

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

House Bill No. 6332



Introduced by Congressman Lord Allan Jay Q. Velasco

EXPLANATORY NOTE

The State recognizes the right of every individual to be free from all kinds of abuse, exploitation and discrimination. Similarly, the State is also impelled not only by law but also by a more profound sense of purpose to protect its people from the clutches of harm and other sinister devices both within and without its territorial boundaries. The promulgation of Republic Act 9208, also known as the Anti-Trafficking in Persons Act, is a manifestation of such purpose. With the help of the existing instrumentalities of the government through the executive branch, a considerable number of Filipinos have been saved from being exploited into prostitution, forced labor, slavery, and even the removal and sale of vital organs. Nevertheless, reports from the agencies and instrumentalities authorized to implement the law indicate that inasmuch as the law has established a well-placed obstacle for human traffickers in consummating their perverted deeds, it is inevitable that they find ways to circumvent the provisions of the existing legislation.

Rescue of trafficked persons is merely a part of the process of curbing human trafficking in its entirety. The subsequent litigation and conviction of human traffickers is the key to stopping this menace altogether. To this end, this amendment shall establish a means for protecting the victims of this abuse from the subsequent threats and dangers from the moment of rescue to the time such litigation and conviction has been achieved.

In view of the foregoing, passage of this bill is hereby being earnestly sought.


LORD ALLAN JAY Q. VELASCO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

House Bill No. 6332

Introduced by Congressman Lord Allan Jay Q. Velasco

**AN ACT
TO EXTEND THE PROTECTION OF PERSONS, ESPECIALLY WOMEN AND
CHILDREN, AS PROVIDED FOR IN REPUBLIC ACT 9208, ALSO KNOWN AS ANTI-
TRAFFICKING IN PERSONS ACT OF 2003**

Be it enacted by the Senate and the House of Representatives in Congress assembled:

Section 1. *Declaration of policy* – the state recognizes the need for legal protection of trafficked persons. As provided in Section 17 of RA 9208, the same shall be recognized as victims of the act or acts of trafficking and as such shall not be penalized for crimes directly related to the acts of trafficking enumerated in this Act or in obedience to the order made by the trafficker in relation thereto. In this regard, the consent of a trafficked person to the intended exploitation set forth in this Act shall be irrelevant.

Section 2. *Expansion of Protection* – In order to increase the legal protection for the trafficked persons, any law enforcement officer shall, upon reasonable belief based on the present circumstances that a person is a victim any offense provided for in this Act, have the authority to place the same for temporary safekeeping.

The Department of Social Works and Development (DSWD) or any Non-Government Organization duly sanctioned by the state to aid in the protection of trafficked persons shall be authorized to receive the trafficked person for safekeeping upon recommendation of any law enforcement officer. Such safekeeping shall not in any way exceed thirty-six (36) hours immediately after the rescue of the trafficked victim.

The period may be extended by the intervention of a prosecutor by issuing a protection order on the trafficked victim for sixty (60) days for purposes of investigation and building a case against the perpetrators. However, such protection order and extension shall only be issued when the following requisites are present:

- a. Written consent of the trafficked victim previously acquired by the DSWD;
- b. There are reasonable grounds to believe that the life and safety of the trafficked victim is in clear and present danger;
- c. That the trafficked victim is in possession of information material to the case.

Section 3. *Repealing Clause.* - All laws, ordinances, rules, regulations, and other issuances or parts thereof, which are inconsistent with this Act are hereby repealed or modified accordingly.

Section 4. *Effectivity* – This act shall take effect fifteen days (15) after publication in at least two (2) national newspapers of general circulation.

Approved,