger court system***

The evidence shows that Project Lantern has ignited greater awareness and professional commitment and attention to sex trafficking cases among public prosecutors and judges trained by the project. PL-generated enhancements to the court system, however, rely heavily on IJM's ongoing direct role in the building and prosecuting of cases, suggesting that key issues constraining effective criminal prosecution and conviction have been overcome through an injection of project resources rather than needed changes to the system.

**AFTERCARE SERVICES**

***Evidence of improved aftercare services***

Proxy indicators of changes in the aftercare system for former victims, supported by qualitative evidence, indicate a direct increase in the provision of rehabilitation and reintegration services for aftercare clients. While an external vacuum of trafficking-related data prevents commentary on changes for the overall population of victims and, to a lesser degree, aftercare clients, Project Lantern has infused coherence in the system's response, improved a sense of professional agency and capacity and directly contributed needed resources to the aftercare system.

***Evidence of contribution to a stronger aftercare system***

With the infusion of Project Lantern expertise and resources, the aftercare system for victims of sex trafficking in Cebu has undergone significant positive shifts, with increased coherence of purpose, financial support, institutional and staff capacity, and coordination in the short-term. IJM's role has provided direct benefits to aftercare services through material support, contributed to longer-term capacity through training, changes in protocols and processes, and in mainstreaming of good practices into standard institutional approaches. Finally, it has served an extra-governmental function, supplementing existing systems lacking in capacity, resources or will. A key future challenges will be to better attend to sustainability, including institutional ownership of the issue.

**OVERALL PUBLIC JUSTICE SYSTEM CHANGE**

***Evidence of contribution to improvements in the overall public justice system***

Project Lantern support has contributed to improvements, particularly at the regional level, in key government officials' political will and leadership; casework-based inter-agency partnerships; commitment and capacity of human resources; agency standards and practices; and civil society advocacy. The project has only recently or not yet addressed other significant aspects of systems strengthening. In particular, it will need to focus going forward on mobilizing and strengthening national-level political will and leadership; inter-agency collaboration to define and pursue goals, milestones, and respective responsibilities; budgetary commitments; a system for monitoring progress and holding responsible agencies accountable; and measures to enhance social accountability.

## **RECOMMENDATIONS**

In light of the evidence presented in this report, and with an eye toward IJM's planned next phase of Project Lantern, the evaluation team identified a set of recommendations for the organization and for the PL team in particular. The recommendations address:

### **A. Continued strengthening of project design, monitoring and evaluation, and ongoing learning:**

Including placing "structural" (or PJS) transformation at the center of project design and continued efforts to build the evidence base, significantly related to incidence of trafficking and project outcomes as well as rigorous evaluation methodologies to assess the impact of rehabilitation and reintegration models.

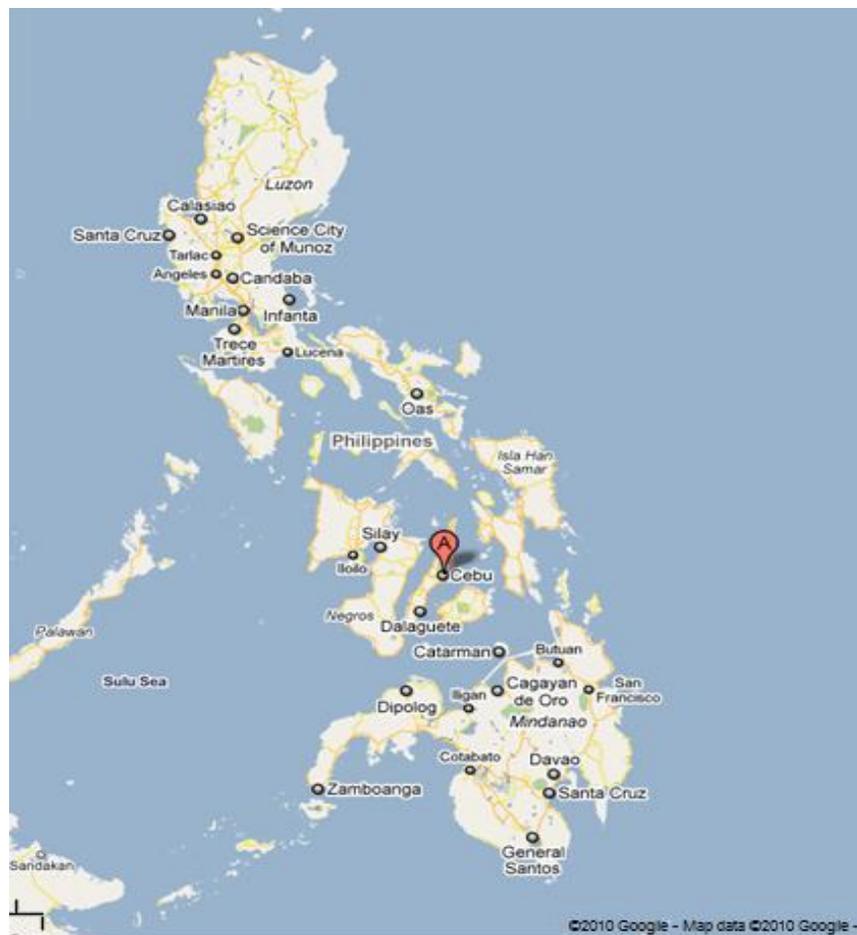
**B. Continued development of and investment in strategic partnerships and advocacy** that will yield more significant and lasting change at all levels of the public justice system. Specific recommendations relate to strategic partnerships and advocacy, including emphasis on government accountability, cultivating change agents, building inter-agency collaboration, and supporting robust civil society engagement.

## Introduction

### Project Background

In November 2005, the Bill & Melinda Gates Foundation awarded IJM a \$5 million grant to support a five-year anti-sex trafficking project in the Philippines, entitled Project Lantern. The primary intended outcome of the project was to demonstrate the effectiveness of a law enforcement-based strategy to reduce the prevalence of sex trafficking and commercial sexual exploitation of children in the Metro Cebu area.<sup>1</sup>

Figure 1 Map of the Philippines. 'A' marks Cebu.



IJM's primary strategy in achieving this outcome has been to support and build the capacity of public justice system (PJS) actors to enforce Philippines anti-sex trafficking law and provide necessary victim

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<sup>1</sup> Consisting of Cebu City, Mandaue City, and Lapu-Lapu City.

aftercare services. Through government and other relevant stakeholders, IJM has worked to improve the PJS response to trafficking through a variety of activities, including:

- Providing competency enhancement trainings to prosecutors, judges and court personnel, law enforcement officers, the Department of Labor and Employment (DOLE), the Department of Social Welfare and Development (DSWD), private aftercare providers, local governments and community organizations on applicable laws, regulations and best practices;
- Drafting and disseminated best practices manuals, guidebooks, training curricula and other reference materials to ensure that stakeholders have accurate and accessible information to equip their own personnel for anti-trafficking activities;
- Procuring capital improvements, equipment, supplies and other physical items for law enforcement, prosecutorial and aftercare partners to improve their ability to provide effective anti-trafficking intervention; and
- Mobilizing individual and organizational anti-trafficking advocates to pressure targeted PJS officials to take specific actions to enhance anti-trafficking efforts.

From March 2007 to February 2010, Project Lantern-facilitated law enforcement operations resulted in the rescue of 225 sex trafficking victims and the arrest of 73 suspected traffickers. Prosecutors also filed trafficking charges against a total of 85 suspected traffickers with the assistance of project staff, securing a first conviction in August 2010. IJM also assisted the DSWD and other aftercare service providers in ensuring that all rescued victims received shelter, medical care, counseling, reintegration and legal services, as needed.

### **Evaluation of Project Lantern**

In May 2010, IJM hired an external team of consultants to design and implement an evaluation of Project Lantern, with a focus on assessing the project's impact "on the development of reliable, effective and independent intervention by the public justice system on behalf of current victims of sex trafficking in Cebu".<sup>2</sup> The evaluation focus reflects IJM's growing commitment, worldwide, to contributing to "structural transformation" of the PJS in addition to undertaking direct casework to rescue and rehabilitate victims of violence and arrest, charge, and convict perpetrators.

The evaluation approach developed in response to the terms of reference for the evaluation focused on measurement of system changes and specifically those components of the system – law enforcement vis-à-vis establishments and individuals engaged in trafficking, aftercare services broadly defined from immediate shelter and care to longer-term rehabilitation and reintegration, and prosecution and conviction of perpetrators through the court system – primarily targeted for change by the project and the impact of the project activities on them. Data from baseline, mid-point and end-of-project quantitative prevalence studies were made available to the evaluation team, analyzed and probed by the team as part of the data collection process, and incorporated into the impact assessment report. In addition, the approach also incorporated analysis of "push-pull" factors monitored by IJM posited to impact the prevalence of sex trafficking in Metro Cebu and the PJS response.

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<sup>2</sup> International Justice Mission. (April 2010). "Project Lantern: Request for Proposal".

The evaluation team collaborated closely with IJM to agree on the detailed methodology for this impact assessment (see next section), as well as on the contents of this report. The evaluation team commenced its work in June 2010, carried out field data collection in August 2010, and finalized its report in October 2010.

The evaluation is expected to contribute to IJM's understanding of the impact of their work and the design and planning of the next phase of Project Lantern. The evaluation results also will be shared with the broader global community concerned with sex trafficking, through stakeholder meetings in the Philippines, in Bangkok, and in Washington, DC.

## Methodology

The evaluation sought to generate and assess credible evidence of both change in the PJS response to sex trafficking in Metro Cebu and the role of Project Lantern in fomenting that change. The systems approach was utilized in order to *probe and understand the full range of outcomes, expected and unexpected, of an intervention that is intended to strengthen particular components of a system and, in the process, contribute to overall system strengthening*. As such, the evaluation reviewed the public justice system, and specifically those components of the system—law enforcement vis-à-vis commercial sex trafficking, social services, and prosecution and conviction of perpetrators through the court system—primarily targeted for change by the project and the impact of the project activities on them.

On this basis, the evaluation design sought to measure change in these areas through collection and triangulation of available quantitative data with measures of change in individual stakeholders and stakeholder groups' actions as well as groups' perceptions of changes in their own and other institutions. A *normative framework for evaluating system strength*, organized as a rating scale, was drafted to serve as a normative reference for analysis of the various components of the system under review. (Attached as Appendix 2).

The evaluation design also took into consideration limitations posed by both the real-world constraints of budget and time, but, more important, those posed by the illegal and covert nature of sex trafficking and the complexity of systems.

1. *Complexity of systems*: The evaluation design allowed for the complexity of the public justice system and aimed to look at the entire range of intended and unintended effects triggered by the project. The evaluation design focused on project impact in relation to particular components of the overall system, first and foremost, while also assessing how the project has been influenced by broader system dynamics and any discernible shifts in the overall system and direct or indirect contribution by Project Lantern. In the analysis of data, the evaluators have also been careful to ensure that statements of cause and effect are conditioned on supporting data.
2. *Adaptive nature of the project*: Project Lantern has taken an adaptive approach, increasingly tackling systemic issues as deeper understanding of constraints has emerged and in response to shifts in the political and public landscape. However, it is not valid to assess the project's contribution to systems change in areas where it has not or only very recently or in a very limited way intervened. *The evaluation focus, then, is on the project's interventions and resulting impacts where they can be reasonably and reliably assessed.*

3. *Sensitivity and legal implications of subject matter:* When addressing sensitive subject matter, several limitations can arise that potentially undermine the ability to elicit frank, honest and complete responses and by extension weaken the evaluation. The evaluation sought to mitigate these issues by ensuring that the interview and focus group questions were formulated and posed in a culturally appropriate manner (e.g. piloting *interview questions* and *making sure the 'right' evaluator asks the questions*). The format of data collection was also sensitive to power dynamics between respondents. For example, individuals included in focus groups and small group interviews were in similar positions of authority in order to reduce deference to supervisors or superiors. The focus group discussion also used Cebuano and English to facilitate open and spontaneous discussion. Ethical guidelines were also followed, including assurance and protection of informants' confidentiality. This includes attribution of quotes and sources in this report to anonymous members of identified stakeholder groups.
4. *Potential socially acceptable response bias:* Related to the above point, given the respondents' professional responsibility for addressing the problem, there was anticipated to be a strong bias to present socially acceptable responses. The evaluators also anticipated pressure on respondents not to disclose information that may implicate themselves or their colleagues. The evaluation sought to mitigate this limitation by seeking corroborating information both from the informants in the form of examples that might be known to others or supported by other project evidence or data. Where relevant, the evaluation team also sought to validate statements with other reports and data. The data analysis presented in the body of this report is conditioned on the evaluators' sense when this bias was present and colored the information presented.
5. *Respondent bias:* IJM's role as funder to all of the organizations included in the study was also likely to cause some degree of respondent bias. The evaluation design and methodology sought to mitigate this bias to the extent possible, for example, by emphasizing confidentiality and protecting respondents' anonymity. (Hence, quotes from respondents are attributed to a general respondent group but not an individual unless by permission.) In practice, the evaluators noted this bias most clearly expressed as a hesitancy to speak critically of IJM's approach or actions. Even one respondent whose office did not benefit from IJM's support was very careful not to criticize IJM. While lack of criticism cannot be assumed to be due to respondent bias, one side conversation by NGO focus group participants concerned whether or not they should raise in the focus group a mildly critical point about IJM's approach. An intervention by the evaluation team's Cebuano transcriptionist reassured the group of our commitment to confidentiality and strongly encouraged their frank participation. In the course of the focus group, the point of concern was raised though couched in the gentlest manner. In contrast, respondents in other interviews and focus groups were relatively free in this regard, noting initial start-up issues. These points are important to note because this evaluation relied heavily on the perspectives of stakeholders and lack of candid responses potentially undermines the validity of the data collected.

Throughout, IJM's role as a significant funder and respected actor likely caused some softening of critical statements. The evaluation report notes any data that might be limited by this bias.

6. *Ethical data collection from at-risk individuals and minors*: Evaluation professional ethics require evaluators to assess potential harm to evaluation informants, as well as guidelines to follow when collecting data from at-risk individuals. After consulting these resources, such as the World Health Organization's *Ethical and Safety Recommendations for Interviewing Trafficked Women*<sup>3</sup> and deliberating these issues, the evaluators deemed collection of data from sex trafficking victims to pose potential harm to the victims and greater ethical risks than benefits to the evaluation. As such, they were not included in the evaluation. Rather, aftercare providers, the front-line individuals who are dedicated to the care and protection of victims, represented the interests of sex trafficking victims.

The final evaluation design incorporated these methodologies, and strategies to address limitations, and was further shaped around IJM's learning priorities and timing needs.

### **A word about the data and measuring "change"**

There are particular weaknesses to this data basis that should be noted as they affect the extent to which these data can be declared to reflect "change".

First, there is an absence of baseline data against which to assess trends or comment on changes that occurred prior to and after the introduction of Project Lantern. Also, the quantitative data primarily represent changes in individuals most closely serviced by Project Lantern. Further complicating the data issue is a lack of prevalence data that may be extrapolated to the wider population. In other words, there is no denominator for the total number of commercial sex workers or trafficking victims. As such, it is not possible to understand what proportion of the total number of trafficking victims the project is helping. These data issues are not an indictment of Project Lantern; indeed IJM has been a strong voice

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<sup>3</sup> Additional references consulted:

Holm-Hansen, Cheryl. (October 2007). "Ethical Issues: Tips for conducting ethical evaluation". Minnesota Office of Justice Programs. [Online.] <http://pdfcast.org/pdf/ethical-issues-tips-for-conducting-program-evaluation>

Cunningham, Alison. (May 2003). "Ethical Practice: Principles and Guidelines for Research with Vulnerable Individuals and Families" Centre for Children and Families in the Justice System. [Online.] [http://www.lfcc.on.ca/ethical\\_practice.pdf](http://www.lfcc.on.ca/ethical_practice.pdf)

UNICEF, UN.GIFT and International Labour Organization. (2009). *Training Manual to Fight Trafficking in Children for Labour, Sexual and Other Forms of Exploitation (Facilitators Guide)*. Pp. 104-109 "Protecting children and young people when they get involved". [Online.] [http://www.unicef.org/protection/files/CP\\_Trng\\_Manual\\_Facilitator\\_guide.pdf](http://www.unicef.org/protection/files/CP_Trng_Manual_Facilitator_guide.pdf).

World Health Organization, London School of Hygiene and Tropical Medicine and Daphne Programme of the European Commission. (2003). *Ethical and Safety Recommendations for Interviewing Trafficked Women*. [Online.] <http://www.who.int/gender/documents/en/final%20recommendations%2023%20oct.pdf>

for improved data collection in Cebu and the project has made significant and helpful investments in research to improve the information basis about trafficking in Metro Cebu.

Second, these numbers occur within the span of fewer than five years, during which the system itself was undergoing a rapid infusion of efforts to build political will within government agencies, capacity building and other training of NGO and agency representatives and service providers, and basic reorientation of services (such as shelter services to meet the unique needs of trafficking clients). As such, the system itself was undergoing a transformation in reaction to this infusion. It remains to be seen what more can and will happen when this infusion has had more time to circulate within the system, particularly in regard to those changes which gain traction and are institutionalized.

### ***Process***

An evaluation framework was developed as the central organizing tool for the evaluation (Appendix 1). The evaluation framework spells out the lines of investigation, including a set of central questions aimed at assessing changes in the overall PJS and in the components emphasized by Project Lantern, and data and sources required to address these questions. This framework was presented to IJM as part of the broader research plan. The evaluation approach utilized a mixed methods design combining qualitative and quantitative methods. Following the July 2010 approval of the evaluation research plan, the evaluation team developed and piloted tools for data collection and analysis. The key tools were:

- Normative Framework for Evaluating Systems Strength
- Interview and Focus Group protocol for Law Enforcement
- Interview and Focus Group protocol for Prosecutors and Judges
- Interview and Focus Group protocol for Aftercare providers

### *The Normative Framework for Evaluating System Strength*

To define the standard against which the evaluators would assess the strength of the public justice system, the evaluation team developed a rating scale for each of the relevant dimensions of a strong public sector system. The scale was developed based on the evaluators' experience in the field of governance and systems strengthening, and supported by reference to broader related literature. The scale breaks down the overarching dimensions of a public sector system and utilizes a matrix to describe attributes along a scale ranging from "excellent" to "inadequate". The evaluation utilized the scale as a guide to interpret the evidence collected in the course of the evaluation and assess project outcomes and impact as well as future opportunities for strengthening the system.

The *interview and focus group protocols* identified key areas of inquiry for each group, criteria for inclusion in data collection, and guiding questions. The protocols were designed to elicit responses specific to the respondent groups' sub-sector and related sub-sectors that affected the respondents' work (e.g. prosecution and law enforcement), as well as an overall perspective on the dynamics of sex trafficking itself in Cebu. Interviews were prioritized for more in-depth discussions with senior managers or in cases where participation of others may have prejudiced responses. Focus groups discussions were

utilized to generate a range of views from individuals similarly positioned and when constraints of time did not allow individual interviews. Some focus groups were with individuals familiar with one another or who had close working relationships; others were with individuals who worked in similar positions but in different locations and who had not previously met or who did not have a formal relationship.

### ***Quantitative data***

Most quantitative data utilized in the evaluation was collected by IJM directly and through related independent and external evaluations funded by IJM. Of these, results of a three-wave study to assess changes in the prevalence of commercial sex workers who were minors (and therefore technically trafficked), provided a significant source of trend data. Data related to the “push-pull factors” or drivers of commercial sex trafficking was collected by IJM and incorporated into the evaluation analysis, to the extent relevant. Additional, external quantitative data was sought from other sources, but applicable data was extremely limited or nonexistent.

### ***Qualitative data***

Qualitative data collection and analysis followed the standards and principles of professional evaluation practices. Sources for qualitative data were selected through a stakeholder analysis process, conducted in collaboration with IJM. The stakeholder analysis served to identify and classify a range of relationships between Project Lantern and public justice system actors, in order to ensure that qualitative data was collected from appropriately-positioned and relevant informants related to different project strategies or domains of influence.

First, stakeholder groups were identified based on project areas of work, within these, a sampling strategy was identified. The sampling strategy incorporated *inclusion* and *exclusion* criteria for each of the groups. These criteria varied slightly according to group characteristics, but generally reflected the following:

#### ***Inclusion Criteria:***

1. Currently active in [sex trafficking-related law enforcement, prosecution/courts and/or aftercare service delivery] in Cebu and able to provide a representative view for the organization – i.e. a sufficiently broad perspective of the organization and its relationship with IJM/Project Lantern
2. Has participated in IJM training and/or received direct technical assistance and material support from IJM
3. Experience working directly with IJM-supported cases
4. Ability to participate in English or Cebuano
5. Willing to provide candid responses and sign written informed consent prior to participation

#### ***Exclusion Criteria:***

1. Regular duties do not involve sex trafficking-related law enforcement, prosecution/courts and/or aftercare service delivery
2. Newly recruited or transferred, and thus without a base of relevant experience

The evaluation team worked with Project Lantern staff to develop a stakeholder list of individuals meeting the criteria. To preserve the neutrality of the evaluation, the evaluation team reserved the right to collect data from individuals not recommended by IJM. The group was further organized into focus groups and interviews (either individual or small group).

During the course of the evaluation, quantitative data was collected through a series of 23 interviews with 28 individuals and 7 focus groups with 39 total participants. As noted above, informants were primarily individuals and representatives of groups directly involved in anti-sex trafficking activities and the public justice system in Cebu as well as Project Lantern leadership and senior staff, and one external consultant who conducted a related prevalence study IJM took responsibility for organizing the calendar of interviews and focus groups. The evaluation team did not find IJM's involvement in this process to unduly influence data collection. On the contrary, with few exceptions the team was able to collect data from representatives of all individual stakeholders identified as priority data sources.

Preliminary data collection was conducted by phone and in one in-person meeting at IJM's offices in Virginia. Subsequent interviews with Cebu-based IJM staff were conducted by phone in order to further refine understanding of project approaches, activities and stakeholders. A third phase of data collection was conducted during the team's August 2010 data collection visit to Cebu.

#### *Qualitative data analysis*

Analysis of qualitative data utilized sub processes to interpret and organize findings in order to produce objective conclusions. First, the team reviewed interview and focus group results immediately following the event, in order to clarify questions, corroborate interpretation of responses and identify questions for further investigation. Next, interview and focus group proceedings were transcribed, and evaluation team members reviewed written documentation, noting patterns related to the evaluation questions and sub-questions. Finally, each evaluation question and sub-question was reviewed across focus group and interview in order to identify relevant and significant findings in the patterns across stakeholder groups. Finally, the evaluation team used debriefs throughout the analysis process to review data, identify themes, and highlight issues for further analysis.

Specific quotations from individual respondents are used in this report for illustrative purposes and were selected based on their representativeness of views and experiences generally expressed by other stakeholders. Quotes that reflect a unique circumstance or atypical experience are noted as such.

Data analysis and report writing was conducted by the evaluation team in August and September 2010. The draft report was submitted in late September. IJM reviewed the draft and points of clarification and questions were discussed in October with the evaluation team and provided as written feedback. In response, the evaluation team revised the report giving particular attention to aspects raised by IJM as potential points of confusion or misunderstanding. The findings and recommendations in this final report reflect the carefully weighed and considered views of the evaluation team.

## Context

### Introduction

The United Nations defines human trafficking as:

The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation<sup>4</sup>

In regard to children—anyone under eighteen years of age—“The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered ‘trafficking in persons’ even if this does not involve any of the means described above<sup>5</sup>.”

The United States Department of State further elucidates:

A person may be a trafficking victim regardless of whether they once consented, participated in a crime as a direct result of being trafficked, were transported into the exploitative situation, or were simply born into a state of servitude. At the heart of this phenomenon are the myriad forms of enslavement – not the activities involved in international transportation.<sup>6</sup>

It is within this context that International covenants and protocols obligate criminalization of the commercial sexual exploitation of children. Minors who are trafficked suffer devastating short- and long-term consequences, including physical and psychological trauma, disease (including HIV/ AIDS), drug addiction, unwanted pregnancy, malnutrition, social ostracism, and possible death.<sup>7</sup>

The use of children in the commercial sex trade is prohibited under the 2000 United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo

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<sup>4</sup> United Nations. (2000). “Protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations Convention against Transnational Organized Crime.” [Online] [http://www.uncjin.org/Documents/Conventions/dcatoc/final\\_documents\\_2/convention\\_%20traff\\_eng.pdf](http://www.uncjin.org/Documents/Conventions/dcatoc/final_documents_2/convention_%20traff_eng.pdf)

<sup>5</sup> Ibid.

<sup>6</sup> United States Government. Department of States. (June 2010). “Trafficking in Persons”. [Online] <http://www.state.gov/g/tip/rls/tiprpt/2010/142747.htm>

<sup>7</sup> United States Government. Department of States. (14 June 2010). “What is Trafficking in Persons?” [Online] <http://www.america.gov/st/texttrans-english/2010/June/20100616121439bpuh5.307734e-02.html>.

Protocol).<sup>8</sup> In 2003, the Philippines enacted Republic Act 9208 (RA 9208), the *Anti-Trafficking in Persons Act*, which criminalizes human trafficking, with penalties up to life in prison.

### Trafficking in the Philippines

The Asia Pacific region is seen as the most vulnerable region for trafficking because of its huge population pyramid, growing urbanization and poverty.<sup>9</sup> These conditions give rise to a set of “push” factors understood to be drivers of human trafficking, including sex trafficking. The Philippines reflects this vulnerability, as indicated by the large numbers of individuals who seek work outside their communities in order to support their families. Twelve percent of the Philippines’ Gross National Income is generated from remittances by approximately 7.4 million overseas Filipino Workers, nearly 2 million of whom are undocumented workers<sup>10</sup>. Domestically, a small study in Negros Occidental found that 50 percent of households were dependent upon remittances from a family member working outside the community.<sup>11</sup> The vulnerability implied by these numbers is shared by minors and adults, who are exploited by commercial sex work throughout the Philippines, particularly in regional hubs such as Cebu. An estimate of Philippine and foreign child victims in the Philippines ranges from 20,000 to 100,000.<sup>12</sup>

### Trafficking in Cebu

Within the Philippines, Cebu is a trafficking hub: an airport, serving domestic and international airlines, ports and overland buses connect it to rural areas as well larger cities and other countries, enabling the flow of traffickers and their victims. The Mactan International Airport services direct flights from China, Japan, the Republic of Korea, Singapore and Doha, as well as from Manila and other domestic locations. Cebu is a stopping point en route to popular resorts and diving spots. It is also a commercial hub, with two Export Processing Zones on the harbor and several designated industrial zones. Finally, Cebu is a ferry port for boats from other, lower income islands and areas, such as Mindanao. Poverty, natural disasters and violence/civic unrest in these areas are also thought to be push factors, increasing the

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<sup>8</sup> United Nations. (15 November 2000). “Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. *Chapter XVIII, Penal Matters, 12.a.* [Online]

[http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-12-a&chapter=18&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-a&chapter=18&lang=en)

<sup>9</sup> United Nations Economic and Social Commission for Asia and the Pacific. (2010). “Gender and Human Trafficking”. [online] <http://www.unescap.org/esid/gad/issues/trafficking/index.asp>.

<sup>10</sup> International Labor Organization. (2005). “Empowering Filipino Migrant Workers: Policy Issues and Challenges”. [Online] <http://www.ilo.org/public/english/protection/migrant/download/imp/imp64.pdf>

<sup>11</sup> Microfinance Gateway. (2008). “Social Rating: The Philippines.” [Online].

<http://www.microfinancegateway.org/gm/document-1.9.36467/M-CRIL%20NWTF%20social%20rating%202008%20%5Bstandard-comprehensive%5D.pdf>

<sup>12</sup> United States Government. Department of States. (June 2007). “Trafficking in Persons”. [Online] [www.state.gov/g/tip/rls/tiprpt/2007/](http://www.state.gov/g/tip/rls/tiprpt/2007/)

vulnerability of children and women from these areas to trafficking, particularly in Cebu due to its location and commercial base.<sup>13</sup>

The actual prevalence of sex trafficking in Cebu is extremely difficult to track. Monitoring factors thought to “push” or make individuals vulnerable to trafficking and “pull” demand for sex trafficking to Cebu can help illuminate the extent of the problem and strategies to address it. The International Justice Mission has invested in several significant studies, notably a 2008 report “Comprehensive Study and Report on Trafficking in Cebu” and a three-phase prevalence study.

The “Comprehensive Study and Report on Trafficking in Cebu” documented the situation of sex trafficking in Cebu, including examination of the push-pull factors affecting the nature of sex trafficking. This study provided a comprehensive view of sex trafficking in the Philippines, and contributed data to the thin body of existing evidence. Notably the study contributed to limited information about the “customers” of trafficked individuals—who, unless exploiting a young child, are not the focus of prosecution—and identified a shifting trend from a 50-50 split between Filipinos and foreign travelers to more dominantly Asian, American and European men.

The parallel three-part prevalence study aimed at detecting changes in the availability of minors for sexual services to undercover researchers posing as clients. This particular methodology, repeated three times at approximate two-year intervals, found a significant reduction of minors offered to the investigators for sexual services. However, as the “project outcomes” section discusses, this data alone belies a complex situation.

### **The Commercial Sex Industry in Cebu**

The legal status as “trafficked” is very clear as it pertains to minors engaged in commercial sex work and adults whose engagement in commercial sex work meets the criteria described above. However, sex trafficking in the Philippines occupies an ambiguous political and social space due, in part, to its connection to the multi-faceted commercial sex industries. First, prostitution in the Philippines occupies a unique legal position because it is both officially illegal and regulated by the government (in the form of licensing and health checks)<sup>14</sup>. While there is no “prostitution” in the Philippines because it is illegal, it exists in myriad forms, cloaked in subterfuge and euphemisms. Women and girls working in the commercial sex industry (regardless of trafficking status) are not prostitutes but Guest Relations Officers (G.R.O.s), bar girls, hospitality workers and dancers<sup>15</sup>. Their customers are boyfriends, not johns and

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<sup>13</sup> Related research commissioned by IJM provides a rich and detailed analysis of Cebu and the sex trafficking industry, including push-pull factors. Please see “Comprehensive Study and Overview of Sex Trafficking and Factors Affecting Sex Trafficking in Cebu, Philippines: A Report by The Protection Project at The Johns Hopkins University School of Advanced International Studies (SAIS) to the International Justice Mission (IJM)” (24 July 2008).

<sup>14</sup> Ralston, Meredith and Edna Keeble. (2009). Reluctant Bedfellows: Feminism, Activism and Prostitution in the Philippines. Pp. 97-127. Kumarian Press: Virginia.

<sup>15</sup> A July 2009 PhilStar article reported that in Cebu last year 32,313 commercial sex workers, dancers or entertainers” were tested for sexually transmitted infections at government hygiene clinics, where they must submit to regular health examinations. [Online] <http://www.philstar.com/Article.aspx?articleId=483910&publicationSubCategoryId=107>. However, given the total

their services are procured through “bar fines”. The recent debate in Cebu over “lingam” massage parlors—a type of “therapeutic massage” for men said to prevent prostate cancer by way of stimulation not typically associated with medical interventions—is an extension of this subterfuge.



Advertisement for G.R.O. (Guest Relations Officers)/Dancers at a music lounge in Cebu. The ad reads "Earn as much as Php 20,000/Month. Apply inside @ 7:00 p.m."

*do not change this kind of thinking, that if there is no re-education about that how men views women; there will be more demand for young women. Even young boys go on experiment, they are so scared to be known that they don't know how to do sex so they invite them in a party like Stag party—it where they experiment on girls.*<sup>18</sup>

Aftercare service providers talked about trafficking victims whose exploiters/customers had been public officials, including “the mayor”, and police officers. Television ads for clubs show smiling middle-aged foreign men surrounded by scantily clad young women or dancing on stage, exhorting visitors to come and enjoy the food, drink and new friends. Club Temptation’s website advertises its “young and hot talents”<sup>16</sup>. The normalization of this sector is related by researchers as well as the stakeholders interviewed as part of this evaluation to cultural constructs of masculinity and women’s roles<sup>17</sup>. As described by one stakeholder, an aftercare provider:

*They said that it is the Filipino masa (commoners) mentality. But it's not only masa people who are expected to behave that way...also the campanilla [the very wealthy] or those who belong to the upper class. To be macho is to have more women, be active in sex. So if you*

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population of Cebu City is around 800,000, it would be surprising if 4 percent of the population were registered entertainers. It is therefore possible that the data refers to the number of *exams* rather than the number of women as indicated in the article.

<sup>16</sup> <http://www.clubtemptationcebu.com/videos.htm>

<sup>17</sup> Ralston, Meredith and Edna Keeble. (2009). Reluctant Bedfellows: Feminism, Activism and Prostitution in the Philippines. Pp. 97-127. Kumarian Press: Virginia.

Commercial sex also occupies the informal sector, outside formal establishments. Stakeholders reported a recent rise in the use of cell phones by girls and exploiters to arrange for meetings with customers, as well as the advent of cheap webcams and electronic equipment being used by individuals to conduct internet-based commercial sex activities in private homes and outside easy detection of advocates and law enforcement. In short, by all appearances it is a “wink, nudge” industry widely accepted culturally and the tourist dollars it brings to the economy may act as a disincentive to regulating it too closely.

There are also tensions between the legal definition and social views of “child”. Legally, anyone under age 18 engaged in commercial sex work for the profit of others has been trafficked. However, a certain degree of cultural acceptance seems to be acquitted teenagers’ sexual activity, particularly girls after they have reached puberty. For example, in an interview with a legislator as part of this evaluation, the legislator described a debate around a city women’s ordinance centering on the definition of “child” and therefore the definition of pedophilia. Despite clear international norms indicating age eighteen [as the age of adulthood], the legislation in its final form defined a pedophile as one who has sexual relations with a child who had not yet reached sexual maturity. In other words, regardless of any social or emotional maturity, the penalty rests with a girl’s physical sexual readiness. The degree of cultural acceptability of teenagers’ engagement in commercial sexual activity likely has implications for how seriously trafficking is addressed by the public justice system.

While the number of trafficked girls is understood to be proportionally much higher, it should also be noted that evidence indicates that boys, particularly younger boys, are also trafficked<sup>19</sup>. As one aftercare provider explained, they are “there” but likely deeper underground or trafficked in less-formalized establishments. However, they are not included in interventions and the social welfare system (such as aftercare services) is not equipped (either in terms of training or infrastructure) to address the needs of boy victims. While anecdotal evidence indicates that boy victims are there, projects, including Project Lantern, are not actively looking for them because services are not in place to help them.

Beyond the structures of the “industry” are the human beings they are fueled by. While the evaluation, for ethical and professional reasons, did not seek data from trafficked women, the baseline prevalence study commissioned by IJM includes this poignant description of the women and girls encountered in the course of the study by the undercover investigators:

We also found substantial differences in the nature of prostitution and commercial sexual exploitation according to the type of establishment and its location. The high-end karaoke bars are clean and well-kept; they charge higher prices for drinks and for bar fines. The girls typically described to us living conditions that satisfied them at some basic level. They lived with and enjoyed the friendship of the other girls, were fed by the *Mamasan*, attended health screenings by the local government on a regular basis, and by and large appeared healthy. Some of the minors in these locations told us they had submitted false identification paperwork to the bar in

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<sup>18</sup> Aftercare NGO representative. (17 August 2010). Aftercare NGO Focus Group.

<sup>19</sup> Etemadi, Felisa U. and Ching Li Ye. (January 2010). “Rapid Assessment of the Human Trafficking Situation in Cebu City”. Cebu City Inter-Agency Council on Anti-Trafficking.

order to get the job. While some fit the conventional image of trafficking victims, in the sense of having been taken away from their home involuntarily, many in the high-end establishments appear to have sought out this kind of work due to economic necessity.

The low-end bars and brothels, such as those located in Kamagayan [the historical red light district], were very different. Many of the girls had rotting teeth, were wearing old and worn clothing, and showed visible signs of poor health and living in poor conditions (dried skin, greasy hair, brown or broken teeth, etc...). These girls more clearly fit the conventional image of trafficking victims. Many of them described their journey from the provinces (chiefly Mindanao) and how they are moved around to different cities depending on the demand for their services. They shared heartfelt stories of broken homes or missing their families. These girls received very little of the money paid to the Mamasan or the pimp to procure their services. We took several of them on short dates to malls or restaurants, purchased food, clothing, or shoes for them, and tipped them. They were typically nervous that somebody would take the tip money away from them when they returned. Some asked us not to tip them in front of the taxi driver who was bringing them home because they were afraid he would tell their pimp or Mamasan about the tip.<sup>20</sup>

How these girls came to these situations is varied. Some are apparently encouraged by their families, who see commercial sex work—softened, no doubt, by euphemisms—as a lucrative opportunity to help feed the family. Others are duped and trapped, such as the girl who responded to an employment ad for “seamstresses”, which carried the requirement that applicants be under age 21 and slim<sup>21</sup>.

## Trafficking Patterns

While the “where” of sex trafficking seems to shift, there is a generally consistent pattern to “how” minors and women are trafficked and become victims of trafficking. The graphic below provides an overview of a typical trafficking scenario. The chart identifies what happens at each stage and identifies the perpetrators and a possible point of system intervention—the government or non-governmental entity which could potentially intervene. Dotted lines indicate a step in the rescue/rehabilitation process, which is experienced by a subset of trafficking victims.

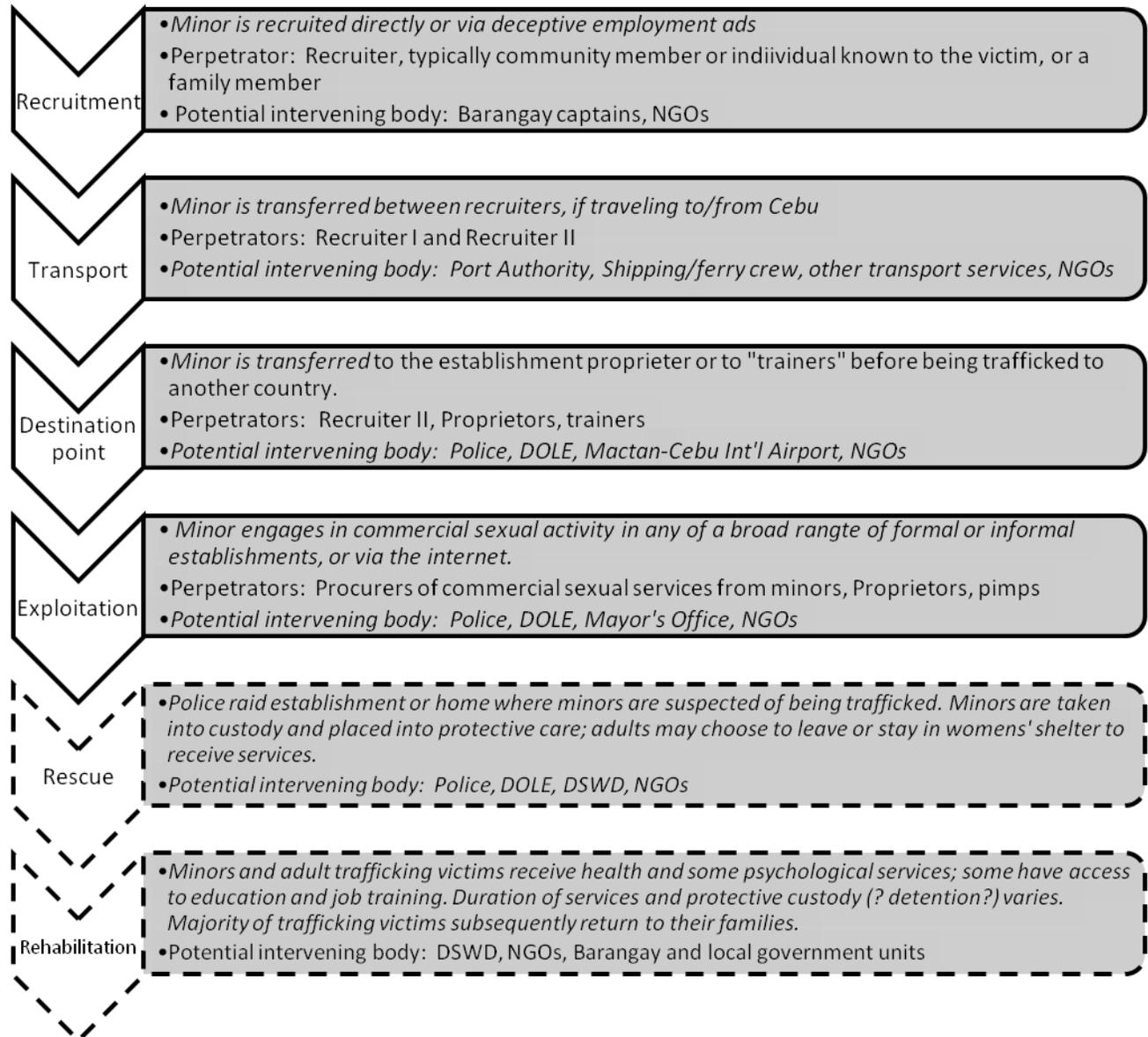
Actual trafficking is much more diverse. Not all trafficking victims enter into commercial sexual activity under duress. An apparently increasing number may be trafficked in private homes or outside of visible commercial establishments. Transport may not play a role in the trafficking scenario, as some victims are trafficked within their own communities.

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<sup>20</sup> Maguire, Edward R. and Jeffrey Snipes. (24 February 2007). “Baseline Report for Project Lantern: Final Report”. Crime and Justice Analysts, Inc.

<sup>21</sup> Cebu Legislator. (18 August 2010). Legislators Focus Group.

Figure 2. Trafficking of Minors: Activity, Perpetrators and Potential Intervening Bodies at Each Stage.



While protection under the law is very clear, an industry cloaked in the warm euphemisms of “hospitality” which profits the local economy and whose victims may not be taken seriously as “victims”, conspires to undermine their access to the protection of the law.

## The Public Justice System

As the previous section noted, the Philippines has criminalized human trafficking. However, availability of the protection of this law is predicated on a functioning public justice system. For those most affected by sex trafficking—the most marginalized of society, typically young, female and poor—justice is elusive. This section provides an overview of the public justice system in Cebu as defined by Project Lantern, and the body of this evaluation report will discuss in detail the challenges with the various components of the system, how Project Lantern has worked to strengthen them, and to what effect.

IJM defines the term “Public Justice System” (PJS) as “the legitimate government-instituted and controlled use of force and authority to promote public safety and protect its citizens from the use of force not authorized by law and provide equal access to rights and due process. The PJS is comprised of law enforcement, prosecutorial, judicial, various local government and administrative bodies, and social service systems.”<sup>22</sup>

### Understanding the Public Justice System Components and Stakeholders

**Law enforcement:** Law enforcement is responsible for investigating possible violations of RA 9208. When violations are found, police officers are responsible for arresting perpetrators, removing victims from establishments or the trafficking situation and transferring them to social welfare services, preparing affidavits, including the victims’ testimony, and otherwise compiling the evidence demonstrating a violation of the law. This evidence is provided to the public prosecutor’s office in the form of a complaint. Project Lantern has worked on law enforcement with the Philippine National Police (or PNP, within the Department of the Interior and Local Government) and the National Bureau of Investigation (or NBI, within the Department of Justice).

**Prosecutorial:** Prosecution services located within the Department of Justice (or DOJ) are responsible, initially, for investigating sex trafficking cases, determining whether probable cause (that such a crime has been committed) exists, and, subsequently, prosecuting those cases that meet the probable cause threshold in the court system. Prosecutors are obliged to ensure witnesses appear in courts, evidence is stored correctly, and that there are no undue delays from the side of the prosecution but they are too few and those who are there are not well paid, are overworked, and have highly limited resources to perform their duties.<sup>23</sup> In the Philippines, public prosecutors can grant authority to prosecute cases to private lawyers, which they frequently do with International Justice Mission lawyers for sex trafficking cases.

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<sup>22</sup> International Justice Mission. (18 March 2010). “Project Lantern Impact Assessment Request for Proposals”.

<sup>23</sup> Danila Reyes. (March 2008). “Prosecution in the Philippines”. [Online] <http://www.article2.org/mainfile.php/0701/307/>

**Judicial:** The courts prioritize sex trafficking crimes, after drug-related and “other heinous” crimes (such as murder) and domestic violence. Sex trafficking cases are handled by courts of general jurisdiction or by family courts where the latter exist and the cases involve minors. Both the prosecutorial and judicial functions in the Philippines are plagued by major budget constraints resulting in insufficient personnel and facilities.

**Social Services:** Project Lantern has focused on the DSWD, the government agency tasked with providing social welfare services to vulnerable communities, including victims of domestic sex trafficking, as well as government-accredited NGOs also providing such services. “Aftercare” refers in the broadest sense to the treatment, support and services provided to the trafficking victim starting during the rescue operation, next, to her admittance to a shelter (where, according to law she may be held involuntarily if she is a minor)) in the period immediately following, and continuing until she is “rehabilitated” and then “reintegrated” into a community and leaves the “system”. In practice, the end point of aftercare is the murkiest, because some victims leave<sup>24</sup> aftercare facilities shortly after rescue while others may receive education, job training, and, critically, social services for a longer period of time.

**Administrative departments/local authorities:** These include government agencies in the target area that have formalized public justice roles, including the Department of Labor and Employment and Cebu, Lapu-Lapu and Mandaue City governments. For example, *the DOLE* has authority to sanction and potentially shut down establishments in violation of the labor code, including for exploiting child trafficking victims and for the worst forms of child labor. *Local Government Units (LGUs)*, such as city governments, control the issuance of business permits and fund a significant portion of the city police force. Moreover, the Mayor has hiring and firing authority over the city’s Chief of Police.

### Understanding the Public Justice System as a Whole: How Interconnected Are the Parts?

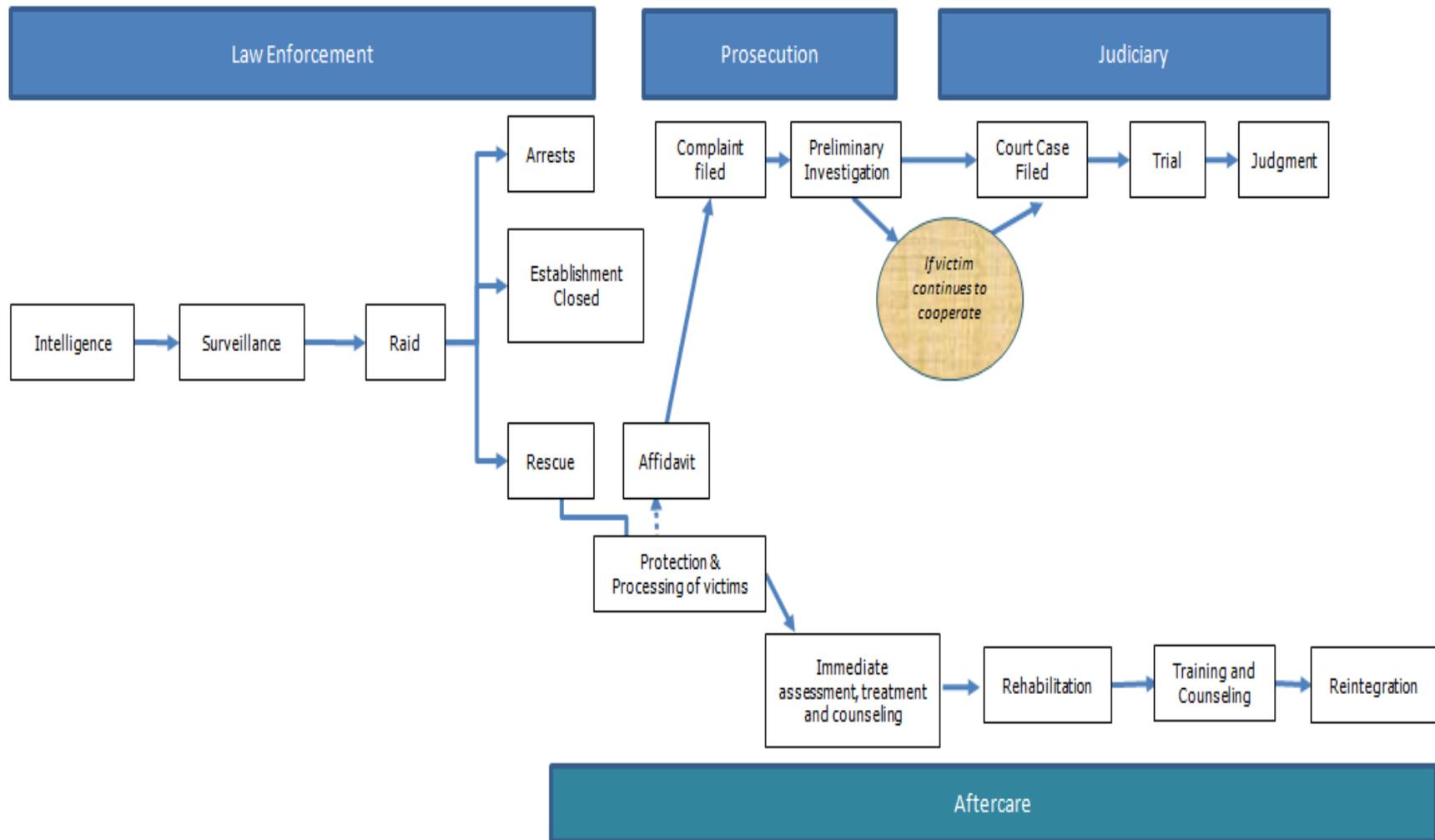
The diagram below attempts to depict how cases of sex trafficking are uncovered and dealt with by the various parts of the PJS. In general, cases are exposed by law enforcement and handed off to a) DSWD and other aftercare providers and b) public prosecutors to pursue justice via the courts. A third “hand-off” also should occur with the DOLE, which has the power to shut down establishments as just described.

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<sup>24</sup> Victims under age 18 are held involuntarily in shelters, and it is apparently not uncommon for these victims to escape the facility in which she is being held. Adult victims may leave voluntarily.

## The Public Justice System and Sex Trafficking Crimes

Figure 3 Law Enforcement, Prosecution, Courts and Aftercare Services and Anti-Trafficking Activities vis-a-vis Victims and Perpetrators



In looking at how the pieces fit together, the law enforcement agencies, public prosecutors, and judiciary overlap to form a larger sequential process from surveillance of possible violators and arrests to prosecution and, ultimately, court decisions. The aftercare system works largely in parallel and primarily is positioned to serve victims of trafficking. In fact, the point of intersection between aftercare and law enforcement-prosecution-judiciary is the victim and hinges on her choices to provide testimony and participate in the prosecution of her traffickers.

That participation consists, initially, in the production of affidavits, written sworn statements of fact that are crucial components of the evidence put forth in the initial complaints filed (typically by law enforcement) with the public prosecutor's office. Thereafter, participation is as a witness, testifying as to what happened. Participation as a witness starts with the quasi-judicial process of investigation handled by the public prosecutors – to determine whether probable cause has been established and, if so, to file the case in court – and continues through the generally lengthy trial process. (IJM aims to move cases through the system in 2.5 years, which they acknowledge is ambitious.) The reality is that most victims, even if they agree initially to press charges and participate in the process, eventually disengage, in the face of pressure from alleged perpetrators and their allies and/or due to endless delays and a mounting desire to bury the past and move on.

The flowchart above also illustrates a tension between the emphasis on convicting traffickers, a process that is predicated on the testimony of the victim, and a view that prioritizes the victim's recovery, which may not include seeking justice from her exploiters. Critical to the aftercare system is the decision-making about a victim's rehabilitation. Prosecutors and judges advocate continued protective custody so that she is shielded from those who might pressure her into recanting her testimony and not cooperating in the case. Conversely, several aftercare providers argued that it may not be in the victim's best interest psychologically to continue with a case—particularly as it may take months, even years, to move her case in the over-burdened court system.

The situation is further exacerbated by the murky definition of "victim", wherein any individual under age 18 who is engaged in commercial sexual work for the profit of someone else, legally speaking, has been trafficked. The victims in many cases are not aware of their own exploitation, and may be unwilling to be removed from what they (and often their families) view as necessary employment.

The 2007 and 2008 *Trafficking in Persons* Reports presents a relatively encouraging picture of the public system to protect victims of trafficking:

The Philippine government sustained its strong efforts to protect victims of trafficking in 2007, including through partnerships with NGOs and international organizations that provide services to victims. The law recognizes trafficked persons as victims and does not penalize them for crimes related to acts of trafficking; nonetheless, police sometimes brought charges of vagrancy against victims. The government actively encourages victims to assist in the investigation and

prosecution of trafficking and related crimes. Victims can file civil suits or seek legal action against traffickers.<sup>25</sup>

However, the reality in 2007, at the start of Project Lantern, and today, is that the system does not have sufficient resources to provide for victims of trafficking, suffers from lack of public and political will and attention, and relies heavily on the generosity and commitment of non-governmental organizations to supplement, and even supplant, the government's role.

## Project Lantern and the Public Justice System

In light of the above description of the PJS context in the Philippines, it is understandable that any initial intervention to strengthen the system's response to sex trafficking would have to invest major, "extra-governmental" resources. This is especially the case for Project Lantern given its law enforcement and casework-driven model for bringing relief and aftercare to victims and perpetrator accountability through criminal justice. The project was designed to show that results could be achieved, one case at a time, even if their achievement relied on a heavily resource-intensive approach.

The evaluation found that *Project Lantern's* efforts in regard to strengthening the public justice system at the level of Metro Cebu can be expressed on three levels:

1. *Direct benefit through material support.* Resource constraints limit the ability of existing services to function as intended. For example, aftercare services are strained to provide often even basic care to aftercare clients. Illustrative is the frequently cited example by stakeholders that IJM has helped provide food to workers and women housed in the shelters. While material support extends well-beyond this, it is a telling example of the level of need.
2. *Contribution of longer-term capacity, through training, changes in protocols and systems, and mainstreaming of good practices into standard institutional approaches.* This is the investment in changes in systems and approaches, both the direct training of staff and the empowering of those staff to train others. Collaborative casework with partners has been a key tool for on-going, informal problem solving and technical support.
3. *Extra-governmental function, supplementing existing systems which are lacking in capacity, resources, will or response time lags due to competing issues.* Direct work by IJM supplements and catalyzes the system in all areas, including law enforcement, aftercare, and prosecution. IJM is relied upon not only as a systems-building resource, but as an implementing organization with the breadth of resources, institutional audacity to push at barriers, and willingness to absorb what the rest of the system is too overwhelmed to take on.

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<sup>25</sup> United States Government, Department of State. (6.2007). "Trafficking in Persons Report". [online] <http://www.state.gov/documents/organization/82902.pdf>

The following sections of the report discuss the evaluation findings in regard to overall Project Lantern outcomes, changes in the Law Enforcement, Court, and Aftercare systems, and changes in the overall Public Justice System related to RA 9208. It concludes with a set of recommendations for the future.

## EVALUATION FINDINGS

### I. Progress toward final outcome

#### ***Evidence of a reduction in sex trafficking of children in Metro Cebu and Project Lantern's contribution to any such reduction***

##### **Finding**

The evaluation found considerable evidence of an observed reduction in the availability of minors in commercial sex establishments in Metro Cebu since the start of Project Lantern and connects Project Lantern-supported improvements in the public justice system's enforcement of RA 9208 to this change. Using the availability of minors to researchers posing as customers for commercial sexual exploitation as a proxy, quantitative evidence points to a significant decrease in child sex trafficking activity in such establishments and through intermediaries in Metro Cebu. Qualitative data, however, presents a more equivocal picture. Informants from aftercare and community-based services, law enforcement, prosecutors and judges agreed that commercial sexual exploitation of children in establishments and on the streets is less visible and possibly has declined in the project area. Anecdotal evidence suggests that to some degree commercial sexual exploitation of minors has moved to less visible markets and other geographic locations. Available data on re-trafficking of former victims is very limited in scope and scale, but suggests that when resources are dedicated to provide services to an individual and follow her, as Project Lantern has done, she may be less at risk of being trafficked or voluntarily re-entering the commercial sex trade.

The research design identified the following questions related to overall project outcomes:

1. Is there evidence of change in the trafficking and sexual exploitation of children in Cebu?
2. Is there evidence of Project Lantern's contribution to this change?

These evaluation questions are aimed at Project Lantern's impact after five years of implementation. *In short: Has IJM's five-year investment of staff and resources changed sex trafficking in Cebu?*

IJM and the evaluators grappled with the difficulty of rigorously assessing this question, as it requires both reliable data on the prevalence of sex trafficking as well as evidence linking one project's effect on a problem influenced by a number of actors and variables. The evaluation sought to address these challenges in order to develop an evidence-based response.

First, proxy indicators of prevalence were identified, with related data collected for Project Lantern through a three-phase study aimed at detecting the availability of minors for commercial sex, as well as through Project Lantern’s internal data tracking. These indicators are:

- Reduced sex trafficking of children: *Measured by changes in the availability of commercial sex workers assessed to be under age 18*
  
- Decreased sex traffickers: *Measured by changes in*
  - *The number of establishments offering a child trafficked for commercial sexual exploitation*
  - *The number of people not affiliated with a commercial sex establishment offering a child trafficked for commercial sexual exploitation*
  - *The number of sex trafficking perpetrators identified*
  
- Rescued victims not re-trafficked: *Measured by changes in*
  - *The number of clients of IJM-supported rehabilitation and reintegration services who do not resume commercial sex work for two years post-rescue*

As discussed earlier, there is little solid data about how many individuals are being exploited for commercial sexual purposes. There is little basis for a common understanding of the depth and breadth of the problem, with much reliance on hearsay and anecdotes.<sup>26</sup> To this end, IJM has made a concrete contribution, through the three-phase study, and should continue to push for accurate, reliable and rigorous data collection. The dearth of such quantitative data makes it even more critical to carefully convey results within the appropriate parameters of the research. The project evaluation thus endeavored to interpret the study’s results within the appropriate scope and applicability to actual overall prevalence of commercial sex trafficking.

In identifying the above indicators, IJM, through Project Lantern, has held itself accountable for what happens to victims and how the system works, or doesn’t work, to their longer-term benefit. The data collected for these measures occurs in a near vacuum. Measuring the prevalence of an activity that is illegal, underground and largely hidden from public scrutiny poses particular challenges for evaluation. Determination of prevalence requires both the number of times an event or subpopulation occurs (e.g. trafficked individual) as well as the total population or number of objects in which it occurs. To this end, the related data collection efforts were not designed to analyze prevalence but changes in the subpopulation<sup>27</sup>. While still very valuable, related data is limited to one Project Lantern-supported study (hence, difficult to corroborate or validate) and alone may not serve as a sufficient marker of changes in child sex trafficking/exploitation in Cebu nor of the systemic response by the PJS. In order to mitigate

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<sup>26</sup> As an illustration of the wide variance in perceptions of the scale of the problem, in the course of the evaluation stakeholders described “large” establishments as employing 30-40 girls and women; another said she heard of establishments with 300 or 500 girls—illustrating either an astronomical range or, more likely, serious limitations in concrete data.

<sup>27</sup> See the related recommendation about related efforts to conduct prevalence studies of other similarly hidden populations, such as MSM sex workers in Africa.

this issue, the data must be viewed within its limitations in order to maintain the integrity of the evaluation and draw reliable conclusions.

It is also difficult to corroborate the study results with Project Lantern's tracking of minors located during law enforcement raids. Project monitoring data shows a fairly consistent ratio of minors as a percentage of total number of victims rescued from 2007 on (52 percent in 2007, 46 in 2008, 53 in 2009, and 41 in the first two quarters of 2010). That said, it is worth noting that the numbers are likely influenced by several variables, including not only the availability of trafficked women and girls to commercial sex establishments, but also changes in law enforcement practices and capacity to locate trafficked women and girls and other factors which were not assessed by this evaluation.

Second, in understanding Project Lantern's connection to changes, the evaluation shifted focus to assess Project Lantern's contribution, rather than attribution, to the changes. In doing so, the evaluators sought to understand possible contributing factors to any changes identified, including external environmental changes, as well as Project Lantern's direct action and actions it supported others to undertake. This change is primarily centered on Project Lantern's direct efforts and indirectly, through its work to improve the effectiveness of the public justice system.

This section will first present the results of these quantitative indicators, followed by a discussion of the indicators as corroborated by qualitative data from project stakeholders.

## Measures

- **Reduced sex trafficking of children: *Measured by changes in the availability of commercial sex workers assessed to be under age 18***

Related data was collected through a longitudinal, three-wave study aimed at detecting changes in the availability of minor girls for sexual services to undercover researchers posing as clients. The study hypothesized that the "market" reaction to increased law enforcement activities would be to reduce the number of minors available, reduce the ease with which "customers" can procure trafficked minors for commercial sex, increase the visible security measures in place in commercial sex establishments (e.g. doormen), and increase reference by proprietors and go-betweens (such as taxi drivers) to threat of legal repercussions in their refusal to offer minors to the undercover researchers. The research was organized as baseline, mid-term and endline studies, conducted in 2006, 2008 and 2010, respectively. The research design was based on application of an identical investigation model in all three "waves" and using the results to identify changes or trends in the availability of minor girls as a proxy for the "prevalence" of sex trafficking in Cebu. The design included measurement of a selection of variables aimed at developing a more precise understanding of the commercial sex industry as well as the reaction of individuals and formal establishments that may indicate changes in reaction to increased threat of legal sanctions for trafficking minors for sex. The data collection focused on minor girls, as the trafficking status of adult women is more difficult to ascertain within the constraints of a field investigation.

Key findings across the three “waves” indicate a reduction in the availability of trafficked minors for commercial sexual activity from formal establishments and individuals. The following chart illustrates a significant drop in the number of minors located by the researchers, as well as an increase in the average time it took the researchers to locate a minor.

**Table 1 Number of minors located for commercial sex services and average time to locate a minor**

Year	Number of minors located	Average Time per attempt to locate a minor
2006	103	1 hour and 50 minutes
2008	29	5 hours and 15 minutes
2010	21	7 hours 29 minutes

In none of the studies were the researchers—who were trained in age estimation and able to accurately distinguish between minors and adults with between 75% and 85% accuracy<sup>28</sup>—able to locate pre-teen children. In all three studies, nearly all minors located were estimated to be around 16 or 17 years old.

The study also measured the range of prices quoted by *mamasans* or pimps for the sexual services of minors or commercial sex workers. The researchers cautioned about the imprecise nature of the prices provided for a variety of reasons (security, ambiguity of discussions, range of time, etc.)<sup>29</sup>. Using the prices provided as a general estimate, there seems to be no significant change in the price. The researchers also noted that “during that during wave 3, our investigators found it more difficult to obtain information on prices than in previous waves.”

**Table 2 Average Price Quotes for Commercial Sex Workers, minors and adults**

Year	Average price for commercial sex workers	Price range for minor
2006	Php 3010	Php 500-6000
2008	Php 2603	Php 700-5500
2010	Php 2492	Php 700-5000

<sup>28</sup> Results for Wave 1 and Wave 2 research team members. Research team members in the 3<sup>rd</sup> wave received a modified age estimation training but were not tested.

<sup>29</sup> Maguire, Edward R. and Megan Gantley. (9 July 2010). “Wave 3 Assessment for Project Lantern: Final Report” (First Draft). Crime and Justice Analysts, Inc.

Over the course of the three studies, bar owners and *mamasans* and intermediaries (taxi drivers) expressed increasing concern about arrest and legal repercussions of providing the “customers” (undercover researchers) with minors. There was no attendant increase in visible security at the formal establishments.

### Decreased sex traffickers

*Measured by changes in*

- *the number of establishments offering a child trafficked for commercial sexual exploitation*
- *The number of people not affiliated with a commercial sex establishment offering a child trafficked for commercial sexual exploitation*
- *The number of sex trafficking perpetrators identified*

The three waves of the study found successively fewer establishments with confirmed presence of minors available for commercial sexual exploitation.

**Table 3 Establishments with Confirmed Minors (3-wave study)**

Year	Number of Establishments with Confirmed Minors
2006	88
2008	20
2010	18

Project Lantern has also tracked data on “number of establishments offering a child trafficked for commercial sexual exploitation”, on a quarterly basis.

### Rescued victims not re-trafficked

*Measured by changes in*

- *the number of clients of IJM-supported rehabilitation and reintegration services who do not resume commercial sex work for two years post-rescue*

To collect this data, at the point of two years post-rescue, Project Lantern documented the status of former trafficking victims who were rescued by Law Enforcement *and* provided with services by Project Lantern. For example, the status of girls rescued in the third quarter of 2007 was documented in the third quarter of 2009. As rescue operations started in 2007, two-year data is available starting for four

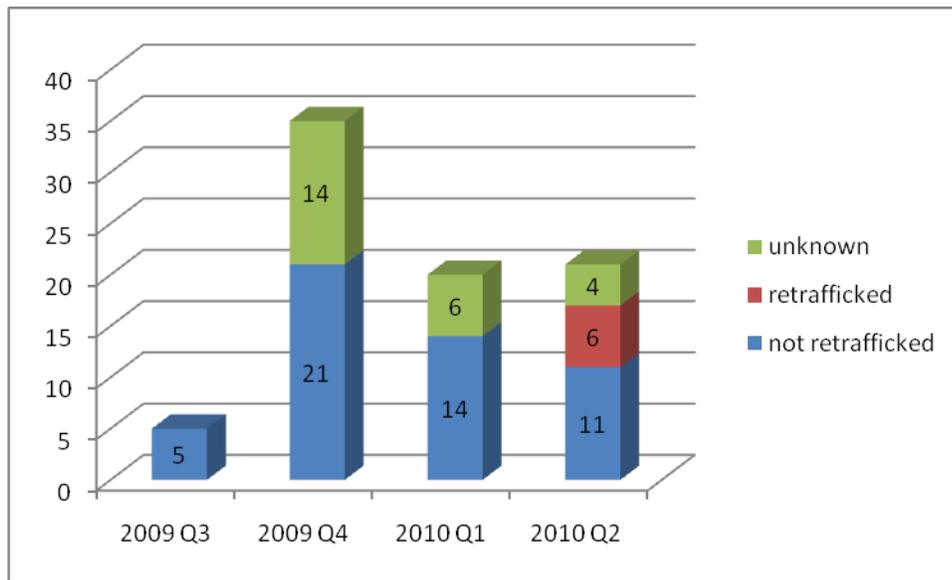
quarters, starting in the third quarter of 2009. The data was reported as the percentage of total girls who had been rescued and provided with services by IJM and confirmed not to have been re-trafficked. While Project Lantern reported the number of victims confirmed not re-trafficked as a percent of the total, the data is presented and discussed here as whole numbers in order to facilitate comparison and discussion within the total number of victims rescued, rehabilitated, and reintegrated.

**Table 4 Re-trafficking Status of Former Sex Trafficking Victims Post-Project Lantern-Supported Rehabilitation and Reintegration**

<i>Status of aftercare clients rescued by law enforcement <u>and</u> provided services by Project Lantern</i>					
Quarter	Not re-trafficked	Re-trafficked	Unknown	Total clients	Percent confirmed not re-trafficked
2009 Q3	5	0		5	100
2009 Q4	21	n/a	14	35	60
2010 Q1	14	n/a	6	20	70
2010 Q2	11	6	4	21	52

A slightly larger number of victims were rescued whom Project Lantern did not directly provide with services or track. The graph below is drawn from the *total number of girls and women rescued in each quarter for which there is re-trafficking data* and whom were provided direct support by IJM. It illustrates the number of former trafficking victims confirmed as not having been re-trafficked at the two year point, as well as the numbers of victims whose status is unknown or, in the case of those rescued in the 2<sup>nd</sup> Quarter of 2008 and documented in the 2<sup>nd</sup> Quarter of 2010, were confirmed as re-trafficked.

Figure 4 Client status two years after rescue, Project Lantern-supported clients only



There is ample evidence that the follow-up with reintegrated clients is a weak point in the system, with IJM likely the only agency with sufficient resources to conduct consistent follow-up, particularly with those victims who have been relocated to areas outside Metro Cebu.

## Discussion

The data used to understand changes in the prevalence of sex trafficking in Metro Cebu in response to a law enforcement model center on the availability of victims for commercial sexual exploitation. Specifically, effective law enforcement is expected to create an environment inhospitable to trafficking (and re-trafficking of former victims once they have been rehabilitated and reintegrated into society). Effectiveness of the aftercare response is measured by the number of former victims who become clients of aftercare rehabilitation services and are reintegrated into communities.

### Corroborating the quantitative data

The evaluation sought to understand and corroborate the three-wave study results and IJM-tracked quantitative data with Cebu-based informants working in law enforcement, prosecution and the court system, and governmental and non-governmental aftercare providers and advocates. Amongst these, most respondents agreed that children were harder to find in commercial sex establishments. However, they were not necessarily convinced that trafficking of minors had actually decreased, and, if it had, the decrease was not felt to be as significant as the data implied. Drawing on relevant experience, they interpreted these findings to mean that the problem was less visible, likely driven further underground

and, to some degree, outside of Metro Cebu by increased law enforcement activities. Even while suggesting that increased attention by law enforcement and advocacy groups may be having some level of impact, many respondents asserted that the problem remains severe and has taken on new forms (e.g. the advent of cottage industry internet porn in private homes):

*My reaction [to the IJM prevalence findings] was that probably this reflected that mamasans had become more careful and perhaps more expert in hiding; also, possibly the efforts exerted by the government and NGO partners relative to campaigns against trafficking are also making a small dent.<sup>30</sup>*

*Especially with the Internet now, the piso-piso. There so much problem about it now because even if the parents do know, children are willing to give their (services) because of money. In cybersex, when somebody will say that they will put money in the bank, they will do it. This is not typical (sex trade) but through the computers<sup>31</sup>.*

They also disputed the ages of the trafficking victims located during the study as indicative of the ages of trafficking victims. Based on information from those directly involved in the cases cited, younger girls – aged 10 or 12—are also being trafficked. These examples were most often cited by community-based organizations, who cited specific examples with which they and their agencies had firsthand experience. In an extreme but current example, one legislator described a case she is involved with in her district with a 2 ½ year old child trafficked by her mother to an American pedophile who was subsequently tracked by U.S. law enforcement to Cebu. Again, while older girls may be available in formal establishments, it is possible the design and practical constraints (including safety considerations) prevented the undercover researchers from seeking out and collecting data on younger children trafficked for commercial sexual exploitation.

Law enforcement representatives, including from the RATTf, also indicated that traffickers have become more adept at circumventing the law, citing examples such as providing fake birth certificates to minors and keeping trafficked minors off-site and summoning them by cell phone when requested by clients. Some law enforcement respondents felt there has been a reduction in trafficking since 2009, citing as evidence a reduction in the number of trafficking raids and arrests:

*We heard before that girls, minors or not, were taken from all over the country especially from the southern part, to Cebu and promised employment but they end up prostitutes and /or were asked to do sexual acts. When RATTf was created in 2009...from our point of view, there was a dramatic change. Previously, lantad ra ba, Makita ra nimo dayon (they were not hidden to the public. They could be easily seen)...Before, when we visit establishments, we can often see minors working in the bars. But right now, when they saw that we were serious, the trafficking of minors and sex exploitation...maybe their ways have changed but we cannot actually tell that wala na. Maybe their ways or modus have changed that is why it becomes difficult for us to see*

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<sup>30</sup> DSWD manager. (16 August 2010). Interview.

<sup>31</sup> RIACAT member. (13 August 2010). RIACAT Focus Group.

*if there are minors. Pero nagkalisod... Nagkalisod nami pangita sa minors. (But now, it becomes difficult.. It becomes difficult for us to look for minors in the establishments). We observed...it is no longer very open and very visible. Maybe also because we have enforced the anti-trafficking law.*<sup>32</sup>

Some aftercare providers also noted that fewer minors were being rescued:

*There were many, many girls—minors—in 2007. The first transfer to Haven was 42 girls (in '07). Most of those rescued in '07 were girls. By 2009, fewer girls rescued; more women (18 and older). Maybe can attribute to increased enforcement operations by law enforcement, IJM and DSWD.*<sup>33</sup>

It is not entirely clear whether fewer numbers of rescued girls means that fewer have been trafficked or that law enforcement is not locating them. While the research design was well-considered and rigorously implemented, it did not necessarily allow for a changing marketplace. It was well-designed to research more mainstream sites—namely, formal establishments with some attention to individual pimps, but may have been misaligned with changes in the marketplace. For example, it was not designed to explore the reportedly new media forms of commercial sexual exploitation, such as the webcam-based businesses. It is also possible that Project Lantern’s elevated community profile is serving as a deterrent. The undercover researchers fit the general demographic profile of customers, while probably under-representing the ethnic diversity of the current customer base, particularly Chinese and Korean, as identified by other research.<sup>34</sup> Another possibility is that the timing of the research did not align with seasonal fluctuations. As anecdotal evidence suggests trafficked sex workers are moved around according to need, it is possible that 2<sup>nd</sup> and 3<sup>rd</sup> wave conducted during seasonal “lows”.

There is limited anecdotal evidence that increased law enforcement activity has driven sex trafficking activity to other areas outside Metro Cebu, further “underground”, and/or bled into more informal markets, such as home-based web-porn other cottage industries. The primary point of corroboration between the quantitative and qualitative data is the decreased *visibility* of trafficked minors for commercial sexual exploitation. For example, law enforcement reported seeing fewer minors during raids and DSWD reported receiving fewer minors at the Haven Shelter. However, the majority of respondents who commented on the three-wave study results were dubious that minors’ involvement in commercial sexual activity had actually decreased. As such, it is not clear to what extent reduced

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<sup>32</sup> RATTF member. (12 August 2010). RATTF Focus Group.

<sup>33</sup> DSWD staff. (17 August 2010). Interview.

<sup>34</sup> See, for example:

Ralston, Meredith and Edna Keeble. (2009). Reluctant Bedfellows: Feminism, Activism and Prostitution in the Philippines. Pp. 115-125. Kumarian Press: Virginia.

Etemadi, Felisa U. and Ching Li Ye. (January 2010). “Rapid Assessment of the Human Trafficking Situation in Cebu City”. Cebu City Inter-Agency Council on Anti-Trafficking.

visibility is evidence of actual decreased sexual exploitation of minors. The lack of more extensive corroboration between the quantitative data and the qualitative data collected from informants merits further exploration. Specifically, the divergence between the three-phase study results and the perceptions and experiences of the focus group and interview respondents—individuals well-positioned with first-hand experience in the care of trafficking victims as well as in the enforcement and prosecution of RA 9208—illustrates the complexity of measuring with rigor the effects of increased attention to sex trafficking in Metro Cebu.

### **Re-trafficking**

In regard to re-trafficking, the available quantitative data is really too limited to reliably interpret any *trends* in re-trafficking. Most significant, the time span of the data is limited, and must be placed in the context of a rapidly evolving program if there is to be any connection between aftercare service provision and recidivism. For example, were the services provided to those victims rescued in 2007 equivalent to those provided to victims rescued in 2008? How much of the two-year period was spent in shelters or outside in communities? Finally, it is possible that the act of following the victim serves as a protective factor in itself against her re-trafficking.

Another limitation is that follow-up data was collected at one, two-year interval. Further, two-year follow-up data is only available for those reintegrated clients who were directly supported by Project Lantern. This illustrates a systemic weakness identified by aftercare stakeholders (and further discussed in the aftercare system-related findings in this report) in the client tracking post-integration. In the future, considering that these former victims were introduced into the aftercare system, to which DSWD has oversight, it may also be useful to examine the number of victims not re-trafficked using the overall denominator of clients reintegrated, not just those directly supported by Project Lantern. This would allow comparative analysis of effectiveness of the aftercare model being forwarded by Project Lantern compared with the existing system as a control model.

Outside of Project Lantern, a range of stakeholders indicated victim follow-up after release from custody as a significant weakness. The aftercare system lacks both the capacity and resources to maintain contact with the victims, particularly if they return home to a remote community.

*We got frustrated over a girl who stayed in our center for a year. When she was released, she stayed with her uncle for two days and then returned to previous work. She was traced by IJM social worker. They were the ones who retrieved the girl...She said she went back to sex work "because it had a bigger income."<sup>35</sup>*

Stakeholders in general expressed perceptions of high rates of recidivism. Aftercare providers, those arguably best-positioned to speak to what happened to aftercare clients, expressed that effective reintegration and prevention of re-trafficking is a formula still being worked out and there remains a

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<sup>35</sup> DSWD staff. (19 August 2010). Aftercare Focus Group.

high risk of re-trafficking. They focused on new learning in regard to rehabilitation and reintegration support needs in order to prevent re-trafficking, which is yet to be consistently resourced and applied.

*In our record from the school, most of the girls, 90% who have undergone training and development almost 100% succeed if the abuse came later [they were not abused as young children]. They can go back to the community and have a new life. We also found out those girls who were abused from ages 4, 5, 7, below 10 years old, only about one percent can recover.<sup>36</sup>*

While the data at this point is likely more reflective of Project Lantern's resources rather than any changes in the system, what the re-trafficking data may indicate, and merits further exploration, is that when Project Lantern dedicates the resources to provide services to an individual and follows her she may be less at risk of being re-trafficked or voluntarily re-entering the commercial sex trade. Factoring into analysis the number of clients who have cases pending in the courts, and thus likely to receive additional attention and resources, could help Project Lantern and stakeholders better understand what works in the case of victims in the longer term. Expanding upon this data collection effort will be critical when piloting new approaches with the new "Economic Self-Sufficiency and Reintegration" project.

**Push-pull data** collected on a number of indicators were also examined for possible explanations of factors contributing to changes in sex trafficking—with "push" factors being those that contributed to individuals' vulnerability to trafficking and "pull" factors as drivers of demand in Metro Cebu by customers for commercial sex. Indicators related to primary "push" categories, such as poverty and family size, economic migration including as a result of unfavorable terms of trade for key commodities, and forced displacement. "Pull" categories include favorable geography and transportation links, economic development, tourism and major festivals and events. Limitations in available, relevant data corresponding to the project dates were widespread, however. For example, on the pull side, the data on tourism is either missing or not detailed enough to understand seasonal fluctuations or to compare Cebu as a tourist destination with comparable destinations in the region. On the push side, project monitoring of income and expenditure data is not up to date and, even when separately sourced on line, available through 2006 only; therefore it is not possible to correlate changes in income and expenditure to changes in sex trafficking between 2006 and 2010.<sup>37</sup> Still, data for several factors merits mention, particularly in relation to selected "push" factors.

Poverty is widely held among Project Lantern stakeholders as a driver of girls and women to commercial sex work, and a leading cause of vulnerability of children and adults to sex trafficking. Poverty-related push factors for which data corresponding to project dates is available are cost of living, employment rates and commodity prices. Between 2005 and 2008 there was a steady increase in the cost of living in all regions of the Philippines, notably in Region VII. As illustrated in the table below, the cost of living has increased in all regions, notably in Region VII, rising from an estimated "family living wage per day" of Php 667 in 2005 to 910 in 2008. It is unknown, but assumed likely that the 2008-2009 global economic

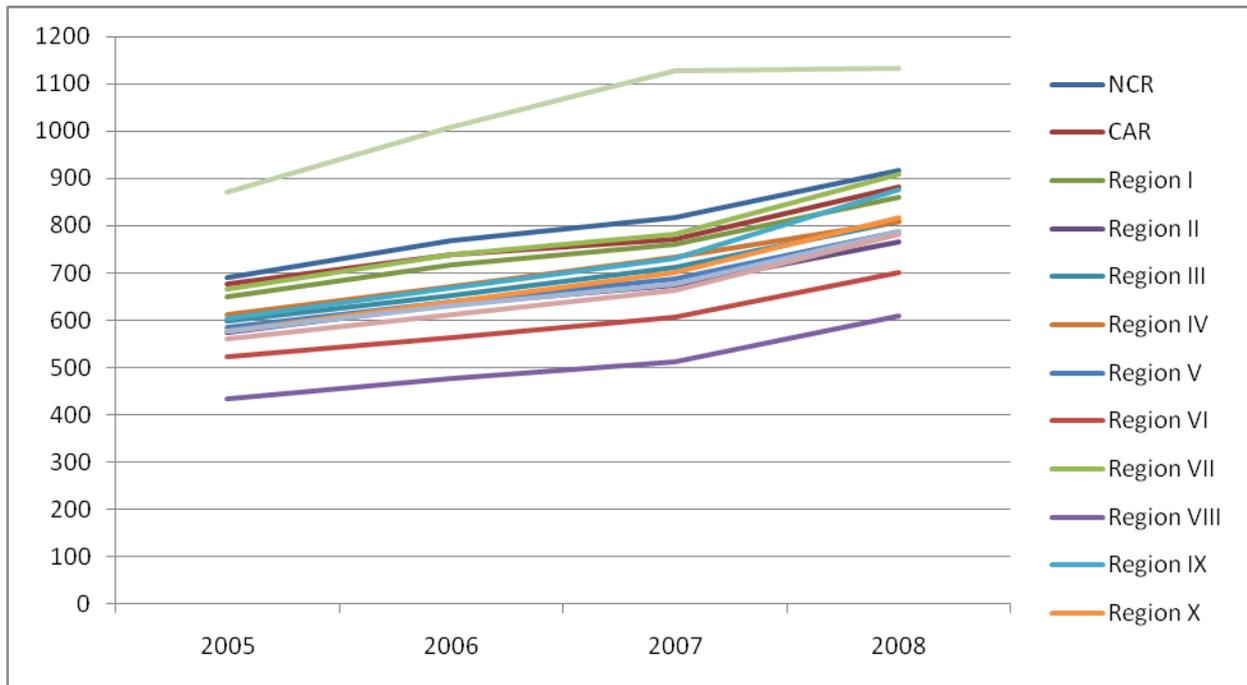
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<sup>36</sup> Aftercare NGO representative. (17 August 2010). Aftercare NGO Focus Group.

<sup>37</sup> National Statistics Office, Government of the Philippines. (9 July 2008). *2003 and 2006 Family Income and Expenditure Survey, Final Results*. [Online.] <http://www.senate.gov.ph/publications/AG%202006-05%20-%20FIIES.pdf>

crisis has likely exacerbated these numbers. In fact, unemployment rates in Region VII shot up in 2009-2010, hovering around 7-8 percent when previously (from 2006-2008) they had ranged from 3-6 percent.

**Table 4 Cost of Living: Estimated Family Living Wage per Day (Php), By Region<sup>38</sup>**



The above “push” factors associated with a weaker economy and reduced economic well-being would suggest an increasing supply of potential sex trafficking victims at the time of the 2008 and 2010 waves of the study. One possible countervailing trend is commodity price fluctuations, and specifically prices for rubber and cacao, key export products from the region. These were depressed in late 2006, when the first wave study was carried out, and then elevated at the time of both the second and third waves (i.e. the third quarter of 2008 and second quarter of 2010). It is conceivable that the deflated prices in late 2006 might have “pushed” more poor families in rubber and cacao-producing areas to send their children to Cebu for income-earning opportunities (leading some to commercial sex work) during that period relative to the later time periods when commodity prices were more favorable, although the generally depressed economy, tied to the global recession, over the past couple years certainly cuts the other way.

**If we accept that at best prevalence has actually reduced, and, at the least minors are less visibly available, has this change occurred as a result of Project Lantern’s efforts?**

<sup>38</sup> International Justice Mission. (August 2010). “Push-Pull Factors for Trafficking”.

The body of this report is concerned with detailed examination of changes in the public justice system vis-à-vis anti-sex trafficking activities and enforcement of RA 9208, and Project Lantern's role in those changes. Based on these findings, the evaluation finds that Project Lantern has played a catalyzing role in elevating focus on enforcement of RA 9208 and the rescue, rehabilitation and reintegration of sex trafficking victims in Cebu. It has raised both the expectations and capacities of law enforcement and prosecutors and judges. It has energized the nascent solid and committed base of NGOs committed to women's issues, gender-based violence, children's rights in general and sex trafficking specifically. The project has infused this resource-starved system with necessary funding and technical assistance to elevate stakeholders' own effectiveness and accountability.

## II. Law Enforcement

### Overview

Project Lantern (PL) was designed to invigorate the law enforcement response to widespread illegal trafficking of children and young women for purposes of sexual exploitation in Metro Cebu. It sought specifically to boost the regional capabilities and resources of the National Bureau of Investigation (NBI), first, and then the Philippine National Police (PNP) to expose, crack down on, and arrest for criminal prosecution people profiting from the exploitation of sex trafficking victims. Project Lantern's original design was based on the assumption that law enforcement agencies were inhibited in enforcing the law, first and foremost, by a lack of capacity. In response, IJM's project team conducted extensive training (reaching 682 individuals trained through June 2010<sup>39</sup>) and invested heavily its own human and financial resources to gather intelligence and pass leads to the police, enable police surveillance, accompany the police on raids, and assist the filing of complaints with the public prosecutor's office. Such training and material and technical support continue to this day.

From 2006 to 2008, close collaboration with NBI produced tangible results. Following an incident of alleged corruption reported by IJM to the government for investigation and follow-up, however, the relationship soured and remains tense. Subsequently, IJM shifted its primary law enforcement partnership to PNP, an agency with far greater resources at its disposal but much less developed capacity and expertise in place. PL interventions with PNP started, even prior to 2008, with general training at local and provincial levels but shifted toward establishment of a specialized force at regional level, which eventually became the RATTF, and heavy investments in strengthening its capacities and resources to bring to bear in cracking down on traffickers. While the primary law enforcement partner was NBI and then PNP (from 2008 on), other actors play important parts and PL has reached out to some degree, first and foremost to the DOLE as the agency responsible for closing down establishments exploiting children. The DOLE collaboration has been limited and peripheral, on the whole, but attempts were made to engage and enhance its role.

According to IJM, the barriers to effective enforcement of RA 9208 are considerable.<sup>40</sup> At one level, within law enforcement agencies, there is a predominant orientation toward maintaining peace and public order. There is almost no criminal law and procedure in police training and thus very little knowledge and focus on investigating crimes and pursuing criminal charges against individuals violating the law. At another level, law enforcement agencies must contend with limited resources for the kinds of operations required to locate and apprehend sex traffickers. They also do not have the knowledge and skills, on average, to gather evidence from the crime scene and build well argued and presented legal cases against sex trafficking criminals. At yet another level, the law enforcement system must

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<sup>39</sup> International Justice Mission. (August 2010). "Project Lantern Quarterly Report (2010 Quarter 2)".

<sup>40</sup> International Justice Mission. (July and August 2010). Interviews.

contend with “pervasive” corruption, including or perhaps especially at higher levels. According to the most recent US Government’s *Trafficking in Persons* Report:

“Corruption remained pervasive in the Philippines, and there were reports that officials in government units and agencies assigned to enforce laws against human trafficking permitted trafficking offenders to conduct illegal activities, either tacitly or explicitly. It is widely believed that some government officials partner with traffickers and organized trafficking syndicates...and that law enforcement officers often extract protection money from illegal businesses, including brothels. During the reporting period, there were allegations that police officers conducted indiscriminate raids on commercial sex establishments to extort bribe money from managers, clients, and sex workers. In some cases, police reportedly extorted sexual services in addition to money by threatening sex workers with imprisonment for vagrancy.”<sup>41</sup>

### ***The Evaluation***

To assess changes in the law enforcement system, the evaluation utilized IJM’s extensive documentation of plans and progress and direct collection of data through stakeholder interviews and focus groups. While this data was primarily collected from individuals directly involved in law enforcement, interview respondents involved in other areas of the public justice system—e.g. aftercare providers, prosecutors, judges—also commented on aspects of the law enforcement system, underscoring the interconnectedness of all aspects of the system.

The law enforcement interview and focus group protocols were designed to generate data on:

1. Evidence of changes in law enforcement operations
2. Evidence of Project Lantern’s role in changes to the law enforcement system

The *first question* is concerned with short-term changes in law enforcement agencies’ effectiveness; the *second question* examines the law enforcement system in greater detail, through the lens of system components, and discusses changes and prospects for the future.

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<sup>41</sup> United States Government. Department of States. (June 2010). “Trafficking in Persons”. [Online] <http://www.state.gov/g/tip/rls/tiprpt/2010/142747.htm>

## Evidence of Changes in Law Enforcement Operations

### Finding

While constrained by inter-agency tensions and general inaction at the level of local government, Project Lantern's training, support and close collaboration have succeeded in stimulating the response of law enforcement to sex trafficking, most notably in expanding sex trafficking intelligence gathering, surveillance, raids, arrests, and rescues by a committed cadre of PNP personnel receiving direct project support. PNP respondents at the level of the Regional Anti-Human Trafficking Task Force (RATTF), in particular, expressed increasing ownership of the cause and willingness to take on more significant criminal syndicates and business owners violating RA 9208. These changes occur against a backdrop of widespread police corruption and protection of criminals, which no doubt remains a formidable obstacle to effective law enforcement.

The evidence for the above finding – regarding what has changed in law enforcement operations subsequent to Project Lantern's actions - is based on quantitative data the project has been monitoring over time as well as qualitative data collected by the evaluation team primarily through a series of key informant interviews and focus group discussions carried out in Metro Cebu. Quantitative data gathered by the project has covered the following indicators:

What has changed subsequent to PL's actions in terms of:

- Number of intelligence reports
- Percentage of attempts in which police/law enforcement cited as reason why minors unavailable and security measures taken to guard against police enforcement<sup>42</sup>
- Number of police operations completed
- Number of arrests
- Number of rescues

Qualitative data introduced direct project beneficiary and key stakeholder perceptions of improvements in law enforcement. Direct project beneficiaries and stakeholders interviewed included six senior

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<sup>42</sup> These indicators were assessed as part of the CJA prevalence studies but changes were relatively insignificant from 2006 to 2010 and not particularly useful for the purposes of our evaluation. For example, for the percentage of attempts (of CJA undercover investigators seeking minors for commercial sex) in which the police was cited as a reason why minors were unavailable, the figure in 2006 was 17.6 percent, in 2008, 19.8, and in 2010, 19.2. (Maguire, Edward R. and Megan Gantley. (9 July 2010). "Wave 3 Assessment for Project Lantern: Final Report" (First Draft). Crime and Justice Analysts, Inc.)

As such, there is no distinct trend over time, which is somewhat surprising as one would have expected an increase associated with more robust PL-supported law enforcement operations over time. Still, there is a range of possible explanations and our evaluation focused on quantitative and qualitative indicators more directly tied to the outcomes of PL's investments in the law enforcement system.

officials and personnel from the regional offices of the PNP, NBI, and DOLE, one local government official, and three civil society leaders. Three IJM staff members also were interviewed with respect to law enforcement. Focus group discussions were conducted with a sample of PNP trainees (eight participants) and with members of the PNP's Regional Anti-Human Trafficking Task Force (three participants), and additional civil society and provincial and local government representatives (eight participants across two focus groups). In total, data was collected from 32 individuals either involved in or monitoring law enforcement.

The law enforcement interview and focus group protocol identified key areas of inquiry for this group, criteria for inclusion in data collection, and guiding questions. One key constraint identified in the protocol was likely respondent bias due to the fact that many of those interviewed receive Project Lantern support. While the evaluators sought to minimize such bias as much as possible, it is important to acknowledge and consider it in interpreting the data.

With respect to results, quantitative data collected over the life of the project for PL's main law enforcement-related indicators show actual outcomes that surpass targets.<sup>43</sup> One has to interpret these actual numbers relative to targets with care, however, as it was difficult to find baseline data against which to compare PL-supported results nor do we know the basis on which PL targets were fixed. The one exception is data on actual victims rescued, for which we did find baseline data, presented below. With that caveat in mind, the number of intelligence reports provided (37) and police operations completed (34) both already exceed their life of project targets (28 and 21, respectively) as of mid-way through 2010. More significantly, the number of actual sex trafficking arrests through June stands at 76, nearly four times the life of project target of 20, and PL-supported operations have enabled 251 sex trafficking victims to be rescued thus far. This is more than three times the target of 80 and, most significantly, an order of magnitude more than the 27 victims rescued by law enforcement in the target area during the three years prior to Project Lantern.<sup>44</sup>

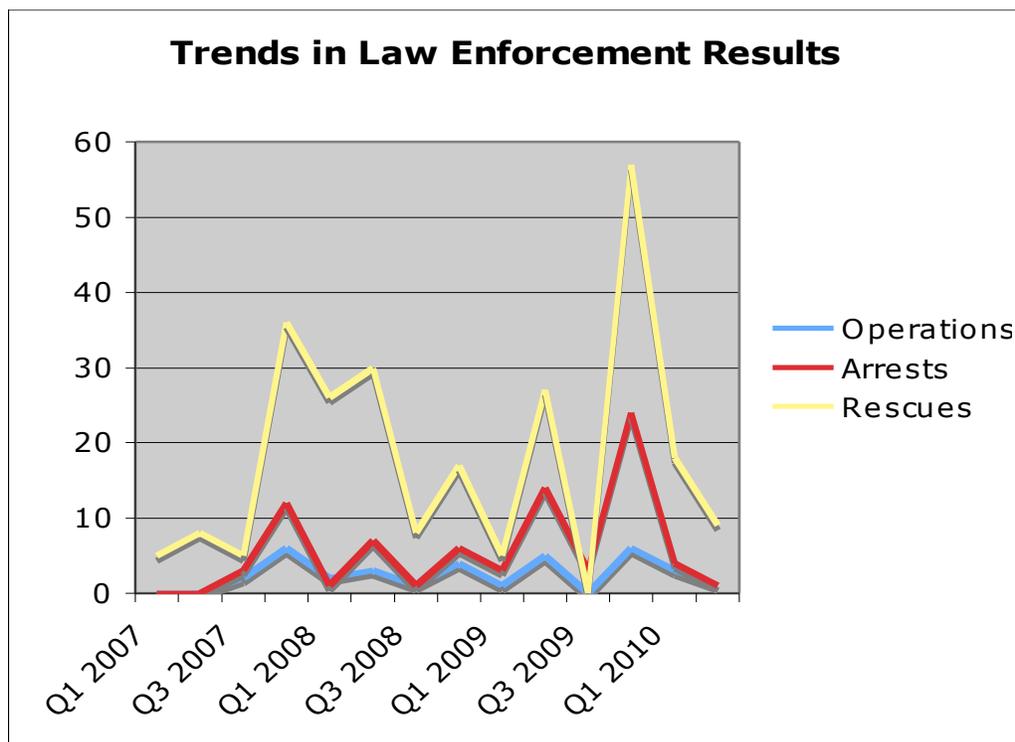
In spite of the severing of the relationship with NBI and the transition to a primary partnership with PNP that followed, the data show that progress on these fronts has been maintained throughout the project's implementation. See the graph below, depicting quarterly results for police operations completed, arrests and rescues.

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<sup>43</sup> International Justice Mission. (August 2010). "Project Lantern Quarterly Report (2010 Quarter 2)".

<sup>44</sup> International Justice Mission. (August 2010). "Project Lantern Quarterly Report (2010 Quarter 2)".

Figure 5 Law Enforcement Operations, Arrests and Victim Rescues, 2007 - Quarter 2, 2010



Qualitative data help to bring out the connection between project activities and investments and the positive outcomes presented above.

With respect to the first couple years of the project, feedback from NBI suggests that IJM’s trainings on RA 9208 and on how to conduct surveillance operations were appreciated by the agents participating in the training, as well as PL’s direct assistance to enforcement operations such as sharing of intelligence information and basic administrative and logistical support, including food, during raids on suspected establishments. Finally, PL-provided legal assistance, in the form of taking statements, building cases, and monitoring and following them up was very much appreciated. All in all, IJM’s contributions “were valuable and additional to NBI’s own work,” a view supported by a civil society respondent as well.<sup>45</sup>

For PNP generally, focus group participants referred positively to trainings on the content and enforcement of RA 9208, with a particular focus on crime scene investigation and the skills required (such as interviewing, report writing, and evidence gathering) to build a strong case, and offered examples of how they have put the training into practice. To illustrate, one local-level police officer noted the following:

<sup>45</sup> NBI manager. (11 August 2010). Interview; NGO manager. (13 August 2010). Interview.

*I attended the first responders training. In Carcar women's desk, I participated in the investigation using the things I've learned from the training. I learned how to take picture and labeling of evidence. I apply the training course in the crime scene investigation. I applied it also in the gathering of evidence. As for Human Trafficking course application, we conducted echo-seminars in the barangays. Every month, we have two or three seminars conducted in selected barangays.<sup>46</sup>*

Police trainee participants in the focus group also recognized and appreciated other forms of support, most notably the kits provided at the investigation training seminar, which, they reported, serve as a practical resource and guide in conducting investigations.

In addition to the training and material support to city and provincial police, Project Lantern staff worked to gain PNP commitment for a specialized regional anti-human trafficking capacity and worked with PNP Region VII to get it up and running. In its initial incarnation, it was called the Regional Special Investigations Unit (RSIU). Later, in 2009, adjustments were made and it became the RATTF. The overall intention was both to further professionalize and shield (from corrupting influences and from broader work demands) a dedicated capacity (growing from eight in the RSIU to 15 strong with RATTF) and to structure it in a way that enabled more rapid, efficient and effective anti-sex trafficking operations. For RATTF, the level of support has been much more concentrated than the general training-driven collaboration with the police at more local levels.

RATTF members referred not only to in-depth training on the elements of the crime of trafficking in persons, intelligence gathering, surveillance, and crime scene investigation, but also to an array of material and technical assistance above and beyond training. These include expenses for undercover surveillance, high-tech monitoring equipment, a "safe house" (private, rented office space to "isolate [the team] from influence") for interviewing informants, post-surveillance briefings, planning operations, and preparing documents and materials related to the filing of legal cases ("complaints") with the public prosecutor's office, and necessary office equipment (including computers, printer, photocopier, and scanner) and supplies. Evidence is strong of a team that is increasingly confident and capable as a direct result of PL's intervention.

It is notable in the graph, above, that results picked up considerably in late 2009, which respondents felt was a clear outgrowth of PL's close and fruitful partnership with the PNP and specifically from the project's major investments in RATTF. As the RATTF stood up and became fully operational in late 2009, police operations, arrests and rescues increased markedly. The police made 24 arrests - associated with the rescue of 57 sex trafficking victims - in the 4th quarter of 2009 alone (a total of 47 arrests had been made in the three years leading up to that quarter). RATTF's launch led not only to an increase in the

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<sup>46</sup> Original response, in Cebuano: *"1<sup>st</sup> Responders training ang akong na atenan. Sa Carcar- sa women's desk, maka-apil ka sa pag-investigate gamit nakat-onan namo sa training. Nakat-on ko unsaon pag picture and pag label ug evidence. Nagamit pod nako sya sa crime scene investigation. Na apply nako sya sa pagkuha ug evidence. Ug sa Human Trafficking, nagconduct mi ug seminar –echo seminar sa mga barangay. Every month naa mi 2 or 3 seminars in selected barangays."*

numbers but a qualitative shift as well, with bigger, better known targets no longer immune from government enforcement of RA 9208.<sup>47</sup> RATTF members are emboldened and believe they, with IJM's support, have "sown fear" among perpetrators of sex trafficking in Cebu.<sup>48</sup> A senior officer in PNP's Regional Office maintained: "We have been able to instill fear across all establishments."<sup>49</sup> "We are their worst nightmare," declared a member of RATTF.<sup>50</sup>

Respondents argued that a drop-off in the numbers in 2010 (relative to the last quarter of 2009) can be explained by rapid measures taken by traffickers and commercial sex businesses to conceal or relocate their illegal activities in order to circumvent RATTF's vigorous, increasingly professionalized enforcement efforts. According to RATTF, the drop-off reflects "the growing awareness of operators and pimps of the modus-operandi of RATTF personnel in conducting entrapments and busts."<sup>51</sup>

#### **Ownership**

Respondents underlined the growing ownership and assertiveness, even in the face of powerful resistance, of RATTF. In response to a question about corruption and resulting pressure to back off, RATTF focus group participants revealed their personal vulnerability – "I hide myself in my concrete walls if I hear those calls," said one – but also reflected on their conviction and strength as a team to withstand such pressures: "All the members of the RATTF are one with the cause and committed to the mission and mandate of the Task Force. So our hearts is really in the mission."

The overwhelming feedback of stakeholders on the ground is that PL-supported law enforcement efforts – and the potential for criminal conviction - have served as a strong deterrent to commercial sex business as usual in the province. Even with recent success in apprehending major criminals linked to Cebu commercial sex establishments, however, all recognize the adaptive measures such criminals are taking and that more work remains to be done to crack down on sex trafficking in all its different and emerging forms and venues.

One caveat to what is overall a highly positive assessment of Project Lantern's impact on law enforcement operations is the view expressed by some aftercare stakeholders that the police raids, supported by IJM, are still traumatic experiences for rescued victims. One organization working with street children reluctantly shared the concerns the children they care for have with IJM (equating police raids with IJM). They said that children find the "IJM experience" [the police raids and rescue operations] "traumatic, very traumatic. They are supposed to be the rescuers or friends of the children, but the children are afraid with IJM. It's supposed to be more caring perhaps....The point is to reduce the trauma in the children. If there is a way to minimize the traumatic experience..."<sup>52</sup> This perspective (on

<sup>47</sup> Senior manager in PNP Region VII. (9 August 2010). Interview.

<sup>48</sup> RATTF member. (12 August 2010). Focus group discussion.

<sup>49</sup> Senior manager in PNP Region VII. (9 August 2010). Interview.

<sup>50</sup> RATTF member. (12 August 2010). Focus group discussion.

<sup>51</sup> RATTF written presentation to the evaluation team, August 12, 2010.

<sup>52</sup> Aftercare NGO representative. (17 August 2010). Aftercare NGO Focus Group.

IJM) is not shared by all clients, depends on individual situations, and, according to aftercare providers, is mitigated in time.

## Project Lantern’s Contribution to a Stronger Law Enforcement System

### Finding

Project Lantern has contributed to a stronger RA 9208 law enforcement system primarily through the establishment and development of the RATTf, an increasingly independent, committed, and effective unit of the police dedicated to combating sex trafficking. The evidence for sustainability, however, remains limited, with gains in performance depending heavily on the project’s ongoing support. Progress is constrained by a wider law enforcement system that remains under-resourced, insufficiently mobilized on the issue, and vulnerable to corruption.

This finding is supported by data collected and reviewed relative to the normative rating scale of system strength. As with the previous question, the primary data sources are Project Lantern stakeholders, primarily those directly involved in law enforcement, as well as related project documents. Using the system dimensions of the normative scale as an organizing frame, this section will review Project Lantern’s efforts to strengthen the law enforcement system as it relates to sex trafficking<sup>53</sup> and evidence of resulting changes in the system, and discusses positive and negative results attributable to or correlated with Project Lantern investments and interventions. Finally, it discusses future recommendations related to challenges and opportunities to expand upon the momentum created by the work of IJM and its partners in this area.

In looking at the law enforcement system in particular, the project has addressed what it understood to be key gaps in the system, including, first and foremost, the absence of a dedicated, specially trained and equipped capacity to enforce RA 9208. The underlying assumption is that what the system was primarily lacking was capacity; hence the heavy emphasis of PL on training and related material and technical support. Over time, the project evolved to reflect a growing emphasis on political will and the government ownership and leadership required to achieve major, sustainable impact on sex trafficking in the Philippines. Yet such evolution has occurred only since late 2008 and new interventions to elevate political will and build social demand are relatively nascent.

### 1. Political Will and Leadership

At the regional level, Project Lantern succeeded in securing the buy-in and sustained commitment of key senior staff in PNP’s regional office, including the Regional Director. Evaluation respondents overseeing the RATTf expressed clear ownership of the initiative. In response to a question about what would happen if IJM were no longer present, one said: “We would have difficulties without IJM support.

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<sup>53</sup> This is not an exhaustive description, but serves to illustrate IJM investments for the purpose of this evaluation. IJM has extensively described these investments in its internal reports.

Resources are limited. But, since RATTf is created by us and it's our own idea, it has a fixed resource allocation."<sup>54</sup> That "fixed resource allocation" refers mainly to the 15 members of the police force assigned by the Regional Director, full time, to the Task Force, including two commissioned officers who lead operations against traffickers violating RA 9208. Project Lantern provides major resources to enable those operations but the PNP Region VII's commitment of a dedicated team of 15 is remarkable, all the more so given the fact that there is no equivalent force in any other region of the country. In other words, this has been at the initiative of Region VII (not the national level), with support and inspiration from PL. As one last expression of his commitment, just prior to his promotion and relocation in August 2010, the Regional Director agreed to an extension of the MOU for another two years. Senior leaders of the RATTf are unanimous in their belief that the RATTf model should not only be extended but also replicated countrywide. It is not clear, however, how hard or successfully they have pushed for such expansion with their higher-ups in Manila, although they indicated that PNP Manila has expressed support.

As far as national-level law and policy are concerned, Project Lantern essentially found RA 9208 and the National Strategic Plan of Action Against Trafficking in Persons sufficient to work effectively with the regional arms of relevant government agencies toward combating sex trafficking in Metro Cebu. In fact, IJM considers RA 9208 a strong anti-human trafficking law and one that punishes convicted traffickers severely.<sup>55</sup>

While the legal and policy framework is solid, however, the national government has not sufficiently prioritized its implementation, failing to allocate significant, dedicated capacities and budgets to the agencies leading the response and to emphasize accountability for strategic plan actions and outcomes across the country. Multiple respondents expressed dismay about the government's response to human trafficking, wondering why the drug trade is higher on the list of government priorities when it comes to law enforcement and criminal prosecution:<sup>56</sup>

*You know, in one of our seminars, given to us...by IJM, it made me realize... that trafficking is worse crime than drugs....But you know what, the PNP gave so much focus on drugs and not trafficking. Trafficking is more immoral. With drugs, one sachet of shabu cost around P100,000 or more. When you sell it is gone. It is a one-shot deal. But if you have girls, let's say 10 girls and you sell them for P3,000 to P5,000 each ...you can "reuse" or "recycle" girls. For one night, each girl can serve at least three clients. It's not one-time deal. Compare it to shabu....Imagine how much money they actually earn. It is more immoral than drug trafficking....I cannot forget that...One-time deal, compared to trafficking. Yes, these girls can be reused, recycled.*

*In trafficking, it is not only about saving lives; there is more to it because it is the dignity, the*

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<sup>54</sup> Senior manager in PNP Region VII. (9 August 2010). Interview.

<sup>55</sup> IJM manager. (11 August 2010). Interview.

<sup>56</sup> There is an entire agency dedicated to fighting the drug trade (the Philippine Drug Enforcement Agency) and it is deemed the number one priority crime for the court system to address, according to judges interviewed by the evaluation team.

*future of the person that is destroyed.*

*The government should be amenable to [making combating trafficking a top priority] considering what they have known...Our country is really popular for [human trafficking]. We are known to be, you know, high in trafficking....Are they really serious about it?<sup>57</sup>*

The project is increasingly rubbing up against this constraint, particularly as it seeks to hand more ownership and leadership of the efforts to combat sex trafficking in Metro Cebu to responsible government counterparts, and beginning to advocate more strenuously for political leaders at the highest level to champion and invest more robustly in anti-human trafficking efforts in the country.

## **2. Structures, Accountabilities and Partnerships**

This component of the system refers to clear delegation of authority and responsibility to a lead government agency and understood, agreed division of labor across government agencies concerned. It is not clear how high trafficking in persons is on the list of what regional NBI and PNP offices are held accountable for, but it does not appear to feature prominently, at least not relative to national security-related matters and drugs. It is also unclear how well the division of labor has been defined and coordinated in practice, including with DOLE and DSWD. This component also highlights the nature of partnerships and collaboration between public and relevant private or civic agencies.

With respect to the inter-agency partnerships component of the law enforcement system, PL has come at it from a casework perspective in line with IJM's standard approach to legal enforcement and accountability. In the process, PL has succeeded most notably in restoring working relations between law enforcement (first NBI and then PNP) and the government's Department of Social Welfare and Development, with the former securing the site, apprehending the criminals, and collecting the evidence and the latter taking custody of and caring for the victims. The relationship prior to the PL intervention was conflictual and problematic – "a real source of irritation," remarked one DSWD official. As also discussed in the Aftercare section of this report, according to DSWD informants, the police in the past provided no advance warning and excluded DSWD from preparations for their raids on commercial sex establishments, expecting them to pick up the pieces in the aftermath. "'That's your mandate; that's your problem,' PNP would say."<sup>58</sup> Credit was given to IJM for smoothing relations to the point that PNP and DSWD now have agreed protocols and are working in coordinated fashion on operations leading to arrests and rescues. One police officer concurred, "IJM has been very helpful. They made us closer with DSWD. We have been cooperating with DSWD. The number of operations that we do, DSWD is always with us."<sup>59</sup>

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<sup>57</sup> RATTF members. (12 August 2010). Focus group discussion.

<sup>58</sup> DSWD manager. (16 August 2010). Interview.

<sup>59</sup> RATTF member. (12 August 2010). Focus group discussion.

Unfortunately, Project Lantern has been less successful in engendering teamwork across other actors playing key roles in law enforcement, namely the government's DOLE and local government, particularly the Mayor's Offices. Together, DOLE and the Mayor's Offices hold the power to shut down illegal commercial sex establishments (particularly those exploiting minors in the case of DOLE) and prevent their opening in the first place. Yet their efforts in this direction on the ground appear to be close to non-existent, according to key informant interviews.

PL has worked with DOLE to clarify their authority and engage them in law enforcement operations, including working with their Manila office on a circular that defines their authority to act per agency regulations.<sup>60</sup> After some initial success where DOLE inspectors joined DSWD social workers and (at the time) NBI operatives in raids leading to immediate closure of establishments found to have minors working in them, collaboration ground to a halt. Whereas DSWD workers continue to accompany the police (without needing to know where they are going in advance) for immediate, on-the-scene follow-up, DOLE will not. DOLE's absence in the immediate aftermath of busts makes it harder for them to verify that the business has violated the Labor Code (as they have to do it independently, after the fact, without all the people concerned, including victims, present) and then to follow up with a revocation of the business's permit to operate.

DOLE representatives feel that, as a matter of agency procedure, they cannot participate in such operations without knowing the targeted establishment in advance. It is not entirely clear whether there is any real legal or administrative barrier to DOLE participation. More likely, inaction stems from a combination of lingering friction in inter-agency relations (with DOLE's perception that they were deemed not trustworthy enough to receive confidential information and PNP protocol clear cut that such information not be divulged to anyone in order to minimize the risk of tip-offs to suspected criminals) and a reluctance in DOLE's regional office to prioritize these high-risk, demanding operations.<sup>61</sup> At any rate, DOLE's non-participation in sting operations has weakened broader efforts to expose and punish perpetrators of child sex trafficking and calls for a concerted effort to bring them back on board. The evaluation team found limited evidence of PL efforts in this regard and no evidence of any such efforts bringing about DOLE's re-engagement.

The local government level is a huge challenge and one that Project Lantern only began to work on since the end of 2008 / early 2009, particularly through the provincial and local-level IACATs. While it is premature to assess any impact brought about by PL, the evaluation team heard from informants that the project clearly contributed, with drafting assistance in particular, to the development and passage of Cebu, Lapu-Lapu, and Mandaue City anti-human trafficking ordinances, a significant milestone toward mobilizing local government leadership and action. These ordinances reinforce responsibility in relation to RA 9208 at the barangay level of government, require city governments to turn down business

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<sup>60</sup> IJM manager. (July 2010). Email communication.

<sup>61</sup> DOLE manager. (10 August 2010). Interview.

licenses for anyone who has been involved in trafficking, and compel local businesses to have valid birth certificates on file for all workers.<sup>62</sup>

Beyond such legislative initiatives, however, lie the Mayor's Offices, which hold a great deal of power in local law enforcement. At that level, Project Lantern's interventions have been minimal and interview and focus group respondents repeatedly lamented the inaction of mayors and their staff in confronting sex trafficking and exploitation in Metro Cebu. For example, PNP respondents referred to local government personnel going through the motions and "not really scrutinizing" the documentation – birth certificates and health cards - businesses provide them to show they are not employing minors. "They just accept it." Alternatively, according to another respondent, they can obtain nice pay-offs for looking the other way or at least not examining the paperwork too closely. On the other hand, to be fair, city officials have a wide range of responsibilities and this may just get pushed to the margins quite unintentionally. Even for those who may feel personal commitment and thus prioritize combating sex trafficking, they clearly would face considerable risk in the current context, if not from tainted colleagues within their own office, from vested interests externally.

Going forward, the local government level will be an important area for PL to target in a thoughtful, strategic way. Otherwise, major holes in the law enforcement system will persist.

### **3. Investment and Management of Resources**

With respect to human and financial resources, as described above, PL eventually succeeded in bringing about a dedicated core capacity at the regional level (with PNP Region VII, its primary law enforcement partner since 2008). In addition to intensive, ongoing training and support, as detailed above, PL has gone to lengths to spur recognition of RATTf's work and of individuals who have distinguished themselves in their work to combat sex trafficking. This has been through the promotion of positive media coverage, letters of commendation sent to superiors, and reporting to PNP at Manila level that applauds individual and team efforts and achievements. As a result of all of the above (training, technical and material support, and recognition), a highly motivated and professional force has emerged. Even as IJM's investments in intelligence gathering and overall vigilance continue to spur police operations and even as RATTf remains heavily reliant on PL for meeting the myriad and costly expenses associated with effective enforcement, respondents feel empowered in terms of the means and institutional backing they have to do the job. This has manifested itself in RATTf initiating more operations (not simply following IJM's lead, as was the case in earlier days), including outside of the PL geographic focus area and thus carried out largely on their own (see text box, next page).<sup>63</sup>

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<sup>62</sup> IJM manager. (17 August 2010). Interview.

<sup>63</sup> Project Lantern's 2009 Annual Report points to 61 victim rescues (out of a total of 89 for the year) initiated by the police, a positive shift from PL-initiated operations with increased knowledge, skills and ownership on the part of the government. International Justice Mission. (1 February 2010). "Project Lantern 2009 Annual Progress Report".

### **An Example of RATTf's Growing Ownership & Capacity**

Bohol is an island not far from Cebu. While both are in Region VII, Bohol is outside of the area covered by Project Lantern. The RATTf's zone of responsibility extends across the region, however, and when RATTf became aware of and eventually pursued a sex trafficking operation there, it did so largely on its own. IJM's absence made the bust and subsequent protection of the victims and filing of a complaint harder, but RATTf managed to get it all done:

*In the Bohol case, we charged the same charge in our other raids like in Lapu-Lapu. The prosecutor asked us to change the charge. It's the first time he encountered such charge. He wanted us lie. He will not accept our charge....We were really outraged...there is a prescribed period to file a case. We cannot just exhaust that period going around looking for somebody who can help us file the case....We eventually convinced the prosecutor to accept our case....We found out later that there was already a release order even before we brought the suspect in....I cannot explain how the things were....We discussed it with IJM our problem. It involves influential people in Bohol. We thought at first that the prosecutor was not on our side. But a month after, he filed a resolution and we learned that he sided on us...we're happy about it. The case was filed but the petitioner filed a petition to review the case. So the information has not reached the court yet. But we have strong evidence because we have videos, photos; that is why we were able to secure search warrant. That was a major breakthrough for us....When we conducted the raid the minors were already transferred. We rescued adult women and a minor working allegedly as house help. What happened in RATTf in the case of Bohol gives us idea what will happen when there will be no IJM. (RATTf member. (12 August 2010). Focus group discussion.)*

Yet there are significant challenges and constraints facing RATTf members. They are limited in number and, with the routine transfers required of police (for anti-corruption reasons), are not intended to remain permanently. Also, the size of some operations, as the PNP has taken on more significant establishment owners and crime syndicates, has stretched the limits of RATTf's capacity. Moreover, as regards surveillance, operatives cited the risk of blowing their cover if they have to visit the same sites repeatedly due to the limited size of the specialized force. As such, the PNP needs to increase the size of the pool of officers and operatives who can join the RATTf, for both one-off, large-scale operations and longer term. The project has conducted a training of trainers (TOT) course for Task Force members, who signaled their willingness to train others in the region and beyond, but the TOT has not yet been leveraged to build "bench strength" for major surveillance operations and raids and pave the way for additional recruits when and as needed (without growing the task force too much and risking possible infiltration and corruption).

The project moved only recently to promote adoption of the RATTf model, which remains purely a regional initiative and the national government has not moved to institutionalize any particular approach to enforcing RA 9208 on the ground. The departure of both the PNP Regional Director (and RATTf Commander) and the RATTf Executive Officer overseeing its day-to-day operations in August begs

the question of whether their replacements also will champion and continue to prioritize – in the form of dedicated staff and specialized operations supported by PL – anti-human trafficking efforts in Region VII. Durable change to public sector systems is called into question absent national-level buy-in and

mainstreaming of model approaches. Of particular concern is the sustainability of RATTF funding. If the project were to phase out, who would cover the existing RATTF budget, not to mention costs associated with wider training and efforts to build bench strength more generally in PNP Region VII? One respondent underscored his view that human trafficking is not sufficiently prioritized in PNP Manila's national plans and thus neglected when it comes to allocating resources to the field.<sup>64</sup> In this regard, nascent efforts supported by PL to raise awareness of RATTF and its achievements and promote its replication nationwide—and future plans to this effect—are headed in the right direction.

#### 4. Oversight and Management of Service Delivery

This is an area - both on the financial side as concerns corruption and on the service delivery side as concerns accountability for performance - that has not been a focus for Project Lantern. Of course, corruption is a major factor that pervades all law enforcement efforts, but it is difficult for an organization like IJM to take it on and, at the same time, maintain strong working relations with its partner agencies in the government.<sup>65</sup> That said, simply by virtue of IJM's active presence in Cebu as an international agency monitoring closely and supporting efforts to crack down on sex trafficking, committed law enforcement personnel are made less vulnerable to corruption, as explained by participants in the RATTF focus group when discussing challenges in their work:

*Especially in the law enforcement, we cannot avoid that sometimes you get calls from powerful people, telling you to quash the case....*

*Some are politicians, police officers and powerful people. We often receive calls from this person instructed by this person to call us to quash a case....having this Task Force, having an NGO watching over, the kind of crusade or advocacy, like IJM, makes our job easy. It will be easy for us not to give in to pressures from these people because we tell them that 'you know, IJM is in this case'....It gives us confidence to have a watchdog. Whenever we get to a point when there is pressure to quash the case, it would be easy for us to give in to direct pressure. In my case, I try to let people understand my job and we tell them that we are not alone.*

*...we just tell them that the NGOs knew about the case, and it sort of cut the conversation right there...it is good to have specific NGOs watching over, helping around like [IJM].<sup>66</sup>*

While this is an unintended (positive) effect of Project Lantern's close collaboration with law enforcement, it makes one wonder whether such protection (against corrupt influences) can be built into the national system or has to rely on an ongoing international watchdog of sorts.

Regarding the monitoring of the government and its partners' performance in addressing human trafficking, the project has not connected except as far as feeding into the annual US Government

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<sup>64</sup> PNP manager. (10 August 2010). Interview.

<sup>65</sup> "Monitoring corruption risks trading off access," observed one IJM senior staff member in Cebu. Of course alleged corruption was at the heart of IJM's fall-out with NBI in 2008.

<sup>66</sup> RATTF members. (12 August 2010). RATTF Focus Group.

*Trafficking in Persons* report and encouraging greater focus on key outcome indicators such as anti-corruption measures, national budget allocations and court convictions. This should be an area the national-level Inter-Agency Council Against Trafficking, led by the Department of Justice, is spearheading but efforts to date have been lacking with little follow-up on implementation and results of the National Strategic Plan of Action. IJM may be especially well placed to advance more rigorous and systematic performance monitoring, including harmonized data collection and reporting, if it is asked to join the national IACAT as an NGO representative. If not, it should at least work toward a better system at the level of Region VII.

## 5. Social Accountability

Social accountability refers to broad dissemination and access to information on government policy, strategy and plans as well as on progress in meeting objectives over time. It also refers to opportunities for concerned citizens and civil society leaders to participate, in informed fashion, in relevant government decision-making processes and, more broadly, to hold public officials to account. It is difficult to apply this to the law enforcement area (and other specific areas) in particular. Instead we will discuss this in relation to the public justice system as a whole (Section V).

## Challenges and Opportunities

Overall, Project Lantern has contributed significantly to a stronger law enforcement system as it relates to sex trafficking in Metro Cebu. It has invested heavily, with significant results, in the national police, most significantly in encouraging and enabling a specialized regional PNP task force to crack down more effectively on sex trafficking and exploitation in the area. Through its work across law enforcement, aftercare and prosecution, it also has succeeded, to a degree, in facilitating important inter-agency coordination and collaboration in the overall law enforcement and broader public justice system response.

The evaluation brought out several key challenges and opportunities to systemic change in the area of law enforcement:

1. An ongoing major challenge to law enforcement efforts is **corruption**. The evaluation team heard repeated references to attempted corruption of individual police officers. As described above, the RATTF model, locating a police force specialized in anti-human trafficking at the regional level and taking a series of measures to conceal and isolate the force from the rest of PNP, seems to offer some relief at least in terms of reducing local-level political interference and cultivating unity of purpose and commitment to resist attempted corruption. Still, RATTF members stated clearly that they face such attempts regularly, so the problem is pervasive and there are no easy solutions. In fact, IJM's active involvement has served as a shield to fend off attempts to influence the police ("we tell them that, you know, IJM is in this case...and it sort of cut the conversation right there"). What will happen when Project Lantern is over? The

government has an Ombudsman's Office, reporting to the Office of the President, to deal with corruption but it has limited power and resources, for example to carry out its own independent investigations<sup>67</sup> and it is not clear whether the Ombudsman structure inspires trust among law enforcement personnel.

2. Another challenge for Project Lantern as it considers how to change the law enforcement system is the question of ***depth versus breadth in strengthening the capacity of law enforcement agencies***. The strategy to date has favored an in-depth approach, investing heavily in the RATTF and much less so in law enforcement more broadly. While the evaluation team is sympathetic to the in-depth commitment to RATTF for all the reasons stated above, it should not be to the complete exclusion of training and equipping police officers more widely to contribute to RA 9208-related law enforcement. As IJM staff themselves pointed out, it is good to have checks and balances in the system rather than relying on one body as the sole enforcer of the anti-human trafficking law.<sup>68</sup> In addition to integrating RA 9208 into the basic training offered to all members of the police force, one opportunity not yet fully tapped may be to beef up the support on offer to the Women's Desks of the provincial and local-level PNP offices. The evaluation team found multiple highly committed personnel at those levels expressing the need for more significant training and assistance with their efforts to monitor and, where warranted, act against commercial sex businesses in their areas. In fact, RATTF members who participated in the PL TOT course expressed willingness to help with refresher and more advanced trainings within and outside Region VII and could be drawn upon for Women's Desk trainings in the project area.
3. One potential antidote to corruption and essential ingredient of any project sustainability strategy is ***promoting political will*** to get more serious about stopping human trafficking, and sex trafficking in particular, at the highest levels of government. Not only would the president and relevant ministers championing this issue provide greater cover for those looking to vigorously enforce the law around the country (as is the case with PNP in Region VII), but, assuming it were accompanied by more robust budget allocations tied to a new emphasis and urgency to deliver on priority outcomes, it also could breathe life into a national strategy and plan that has not been followed through by the agencies concerned. One specific element of the national plan and budget related to law enforcement should be national-level adoption of the RATTF model and a corresponding budgetary commitment. PL resources have been poured into the development of the RATTF without, as of yet, attracting any match from the national government's side. Project Lantern's stated intention to beef up Manila-level advocacy efforts on behalf of more vigorous, effective, and sustained investments in RA 9208 law enforcement could be hugely important to advancing systemic change.

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<sup>67</sup> IJM manager. (17 August 2010.) Interview.

<sup>68</sup> IJM manager. (11 August 2010.) Interview.

4. **Inter-agency collaboration** – around shared goals related to RA 9208 law enforcement – remains a challenge as well as an opportunity not yet fully realized. The Inter-Agency Councils Against Trafficking (IACATs, created to coordinate and monitor implementation of RA 9208 at national, regional, provincial and local levels) are not very effective in this regard as 1) they are typically not funded and thus not fully functional,<sup>69</sup> 2) even where they are, government representation is not senior and lacks continuity, and 3) they are a forum for a broad range of concerned stakeholders and issues rather than one focused on law enforcement in particular. Ideally, there would be a regular forum for senior representatives of the regional offices of PNP, NBI, DOLE, and DSWD – the key national government agencies with responsibility for RA 9208 law enforcement – to discuss advances and setbacks in their respective efforts to uphold the anti-human trafficking law in Metro Cebu. Such a forum could identify and look to address challenges and unresolved issues such as DOLE’s unwillingness to join police enforcement operations or the broader challenges of local government complicity in commercial sex trafficking (see next paragraph) and how to handle government employees’ potential personal liability for lawsuits brought by suspected criminals alleging they have exceeded or abused their authority.<sup>70</sup> This is an area IJM potentially could influence, seeking to facilitate more regular, systematic exchange of information and problem solving across the main regional law enforcement actors, ideally with reference to shared goals (in a reinvigorated national plan) that all such agencies have a hand in achieving.
  
5. **Local government units**, and particularly the mayors’ offices, are essential but challenging players in the enforcement of RA9208, as they typically look the other way, according to many respondents. At the level of barangay captains as well (barangays are the smallest administrative units in the Philippines; cities are made up of numerous barangays), there is at best limited commitment to preventing sex trafficking and exploitation. In this context there are important under-realized opportunities for systemic change by **developing social demand** at the grassroots, community level and supporting increased monitoring and accountability of government leaders in positions of authority and responsibility. Project Lantern is developing its social demand work, including with the media, churches, student groups, and with a civil society network called the War Against Human Trafficking (WAHT), which was founded by Visayan Forum and includes nine Philippine CSOs alongside IJM. WAHT has helped to raise awareness through various events in Metro Cebu and was a vehicle for pushing through the city anti-trafficking ordinances as well. At a more grassroots level, there are important opportunities as well (see the text box, next page).

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<sup>69</sup> The US Government’s Trafficking in Persons Report for 2010 criticized the Philippine Congress’s decision not to allocate fiscal year 2010 funding to IACAT, calling it “a notable failing of political support for the nation’s anti-trafficking effort.” The IACAT’s member agencies, including DOJ, DSWD, etc., also failed to set aside general funding for the IACAT, the report noted. United States Government. Department of State. (June 2010). “Trafficking in Persons”. [Online] <http://www.state.gov/g/tip/rls/tiprpt/2010/142747.htm>

<sup>70</sup> See PNP-IJM RATTF MOU’s inclusion of government legal representation in the event that RATTF personnel face charges in connection with the performance of their duties.

Ultimately, building a broad-based constituency of citizens that communicates loudly and clearly to elected leaders that the situation needs to change will be essential, alongside civil society watchdog groups that monitor and confront leaders who are on the wrong side of or simply ignoring the issue, criminal cases moving too slowly through the system, and services that fail recovering victims and their families.

### **Social Accountability**

One example of a promising investment in this direction is a Philippine civil society organization long working on issues of violence at the community level, Lihok Pilipina, which produced a gender responsiveness checklist for local governments to self-assess their current practices. The responses they submit are then validated by NGO “judges” who visit to determine independently whether they can be substantiated. Responses are recorded in a database and the process is carried out every two years. It is not clear how extensively the checklist incorporates human trafficking but it certainly could assess, for example, whether recruiters and those being recruited for employment opportunities outside of the community are being properly registered<sup>1</sup> and whether businesses are being monitored for commercial sexual exploitation and, where known to offer sexual services, have been regularly and properly inspected for age of majority of workers.

### III. The Court System

#### Overview

Project Lantern (PL) was designed to trigger an increasingly vigorous law enforcement response and translate it into growing numbers of charges pressed, cases filed in court, and convictions of sex trafficking perpetrators. It set out specifically to enhance the capacities and performance, along these lines, of the public prosecutors and courts in Metro Cebu. In practice, PL has invested in training (65 people trained in total through June 2010<sup>71</sup>) and material and technical support to regional and city-level public prosecutors offices and to judges and court staff. Significantly, PL lawyers typically have sought and been authorized by the government to assume the role of lead prosecutors of RA 9208-related court cases, under the supervision of the public prosecutors. As such, the project's involvement in the legal and judicial process seeking punishment for the perpetrators and justice for the victims has been heavy and direct.

Efforts to strengthen criminal prosecution and the judicial branch, however, have run into major systemic impediments. As captured in the US Government's 2010 *Trafficking in Persons* Report:

"In June 2009, the Acting Justice Secretary ordered Department of Justice prosecutors to prioritize trafficking cases, but the court system, which is managed by the Supreme Court, does not have a method to fast-track trafficking cases. Philippine courts currently have over 380 pending or ongoing trafficking cases. Despite legal provisions designed to ensure a timely judicial process, trafficking cases in the Philippines take an average of three to four years to conclude. Widespread corruption and an inefficient judicial system continue to severely limit the prosecution of trafficking cases. The vast majority of initiated trafficking prosecutions are usually unsuccessful, largely due to lack of evidence after victims disappear or withdraw cooperation."<sup>72</sup>

With respect to the last point, public justice system respondents across the board emphasized how a victim's testimony is the linchpin without which there is no case to prosecute. As such, the stakes of not only protecting the victim for the victim's sake, but working with her to get her to agree to participate and then maintain her sense of confidence through a lengthy, drawn out legal process are enormous. The difficulty of seeing the process through to judgment, even with effective witness protection and support, is compounded by the fact that the victim revisiting a traumatizing experience from one, two, three, or even more years in the past can set back her own healing and recovery process.

In assigning the Philippines to Tier 2 Watch List status for the second year in a row, the Report concluded that progress in prosecuting and convicting trafficking offenders is "essential for the

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<sup>71</sup> International Justice Mission. (August 2010). "Project Lantern Quarterly Report (2010 Quarter 2)".

<sup>72</sup> United States Government. Department of State. (June 2010). "Trafficking in Persons". [Online] <http://www.state.gov/g/tip/rls/tiprpt/2010/142747.htm>

Government of the Philippines to demonstrate significant and increasing progress toward compliance with the minimum standards for the elimination of trafficking.”<sup>73</sup>

The above issue is at least in part symptomatic of the fact that there simply are not enough prosecutors, judges and courts, emphasized by respondents interviewed by the evaluation team, and a picture of a system as a whole in crisis emerges. Even a major World Bank judicial reform project in Lapu-Lapu designed to fast track prosecution and court decisions has struggled to move cases across the finish line after a promising start. In the context of this reform project, the prosecution of a brothel owner sped through the system moving from filing to review by judges in 8-9 months, but has bogged down at the sentencing stage, with 16 months already passed with no decision (against a sentencing goal of 30 days).<sup>74</sup>

### ***The Evaluation***

To assess changes in the court system, the evaluation utilized IJM’s extensive documentation of plans and progress and direct collection of data through stakeholder interviews and focus groups. While this data was primarily collected from individuals directly involved in prosecuting and adjudicating court cases, interview respondents involved in other areas of the public justice system—e.g. law enforcers, aftercare providers—also commented on aspects of the court system, underscoring the interconnectedness of all aspects of the system.

The court system interview and focus group protocols were designed to generate data on:

1. Evidence of changes in cases brought to and moving through the system
2. Evidence of Project Lantern’s role in changes to the court system

The *first question* is concerned with short-term changes in prosecutorial and judicial efficiency and effectiveness in addressing sex trafficking crimes; the *second question* examines the court system in greater detail, through the lens of system components, and discusses changes and prospects for the future.

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<sup>73</sup> Ibid.

<sup>74</sup> IJM staff. (29 July 2010). Interview.

## Evidence of Changes in the Court System

### Finding

Against the backdrop of an overwhelmed, ill-equipped and resource-starved legal system, Project Lantern has helped to push forward a growing number of sex trafficking cases, bringing newfound expertise, drive, and professionalism to the prosecutorial function in particular. More specifically, qualitative data provides convincing evidence connecting increases in criminal sex trafficking charges and resulting court cases to Project Lantern's strong, ongoing investments in building well-constructed, substantiated legal cases and effectively prosecuting them, including through monitoring witnesses and supporting their testimony. The slow speed of cases remains a serious liability, with many victims unwilling to stay the course through the protracted judicial process.

The evidence for the above finding – regarding what has changed in terms of actual numbers of cases brought and moving effectively through the court system pursuant to Project Lantern's investments - is based on quantitative data the project itself has been monitoring over time as well as qualitative data collected by the evaluation team primarily through a series of key informant interviews and focus group discussions carried out in Metro Cebu. Quantitative data gathered by the project has covered the following indicators:

What has changed subsequent to PL's actions in terms of:

- Number of perpetrators charged
- Number of perpetrators tried and convicted

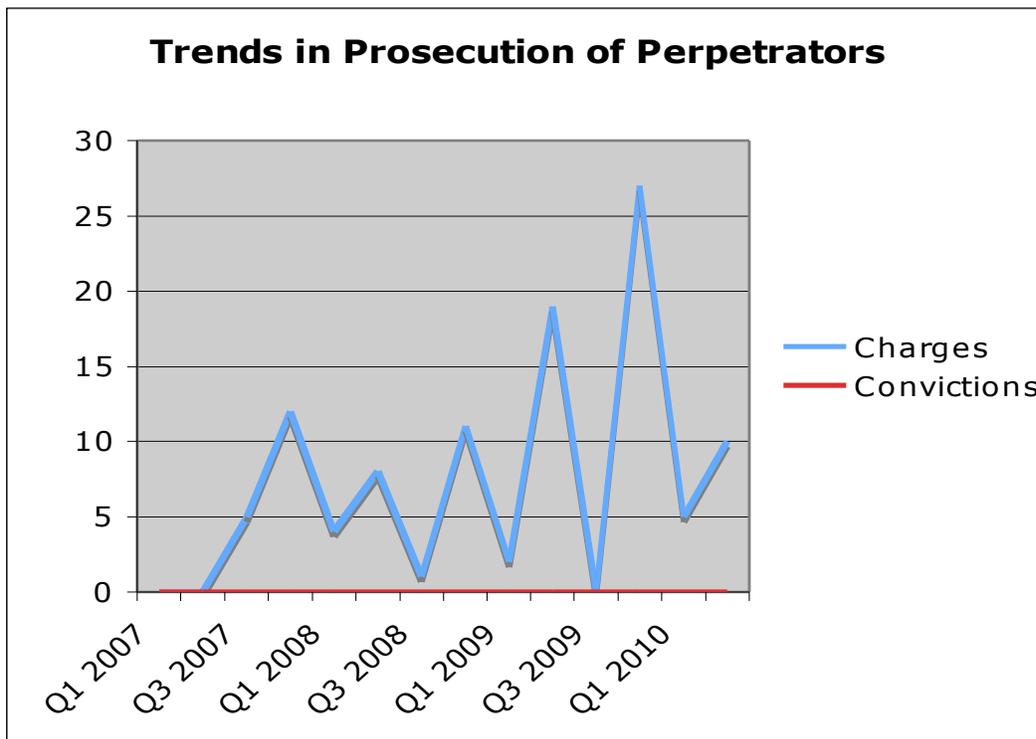
In addition, the evaluation team considered direct project beneficiary and key stakeholder perceptions of improvements, including the time required for cases to be filed and convictions secured and perceived risk by rescued victims providing testimony in the judicial process. Note that the latter indicator was necessarily gauged indirectly through those working closely with rescued victims. Direct project beneficiaries and stakeholders interviewed included two senior officials of the Office of the Regional and Provincial State Prosecutors, two judges, and two civil society representatives working on access to justice for women and children. Two IJM staff members also were interviewed with respect to the court system. A focus group discussion also was carried out with a sample of public prosecutors in Metro Cebu who received direct training and/or other support from Project Lantern (six participants). In total, data was collected from 14 individuals directly involved in or monitoring the court system.

The court system interview and focus group protocol identified key areas of inquiry for this group, criteria for inclusion in data collection, and guiding questions. One key constraint identified in the protocol was likely respondent bias due to the fact that many of those interviewed receive Project

Lantern support. While the evaluators sought to minimize such bias as much as possible, it is important to acknowledge and consider it in interpreting the data.

Quantitative data collected over the life of the project for PL’s main court system-related indicators show actual outcomes that greatly exceed the target for perpetrators charged with sex trafficking offenses but fall short on convictions.<sup>75</sup> With respect to the former, charges have been brought against 104 alleged perpetrators, over ten times the life of project target of 10. In a system historically marred by police inaction and ineptitude in filing proper complaints with the public prosecutors offices, settlements before pursuing court cases, and, for those few that did make it into the judicial process, under-pressure victims refusing to testify, this would appear to be a major accomplishment. As noted in the Law Enforcement section, one has to interpret these actual numbers relative to targets with care, given the difficulty of establishing baseline data against which to compare PL-supported results and of knowing the basis on which PL targets were fixed. Still, given anecdotal evidence of low baselines for these indicators, the project greatly exceeding its targets presents a picture of significant forward movement in the system brought about by the project. The data are presented chronologically in the graph, below.

Figure 6 Charges and Convictions under RA9208, 2007 - Second Quarter 2010



<sup>75</sup> Data cited here is from Project Lantern’s Data Tracking Table, attached to the July 2010 Quarterly Report to the Gates Foundation.

In a functioning system we should see a bump in convictions *after* an increase in charges. The fact that the red line sits at zero over the entire life of the project illustrates the bottleneck in the courts.

It is worth noting the uptick in late 2009 is associated with a spike in the number of police arrests brought about by RATTF's stepped-up campaign against major commercial sex establishments in the last quarter of that year, as discussed in the Law Enforcement section, above. Project Lantern lawyers have succeeded in working with the police and public prosecutors to demonstrate that the system leading to filing of solid cases against perpetrators can work. An important part of this has been the project's collaboration with DSWD to more effectively protect, care for and counsel rescued victims, enabling those who want to press charges to do so with a heightened sense of confidence and security. Yet such efforts are not without controversy. The timetable for filing criminal cases under the law is at odds with the condition of girls just rescued from sexual exploitation, who need time to come to an informed decision that they want and are prepared to proceed along these lines (see text box, below).<sup>76</sup>

### **Victims and Justice**

*Let me add this insight on why some victims will not pursue filing a case. There has to be change in the process. After the rescue, there's a two-week prescribed period in filing a case. For me, this is not enough in the preparation for the client to file a case. Although these children agreed to file a case thinking everything will be over soon. But in reality, they have to stay in the center as the case prospers [sic]. Even if you given them explanation and let them understand that they need to be in the center, they have different perspectives because they were not fully prepared. In social work point of view, it's not the case...it's enough for [some children] that they were rescued. The condition of the victim, whether she is ready, should be taken into consideration before filing a case....It is not a matter of the number of cases filed....The filing of the case should not be given the primary consideration but the healing of the child. Once healed, she could later be willing to seek justice.*

- Aftercare NGO Focus Group Participant (17 August 2010).

Even where the recovering victim is clearly ready and willing, qualitative feedback from relevant stakeholders made it abundantly clear that her decision to come forward as a witness in the judicial process remains fraught with risk, to her personally and to her family. Alleged perpetrators and their

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<sup>76</sup> The focus group participant quoted in the text box spoke primarily in Cebuano: "Let me add this insight on why di mo pursue ang mga victims in filing a case. There has to be change in the process. Kay after the rescue within two weeks mo-file dayon silag caso. Para nako not enough ra gyud ang preparation sa cliente. Although kaning mga bataa mo file lang ug kaso para mahuman kay inig file nilag affidavit mo stay man sila sa center. Madugay sila sa center. Bisan unsaon pa nimo pasabot, lahi gyud ilang huna-huna kay wa sila ma-prepare kaayo. In social work point of view, it's not the case. Bisan pag wa sya mag file ug case unya na-retrieve(rescue) sya nakatabang na ka sa iyaha. Before unta mo- file ug case, bahalag dugay (beyond the prescribe period) basta willing gyud sya. It's not the number of cases that you file kay mo-prosper man na sya kung andam ang cliente. The filing of the case should not be given the primary consideration but the healing of the child. Once the child is healed, she could later be willing to seek justice."

associates have become increasingly adept at getting to victims and their families and enticing or pressuring them to walk away from criminal prosecution. In light of this, even where charges are brought, moving cases through prolonged trials to the finish line is hugely challenging.

With respect to the latter project indicator, PL secured its first conviction – against a life of project target of five – in August 2010 while the evaluation team was on the ground in Cebu. In the face of a judicial system in general on life support, an endless litany of delay tactics employed by lawyers defending alleged perpetrators (particularly those from larger establishments with deeper pockets, whom IJM and government partners increasingly have been taking on), and the barriers to victims serving as witnesses, this was a major victory and the project team hopes it will be the first of several such convictions in the months ahead. Qualitative data suggest that, in spite of PL’s considerable efforts to expedite the judicial process for sex trafficking cases, they are moving (or not moving) through the system on a par with other major criminal cases. In other words, the delays in convictions appear to result from broader systemic issues (more than anything concerning a lack of courts and judges, along with inefficiencies and no doubt some degree of corruption) rather than any specific blockages affecting sex trafficking cases in particular.

### **Project Lantern’s Role**

Qualitative data more generally help to bring out connections between project activities and investments and the outcomes presented above. With regard to effective prosecution – from the preparation of affidavits and filing of police complaints that spell out and address the elements of the crime to the public prosecutors’ initial determination of probable cause and submission of cases to the courts – Project Lantern was widely recognized as having filled a critical gap in three areas.

#### Building Cases

First, feedback from both PNP and public prosecutors shows that IJM training on RA 9208 and assistance with translating an understanding of the elements of the crime into a well-argued, evidence-based case for conviction in a court of law responded to a real need. PNP respondents repeatedly referred to the value of project support in the preparation of legal documents, e.g. affidavits, that satisfy the elements of the crime. On the side of government prosecutors, they appreciated the clarity PL training provided in terms of the standard for evidence required by the law and several reported they have applied this new knowledge and expertise in coaching the police as they pull together initial complaints. Although there is some disagreement about whether and how far public prosecutors should go with this, given their quasi-judicial role in determining probable cause, most respondents reported they advise police to ask them for help in constructing the case against accused perpetrators. As one put it, “We call the police and tell them evidence is lacking...we will be the ones suffering in court if we don’t help.”<sup>77</sup> In fact, PL lawyers themselves have directly supported the police in “building cases” – i.e. organizing the facts, assembling the evidence and presenting well-argued complaints that clearly set forth and satisfy the elements of the crime. One respondent described how, early on in the process, the defense typically will

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<sup>77</sup> Public prosecutor. (16 August 2010). Focus group discussion.

file a “counter-affidavit” to which the police must respond. Without IJM, there would be no reply, he argued.

### Prosecuting Cases

Second, most government prosecutors interviewed referred to how helpful seminars and technical training on effective prosecution had been in enhancing their knowledge and ability to prosecute sex trafficking cases. However, respondents observed that many of their colleagues have not received the training and that, even among those who have benefited, application of the content of the training is uneven. For example, the need for follow-up training and attention to the handling of traumatized victims appearing in court to testify was mentioned. One respondent expressed a desire to have periodic updates on the relevant jurisprudence as prosecutors do not have connections to the Internet in their offices.

IJM also produced and distributed to trainees and others a reference book containing a breakdown of the law and practical tips, illustrations and advice for prosecutors.<sup>78</sup> While some respondents referred to the reference book and how it is a useful guide, some appeared less familiar with it.

The fact that some public prosecutor trainees are less involved in sex trafficking cases stems from the fact that they are not assigned to family courts (in Mandaue and Lapu-Lapu, for example, where there are no family courts) and thus not as specialized in dealing with crimes affecting children. Perhaps more significantly, some are less involved due to the common practice of handing these cases over to IJM lawyers as private prosecutors specialized in RA 9208 cases, technically with the government retaining overall responsibility and control but, as a practical matter, allowing public prosecutors to focus elsewhere and letting IJM handle things effectively on their own.

Building on the above point concerning PL lawyers, with DOJ approval, becoming the official prosecutors for sex trafficking cases, respondents appreciated the expertise and specialized attention PL lawyers have brought to bear in moving RA 9208 cases through the system. “They give the pleadings more extensive discussions”<sup>79</sup> than we are able to do, said one respondent. Another agreed, stating that “issues are better countermanded” – “more extensively and exhaustively”<sup>80</sup> – with IJM. Yet another described PL lawyers as “very industrious” and observed that cases have picked up as a result of IJM’s promptness, focus and dedication<sup>81</sup>. This last point no doubt reflects the project’s establishment of an internal target of moving PL-supported cases through the system in 2.5 years or less, with time targets for each step in the process.<sup>82</sup> At one level, the qualitative data provide strong evidence of positive PL impact on casework, in the form of strengthened research, preparation and argumentation of cases and active monitoring and follow-up to move them as expeditiously as possible through the system.

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<sup>78</sup> International Justice Mission. Seek Justice: Anti-Trafficking Prosecution Guidebook.

<sup>79</sup> Public prosecutor. (16 August 2010). Focus group discussion.

<sup>80</sup> Ibid.

<sup>81</sup> Ibid.

<sup>82</sup> An internal Project Lantern system places time targets on every stage of the legal case and then PL works to keep cases moving as expeditiously as possible.

At another level, what appears lacking is more demonstrated leadership on the part of senior regional and city public prosecutors and the development and dedication of specialized capacities, working alongside IJM, in prosecuting and seeing through to conviction sex trafficking cases (something akin to the RATTF within PNP). The project actually started to go down this path with its targeted training of family court prosecutors (family courts handle all cases involving minors) and the formation, in Cebu City, of an anti-trafficking task force made up of six to seven prosecutors newly specialized in RA 9208, but that approach ran into three significant systemic obstacles. First, the PL team realized that public prosecutors are assigned randomly to preliminary investigations (the initial phase in the process when prosecutors decide whether complaints meet the probable cause threshold). Second, trained prosecutors were frequently tied up with other types of cases and not freed up when sex trafficking cases came on line; instead, cases were handed to whoever was most available at the time. Finally, in the project area, only Cebu City has family courts; in Lapu-Lapu and Mandaue Cities, sex trafficking cases are assigned to general courts along with everything else so there are no prosecutors specifically assigned to and trained in family law (who could then be trained up and become specialists in RA 9208 cases).

In response, PL shifted gears and offered its training to all public prosecutors in the three cities. Given the practice of sex trafficking cases going to potentially anyone, this has helped to diffuse some level of familiarity and expertise across many public prosecutors. The challenge remains, however, of strengthening the government's ownership and effective leadership of RA 9208 cases when prosecutors are not more deeply specialized and are stretched to keep up with a wide diversity of cases covering all matters of law. In this sense, the project's original vision of building a specialized team of prosecutors to handle trafficking cases should not have been abandoned.

In probing the degree of prosecutors' involvement in sex trafficking cases, several respondents gave the impression they are relieved to have IJM shoulder the load with all the other work on their plates, suggesting they may be only distantly engaged. More positively, many agreed "that the support from IJM is collaborative, with prosecutors and IJM lawyers conferring on every aspect of the case."<sup>83</sup> The assessment of the "teamwork" was very positive: "IJM is open to suggestions. It's been my practice to call their attention before each case."<sup>84</sup> Still, the bottom line is that there is heavy reliance on PL to move prosecutions through the system and no sign of that abating in the foreseeable future (see the discussion related to this in the next section, below).

#### Monitoring and Facilitating Witness Participation

Third, prosecutors and judges alike cited PL's major contributions toward preventing witness tampering and enabling victims' testimony, an area that historically has been the "Achilles heel" of criminal prosecutions and convictions in cases such as these. The project's investments in DSWD's Her Space processing center, designed as a quiet, safe space for use, in part, to capture and record victims' sworn

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<sup>83</sup> Ibid.

<sup>84</sup> Ibid.

statements of what happened (helpful in terms of the quality and completeness of the affidavits on which complaints are based), and a woman and child-friendly waiting room or holding area at the Cebu City Prosecutor's Office to separate rescued victims from the accused during inquest proceedings were recognized and appreciated. Respondents noted, however, that victims are still accessible outside of the building. Perpetrators of sex trafficking crimes "have gotten very creative," as one put it, in reaching – and all too often influencing - their accusers and, perhaps even more effectively, the accusers' families. Still, PL's diligent efforts to maintain contact throughout the process with victims seeking justice and investments in bringing them as witnesses to the courts were recognized and appreciated by all.

Absent IJM, prosecutors described how they "don't expect the victims to be there" in these kinds of cases. "The most we can do is to ask the court to issue a subpoena [but] the victim will say 'I'm in Bohol – I don't have the fare.'"<sup>85</sup> The systemic solution to this problem is not evident and IJM's Herculean efforts to monitor and facilitate witnesses' appearances in court notwithstanding, PL does not appear to have nurtured change in the system that would sustain the level of witness participation the project has attained.

As regards the quality of witness participation in the process, one respondent highlighted how PL not only makes their presence in the courtroom possible, but also ensures they come prepared. Compared with cases not supported by IJM, she emphasized, "When [PL-supported] witnesses come to court, you can see right away that [they] are prepared and are confident when they testify." The witnesses are familiar with their affidavits, have discussed issues that may arise and questions that might be raised during cross-examination, and have been coached not to be afraid and to speak clearly, she added.<sup>86</sup>

With respect to the ultimate goal of effective prosecution of sex trafficking cases - i.e. criminal conviction and appropriate punishment of prosecutors, project success has been slow in coming. The overwhelming impression the evaluation team gleaned from the data collected is that delays in convictions do not stem from project shortcomings but rather are the result of a court system that is utterly bogged down, to the point that requirements under the law for criminal trials to last no longer than 180 days<sup>87</sup> are so far removed from what is realistically possible that they appear to be irrelevant. As noted above, the long-awaited first conviction came in August and gives hope for more to come.

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<sup>85</sup> Ibid.

<sup>86</sup> Judge. (18 August 2010). Interview.

<sup>87</sup> Republic Act 8493, "An Act to Ensure a Speedy Trial of All Criminal Cases before the Sandiganbayan, Regional Trial Court, Metropolitan Trial Court, Municipal Trial Court, and Municipal Circuit Trial Court, Appropriating Funds Therefore, and for Other Purposes" (commonly referred to as the Speedy Trial Act Of 1998), Section 6 .

## Project Lantern's Contribution to a Stronger Court System

### Finding

The evidence shows that Project Lantern has ignited greater awareness and professional commitment and attention to sex trafficking cases among public prosecutors and judges trained by the project. PL-generated enhancements to the court system, however, rely heavily on IJM's ongoing direct role in the building and prosecuting of cases, suggesting that key issues constraining effective criminal prosecution and conviction have been overcome through an injection of project resources rather than needed changes to the system.

The finding is supported by data collected and reviewed relative to the normative system rating scale. As with the previous question, the primary data sources are Project Lantern stakeholders, primarily those directly involved in prosecuting and adjudicating cases, as well as related project documents. Using the system dimensions of the rating scale of system strength as an organizing frame, this section will review Project Lantern's efforts to strengthen the court system as it relates to sex trafficking cases and evidence of resulting changes in the system, and discusses positive and negative results attributable to or correlated with PL investments and interventions. Finally, it discusses future recommendations related to challenges and opportunities to expand upon the momentum created by the work of IJM and its partners in the area.

In looking at the court system in particular, the project has addressed what it understood to be key gaps in the system, including, first and foremost, the absence of trained and dedicated capacity to prosecute and convict sex trafficking criminals. As with the other components of the PJS, the underlying assumption for PL was that what the system was primarily lacking was capacity; hence the heavy emphasis on training and related material and technical support to the public prosecutors offices and the courts. Over time, the project evolved to reflect a growing emphasis on political will and the government ownership and leadership required to achieve major, sustainable impact on sex trafficking in the Philippines. Yet such evolution has occurred only since late 2008 and new interventions to elevate political will, strengthen government leadership, and build social demand are relatively nascent.

### 1. Political Will and Leadership

With respect to political will and leadership to move prosecution of perpetrators of the crime of sex trafficking through the court system, Project Lantern essentially found some, limited support in elevating this issue as a priority to be given expedited treatment. Just like with law enforcement, though, sex trafficking does not appear to rise to the level of drugs, murder and other heinous crimes, and, in the case of priorities for the family courts, domestic violence. In a system where all cases languish, the prospects for fast tracking sex trafficking cases are not particularly good. At any rate, the project has not tried to address the constraint of limited political will and leadership head on, although

going forward this will be of growing importance, as evidenced by recent advocacy to the US Government (in relation to the TIP report) and directly to the Government of the Philippines.

## **2. Structures, Accountabilities and Partnerships**

With respect to clear delegation of authority and responsibility to a lead government agency and understood, agreed division of labor across government agencies concerned, for the court system this is clear. The Department of Justice is in the lead on prosecuting these cases and the Supreme Court supervises administratively all courts and judges. As touched on above, DOJ has ordered prosecutors to prioritize trafficking cases but there is no mechanism to fast track them (or any other types of cases) through the court system and, in the courts themselves, other types of crimes are considered ahead of human trafficking cases. The project has not touched on these systemic issues but it has sought to advance partnerships and collaboration between public and relevant private or civic agencies connected, in some fashion, to the court system as it relates to sex trafficking crimes.

In the process of directly preparing and pushing cases through the system, the project has focused extensively on 1) PNP's capacity to file complaints presenting clear evidence of commission of the crime of sex trafficking with the public prosecutors' offices and 2) DSWD's capacity to protect, counsel and care for rescued victims, thereby facilitating their participation in criminal prosecution of the perpetrators. These efforts clearly have facilitated greater inter-agency contact and led to more and higher quality cases moving through the system. That said, it is not clear how sustainable what PL has engendered in this regard is. Once Project Lantern is finished, what changes have been institutionalized to facilitate inter-agency collaboration for more efficient and effective prosecution leading to conviction of the perpetrators? (See number 3 in the "Challenges and Opportunities" section below for further discussion of this.)

## **3. Investment and Management of Resources**

PL interventions in the court system have been more direct and unilateral than most of those seeking to strengthen law enforcement and aftercare, namely through the practice of seeking and receiving authority to serve as government-sanctioned prosecutors of sex trafficking cases. With the court system, the project has explicitly sought to be out in front, bringing single-minded focus and expertise to the task of moving cases successfully through the system in a way that public prosecutors cannot. PL's efforts to develop the resources of the court system are no doubt driven by the desire to expedite the process and produce tangible results (in the form of convictions, ultimately); this goes beyond its work from behind and alongside partners in the project's other spheres. This is not to say that the public prosecutors are not partners; in fact, PL has worked closely with them and strengthened their knowledge and capacities, as set forth above. What the project has not succeeded in doing, however, is empowering and enabling a specialized team of prosecutors, with strong backing from the senior managers (at sub-national levels, at least), to own and lead the prosecution of sex trafficking cases. This stands in contrast to PNP and the RATTF, for example, or even DSWD.<sup>88</sup>

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<sup>88</sup> See below, point 2 in the "Challenges and Opportunities" section, for further discussion of such a specialized capacity.

Ultimately, it also will be important for there to be an in-house capacity that can continue to conduct foundational trainings for newly assigned prosecutors and judges and refresher trainings to go over the basics while also covering the latest jurisprudence and any refinements in relevant rules and procedures, as well as update and develop further technical resources (such as the PL reference book). Project Lantern offered a number of well-received training courses but has not sought to roll out a training of trainers (as done with PNP on the law enforcement side) nor, apparently, to mainstream PL training in the standard, in-house “continuing education” curriculum for prosecutors and judges. Multiple respondents recommended developing further the project’s relationship with the Philippines Judicial Academy (PHILJA), building on the joint competency training in 2009, in order to institutionalize human trafficking training there and “ensure that there is some continuity.” Project Lantern could target PHILJA lawyers specialized in family law to deepen their knowledge and expertise in RA 9208 and human trafficking cases with an eye toward their serving as ongoing resources to prosecutors and judges, including through continuous offerings of relevant seminars and trainings.

Beyond human resources, PL has pumped significant financial resources into the court system, particularly to cover the costs associated with pre-trial deliberations and prolonged court trials themselves. Just as with the law enforcement system, this begs the question of the government’s own investments in the system (or lack thereof) and thus how important advances that result will be sustained when international funding, at some point, dries up. One pivotal area of PL financial support has been covering the costs associated with enabling witness testimony, universally appreciated as a major contribution of the project in a context where historically victims more often than not – “almost always” according to some - opted out of the process or simply disappeared. Given that the courts’ decisions in these kinds of cases “rise and fall”<sup>89</sup> on witness testimony, it is worrisome that respondents from among public prosecutors interviewed by the evaluation team did not express greater responsibility for and ownership of witness monitoring and ensuring that witnesses are able to participate in the legal process. While their heavy workloads and limited means make it difficult, it is primarily the duty of the public prosecutor to attend to his or her witnesses.<sup>90</sup> Instead, they appear to consider it IJM’s bailiwick, perhaps reflecting the fact that IJM has sought and been granted the role of prosecutor by the state in so many sex trafficking cases.

As with law enforcement, as human trafficking becomes more highly prioritized at the level of the central government broadly and the Department of Justice in particular, one can expect more sizable funding for more efficient and effective prosecution and adjudication of human and sex trafficking cases around the country, including in Cebu. IJM and its partners and allies should champion this, as planned for the next phase of Project Lantern.

#### **4. Oversight and Management of Service Delivery**

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<sup>89</sup> Judge. (16 August 2010). Interview.

<sup>90</sup> Office of the State Prosecutor. (9 August 2010.) Interview.

This is an area – at least on the financial side as concerns corruption - that has not been a focus for Project Lantern. Of course, corruption is a major factor that pervades the public justice system, but it is difficult for an organization like IJM to monitor and take on in the court system. What is more promising is a monitoring role vis-à-vis the rate at which sex trafficking cases are progressing, first, through the public prosecutors’ offices and, then, through the courts. Project Lantern has done that internally, as described above, but this is an area that could and should be developed as part of the system going forward (see below, number 1 in the following, “Challenges and Opportunities” section).

## Challenges and Opportunities

Overall, Project Lantern has contributed modestly to a stronger court system as it relates to sex trafficking in Metro Cebu. It has invested heavily in prosecution, leading to large numbers of cases filed in the courts, but has not yet concentrated on institutionalizing changes to the system that will sustain gains generated through the project’s substantial investment of resources. Through its work across law enforcement, aftercare and prosecution, it also has succeeded, to a degree, in facilitating important inter-agency coordination and collaboration in the overall law enforcement and broader PJS response. The evaluation brought out several key challenges and opportunities to change in the court system:

1. Clearly the first major challenge is a court system collapsing of its own weight, with insufficient numbers of prosecutors, courts, and judges to deal with the cases before them. When coupled with inefficiencies, delay tactics employed by well-paid defense lawyers, and some degree of corruption, the system is daunting for those pursuing justice and accountability vis-à-vis perpetrators of sex trafficking. Are there any opportunities for ***fast tracking human trafficking cases***? IJM’s advocacy for more significant progress on prosecutions and convictions clearly has made a mark in the US Government’s Trafficking in Persons Report, and hopefully this will lead to national-level push by DOJ and the Supreme Court to expedite trafficking cases in the system.

Even in the absence of a push from the top down, if there were a high-level forum for court system stakeholders in Region VII to come together – senior judges, public prosecutors and major NGO partners such as IJM – all might agree on feasible (but at least somewhat ambitious) targets for moving these cases through the various steps in the process and then monitor actual progress regularly as a group, identifying ways forward where there are blockages and trying to meet agreed targets. Some level of additional focus on human trafficking from the level of Manila probably would be needed for senior regional representatives from DOJ and the courts to collaborate along these lines and take the measures required to reduce inefficiencies and stamp out unnecessary delays. Then again, DOJ already has a system for monitoring and reporting progress on these cases<sup>91</sup> and the Regional State Prosecutor

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<sup>91</sup> According to participants in the prosecutors focus group discussion, the maximum period given to prosecutors to file these cases is 60 days and movement of cases is monitored (“aging of cases”) via monthly reports filed to a task

requested IJM support in assisting monitoring the status of trafficking cases prior to and after they are filed with the courts, for purposes of expediting them as much as possible, so the ground is fertile.<sup>92</sup> Project Lantern’s own target-setting and monitoring of the time required for PL-supported cases to move through the various steps in the process could serve as a useful reference point for such an inter-agency effort.

2. As suggested above, Project Lantern’s aborted attempt to put in place a city-level **anti-trafficking task force** made up of a select group of prosecutors trained and dedicated to moving RA 9208 cases efficiently and effectively through the system should be resurrected and promoted by the project going forward. Specialized prosecutors and judges, if actually assigned sex trafficking cases, could go a long way toward heading off the risk of an international NGO (IJM in this case) indefinitely doing the work that the responsible government agency (DOJ Prosecutors) should own and be doing more and more of over time, even if alongside PL lawyers for a period of time. When asked why cases could not be assigned to public prosecutors newly specialized - with PL training and support – in human trafficking, respondents’ answers were less than satisfactory. One expressed regret that “as prosecutors, we weren’t organized enough.”<sup>93</sup> This is an issue that must be addressed if a dedicated government capacity is to be developed and sustained. As a practical matter, in line with Project Lantern’s initial approach, it would appear most feasible and appropriate to concentrate RA 9208 training and technical support on prosecutors and judges dealing with family law matters. This vision should be promoted and pursued as standard practice in the system, assuming family courts will come on line in Mandaue and Lapu-Lapu in the not-too-distant future.<sup>94</sup>

3. A key lingering challenge – that the project has overcome with its own resources for cases with which it’s assisting – is the issue of disorganized, rushed and incomplete **complaints filed by the police**, which all too often lead to deserving cases being thrown out or charges downgraded (e.g. to illegal recruiting instead of trafficking): “The evidence presented to the prosecutors...doesn’t usually suffice for filing a case for trafficking. Specifically, the third element in...a trafficking case, exploitation, is difficult to establish. [One] may present clearly evidence of recruitment and the means of trafficking – establishing the first two elements defining the crime of trafficking – but showing the ultimate purpose of sexual exploitation is not always clear. So, typically, we end up downgrading cases to illegal recruitment, especially if recruiters don’t have proper licenses....”<sup>95</sup>

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force at DOJ Manila. There are allowable circumstances for extension, e.g. a case where a prosecutor was waiting for an affidavit.

<sup>92</sup> Office of the State Prosecutor. (9 August 2010). Interview.

<sup>93</sup> Office of the State Prosecutor. (12 August 2010). Interview.

<sup>94</sup> Then again, adult trafficking victims’ cases would not be handled by the family courts, so maintaining some broader training of prosecutors and judges on an ongoing basis makes sense as well.

<sup>95</sup> Office of the State Prosecutor. (12 August 2010). Interview.

One civil society partner of the project has developed an interesting model of inter-agency partnership that could serve as a useful precedent for PL going forward (see text box on the Child Rights Protection Units). Other approaches suggested by respondents are also worthy of consideration. Perhaps the most immediate measure that could be taken to put in place a more institutionalized mechanism for police officers in need of legal assistance in filing sex trafficking cases would be to connect them with public prosecutors already receiving PL's specialized training and technical support. One PNP respondent noted that they are not aware of which public prosecutors have received PL's RA 9208 training and that it would be helpful to be able to seek out their assistance in a more systematic fashion. Although some prosecutors expressed the view that, given their judicial role in determining probable cause at the outset of the process, they should not get involved, one judge interviewed by the evaluators confirmed that law enforcement can 1) ask prosecutors for legal advice before filing the complaint and 2) ask prosecutors even after the initial filing, just not the one handling the case. Another idea brought to our attention that may be worth pursuing is to facilitate an arrangement whereby 4th-year law students could assist the police in the filing of these kinds of cases, as a kind of practicum attached to their coursework.<sup>96</sup>

#### **Child Rights Protection Units: A Promising Innovation for Filing Complaints**

*While focused on child abuse more broadly, the Children's Legal Bureau (CLB) has invested heavily in establishing and strengthening Child Rights Protection Units, multi-disciplinary teams made up of law enforcement, public prosecutor, social worker and other representatives at the local government level. These teams are trained and work together to ensure, among other things, that cases of abuse are properly and persuasively assembled before filing them with the relevant prosecutor's office. The police are provided with guides for interviewing witnesses and addressing all elements of the crime. The prosecutor on the team can check the work of the police and assist in strengthening the documents to be submitted. One option for Project Lantern going forward is would be to work with CLB to integrate more focused training and support on RA 9208 and the prosecution of sex trafficking cases in particular into the work of the Child Rights Protection Units. NGO manager. (19 August 2010). Interview.*

With respect to rescued victims processed through DSWD, when IJM leaves, who will assist in taking their affidavits and work with law enforcement to file well-prepared complaints with the public prosecutor's office post-Project Lantern? The only legal aid groups mentioned by respondents were Children's Legal Bureau or CLB and LAW, Inc., and, with IJM, they have agreed on a division of labor and referral system by which IJM handles sex trafficking, CLB child abuse, and LAW, Inc. labor abuse cases.<sup>97</sup> In the longer run, it will be important for IJM to seek to engage a Philippine NGO like one of these and build up their commitment and capacities to provide such assistance to the victims of sex trafficking.

4. The **protection of the witness** in the course of prosecuting perpetrators is of paramount importance, as explained above. Project Lantern has gone to great lengths to protect and enable the participation of recovering victims in the legal process, but a systemic solution to this challenge appears elusive.

<sup>96</sup> Judge. (16 August 2010). Interview.

<sup>97</sup> NGO manager. (14 August 2010.) Interview.

Although credited with boosting significantly witnesses' participation in court cases, even IJM is struggling with witness protection as sex traffickers become more and more active in their efforts to impede justice. They coach victims, while still under their control, not to cooperate with law enforcement, DSWD and IJM. When they themselves cannot reach victims kept in protective custody, they are going as far as to pressure victims' families to seek habeas corpus, i.e. the release from detention of their children so that a "settlement" can be reached and cases against them dropped (with the victim recanting her original statement of what happened and refusing to cooperate further).<sup>98</sup>

The court system in the Philippines does have a witness protection program but apparently one that fails to cater to victims of sex trafficking crimes. As one senior member of IJM's staff in Cebu described it, "The primary impediment is that the program is not offered unless the witness can prove, through evidence such as copies of police reports filed against the one threatening, etc., that there has already been a clear, specific threat made that is likely to be realized. Our witnesses are intimidated well before this kind of clear threat and if there is such a threat they are unlikely to report it to the police." When applications are made (for witness protection), they sometimes are not even answered.<sup>99</sup> This is an area that requires strengthening going forward, including the allocation of significant resources to ensure that suspected criminals are not manipulating victims and their families for their own purposes and, in the process, preventing justice and accountability from being served. Ultimately, a more systematic approach to ensuring witness protection and funding their transportation and other expenses to participate in the process is essential, not to mention providing the moral support required.

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<sup>98</sup> Incidentally, these new, more sophisticated tactics can be interpreted as the result of PL-supported success in cracking down on sex traffickers, particularly since going after bigger, more significant establishments that have high-powered legal counsel defending them.

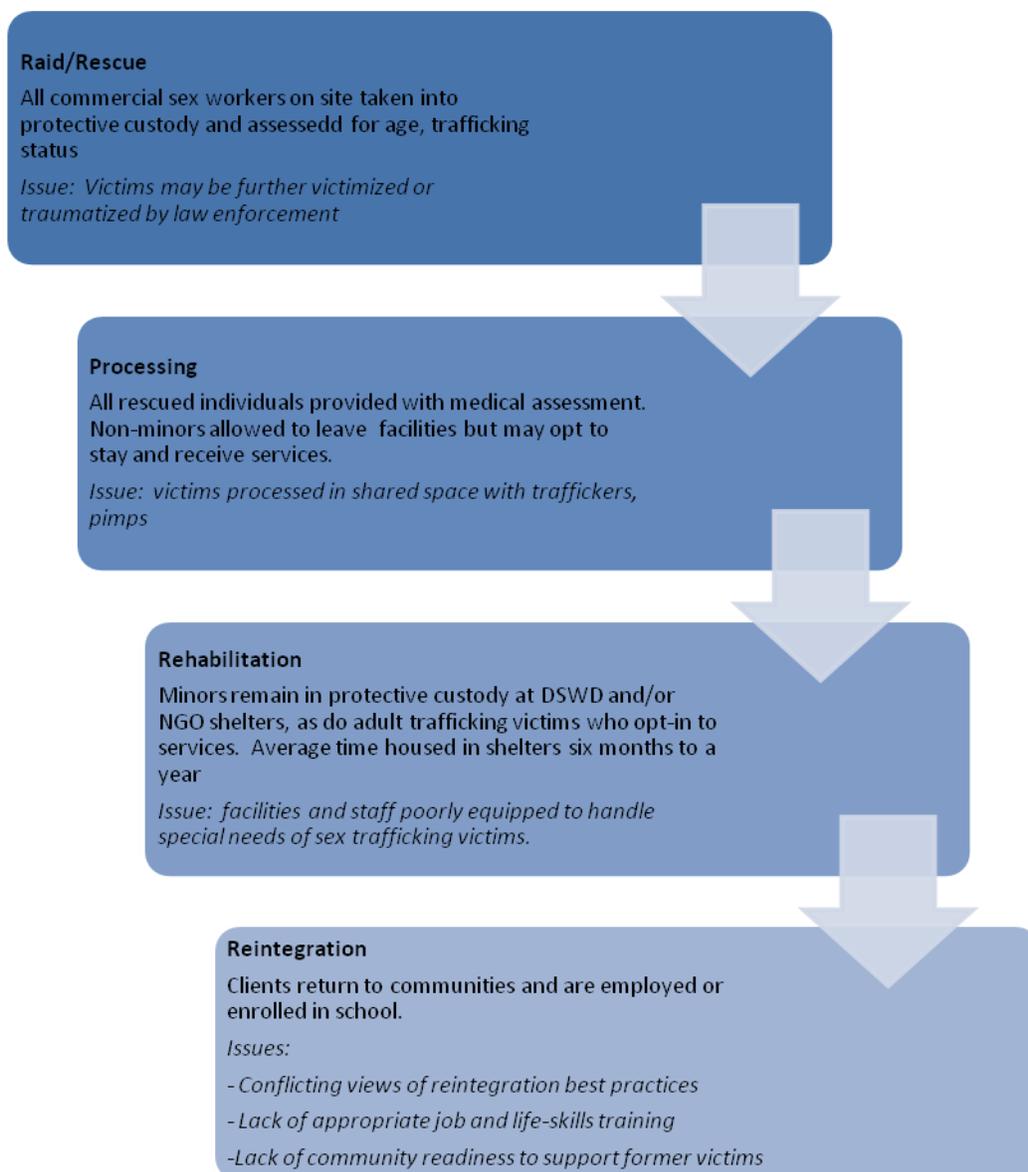
<sup>99</sup> United States Government. Department of State. (June 2010). "Trafficking in Persons". [Online] <http://www.state.gov/g/tip/rls/tiprpt/2010/142747.htm>

## IV. The Aftercare System

### Overview

Generally, from the point a trafficking victim enters the aftercare system, the process is plagued by weaknesses in infrastructure, professional capacity, institutional commitment and resources, and clarity of client needs and care strategies (such as best practices and how to successfully rehabilitate). The graphic below illustrates indicative issues at each stage of the aftercare process, at least as of the beginning of the project. Subsequent sections will discuss IJM efforts to addressing gaps and building aftercare system capacity and subsequent changes that are emerging in response to those efforts.

Figure 7 Overview of aftercare process



Issues that needed to be addressed, according to aftercare providers, were a lack of response from law enforcement, raids on business establishments marked by treatment of trafficking victims as criminals, and even sexual exploitation of victims by law enforcement. This lack of distinction between criminal and victim continued in the processing after police raids, where victims were placed in the same holding room as the traffickers and/or pimps or other individuals involved in their exploitation. These issues undermine victims' confidence that the system is working in their interest and deepens the trauma of their experience and makes the job of the aftercare system that much harder.

In terms of rehabilitation and reintegration, the available shelters and their staff were simply not equipped to address the particular needs of trafficking victims. It also must be added that the system really was not tested in this regard, because the rescue and rehabilitation of sex trafficking victims was not a priority. In this respect also, the concept of a victim seeking justice seems to have been largely absent. It is into this context that Project Lantern was introduced to Region VII in 2007.<sup>100</sup>

### Description of Project Lantern vis-à-vis the Aftercare System

Overall, Project Lantern's efforts to strengthen the aftercare system have focused primarily on improving the delivery of aftercare services through DSWD and accredited aftercare providers. The project has made significant investments—\$221,789 on aftercare capacity building projects from the start of the project<sup>101</sup>—through grants to supplement operating budgets and pay for improvements to infrastructure, direct support and training IJM, through Project Lantern, has also played an extra-institutional function, working in ways the system could or would not. Based on consultations in 2007 with Region VII DSWD and aftercare providers, IJM identified the following gaps in the aftercare facilities and services provided at the facilities, and oriented its project interventions to fill those gaps:

1. Personal security – *the maintenance of secure facilities capable of keeping residents in protective custody and preventing access to them by former traffickers.*
2. Physical health – *providing the range of physical and mental health services to victims, from initial examinations to appropriate follow-up care.*
3. Psychosocial recovery – *an adequate program of counseling provided by service providers trained to address the special needs of sex trafficking victims*

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<sup>100</sup> However, IJM's interaction with the aftercare system started with its initial Manila-based collaboration with DSWD in 2001.

<sup>101</sup> International Justice Mission. (August 2010). "Project Lantern Quarterly Report (2010 Quarter 2)".

4. Economic self-sufficiency and reintegration—*preparation of the victim for reintegration in the community, including means of economic support and continued, consistent follow-up aimed at preventing her from being re-trafficked or reentering commercial sex work.*<sup>102</sup>

A memorandum of understanding between IJM and DSWD, Region VII Office was signed in 2007, detailing agreement on collaborative work to address these gaps. The MOU was subsequently supplemented in early 2009 and renewed in late 2009 to run through 2012. In addition, IJM has provided direct support to a small number of other government and NGO aftercare service providers, entering into six MOUs “whereby partners have provided services to PL clients and PL has provided capacity building assistance to partners.”<sup>103</sup>

### **Training**

During the course of the project, IJM provided 17 technical trainings to aftercare service providers, including DSWD, community psychologists and accredited NGO aftercare providers. In the first year of the project, PL assessed DSWD training needs, and oriented the training to develop staff skills in the expectations and managements of sex trafficking victims’ behavior in a shelter. Much of the training was focused on fundamentals, such as understanding the dynamics of trafficking victims, how to intervene and respond to issues that may arise with these victims, such as “aggression, suicide, trauma, [and] depression”.<sup>104</sup>

### **Facilities and program enhancement**

IJM’s resources have been both a tool to create entry points with partners as well as a critical source of material support. In regard to DSWD-7, IJM has invested significant resources into plugging gaps in skills, procedures and infrastructure, starting from rescue operations through rehabilitation, with more recent efforts directed toward reintegration. The spectrum of these investments illustrates the needs and the shifts required to reorient to the care of sex trafficking victims. They range from more significant investments in infrastructure, such as the *Her Space Processing Center* so that victims are provided with discrete, secure space that is oriented to their needs (and so they are no longer held in the same space as perpetrators waiting for criminal processing) to more minor but significant resources such as food, buses to transport victims after raids, and kits containing toiletries and clothing for rescue victims that the current system has not had the resources to provide nor understood as important to the security and well-being of victims.

Perhaps most significant was the repurposing of the DSWD-7 Regional Haven Shelter from a shelter for victims of domestic violence to its current role as the primary short-term residential facility for trafficking victims after they have been rescued. These changes involved addition of a padded isolation

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<sup>102</sup> Sawchenko, Andrey and Mae Sampani-del Mundo. (9 August 2010). *Memorandum: IJM-DSWD Anti-Trafficking Partnership in Region VII, May 2007-July 2010, Results and Recommendations*.

<sup>103</sup> International Justice Mission. (August 2010). “Project Lantern Quarterly Report (2010 Quarter 2)”.

<sup>104</sup> IJM staff. (29 July 2010). Interview.

room for violent victims (also used as meditation space), staff training, addition of a resident psychologist.

### **Reintegration**

Transition from aftercare rehabilitation services to successful reintegration into a community where the former victim is able to support herself without reverting to commercial sex work or being re-trafficked involves an additional set of institutions and variables. Job training and economic self-sufficiency have been a primary strategy of the project, though a more recent and evolving investment. Recognizing the limitations of efforts to date, a new “Economic Self-Sufficiency and Re-Integration (ESSR)” project is planned for launch in September 2010.

### **Filling in Missing Links**

While IJM work in this area has been extensive—literally patching up physical gaps in fences to building professional capacity of social workers—there are two links it provides that other agencies are unable or unwilling to provide.

First, linkage of aftercare services to prosecution of anti-trafficking cases is an area where IJM has filled a particular niche. Even when a victim wishes to testify, she is subject to intense pressure and threats by her accuser and even her family, who may have ties, be under some threat or have received hush money from the traffickers. Protecting these victims is a long-term proposition, given the drawn-out legal process. As described by one aftercare provider who runs an educational institution:

*Some of them have on-going cases. It is good for us...to have place where we can secure them, even separate them from their parents especially if the parents is on the side of the traffickers already. They have to be put in a place where even the parents and the family do not know the location....There was one case when they have to put the victim in Manila. It was very expensive to fly her [to Cebu] every time there was trial but the IJM was very successful in that.<sup>105</sup>*

Second, IJM’s niche has also been to play a role the aftercare NGOs cannot take on—such as surveillance of minors engaged in prostitution—or risk losing their access to the communities where they work<sup>106</sup>. Community-based aftercare NGOs feel they must delicately balance the need for community access and trust with the need to take steps to protect victims and/or secure justice. IJM is able and willing to take on the risks these organization cannot. As three focus group respondents described:

Respondent A: *In that case, we refer it to IJM. They can do something if the situation really requires for legal protection. But we request them not include [the name of our organization].*

Respondent B: *We feed the information to IJM, we give them the picture of the children, o kamo*

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<sup>105</sup> Aftercare NGO representative. (17 August 2010). Aftercare NGO Focus Group.

<sup>106</sup> This distrust of IJM amongst community members relates to its reputation as a dogged legal advocate, and the NGOs interviewed as part of this evaluation agreed that involving IJM was critical to making the public justice system work on behalf of the victims. Community distrust of the police, lack of faith in the law enforcement system, also colors the view of IJM, however unfairly.

na bahala ana (*it is up to you now to do something or act on the information we provided.*). But we do not want to be identified with IJM otherwise we cannot anymore work in our community.

Respondent C: *No, no, not that we don't want to be identified with IJM. With the kind of work we had, we cannot expose our identity. If these people knew that we worked with IJM, that's the end of our work, we cannot anymore work in our communities.*<sup>107</sup>

This need for distance in no way inhibits NGOs' desire to work with IJM; the relationship must be quiet and not a publicly visible collaboration. ("We want to work closely, but we don't want to be identified with them."<sup>108</sup>)

In reviewing changes in the system, it is important to reiterate aftercare services at the starting point of this project—where the existing system had to be jump-started to begin rescuing victims in earnest and scrambled to put appropriate infrastructure and capacity in place to meet the immediate and short-term needs of victims, with little clarity on effective reintegration formulas. While aftercare providers face daunting challenges, they do so in a spirit of partnership with IJM.

### ***The Evaluation***

To assess changes in the aftercare system, the evaluation utilized IJM's extensive documentation of plans and progress and direct collection of data through stakeholder interviews and focus groups. While this data was primarily collected from individuals directly involved in aftercare, interview respondents involved in other areas of the public justice system—e.g. police, prosecutors, judges—also commented on aspects of the aftercare system, underscoring the interconnectedness of all aspects of the system.

The aftercare interviews and focus group protocols were designed to generate data on:

3. Evidence of changes in aftercare services
4. Evidence of Project Lantern's role in changes to the Cebu aftercare system

The *first question* is concerned with short-term changes in the access of victims to aftercare services; the *second question* examines the aftercare system in greater detail, through the lens of system components, and discusses changes and prospects for the future.

The evaluators conducted interviews with two IJM staff, five DSWD managers and aftercare staff and three organizations accredited to provide aftercare services. Two focus groups were conducted, one with the leaders of accredited aftercare providers with whom IJM has worked through Project Lantern (five participants), and one with DSWD staff whom IJM has trained in provision of aftercare services (nine participants). In total, data was collected from 24 individuals involved in aftercare.

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<sup>107</sup> Aftercare NGO representatives. (17 August 2010). Aftercare NGO Focus Group.

<sup>108</sup> Aftercare NGO representative. (17 August 2010). Aftercare NGO Focus Group.

## Evidence of Intended Changes in Aftercare Services

### Finding

Proxy indicators of changes in the aftercare system for former victims, supported by qualitative evidence indicate a direct increase in the provision of rehabilitation and reintegration services for aftercare clients. While an external vacuum of trafficking-related data prevents commentary on changes for the overall population of victims and, to a lesser degree, aftercare clients, Project Lantern has infused coherence in the system's response, improved a sense of professional agency and capacity, and directly contributed needed resources to the aftercare system.

Assessment of evidence of the intended changes in aftercare services focuses on changes for clients of aftercare services. In other words, [it assumes that] if there are changes in the Metro Cebu aftercare system—particularly, that it is more effective at meeting the needs and serving clients—changes could be anticipated in the access to and utilization of aftercare services by former victims. There also may be a decrease in the rate of former victims who are re-trafficked or voluntarily return to the commercial sex industry. As such, this question was assessed using the following proxy indicators of change, based on tracking data provided by Project Lantern<sup>109</sup>. Project stakeholder perceptions of changes in aftercare services were utilized to add depth and breadth to discussion of the quantitative data. While this section addresses these headline or dashboard proxy indicators of change, the next section addresses specific Project Lantern interventions related to the aftercare system, changes in specific elements of the aftercare system based on the normative framework for evaluating systems strength, and degree to which changes may be attributable to Project Lantern.

- Number of sex trafficking victims receiving IJM-supported rehabilitation services
- Number of former sex trafficking victims accessing education and/or vocational training
- Number of rehabilitation services clients who are reintegrated to a community

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<sup>109</sup> Adjustments to these indicators from those initially identified in the evaluation research plan were made to reflect the actual data being tracked by Project Lantern and the unavailability of reliable, related data from other sources. Original and changed indicators are:

- Number of sex trafficking victims receiving basic package of services for time required  
*Adjusted to:* Number of sex trafficking victims receiving IJM-supported rehabilitation services
- Number of rescued victims finding stable housing and safe, secure care and/or employment  
*Adjusted to:* Number of rehabilitation services clients who are reintegrated to a community

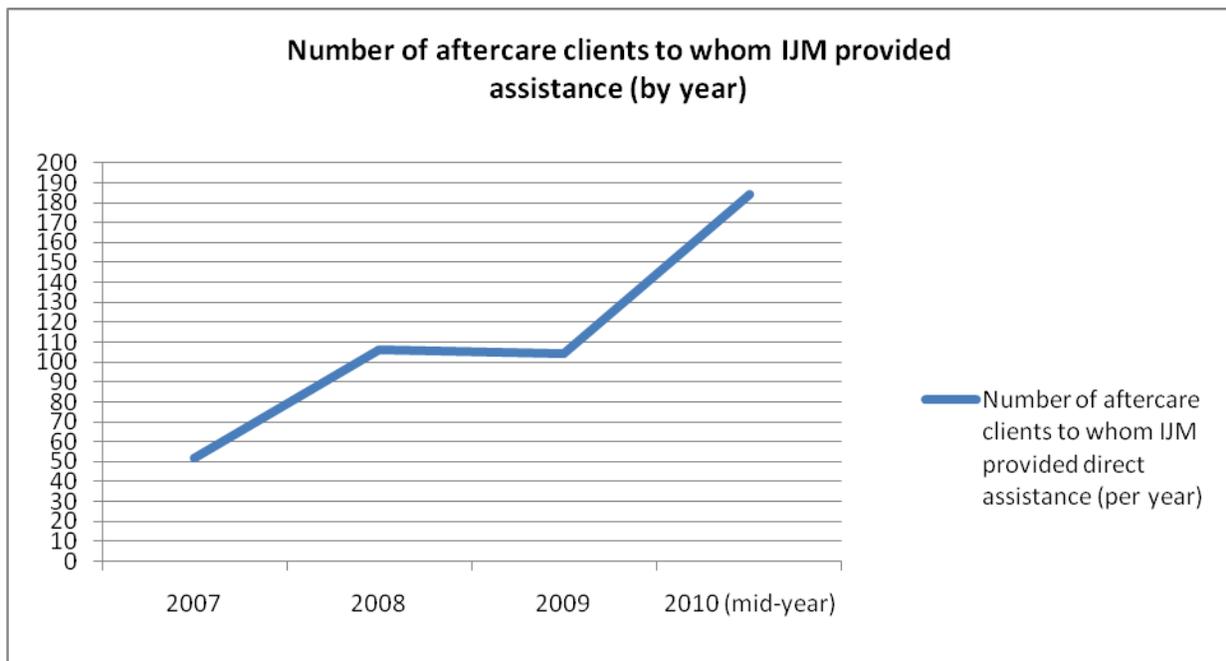
In addition, this section also notes the number of former victims who are tracked and confirmed not to have been re-trafficked within two years of their IJM-supported rescue. This indicator is discussed in the Outcomes section of this report, above, but is relevant here to the extent that it reflects the effectiveness and durability of aftercare services.

- **Number of sex trafficking victims receiving IJM-supported rehabilitation services**

Since the project inception, a generally steadily increasing number of clients who are former sex trafficking victims have received rehabilitation services supported by Project Lantern. The chart below illustrates the trend over the course of the project. While related data prior to the project is not available, nor is data related to the total number of clients receiving aftercare services, including services not supported by Project Lantern, anecdotal information provided by aftercare service providers credit IJM, via Project Lantern, with a significant increase in the number of trafficking victims who are rescued and who receive rehabilitation services.

Evaluation informants also indicated their perceptions that the quality of the services they provide to aftercare clients has also improved to varying degrees due to Project Lantern’s resources and technical support. Most dramatic is the services provided by DSWD at the Haven Shelter, which was ill-equipped to serve trafficking victims at the start of the project.

**Figure 8 Aftercare clients to whom IJM provided assistance (by year)**



- **Number of former sex trafficking victims accessing education and/or vocational training**

To date, 42 survivors of trafficking have completed the ESSR Job Readiness class. Project Lantern, via the ESSR team, has placed 16 of these graduates in employment with local business partners<sup>110</sup>. Other aftercare providers, while not reporting graduation or placement rates, noted benefit from a more nuanced understanding of the training and reintegration needs of former sex trafficking victims.

*[We found] these girls may be trained technically but they... are not ready to take on jobs because they lack interpersonal skills, for example, they don't know how to handle relationships. So that's part of their training.*<sup>111</sup>

Critically, they noted Project Lantern's flexibility in working with aftercare providers to adjust and adapt support to respond to these needs. For example,

*The partnership that we had with IJM, they supported one of the course we are offering. [Some of] the victims of trafficking they refer to us have 'low IQ', [are] not educated, therefore have difficulty to avail of our offering. We come up with a course that will fit their intellectual capacity.*<sup>112</sup>

- **Number of rehabilitation services clients who are reintegrated to a community**

From April 2007 through June 2010, of those clients whom IJM has directly supported and tracked, it has facilitated the reintegration of 59 clients into communities.<sup>113</sup> Aftercare providers and IJM staff reiterate the difficulty of successful reintegration, and cited a project benefit as increasing clarity over time about the necessary elements of reintegration services and current gaps. For example, one stakeholder emphasized a significant difference in outcomes related to the clients' history before she was trafficked:

*In our record from the school, most of the girls, 90% who have undergone training and development almost 100% succeed if the abuse came later. They can go back to the community and have a new life. We also found out those girls who were abused from ages 4, 5, 7, below 10 years old, only about one percent can recover.*<sup>114</sup>

Aftercare service providers are also stymied by the difficulty of tracking former victims once they are released from the DSWD or NGO aftercare shelters. The chart below illustrates the numbers of women rescued during the course of the project, provided with Project Lantern-supported rehabilitation

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<sup>110</sup> International Justice Mission. (30 July 2010). "2010 Quarter 2 Report". *Project Lantern Quarterly Report*.

<sup>111</sup> Aftercare NGO representatives. (17 August 2010). Aftercare NGO Focus Group.

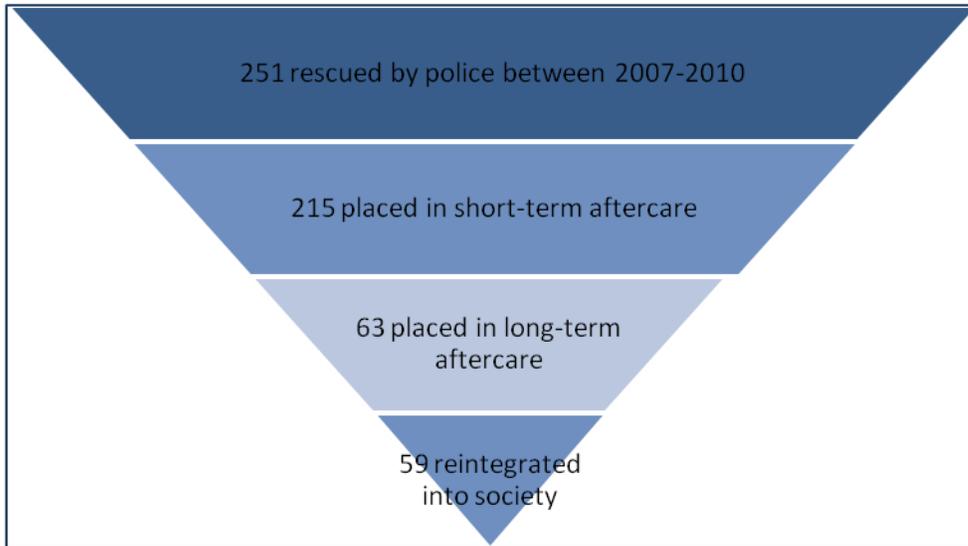
<sup>112</sup> Aftercare NGO representatives. (17 August 2010). Aftercare NGO Focus Group.

<sup>113</sup> International Justice Mission. (30 July 2010). "2010 Quarter 2 Report". *Project Lantern Quarterly Report*.

<sup>114</sup> Aftercare NGO representative. (17 August 2010). Aftercare NGO Focus Group.

services, released and reintegrated into a community. **These data are for illustrative purposes and have limitations**—for example, the 59 women who have been reintegrated are not necessarily those who were placed in long-term care.

Figure 9 Illustration of clients tracked at each stage of the process (2007-mid-2010)



Sources: 2010 Quarter 2 Report. *International Justice Mission* and Sawchenko, Andrey and Mae Sampani-del Mundo. (9 August 2010). *Memorandum: IJM-DSWD Anti-Trafficking Partnership in Region VII, May 2007-July 2010, Results and Recommendations*.

Due to lack of data about other systems, it is not clear whether this pattern is typical or whether it reflects gaps in services and the aftercare system that still need to be addressed in order to curb sex trafficking in Metro Cebu.

That said, in relation to the above indicators, the aftercare providers who served as respondents to the evaluation expressed increased focus, confidence and coherence in their response to former sex trafficking victims and support of their rehabilitation and reintegration efforts.

## Project Lantern's Contribution to a Stronger Aftercare System

### Finding

With the infusion of Project Lantern expertise and resources, the aftercare system for victims of sex trafficking in Cebu has undergone significant positive shifts, with increased coherence of purpose, financial support, institutional and staff capacity, and coordination in the short-term. IJM's role has provided direct benefits to aftercare services through material support, contributed to longer-term capacity through training, changes in protocols and processes, and in mainstreaming of good practices into standard institutional approaches. Finally, it has served an extra-governmental function, supplementing existing systems lacking in capacity, resources or will. A key future challenges will be to better attend to sustainability, including institutional ownership of the issue.

This finding is supported by data collected and reviewed related to the normative rating scale for a public justice system. As with the previous question, the primary data sources are Project Lantern stakeholders, primarily those directly involved in aftercare services, as well as related project documents. Using the system dimensions of the rating scale of system strength as an organizing frame, this section will review Project Lantern's efforts to strengthen the aftercare system for victims of sex trafficking<sup>115</sup>, evidence of changes in the aftercare system, and discusses positive and negative results attributable to or correlated with Project Lantern investments and interventions. Finally, it discusses future recommendations related to challenges and opportunities to expand upon the momentum created by the work of IJM and its partners in this area.

### 1. Political will and leadership

*Before IJM came, the issue of human trafficking was not very high on the priority list because we didn't know much about it, we lacked facilities and manpower, we gave priority to more visible victims, such as street kids. We also found them to be hostile clients. DSWD didn't give it high priority.<sup>116</sup>*

Project Lantern fired the institutional will of DSWD by cultivating the now-former Director of DSWD Region VII as a vocal, audacious champion willing to push forward sex trafficking work. This enabled the subsequent flow of close collaboration between the two agencies and, most important, signaled to the rest of the institution that the rescue and rehabilitation of sex trafficking victims was a priority. This

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<sup>115</sup> This is not an exhaustive description, but serves to illustrate IJM investments for the purpose of this evaluation. IJM has extensively described these investments in its internal reports.

<sup>116</sup> DSWD manager. (16 August 2010). Interview.

champion, with IJM support, pushed DSWD Region VII to moved forward with rapid institutional change, whether or not the resources were in place, and even without Central Office approval. (“We can’t wait for people up there to act.”<sup>117</sup>) This champion is credited with instilling his agency with a sense of urgency, coupled with IJM resources, so that the agency opened its doors and tailored its services to address the needs of sex trafficking victims.

Respondents directly involved with implementing the Director’s decisions at the time emphasized the short-term cost of this “cart before the horse” approach. In particular, social workers were trained to work with victims of domestic violence, who until that point had been the predominant residents of the facility. As such, the social workers were ill-equipped to cope with the needs and behaviors of sex trafficking victims admitted to their shelter—often unwillingly—and who exhibited violent, abusive behavior in great contrast to the other residents. Staff, unused to residents breaking windows and furniture, fighting, and setting fires, threatened to leave and experienced mental health issues. “We were at wits end; it was hell for the social workers and house parents.”<sup>118</sup> However, with intense cooperation and support from IJM, problems abated in about a year.

### **What has changed?**

As noted, under the former Director’s leadership, DSWD Region VII jump-started services to victims of sex trafficking, moving out ahead of even the Central Manila office. It is arguable that the project demonstrating results in the early stages set an important precedent that could be picked up and carried on by subsequent leaders. The departure of the former director and transition to new DSWD Region VII leadership is a testament to this approach: While the current DSWD Region VII Director is felt by stakeholders to be less driven in regard to sex trafficking than the previous director, collaboration with Project Lantern continues and the MOU between DSWD and IJM has been renewed.

Maintaining political will and leadership amongst a revolving door of agency administrators and competing set of urgent public priorities will be an ongoing challenge for the future.

## **2. Structures, accountabilities and partnerships**

Aftercare provision to sex trafficking victims relies on both DSWD as the lead agency and a constellation of accredited aftercare providers. The existing level of collaboration between government agencies and NGOs has been apparently strong. As in other aspects of the public justice system included in this review, government relies—often heavily—on non-governmental organizations to play a supplemental role in carrying out its functions. IJM has, to some degree, encouraged and supported these collaborative connections between aftercare providing organizations, many of whom participate in the various anti-trafficking-related task forces and technical committees (such as through the RIACAT and

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<sup>117</sup> DSWD manager. (16 August 2010). Interview.

<sup>118</sup> DSWD manager. (16 August 2010). Interview.

the Cebu City Inter-Agency Council for Anti-Trafficking), as well as NGO networks such as *Bantay Banay*.<sup>119</sup>

In this respect, IJM also played a dual role as an implementing partner and an external organization trying to enhance the strength of the agencies and organizations with whom it was working. As the DSWD and accredited aftercare providers were both partners in changing the system as well as the focus of improvements to be made, there is potential for an outside agency who casts a critical eye on the operations of domestic government and NGOs to be met with resistance and defensiveness. The addition of significant resource disparities, with IJM seen as holding the purse strings, creates even more potential for distorted power dynamics. As such, IJM had a delicate balancing act to play between donor and partner.

Despite these potential barriers, based on the tone and content of interviews and focus groups, it is clear that IJM has positioned itself as a respectful and collaborative partner.

### **What has changed?**

*IJM has been a catalyst, encourager and provider. We needed to be pushed but also needed to be supported. IJM came and opened our eyes. They have served as a persistent conscience.*<sup>120</sup>

IJM has also facilitated inter-agency collaboration, most notably helping DSWD overcome persistent issues with the Philippines National Police (PNP). The presence of social workers during raids (IJM and/or DSWD) is an important element to ensuring victim safety and reducing the trauma of the raid.

While admitting “it’s not our #1 priority, speaking honestly”, a DSWD informant noted that prior to Project Lantern “If Law Enforcement called us for team building because they are going to conduct a raid, that was the only time we would participate—maybe 5-10 times a year, maximum—given the many other [social welfare] concerns confronting our office.”

The communication with the PNP is also important in terms of readying adequate services for incoming rehabilitation clients. As noted in the law enforcement section of this report, prior to Project Lantern there were issues between PNP and DSWD, such as lack of advance notice of an impending influx of victims rescued by the PNP.<sup>121</sup> According to DSWD staff, IJM has helped to smooth and improve relations by helping them develop strategies and protocols. Coordination today is better with fewer ill feelings and improved working relationships.

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<sup>119</sup> Bantay Banay (Family Watch) conducts a community-level monitoring project focusing on violence, including trafficking, which as has been replicated and has community multi-stakeholder involvement and inter-agency involvement at the barangay, city and some at province level.

<sup>120</sup> DSWD manager. (16 August 2010). Interview.

<sup>121</sup> DSWD manager. 16 August 2010. Interview.

In terms of partnership with IJM, stakeholders from a range of aftercare services emphasized IJM's responsiveness as a partner, directing resources and support in response to issues that arise and mutually-agreed upon solutions. *Collaborative casework* was raised by several stakeholders as a key strategy to both advance the best interests of each former victim, but also for mutual learning and to identify areas in need of further work.

*But what I really appreciate also the IJM because they been referring to us around 10 cases already. They always make a follow up like they call us, and provide us with their social worker. For example, recently we had a client who ran away, before we have to call the family. But with IJM, we just call them, they helped us in the rescue and take back these children.*<sup>122</sup>

*IJM as a partner usually assist in the legal. Before, we were the one who usually accompany [the victims] to court but with IJM, sila na (they do it now). It easy for us of course as the IJM will be [the] 'doing everything' network.*<sup>123</sup>

Both IJM and aftercare providers emphasized the benefit of collaborative casework in identifying needs for technical help and issues in need of resolution. Many of these issues are handled informally. In this sense, as reiterated elsewhere in this report, IJM's balanced role as a funder and a partner was particularly pronounced.

### **3. Investment and management of resources**

There are two aspects of this dimension to consider: First, short-term resources to manage the influx of victims flowing into an already-under resourced aftercare system and second, the longer-term commitment by the government to allocate and manage resources for the rehabilitation and reintegration of sex trafficking victims.

Project Lantern's investment have focused heavily on supporting and equipping to the aftercare system to provide for the immediate needs of those victims rescued, particularly as there was a rapid increase in the number of girls rescued without corresponding increases in agency budgets to feed and house them. For example, in 2009 DSWD's Haven center exceeded its 40-client capacity, swelling to over 50 residents, with an additional ten of their children. Overcrowding led to conflicts and other interpersonal issues between residents. DSWD's food budget was set for 40 residents, so it was a challenge to adequately feed the residents. Some of the children had to be hospitalized, with no DSWD budget for the hospital bills.

To this end, resources from IJM have been critical. It stepped in with resources for food and medical bills. In particular, supporting clients with physical or psychiatric needs requiring medical interventions.

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<sup>122</sup> Aftercare NGO representative. (17 August 2010). Aftercare NGO Focus Group.

<sup>123</sup> Aftercare NGO representative. (17 August 2010). Aftercare NGO Focus Group.

*These patients (with psychiatric case) are supported by IJM. They have very expensive maintenance. We could not afford their medicines if not for IJM. We admit them to Paglaum [mental health center] for treatment. It cost almost 50,000 pesos a month for medicines and treatment fees.'*<sup>124</sup>

At this point, service provider informants generally agreed that several critical rehabilitation and reintegration elements are not yet sufficiently in place:

- a) Rehabilitation and preventing re-trafficking requires a longer, specialized period of counseling, particularly psychosocial support, for all victims and especially for those who were abused as young children;
- b) Job training alone is inadequate to provide many former victims with the necessary social or life and technical skills to secure and maintain employment
- c) Community- and family-level support is a critical element but currently inadequately addressed

#### **What has changed?**

*We have no budget to dedicate [to sex trafficking victims]. It's very difficult to redirect funds from other places, the budget is tight all around. We have funds for the existing facility, but no additional funds. It would be a pinch and scramble to meet needs of rescued children. We could find some ways but it would be very difficult. We could redeploy staff a bit, but there's no budget to cover necessities.*<sup>125</sup>

Arguably, at least some of these resources are short-term fixes which supplement the government's response but do not actually change or seek to change the *system*. Sustainability of the change is questionable. While DSWD was able to address the short-term budget issues with IJM support—with continued resources [presumably] pledged as part of the MOU—it is not clear whether DSWD is assuming or plans to assume greater budgetary responsibility for aftercare services. This is particularly pressing as the learning about successful reintegration points to more support and resources needed per victim for a longer period of time. (Nor, given the current budget deficit, does this seem feasible.) Conversely, at least some of the investments in infrastructure may lower the threshold for future investments.

#### **4. Oversight and management of service delivery**

This system element deals primarily with clarity of ethical standards and guidelines and monitoring of performance against plans, budgets and programs. To this end, IJM has not been particularly involved in the overall institutional workings of aftercare providers, including DSWD. Most significantly, it has

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<sup>124</sup> DSWD staff. (19 August 2010). Aftercare Focus Group.

<sup>125</sup> DSWD manager. (17 August 2010). Interview notes. Interview.

through trainings and materials, and arm-in-arm work with partners to address technical problems arising during collaborative casework, provided a model of good care and best practices.

A relevant point of discussion in relation to this system element is the situation that occurs when political will (and external resources) outstrip the internal capacity. By extension, plans, budgets and programs are the result of planning, with accommodation for the necessary start-up resources. The situation as described by a DSWD manager illustrates the issue experienced when system was inadequately positioned—in other words “procedures, guidelines are weak or not in place at all; not necessarily disseminated; independent oversight are non-existent or completely ineffective”.

*With IJM bringing the focus that it has... we had a big problem on our hands. Why? Because the center we have [and are using now for sex trafficking/exploitation victims, the Haven] was designed for battered women. Workers were trained how to handle battered women. All of a sudden, with IJM's efforts, many more women and girls were rescued from sex trafficking and brought to our center—not rescued from their perspective; they resented it because we were depriving them of their livelihood. They were very violent and destructive, even hurting DSWD workers.*

*This was a big challenge for us and we felt we could not continue because it was not good for our staff to be expected to help these women [without the proper training and support to do so]. It also was not good for rescued victims because we were not equipped for them and they were coming in great need of help... We had to tell IJM “Slow down!” We were doing harm to rescued girls, to DSWD workers, and to traditional [battered women] clients who themselves were affected by this.<sup>126</sup>*

In terms of measuring performance against budget, there is no direct link between funding of services for trafficking victims and the monitoring and reporting requirement of RA 9208. The DSWD Region VII office is being asked to monitor “15 or 20 laws” but without specific budget to undertake the monitoring.

Finally, in terms of accrediting and monitoring NGO aftercare providers, the DSWD informant with relevant experience in this area indicated that the agency is under-equipped to adequately screen the 200 or so NGOs accredited to provide aftercare services to individuals in need (including but not limited to sex trafficking victims), nor to adequately monitor these organizations.

### **What has changed?**

According to DSWD, this situation was resolved collaboratively with IJM, which stepped in with training and support. The aftercare workers now, according to their supervisor, no longer experience “increased heartbeat” with trafficking victims: “No, they say, not any more. We’re prepared. “

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<sup>126</sup> DSWD manager. (17 August 2010). Interview.

Frontline DSWD aftercare staff are now aware of and have access to standards, guidelines and technical resources. It is not clear how institutionalized these are, beyond staff concerned with sex trafficking rehabilitation. In terms of monitoring of performance against plans, budgets and programs, persistent issues with data likely exacerbate existing issues.

## Challenges and Opportunities

Overall, there has been a significant short-term shift in the aftercare system for sex trafficking victims in Cebu City, Mandaue and Lapu-Lapu, due to the significant investment and effective partnership of IJM with DSWD Region VII and a constellation of aftercare providers. IJM has spurred awareness, attention, and action within DSWD, strengthened capacities around expressed needs, and provided material support and improvements to facilities in order to deal with the influx of victims of trafficking and commercial sexual exploitation. It has also spurred change in terms of nurturing inter-agency collaboration.

During the course of the evaluation, several themes arose that affect the sustainability of short-term changes and the effectiveness of IJM's efforts:

1. **Sustainability:** Implicit in systems change is sustainability; change in a system without sustainability is a likely temporary fix. As noted in the *Resources* section of the above discussion, the limitation of these changes is that IJM is basically covering a huge portion of the program costs of rescuing, protecting, caring for, and rehabilitating women and girls rescued from commercial sex establishments. The enhanced human capacities of a more sensitive, skilled workforce will last, to the extent social workers aren't transferred, and certain facility improvements and improvements to standard operating procedure should endure. However, the resources to actually carry out best practices will be greatly strained unless there is a dedicated budget for this within the government and within DSWD in particular. Additionally, much care is provided by NGOs, who have uncertain funding bases.
2. **Instrumentalist vs. restorative justice:** The prioritization of prosecuting cases may work at cross-purposes with what is best for the individual victim. Some aftercare providers perceive a heavy IJM emphasis on criminal justice for the victimized child. This perception conveys a concern on at least some aftercare stakeholders' part about drivers behind IJM's decisions regarding an individual's care and, specifically, whether there is a bias in favor of maintaining victims in facilities where they may be isolated from pressures to refuse further cooperation with the prosecution. As one aftercare provider put it, "there are children who need other kinds of healing. It's important to be sensitive to this. Not all hurts are healed through criminal justice."<sup>127</sup> IJM strongly disagrees with this view, emphasizing that its decisions to keep victims

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<sup>127</sup> DSWD manager. (17 August 2010). Interview.

at facilities are based on what is in the victim’s best interest and are not influenced by its interests in prosecuting perpetrators.

3. **Rights, victimhood and credibility:** Any minor who is engaged in commercial sex work for the profit of someone else is technically “trafficked” and termed a victim. Prosecuting and convicting traffickers requires a strict adherence to the concept of minors who have been trafficked as “victims” in need of “protection” or “rescue”—whether or not a girl realizes her own victimhood and disregarding her own willingness to participate in her rehabilitation. This raises questions as to the extent to which victims are given agency and afforded the right to participate in decisions that directly concern them. At the same time, there is a popular perception—however founded in reality—that teen-aged girls are willingly engaged in commercial sex work, are unwillingly rescued, and generally try to escape shelters to return to work, which has implications for how seriously opinion leaders (the police, public prosecutors, judges) take the issue.
4. **Effective formula for rehabilitation and reintegration:** Service providers are still learning what works in order to support an individual’s successful rehabilitation and reintegration into society.

Furthermore, one fundamental issue is the perception among those the system is designed to help it that “rehabilitation” is punitive. The aftercare system is, according to service providers, is generally viewed by those in its care as punitive to the victims while the traffickers and customers suffer no consequences. All focus group respondents agreed that girls in aftercare shelters view themselves as prisoners.

*They see themselves as prisoners, however, the perpetrators are free and still victimizing other girls.*<sup>128</sup>

#### **Providers’ Learning about Rehabilitation and Reintegration**

*I realized that it is useless to give them, offer them a good job, scholarships if they are not totally processed or healed... There was one girl who was offered scholarship in (University of) San Carlos, you know San Carlos is very expensive. She at least, stays for one year but nothing happened because she was not completely healed. We have to heal the trauma or otherwise they go back to (commercial sex trade)... It is very difficult for them to recover, if they have not been fully processed... Aftercare is a gigantic task, the girls have to reveal their real issue, and they have to open up to begin the healing process.. Once they open up, we found out that they were abused in the family, they have been abused by their father, their uncle.. that’s why they went into this kind of job.*

Aftercare Provider

<sup>128</sup> DSWD staff. (19 August 2010.) Aftercare trainee focus group.

In terms of reintegration, some providers assert the ultimate aftercare goal is returning a girl to her community and family as soon as possible, as it is viewed that here she will be supported and cared for. Complicating this popular ideal of the family and community as a source of security is the fact that it was from that same family and community that the girl was trafficked in the first place.

5. **Links between protection and reintegration:** Related to the point above, most respondents felt reintegration and protection from further exploitation depends on a recovering victim's family and community-level support, yet this level was the weakest focus of the project and of aftercare stakeholders in general.

*The IJM staff are equipped in dealing with trafficking cases. Though the child is reformed inside the center, she may be re-trafficked if her environment is not ready. No matter how effective the program in the center is, if there is no improvement from the LGU (Local Government Unit), the child will still go back to her previous job. There should be change in the LGU especially in the reintegration program of the victims to the community.<sup>129</sup>*

*One of the problem[s] is that if our client is ready to go back the community but the community is not yet ready to accept them. The victim might be ostracized, so the trauma is always there. We need social workers to prepare for integration of victims in the community.<sup>130</sup>*

There is a clear frustration amongst service providers that, unless the underlying issues are addressed and viable economic alternatives are available, the care they provide may be a temporary solution and that victims will return to commercial sex work at the first opportunity. This view is shared to a more limited degree by those aftercare providers who are engaged in longer-term care and rehabilitation of the trafficking victims. Still, it is a clear weakness in the system that the link between prevention and rehabilitation is not more clearly addressed.

6. **Displacement makes access to victims more difficult:** More intensified focus on sex trafficking by the public justice system has resulted in trafficked children being moved around more, making them harder to locate. There is not a sense among aftercare providers that the overall problem has stemmed, as the three-wave study would indicate. IJM agrees that the problem is

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<sup>129</sup> English translation of the response, given in Cebuano: *“The IJM staff are equipped in dealing with trafficking cases. Ang mga bata ma-reform sa sulod sa center pero paggawas nila kung dili pa ready ang environment nila, ma-retraffick ghaon sila. So bisan pag unsa ka nindot ang program sa sulod kung dili gyud nato ma-improve ang programa sa LGU, mobalik o modaghan lang gihapon sila. Change in LGU especially in the reintegration program of the victims to the community.”*

DSWD staff. (19 August 2010.) Aftercare trainee focus group.

<sup>130</sup> Aftercare NGO representative. (17 August 2010). Aftercare NGO Focus Group.

much less visible and that traffickers are savvy at taking measures to avoid detection. Others assert that establishment owners are also becoming more savvy at hiding children. (“So that’s one of our problems, because the children and now transferring out of their working areas...”<sup>131</sup>) or producing fake birth certificates.

## **Conclusion**

IJM has pro forma moved the boundaries of aftercare. By staking out an important role for social workers in the raid and rescue process as advocates and protectors of victims, the starting point of aftercare shifts to the point of raid/rescue. By prioritizing the prosecution of traffickers, the participation of the victim in the justice process has become an elevated priority. As examined elsewhere, this prioritization also introduces a tension between orienting services to protect a case and secure a prosecution and orienting services to protect and serve the victim. This prioritization has practical implications for aftercare service provision, notably the construction of adequate constellation of networks and services, with adequate budget, to support the victim from point of rescue through reintegration.

IJM’s investment in aftercare providers’ individual and institutional capacity has strengthened providers’ confidence and skills and “professionalization” of the services provided. This transfer of knowledge and skill has happened through formal technical trainings and through jointly addressing issues that arise during the course of collaborative casework. IJM’s approach to this work as a collaborative, professional partnership has enabled problem solving and dialogue with service providers that have resulted in many respects ownership or solutions. Within this, IJM also clarified a standard of care and provided the training and resources to do a higher caliber of work.

IJM’s extra-institutional role in providing aftercare services has served as a catalyst to make the overall PJS function more effectively. Stakeholders point to this extra-institutional function as IJM’s strength. While certainly enabling in the short term the system to function as intended, it is not clear whether this results in any actual strengthening of the system or sustainable change.

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<sup>131</sup> Aftercare NGO representative. (17 August 2010). Aftercare NGO Focus Group.

## V. Overall Public Justice System

In addition to assessing how and to what degree Project Lantern's efforts have contributed to stronger law enforcement, court, and aftercare systems specifically, the evaluation also considered the project's contribution to improvements in the overall public justice system (or PJS) as it relates to sex trafficking in Metro Cebu in particular.

### ***Methodology***

In terms of measuring the impact of Project Lantern on PJS-wide change, the evaluation focused more narrowly on change that may be directly related to the relatively narrow scope of PL activities. This was proposed as a more valid and reliable strategy to assess impact than focusing on systems-wide change because, first, the evaluators understood that limited or no quantitative baseline data was available related to PJS actions to address sex trafficking of children and, second, PL's activities had been added fairly recently and were somewhat limited in scope. Areas of inquiry were guided by PL staff analysis of strengths and weaknesses in the PJS as it relates to sex trafficking and, to the extent the project has intervened, PL strategies to address the weak points.

Following these lines of inquiry, the evaluation team first explored system changes resulting, at least in part, from PL interventions in the main components of the PJS – law enforcement, aftercare, and the prosecution and conviction of perpetrators. The approach then employed by the team was to roll up findings related to systems change in each of these three main areas of work to determine what kind of changes the project has contributed to bringing about at the overall PJS level as it relates to project interventions. In so doing, it became clear that common threads run through our findings for the various system dimensions in the normative rating scale for system strength. As such, the synthesis that follows, organized by dimension, extends logically and naturally from what is presented in the previous discussion of findings related to law enforcement, the court system and aftercare.

## Project Lantern's Contribution to Improvements in the Overall Public Justice System

### Finding

Project Lantern support has contributed to improvements, particularly at the regional level, in key government officials' political will and leadership; casework-based inter-agency partnerships; commitment and capacity of human resources; agency standards and practices; and civil society advocacy. The project has only recently or not yet addressed other significant aspects of systems strengthening. In particular, it will need to focus going forward on mobilizing and strengthening national-level political will and leadership; inter-agency collaboration to define and pursue goals, milestones, and respective responsibilities; budgetary commitments; a system for monitoring progress and holding responsible agencies accountable; and measures to enhance social accountability.

The evaluation also sought to determine whether Project Lantern's support to law enforcement, aftercare and the protection and conviction of perpetrators contributed to improvements in the overall public justice system. This section discusses related findings, and provides overarching analysis of changes and remaining challenges with the PJS response to sex trafficking.

One cross-cutting concern brought out in the law enforcement, court system, and aftercare findings, above, relates to the questionable sustainability of Project Lantern's achievements to date. On the one hand, the evaluation team is critical that sustainability, and its companions increased political will and government ownership and prioritization of the issue, were not pursued by the project as vigorously and early on in the process as they might have been, especially at the Manila level. On the other, the evaluation team appreciates IJM's commitment to leading by example and focusing, at least for an initial period of time, on showing what can be achieved when significant, focused resources are dedicated to rescuing and restoring sex trafficking victims and punishing perpetrators. Such collaborative casework between IJM and its partners in Metro Cebu has set the stage for more significant change in the PJS going forward, change that holds promise for not only sustaining but enhancing PL-supported outcomes in the law enforcement, aftercare, and prosecution arenas even after IJM phases out.

### 1. Political Will and Leadership

At the regional level, Project Lantern's singular and impassioned focus on sex trafficking, capable and committed leadership, and injection of substantial technical and financial resources all translated into evidence of strong influence on PL's key government counterparts responsible for law enforcement (NBI initially and then PNP), aftercare (DSWD), and criminal prosecution (DOJ). The result was a significant boost in political will and leadership at the regional level, taking the form most notably of memoranda of understanding and agreement in the cases of DSWD and PNP. These demonstrated commitment on the government side to invest meaningfully in collaborative efforts to respond to sex trafficking in Metro

Cebu. The reality is that these agencies had – and continue to have – other competing priorities and were not particularly aware of and focused on enforcing RA 9208, attending to victims rescued from sex trafficking, and prosecuting cases against the perpetrators prior to Project Lantern. With PL’s support, they have since demonstrated much greater commitment.

While significant progress is being made at the regional level, the national-level political will and leadership has flagged following the passage of RA 9208 in 2003 and the development of the National Strategic Plan of Action in 2004. According to respondents, the IACAT became, over time, a shell of what was intended, failing to follow through on the national strategy with annual planning – detailing priority objectives, milestones to be achieved, responsible agencies, and dedicated resources – and a commitment to regular progress monitoring, at national and cascading down to sub-national levels. Manila-level meetings apparently were not strategic and amounted to little in the way of concrete actions and investments to advance efforts in the field. This backdrop casts a shadow over Project Lantern’s achievements in Region VII. In fact, the project woke up late to the fact that the model approaches they were developing through casework collaboration at the regional level were getting little exposure and, therefore, recognition and support from senior government officials in Manila.<sup>132</sup> The team anticipated more regional autonomy, in terms of DSWD Region VII’s ability to commit more resources toward sex trafficking victim services, for example, without fully appreciating the weight of national-level authority. In sum, much remains to be done by Project Lantern and its partners and allies to forge stronger political will and leadership from the center as part of a strong public justice system.

It is worth noting that Project Lantern did succeed, working with the local IACATs and civil society partners that are fellow members (with IJM) of the War Against Human Trafficking (WAHT), to mobilize the passage of strong anti-human trafficking ordinances in Cebu, Mandaue and Lapu-Lapu Cities. This is particularly important when one considers that the LGUs have limited resources and capacities and considerable discretion in terms of how they put them to use, and the city ordinances give impetus to more robust local-level enforcement of RA 9208. Still, as spelled out elsewhere in this report, much remains to be done to spur political will and leadership at these most local levels and the project has begun to focus on the grassroots and potential opportunities to build social demand (see “Social Accountability”, below).

## **2. Structures, Accountabilities and Partnerships**

As the preceding discussion highlighted, the IACAT structure has not worked particularly well, in part due to weak leadership and funding at Manila level with a ripple effect out to the field and in part due to the fact that DOJ (the national lead agency) apparently has not designated anyone to lead at the level of Region VII. To the extent the IACAT has worked at regional, provincial and local levels, it has served as a vehicle for information sharing, joint awareness raising events, and the like, not for strategic partnerships around specific law enforcement, aftercare, or prosecution objectives.

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<sup>132</sup> IJM manager. (17 August 2010). Interview.

In such an environment, Project Lantern pursued partnerships with the relevant government agencies and succeeded in forging productive relationships built around collaborative casework. For IJM, collaborative casework means working hand in hand with the responsible government agency to move sex trafficking cases through the PJS, starting with apprehending the perpetrator and rescuing the victim and moving on to protecting and caring for the victim, facilitating her recovery and reintegration, and filing and prosecuting cases through the courts. Collaborative casework in Cebu has allowed for actual barriers or shortcomings in the system to be jointly diagnosed and addressed, including those that frustrate the efforts of more than one government agency. Project Lantern resources often have supplied the glue holding the system together, for example in bringing together all the resources and personnel required to conduct raids on commercial sex establishments and process rescued victims responsibly and effectively, or in preparing affidavits and the other documentation and evidence required to meet all elements of the crime, or in monitoring and enabling participation of witnesses in the legal process. Coupled with capacity strengthening investments in training and material and infrastructural support, PL's collaborative casework approach has clearly been appreciated and has helped to mobilize action-oriented partnerships to address sex trafficking in Metro Cebu

Yet more strategic, ongoing inter-agency collaboration, above the level of individual cases, is required for the system to run on all cylinders and more remains to be done – by all concerned – to realize the vision and full potential of an IACAT-like structure that could meet the need.

### **3. Investment and Management of Resources**

Project Lantern added significant human and financial resources to the government and wider community of actor's efforts to combat human trafficking in Metro Cebu. This major influx yielded tangible benefits for the main PL partners, including law enforcement, public prosecutors, and aftercare service providers. Evidence is strong that through training, technical assistance, and other material support geared toward moving cases forward, dedicated staff and teams in PNP, DSWD and its civil society partners, and the public prosecutors offices became more professional, confident and effective in handling these kinds of cases. All of these gains, however, come from outside of the system itself and it is clear that PL's investments have not mobilized the government to allocate any significant additional budget to the cause.

As such, the issue of sustainability looms large, especially in a government system where staff are transferred regularly and routinely and those replacing them may have little to no knowledge, commitment, and skills to focus on sex trafficking cases. On the financial side, the evaluation report makes it clear repeatedly that PL funding will not be replaced easily, at least until the national government prioritizes human trafficking further and raises it higher on the agenda. With greater prioritization, greater funding from the national budget should come, specifically to support model, proven approaches such as the RATTF. Project staff have emphasized that they are pressing, through various channels, for additional budget allocations that would complement, and represent some level of

match toward, ongoing PL resource investments. Over time, project inputs into the PJS should diminish and be made up for by growing government investments.

#### **4. Oversight and Management of Service Delivery**

The PJS in the Philippines clearly suffers from corruption and, as stated elsewhere in the report, this is not a focus (nor should it be) for Project Lantern. It is worth noting all the same that law enforcement respondents indicated that IJM's presence alone limits corruption by enlarging the space that law enforcement personnel have to maneuver (see, for example, related quotes from the RATTf focus group, Law Enforcement section of this report). The question remains, however, of how to institutionalize anti-corruption mechanisms, to which there are no obvious answers.

In terms of monitoring the system's performance, it should be noted, first off, that Project Lantern has made good strides in professionalizing the level of services provided through the PJS. In fact, the collaborative casework approach has allowed IJM staff working alongside government employees to model their commitment, know-how, and best practices in their domains. Examples of this range from PL lawyers bringing high levels of technical expertise and tactical acumen to the building of cases and legal arguments during trial to PL investigators training in surveillance, crime scene investigation and evidence gathering to social workers modeling minimum standards of care. Through these collaborative efforts, as well as the production of handbooks, guides, and toolkits, the performance of key PJS actors clearly has been enhanced.

This system dimension, however, goes a step further to look at how the system is performing in terms of meeting priority objectives and plans. At that level, Project Lantern has not really focused, zeroing in on monitoring its own project-level indicators and progress against targets. Yet this is a level that is essential in building the strength of any public system and all stakeholders need to be involved. Then again, performance can only be monitored if there are clear goals and metrics against which to track progress, and the IACAT's apparent failure to define and roll out to the regions annual priorities and plans makes this near impossible. That said, with reference back to the body of the findings, the project team should consider opportunities for setting objectives and targets with key stakeholders for each of the main PL components and monitoring progress (and problem solving) together.

#### **5. Social Accountability**

Project Lantern has focused increasingly on social demand, conducting training for journalists, working with WAHT partners, and looking to collaborate with a range of civil society more broadly, including churches and student groups, to raise awareness on human trafficking and sex trafficking in particular. Beyond public education, the project has supported and joined civil society advocacy efforts. Probably the best example of that is the campaign for city anti-human trafficking ordinances, passed by the local city councils (i.e. local legislators) in Cebu, Mandaue and Lapu-Lapu Cities. The project has plans to grow

this type of work in its next phase, from the grassroots, working with churches and student groups, to higher, politically connected levels, for example working with networks of influential women to persuade political figures to get more vigorously behind anti-trafficking efforts.

Missing from these efforts to date and emerging plans are two key aspects of social demand, or, more accurately, social accountability. At the more micro level, a healthy public system should have client feedback and grievance mechanisms. With respect to the PJS as it pertains to sex trafficking, the evaluators did not find any kind of institutionalized mechanism along these lines that would cater to rescued and recovering victims (once in a state to provide feedback and register any grievances with respect to the rescue process and aftercare services received), for example, or to victims participating in the legal process (as to how the system is working from their perspectives and can be improved to provide better protection and enable more effective participation as witnesses).

At a more macro level, as described in the “Local government units” point in the “Challenges and Opportunities” section of the Law Enforcement Findings, grassroots social demand building efforts need to extend beyond awareness raising to building a social movement that will turn up the heat on local government officials (both at city and barangay levels) to make human trafficking one of their top priorities. Grassroots initiatives that periodically assess mayors and barangay captains on how well they are upholding RA 9208 and related local ordinances and publish the results for all to see can go a long way toward generating serious political will and leadership and corresponding investments of human and financial resources to make more rapid and significant inroads into reducing sex trafficking at the source. (See the text box on Lihok Pilipina in the *Law Enforcement* section.)

## RECOMMENDATIONS

In light of all of the above and with an eye toward IJM's planned next phase of Project Lantern, the evaluation team identified a set of recommendations for the organization and for the PL team in particular. The recommendations address A) Continued strengthening of project design, monitoring and evaluation, and ongoing learning; and B) Continued development of and investment in strategic partnerships and advocacy that will yield more significant and lasting change at all levels of the PJS.

### **A. Continued Strengthening of Project DM&E and Ongoing Learning**

#### **A.1. Put "Structural Transformation" at the Center of Project Design**

*IJM should ensure that sound analysis of the public justice system's strengths and weaknesses – as it pertains to sex trafficking – drives the design of the next phase of Project Lantern. The project team already has started down this path, as evidenced by the in-depth problem analysis shared with the evaluators and discussions with the project manager while in Cebu. Particular attention should be paid to:*

**a. Levers of change and comparative advantage:** In designing the next phase of the project, the PL team should pinpoint where the biggest shortcomings in the system reside that, if addressed, would enable the most meaningful systemic changes to occur. This report should be helpful in that regard. Such analysis, of the most significant levers of influence, however, must be held up against IJM's comparative strengths and role as an international NGO. Where does IJM believe it can most successfully and appropriately catalyze change in the system? Does it have credibility, capacities and relationships to move the dial at Manila level? What about at the local levels? Can IJM be more successful working more extensively with civil society? Relatively speaking, how much should IJM dedicate to law enforcement, prosecution, aftercare, and cross-cutting work going forward? With inevitably limited resources, decisions will have to be made about how much of the project budget to put into work with different actors in different areas at different levels. Good design will reflect good analysis of levers of change and IJM's comparative advantage.

**b. Sustainability:** For Project Lantern's initial phase, with the relevant government agencies in Metro Cebu so under-resourced to address sex trafficking, it was expected that IJM would have to fill major budgetary, infrastructural, and human resource gaps in order to move cases responsibly and effectively through the system. For the next phase, however, IJM should be more deliberate and explicit about how its considerable investments will yield sustainable gains in desired PJS results, e.g. identifying and arresting traffickers, filing and progressing with cases in the court system, convictions, and providing the range of victim services needed. How will progress on these fronts be sustained when, at some point, IJM phases out its work in Metro Cebu? A clear sustainability strategy should be articulated and incorporated into project design for the next phase.

## A.2. Continue Building the Evidence Base

*IJM should continue to emphasize the use of data and research to inform both its adaptive project approach and the wider Cebu public justice system's decision making related to anti-sex trafficking activities. Both direct enhancement of its own data collection for monitoring, evaluation and research as well as continuing to encourage these activities at the PJS level will be critical for an evidence-based response to sex trafficking in Metro Cebu. In particular, the following areas merit attention:*

**a. Prevalence and Incidence:** As IJM is ultimately holding itself accountable for changing the incidence of sex trafficking in Metro Cebu, it should explore ways to build on the three-wave study of the availability of trafficked minors for commercial sexual exploitation and develop a better understanding of prevalence. One way to do so is to consider tapping into the sampling methodologies and statistical analysis utilized in other fields working with “hidden” populations. For example, the “capture-recapture” method utilizes very similar data collection strategies as the three-wave study but utilizes a sampling methodology and statistical analysis to generate population-level estimates<sup>133</sup>. “Capture-recapture” methodology was developed in the ecology field to generate population estimates for populations that are elusive, numerous and widely distributed, and has been utilized by organizations such as the Population Council to obtain population estimates of the number of men seeking men sex workers in South Africa and Nigeria.<sup>134</sup>

**b. Unintended positive and negative consequences:** Future project design should incorporate strategies to monitor and document unintended project consequences, positive or negative. Currently, understanding of whether commercial sexual exploitation of minors has been actually moved to other locations (such as private homes) or geographic areas is supported by anecdotal evidence and connection to the project is speculative. IJM should strengthen data collection efforts and monitoring of

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<sup>133</sup> For example, using the Lincoln-Peterson method of analysis to estimate population size, those conditions, estimated population size is:  $N = \frac{MC}{R}$ , where

$N$  = Estimate of total population size

$M$  = Total number of individuals located and marked on the first visit

$C$  = Total number of individuals located on the second visit

$R$  = Number of individuals located on the first visit that were then relocated on the second visit

There are several other derivations of this method, with statistical models available for the analysis of these experiments.

<sup>134</sup> See, for example:

Kellerman, Scott, Zukiswa Fipaza and Bagnol, Bagnol, et al. (2010). “Population-based Estimate of the Number of MSM Sex Workers in Inner-City Johannesburg, South Africa”. Population Council. [Online.]

[http://www.popcouncil.org/pdfs/events/2009IAS\\_Kellerman\\_poster.pdf](http://www.popcouncil.org/pdfs/events/2009IAS_Kellerman_poster.pdf)

Geibel S, van der Elst EM, and King'ola N, et al. (2010). “‘Are you on the market?': a capture-recapture enumeration of men who sell sex to men in and around Mombasa, Kenya”. Population Council.

unintended consequences in order to develop a basis of understanding rooted in data and concrete evidence in order to inform appropriate project strategies and build stakeholders' understanding of the dynamics at work. Related, efforts could be extended to monitor, research and publicize learning about changes in the "marketplace". Such information would be important to help IJM and partners adapt law enforcement and aftercare tactics.

Finally, IJM should examine whether the lack of project focus on boys is subsequently orienting the public justice system to ignore them as well. While presumed to be a smaller subset of the affected population, the face of trafficked boys was evident only if they happened to be found in rescues of girls. Again, if there were a clearer, supported argument for addressing one subset it might strengthen the project.

**c. Project data tracking:** Review and refine project data tracking—for both project outputs and effects as well as data related to push/pull factors—to ensure that information used to monitor the project is relevant and useful to inform project decisions. This is particularly critical for an adaptive project that has grown and shifted to address both a changing environment and in response to new information about stakeholder needs and opportunities.

First, IJM should clarify the project's objectives and parameters in regard to the specific sub-population it is trying to help. For example, if boys or very young children are not a focus of the project, this should be made clear and specific performance indicators oriented accordingly. Not doing so makes it seem that the project is missing subpopulations, intentionally or unintentionally. For example, using the broader term "children" when the actual focus is on a subset of children (female teenagers) implies an agenda that is broader than that of the actual project design or implementation. Furthermore, the project could actually be strengthened by making a supported argument that they have determined this particular subset—teen-aged girls aged 15-18, for example—to be most vulnerable to trafficking and therefore are focusing resources on this group.

Second, assessment of project investments would benefit from improved tracking of training, shifting from tracking the number of trainings provided (outputs) to information and analysis about who was trained and how they have used the training and related materials. And as the project invests more in building social demand, ongoing assessment of what interventions contribute most to which desired outcomes will be important.

Finally, assuming IJM and its partners continue to track and utilize push-pull data, they should review what they are monitoring to ensure the relevance of the indicators as well as the quality and up-to-datedness of data sources.

**d. Research and evaluation of rehabilitation and reintegration models:** As one of the weakest links in the system, IJM, through the new ESSR project, is investing in a new rehabilitation and reintegration model. This new project should integrate rigorous evaluation methodologies in the program design in order to test impact. This is particularly critical given the severe resource limitations of aftercare providers; they, and their clients, would benefit from promising practices for replication.

## **B. Continued Development of and Investment in Strategic Partnerships and Advocacy**

### **B1. Develop Further Strategic Partnerships and Advocacy with Government**

*IJM should continue to forge strategic relationships with the lead government agencies, shifting greater attention to building national-level political will, leadership and investment in combating sex trafficking. Project Lantern already has stepped up its efforts on this front, as noted in the body of this report, and this will be crucial given how progress at sub-national levels can be fleeting without strong, ongoing leadership from the top, including national adoption of innovative approaches that demonstrate their effectiveness and impact in a given geographic area. Emphasis should be placed on:*

**a. A strong voice for government accountability:** IJM is one of the few organizations focused on the PJS as it relates to human trafficking and should persist in its ongoing efforts to call the government to task for not investing enough and as urgently as it should in stamping out sex trafficking. This should include, as it already does, direct advocacy to the national government (as per the recent, July 22, 2010 memorandum from IJM Headquarters to the Philippines Embassy to the USA) as well as indirect pressure via the US Government's annual Trafficking in Persons Report. It also should include fostering partnerships with in-country allies such as the Philippine Commission on Women, which has been active in anti-trafficking campaigns and monitoring of government agency compliance with laws such as RA 9208.

**b. Change agents from within:** The project team already has moved in the direction of cultivating and supporting change agents in Philippine society and should do so more aggressively, if selectively due to resource constraints, going forward. There are articulate champions and dedicated activists for this cause at work in Metro Cebu already, ranging from elected officials to long-time leaders in civil society. There are also major segments of civil society with vast potential to mobilize constituencies around the issue of human trafficking and sex trafficking in particular. These include, most notably, networks of influential women, churches (which IJM, as a Christian organization, is well placed to partner with more proactively and strategically – i.e. not just for the provision of aftercare), and universities. Ultimately, external pressure from international actors has a role to play and contributes significantly, but citizen advocacy and growing social movements in country have the most potential, long term, to hold political leaders in government accountable for taking the necessary measures in their various jurisdictions to uphold anti-trafficking laws.

**c. Inter-agency collaboration:** As discussed in the body of the report, Project Lantern has brought about already real collaboration between agencies around specific sex trafficking casework. Yet feedback was unanimous that the official mechanism for collective planning and action, the Inter-Agency Council Against Trafficking, has, in the main, not lived up to its mandate. Going forward, IJM with like-minded allies should do what they can to invigorate the IACATs from national to local levels. This no doubt starts with a push in Manila for leaders in the Executive, including the heads of DOJ, DSWD, and PNP, and the Legislative Branches to staff and resource appropriately the IACAT and insist that it become what was originally intended, i.e. a body that brings together senior leadership of all government agencies

concerned, along with key partners in civil society, to chart the way forward, prioritize actions and investments, and track and hold lead agencies accountable for ongoing progress in delivering on national goals.

## **B.2. Don't Forget the Civil Society Side of the PJS Equation**

*Project Lantern has rightly focused on strengthening government resolve and capacities to address sex trafficking in Metro Cebu. That said, public sector systems that work for poor, marginalized people are typically characterized by robust, vibrant civil society engagement. In the years ahead, as IJM phases down its presence, which non-governmental, or civil society organizations will work with the various government agencies involved and with the system as a whole to make it work for actual and potential victims of sex trafficking? Going forward particular attention should be paid to:*

**a. Strengthening and gradually empowering civil society PJS service providers:** Project Lantern already is investing in several private aftercare shelters and service providers and should build on this not just as a means to achieving project results but also as an objective in and of itself. In other words, IJM should be looking to hand progressively more and more responsibility and leadership off to those groups, for example in the aftercare “sector”, that have distinguished themselves in the field and shown the greatest potential to lead by example in developing and putting into practice high standards. Another example would be in the area of legal aid, where the project should consider investing more in civil society groups, such as the Children’s Legal Bureau, that have demonstrated a high standard and level of commitment and could take on an increasing role in the years ahead in building and assisting prosecution of legal cases for sex trafficking victims.

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## Appendices

### Appendix 1. Evaluation Framework

The following chart presents the evaluation framework. The far left column identifies the project outcome (areas) around which activities were organized. Moving right, the “Evaluation questions” column lists the key questions the evaluators will assess. Next, the “indicators or subquestions” list the data points—either quantitative indicators or qualitative questions—that will provide the evidence base for the questions. Finally, the “data sources, sample and method” column provides the practical information related: where will we get the data, what is the time frame or other sampling considerations, and how will we collect it.

Outcomes	Evaluation questions	Indicators or subquestions	Data sources, sample, method
<b>Progress toward project outcomes</b>			
	1. Is there evidence of change in the trafficking and sexual exploitation of children within Cebu? 2. Is there evidence of Project Lantern’s contribution to this change?	<ul style="list-style-type: none"> <li>▪ Reduced sex trafficking of children<sup>p</sup></li> <li>▪ Decreased sex traffickers<sup>p</sup></li> <li>▪ Rescued victims not re-trafficked<sup>p</sup></li> </ul>	<b>Data sources:</b> Prevalence study  <b>Sample:</b> <i>To be determined by prevalence study</i>
<b>Intermediate Outcomes</b>			
Overall Public Justice System	1. Has support to law enforcement, aftercare, and prosecution and conviction of perpetrators contributed to improvements in the overall PJS? To what degree and in what ways?	Rolled up from Intermediate Evaluation Questions 2 through 7, below	Rolled up from Qs 2 through 7, below

<sup>p</sup> Refers to Project Lantern quantitative prevalence indicator anticipated to be collected via a separate prevalence study. Use of specific indicators and related data will depend on the veracity of prevalence study results.

Outcomes	Evaluation questions	Indicators or subquestions	Data sources, sample, method
Law Enforcement	2. Are law enforcement operations supported by the project working as intended?	<p>1.a. What has changed subsequent to PL's actions in terms of:</p> <ul style="list-style-type: none"> <li>▪ Number of intelligence reports<sup>P</sup></li> <li>▪ Percentage of attempts in which police/law enforcement cited as reason why minors unavailable and security measures taken to guard against police enforcement<sup>P</sup></li> <li>▪ Number of police operations completed<sup>P</sup></li> <li>▪ Number of arrests<sup>P</sup></li> <li>▪ Number of rescues<sup>P</sup></li> <li>▪ Direct project beneficiary and key stakeholder perceptions of improvements</li> </ul>	<p><b>Data sources:</b> prevalence study, project documents, project staff, government partner (PNP, NBI, DOLE, LGU) staff, and broader stakeholders</p> <p><b>Sample:</b> 2006-2010, Law enforcement- related sample as determined by stakeholder analysis.</p> <p><b>Method:</b> document review, interviews</p>
	3. Have Project Lantern's efforts contributed to a stronger law enforcement system (related to trafficking and commercial sexual exploitation of children) and, if so, to what degree and in what ways?	<p>3.a. What aspects of the law enforcement system has Project Lantern been focused on strengthening and how?</p> <p>3.b. Is there evidence that PL actions in the areas of focus led to change in the law enforcement and broader public justice systems?</p> <p>3.c. What are the strengths and weaknesses of investments made and approaches utilized?</p> <p>3.d. What are the biggest challenges and opportunities for systemic change and how well have these been taken into account?</p>	<p><b>Data sources:</b> project and relevant PNP, NBI, DOLE and/or LGU documents (as available), project staff, PNP, NBI, DOLE and LGU staff, and broader stakeholders</p> <p><b>Sample:</b> 2006-2010; Law enforcement- related sample as determined by stakeholder analysis.</p> <p><b>Method:</b> group and individual interviews, document review</p>
Aftercare Services	4. Is there evidence of anticipated / intended changes in aftercare services?	<p>4.a. What has changed subsequent to PL's actions in terms of:</p> <ul style="list-style-type: none"> <li>▪ Number of sex-trafficking victims receiving basic package of services for time required<sup>P</sup></li> <li>▪ Number of rescued victims accessing education and/or vocational training<sup>P</sup></li> <li>▪ Number of rescued victims finding stable housing</li> </ul>	<p><b>Data sources:</b> prevalence study, project documents, project staff, aftercare service staff, relevant government partners (DSWD, Barangay) staff</p>

Outcomes	Evaluation questions	Indicators or subquestions	Data sources, sample, method
		<p>and safe, secure care (for younger children) and employment (for older children) <sup>P</sup></p> <ul style="list-style-type: none"> <li>▪ Direct project beneficiary and key stakeholder perceptions of changes in aftercare services</li> </ul>	<p><b>Sample:</b> 2006-2010 [Aftercare-related sample to be determined]</p> <p><b>Method:</b> project document review, interviews</p>
	<p>5. Have Project Lantern’s efforts contributed to a stronger aftercare system (for children rescued from trafficking and commercial sexual exploitation) and, if so, to what degree and in what ways?</p>	<p>5.a. What aspects of the aftercare system has Project Lantern been focused on strengthening and how?</p> <p>5.b. Is there evidence that PL actions in the areas of focus led to change in the aftercare and broader public justice systems?</p> <p>5.c. What are the strengths and weaknesses of investments made and approaches utilized?</p> <p>5.d. What are the biggest challenges and opportunities for systemic change and how well have these been taken into account?</p>	<p><b>Data sources:</b> project and relevant DSWD documents (as available), project staff, DSWD (and Barangay?) staff, affected children/YP and broader stakeholders</p> <p><b>Sample:</b> 2006-2010; Aftercare-related sample as determined by stakeholder analysis.</p> <p><b>Method:</b> interviews, document review</p>
Court System	<p>6. Is there evidence of anticipated / intended changes in the court system?</p>	<p>6.a. What has changed subsequent to PL’s actions in terms of:</p> <ul style="list-style-type: none"> <li>▪ Number of perpetrators charged <sup>P</sup></li> <li>▪ Number of perpetrators tried and convicted <sup>P</sup></li> <li>▪ Time required for the above processes (in absolute and relative (to prosecutions and court cases generally) terms) <sup>P</sup></li> <li>▪ Perceived risk by rescued victims asked to testify <sup>P</sup></li> <li>▪ Direct project beneficiary and key stakeholder perceptions of improvements</li> </ul>	<p><b>Data sources: prevalence study,</b> project documents, project staff, government partner (Prosecutors Office, Judiciary) staff, affected children/YP, and broader stakeholders</p> <p><b>Sample:</b> 2006-2010; Court system-related sample as determined by stakeholder analysis.</p> <p><b>Method:</b> document review, interviews</p>
	<p>7. Have Project Lantern’s efforts contributed to a stronger court system (for children rescued from</p>	<p>7.a. What aspects of the court system has Project Lantern been focused on strengthening and how?</p>	<p><b>Data sources:</b> project and relevant Prosecutors Office and Court documents (as available), project</p>

Outcomes	Evaluation questions	Indicators or subquestions	Data sources, sample, method
	trafficking and commercial sexual exploitation) and, if so, to what degree and in what ways?	<p>7.b. Is there evidence that PL actions in the areas of focus led to change in the court and wider public justice systems?</p> <p>7.c. What are the strengths and weaknesses of investments made and approaches utilized?</p> <p>7.d. What are the biggest challenges and opportunities for systemic change and how well have these been taken into account?</p>	<p>staff, Prosecutorial and Judicial staff, affected children/YP, and broader stakeholders</p> <p><b>Sample:</b> 2006-2010; Court system-related sample as determined by stakeholder analysis.</p> <p><b>Method:</b> interviews, document review</p>

## Appendix 2. Normative Framework for Evaluating System Strength

In the final research plan for the Project Lantern evaluation, we included a section entitled “Norms for systems strengthening” (see pages 9-12 of the plan) in which we defined “system” and outlined how we intended to assess changes in the public justice system to which the project has contributed over time.

This included defining the standard against which we would assess the strength of the system. As we wrote, “The evaluators will develop a rating scale for each of the relevant dimensions [of a strong public sector system] that will describe ‘inadequate’ at one end of the spectrum to ‘excellent’ at the other and use the scale as a guide to interpret the evidence collected in the course of the evaluation and assess project outcomes and impact.” Of course, Project Lantern has not focused on all such dimensions and on some of them only recently, so we cautioned that we would focus on those on which PL has focused “while still considering whether and how other aspects may have been affected.”

The following “rating scale” fleshes out the evaluators’ thinking and approach, drawing on our own expertise and on relevant literature in the fields of good governance and public sector systems strengthening.<sup>135</sup> The scale was developed to aid assessment of how Project Lantern has affected the PJS through its efforts to date. In illuminating points of particular strength or weakness, it could also serve as a barometer to use in designing a next phase for the project, one that focuses even more on what IJM has called ‘structural transformation’.

<b>Elements of Public Sector Systems</b>	<b>Rating Scale for Evidence Interpretation</b>			
	<b>Excellent</b>	<b>Good</b>	<b>Work in Progress</b>	<b>Inadequate</b>
<b>1. Political Will and Leadership</b>				

<sup>135</sup> See, for example:

Balabanova, Dina, Valeria Oliveira-Cruz, and Kara Hanson. 2008. *Health Sector Governance and Implications for the Private Sector*. Technical Partner Paper 9, Initiative on the Role of the Private Sector in Health Systems in Developing Countries: Rockefeller Foundation.

Garishankar, Navin. 2001. Evaluating Public Sector Reform: Guidelines for Assessing Country-Level Impact of Structural Reform and Capacity Building in the Public Sector. The World Bank, Washington DC.

<b>Elements of Public Sector Systems</b>	<b>Rating Scale for Evidence Interpretation</b>			
	<b>Excellent</b>	<b>Good</b>	<b>Work in Progress</b>	<b>Inadequate</b>
1.a. Existence of legal and policy framework	Very clear and strong (well developed, strategically focused and technically sound) core elements (executive policy, legislation, and administrative regulations for implementing the law) on the books	Core elements in place and reasonably clear but not fully developed/focused/sound across the board	Core elements more or less in place but lacking somewhat in clarity as well as in quality of development, strategic focus, and/or technical soundness	Core elements not in place or, even if to some degree in place, weak or misguided in significant ways
1.b. Degree of government prioritization	Front and center on national agenda, with bold vision, strategy and plans articulated and regularly and visibly championed by high-level government officials	Clear national priority articulated by the government but championed in somewhat less pronounced, visible and frequent fashion by leaders	On the radar at government level as a significant issue though not such a high priority and not championed in particular by leaders outside of the responsible lead agency heads	Not at all a priority in government circles; if reflected in policies and plans, it's buried under numerous higher-ranking priorities on the government's agenda; no senior-level champions whatsoever
1.c. Breadth and depth of policy, strategy and plan ownership	Highly inclusive and open process of developing and finalizing strategy and plans to implement policy/law, with informed participation of all relevant government agencies and broad constituencies outside of government	Process somewhat inclusive and open with significant time allocated to it and information shared; significant participation from across government and civic/private stakeholders	Limited inclusiveness, with some government actors less (or less consistently) involved and fewer stakeholders / constituencies outside of government engaged; limited openness with lead government agency sharing less information, doing more of the work behind closed doors, and more clearly directing the outcomes.	Little to no inclusiveness and participation from government agencies concerned and especially from civil society; highly directive with attempted inputs from outside the lead agency generally disregarded
<b>2. Structures, Accountabilities &amp; Partnerships</b>				

<b>Elements of Public Sector Systems</b>	<b>Rating Scale for Evidence Interpretation</b>			
	<b>Excellent</b>	<b>Good</b>	<b>Work in Progress</b>	<b>Inadequate</b>
2.a. Clarity of leadership within government as well as mandate and division of labor across government agencies	Lead agency formally and very clearly established (recognized and appreciated by critical stakeholders as the leader) and empowered to lead through official allocation of robust authority, power and resources; each government agency concerned has clear, shared understanding of respective roles and responsibilities as part of the overall system	Lead agency formally established and recognized but not as robustly empowered / resourced to lead; other agencies concerned have decent understanding of respective roles and responsibilities, more or less shared	Lead agency exists, though perhaps only de facto, and not necessarily fully supported by all other agencies concerned nor fully authorized, empowered and resourced to lead; some confusion around respective roles and responsibilities but core division of labor more or less understood and followed	No lead agency; all are unclear to one degree or another about respective mandates, roles and responsibilities and doing their own thing; though they may be getting significant work done individually as well as through complementary efforts across agencies, it's likely they're also to some degree bumping into each other or even working at cross-purposes
2.b. Nature of partnerships and collaboration across public and private/civic agencies	Government agencies and private/civic partners generally working together strategically (tapping complementary resources, expertise, and levers of influence) and formally and systematically collaborating (via joint design, implementation and monitoring of plans) toward shared high-level objectives	Significant evidence of strategic partnering but not across the full range of potential partners and opportunities for collaboration; formal collaboration not as well developed with joint design, implementation and monitoring not as regular and successful in drawing in partners	Some agencies working together in a more limited, less strategic way; collaboration significant but more piecemeal and informal; shared commitment and energy toward achieving high-level objectives present but thin	Little to no strategic partnering is evident and collaboration is limited at best, with only irregular gatherings and spotty interest, attendance, and, ultimately, investment in achieving high-level objectives; agencies are more concerned about their own work than any collective efforts
<b>3. Investment &amp; Management of Resources</b>				
3.a. Level and predictability of	Financial resources are plentiful and definitely	Financial resources are significant and in the main	Financial resources are somewhat limited and not	Financial resources are highly limited and unpredictable for

<b>Elements of Public Sector Systems</b>	<b>Rating Scale for Evidence Interpretation</b>			
	<b>Excellent</b>	<b>Good</b>	<b>Work in Progress</b>	<b>Inadequate</b>
financial resource flows	reliable and sustainable for the long term (more than sufficient for core costs and strategy and plan execution)	reliable and sustainable, allowing for core costs to be met and execution of at least the bulk of the strategy and plan without significant sacrifices	entirely reliable and sustainable, but adequate for core costs and implementing at least the heart of the strategy and plan	the future; major sacrifices have to be made, including trimming core costs, and important parts of the strategy and plan are thus unimplementable
3.b. Alignment of budget formulation and execution with highest priorities	Financial resources are transparently budgeted and utilized, first and foremost, for top priorities per the strategy and plan	Financial resources are budgeted and utilized with preference for top strategy and plan priorities but other factors sometimes redirect resources to a modest degree	Some intentional alignment is evidenced but there are significant gaps, resulting from significant but not massive redirected resources, both in budgeting and especially in expenditure	Budgeting and especially actual expenditure are barely, if at all linked, to top priorities in the sector strategy and plan; other (social, political, and economic) factors prevail on average
3.c. Quality and commitment of management and staff	Widely recognized (internally and externally) highly dedicated and capable leadership and management in place; staff pretty much across the board feel very well supported and enabled to do their jobs; human resource and performance management systems are widely perceived to be fair, transparent and consistently applied	Leadership and management generally recognized (internally and externally) as reasonably dedicated and capable; most staff feel reasonably supported and enabled; HR and performance management systems are viewed as imperfect but generally fair, transparent, and consistently applied	Significant numbers consider leadership and management reasonably dedicated and capable, though there's more difference of opinion; staff feel real gaps in how they are supported and enabled but still are able largely to do their jobs; HR and performance management systems are somewhat uneven, though still more often than not reasonably fair, transparent and consistent	Very few if any consider leadership and management dedicated and capable; staff feel unsupported, unable and disempowered to do their job well or even adequately; HR and performance management systems, if they exist and are known, are not generally honored and practice is typically far removed from policies and procedures
<b>4. Oversight &amp; Management of Service Delivery</b>				
4.a. Clarity of ethical	Clear, appropriate laws,	Laws, policies, standards and	Laws, policies, standards and	Laws, policies, standards and

<b>Elements of Public Sector Systems</b>	<b>Rating Scale for Evidence Interpretation</b>			
	<b>Excellent</b>	<b>Good</b>	<b>Work in Progress</b>	<b>Inadequate</b>
standards and guidelines <sup>136</sup>	policies, standards and procedures guidelines guarding against corruption, personal biases and patronage shared and promoted widely with all staff; well resourced, independent oversight (e.g. an ombudsman) is institutionalized and routine auditing carried out with decisive, strict consequences for violators	procedures, guidelines in place and disseminated but not as widely promoted and not quite as vigorously audited and enforced but still clear and prioritized to a large degree; institutionalized oversight may be there but weaker/less equipped and effective	procedures, guidelines are in place but, in some ways, incomplete; disseminated widely but little promotion and oversight and follow-up not nearly as strong and systematic; violators punished but not as severely	procedures, guidelines are weak or not in place at all; not necessarily disseminated to the staff and not promoted at all; independent oversight, auditing and enforcement are pretty much nonexistent or completely ineffective
4.b. Monitoring of performance against plans, budgets, and programs	Clear metrics of progress and ultimate success defined and agreed by major stakeholders; regular monitoring and reporting of outputs and evaluation of links between outputs and desired outcomes, with resulting evidence and learning incorporated into future planning and programming	Metrics in place but not as well thought through, complete, or widely agreed; M&E and reporting carried out somewhat less regularly/routinely, and link back to future planning and programming not as tight and direct	Some, minimum metrics in place, even if not clearly defined nor widely agreed; M&E and reporting more patchy but still providing some regular, if infrequent feedback on how well various activities are doing and their contributions to more significant change; link to future planning and programming somewhat weak	Metrics of progress and ultimate success largely absent; no regular M&E monitoring and reporting evaluation, reports that are submitted are not read and followed up routinely, and little to nothing, therefore, to feed back into future planning and programming
<b>5. Social Accountability</b>				
5.a. Dissemination of performance	Plans, budgets and descriptions of major	Plans, budgets and major project and program	Plans, budgets and major project and program	Plans, budgets and information on major

<sup>136</sup> Dissemination of laws on corruption and discrimination and related finance, HR and admin policies, standards and procedures guidelines and auditing, oversight and enforcement of compliance.

<b>Elements of Public Sector Systems</b>	<b>Rating Scale for Evidence Interpretation</b>			
	<b>Excellent</b>	<b>Good</b>	<b>Work in Progress</b>	<b>Inadequate</b>
monitoring information	projects and programs are systematically made available to the public in timely, accessible fashion; M&E information also made available to the public at large and all stakeholders	descriptions are to a growing degree made available, although not always in timely and as accessible fashion; M&E information disseminated to many stakeholders and to a growing degree more broadly, including to the public	descriptions are too often available on a limited or restricted basis only and difficult to access; M&E info not widely disseminated, typically limited to key stakeholders (although at least an initial shift toward greater transparency and wider access is noted)	projects and programs are very difficult if not impossible to find; M&E information essentially not disseminated
5.b. Quality of citizen / client feedback and grievance mechanisms	Institutionalized mechanisms invite and attract open, honest feedback and accountability on how public resources have been used (or misused) and performance in relation to expectations (plan targets) and perceived entitlements	Mechanisms are in place and regularly used, but not as institutionalized; feedback and complaints on the use of public resources and progress toward achieving plan and program objectives are fairly open and honest but not as robust	Mechanisms are nascent and irregular but still have meaning as periodic opportunities for feedback and accountability, though levels of participation, openness, and frankness are somewhat limited	Mechanisms do not exist or, if they do, they are not really trusted and thus not utilized effectively for their stated purpose; major gaps remain in connecting clients and the citizenry to their government leaders and line ministry officials responsible for service delivery