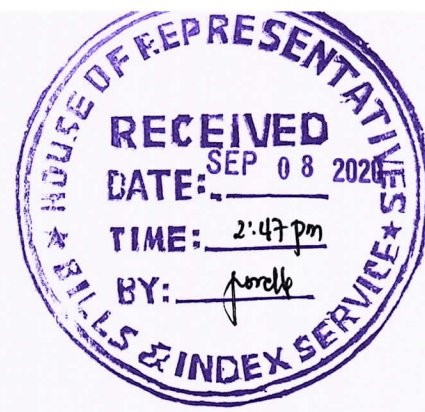


Republic of the Philippines
HOUSE OF REPRESENTATIVES

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 7605



Introduced by HONORABLE WES GATCHALIAN

AN ACT
ESTABLISHING A HUMAN TRAFFICKING PREVENTION EDUCATION PROGRAM
FOR THE YOUTH AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

Despite centuries of struggle to eradicate all forms of slavery and other human rights abuses, human trafficking, or modern-day slavery, is a problem that remains to affect every country in the world. The United Nations Office on Drugs and Crime reported that every year, thousands of people, regardless of age or sex, among other indicators, fall into the hands of traffickers, in their own countries and abroad.¹

In the 2019 Trafficking in Persons Report of the US Department of State, the Philippines was declared as a Tier 1 country, or one whose government has met the minimum standards for the elimination of trafficking. The country has attained such status since 2016. However, the same report declares that the top three countries of origin of federally identified victims in FY 2018 were the United States, Mexico, and the Philippines.² In 2018, The Department of Social Welfare and Development (DSWD) has assisted 2,318 victims-survivors of human trafficking nationwide.³

In 2003, Republic Act No. 9208 or The Anti-Trafficking in Persons Act was enacted. This created the Inter-Agency Council Against Trafficking in Persons (IACAT), with

¹ United Nations. Human Trafficking. Retrieved from <https://www.unodc.org/unodc/en/human-trafficking/what-is-human-trafficking.html>

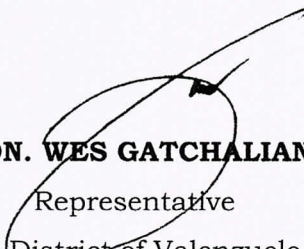
² US Department of State. (2019). Trafficking in Persons Report. Retrieved from <https://www.state.gov/wp-content/uploads/2019/06/2019-Trafficking-in-Persons-Report.pdf>

³ Relief Web. (2019). DSWD calls for stronger advocacy against human trafficking. Retrieved from <https://reliefweb.int/report/philippines/dswd-calls-stronger-advocacy-against-human-trafficking>

the Department of Justice (DOJ) as the lead agency. In 2012, Republic Act No. 10364, which expanded the former law, was enacted. Since then, The Philippines has gone a long way in eradicating human trafficking. However, this remains to be rampant in impoverished communities. According to the United Nations Children's Fund (UNICEF), children are the ones commonly trafficked for exploitation in the sex trade. While the official number of victims is undetermined, an estimated 60,000 to 100,000 children in the Philippines are involved in prostitution.⁴

In order to empower the youth against the scourge of human trafficking, the creation of a comprehensive Human Trafficking Preventive Education Program (Program) is sought. The Program will arm members of the youth sector from all walks of life with the information they need to protect themselves from becoming victims of trafficking. In addition, the Program will institute grassroots reporting mechanisms to empower community members to take a stand against human trafficking with decisive action against the heinous criminals who seek to degrade our most fundamental human rights.

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



HON. WES GATCHALIAN
Representative
1st District of Valenzuela

⁴ UNICEF. Factsheet: Child Trafficking in the Philippines. Retrieved from <https://www.unicef.org/protection/files/ipulocaltrafficking.pdf>

Republic of the Philippines
HOUSE OF REPRESENTATIVES

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 7605

Introduced by HONORABLE WES GATCHALIAN

AN ACT
ESTABLISHING A HUMAN TRAFFICKING PREVENTION EDUCATION PROGRAM
FOR THE YOUTH AND APPROPRIATING FUNDS THEREFOR

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

1 **SECTION 1.** Section 8 of Republic Act No. 9208, as amended, is hereby
2 amended to read as follows –

3
4 "SECTION. 8. *INVESTIGATION* ~~Initiation~~ *and Prosecution of Cases.* –

5
6 "(a) *Initiation of Investigation.* – Law enforcement agencies are mandated to
7 immediately initiate investigation and counter-trafficking-intelligence
8 gathering upon receipt of statements or affidavit from victims of trafficking,
9 migrant workers, or their families who are in possession of knowledge or
10 information about trafficking in persons cases.

11
12 “(B) *SURVEILLANCE, INTERCEPTION AND RECORDING OF*
13 *COMMUNICATIONS.* – IN CASES INVOLVING CHILD TRAFFICKING, AND
14 NOTWITHSTANDING THE PROVISIONS OF REPUBLIC ACT NO. 4200 (ANTI-
15 WIRE TAPPING LAW), A LAW ENFORCEMENT OFFICER MAY, UPON A
16 WRITTEN ORDER FROM THE COURT, TRACK DOWN, INTERCEPT AND
17 RECORD, WITH THE USE OF ANY MODE, FORM, KIND OR TYPE OF
18 ELECTRONIC OR OTHER SURVEILLANCE EQUIPMENT OR INTERCEPTING
19 AND TRACKING DEVICES, OR WITH THE USE OF ANY OTHER SUITABLE
20 WAYS AND MEANS FOR THAT PURPOSE, ANY COMMUNICATIONS,

1 CONVERSATIONS, DISCUSSIONS, DATA, INFORMATION, OR MESSAGES,
2 SPOKEN OR WRITTEN INVOLVING AT LEAST ONE PERSON CHARGED WITH
3 OR SUSPECTED OF TRAFFICKING IN PERSONS.
4

5 I. *FORMAL APPLICATION FOR JUDICIAL AUTHORIZATION.* – THE CHIEF
6 OF THE PHILIPPINE NATIONAL POLICE (PNP) OR THE DIRECTOR OF
7 THE NATIONAL BUREAU OF INVESTIGATION (NBI) OR ANY OF THEIR
8 DULY AUTHORIZED REPRESENTATIVES, WHO HAS BEEN DULY
9 AUTHORIZED BY THE DEPARTMENT OF JUSTICE (DOJ) IN WRITING,
10 MAY SUBMIT *EX PARTE* APPLICATIONS FOR THE ISSUANCE OF
11 WRITTEN ORDERS FROM THE REGIONAL TRIAL COURT, TO TRACK
12 DOWN, INTERCEPT AND RECORD, ANY COMMUNICATIONS,
13 CONVERSATIONS, DISCUSSIONS, DATA, INFORMATION, OR
14 MESSAGES, SPOKEN OR WRITTEN, UPON EXAMINATION UNDER
15 OATH OF THE APPLICANT AND THE WITNESSES HE MAY PRODUCE
16 TO ESTABLISH THAT THERE IS PROBABLE CAUSE TO BELIEVE
17 BASED ON PERSONAL KNOWLEDGE OF FACTS OR
18 CIRCUMSTANCES THAT: (A) THE CRIME OF TRAFFICKING HAS BEEN
19 COMMITTED, OR IS BEING COMMITTED, OR IS ABOUT TO BE
20 COMMITTED; (B) EVIDENCE, WHICH IS ESSENTIAL TO THE
21 CONVICTION OF ANY CHARGED OR SUSPECTED PERSON FOR, OR
22 TO THE SOLUTION OR PREVENTION OF, ANY SUCH CRIMES, WILL
23 BE OBTAINED; AND, (C) THAT THERE IS NO OTHER EFFECTIVE
24 MEANS READILY AVAILABLE FOR ACQUIRING SUCH EVIDENCE.
25

26 II. *CLASSIFICATION AND CONTENT OF THE ORDER OF THE COURT.* –
27 THE ORIGINAL APPLICATION FOR AUTHORITY TO TRACK DOWN,
28 INTERCEPT AND RECORD, INCLUDING HIS APPLICATION TO
29 EXTEND OR RENEW, IF ANY, THE WRITTEN ORDER GRANTED BY
30 THE COURT, AND ANY SUCH ORDER TO EXTEND OR RENEW THE
31 SAME SHALL BE DEEMED, AND ARE HEREBY DECLARED, AS
32 CLASSIFIED INFORMATION: PROVIDED, THAT THE PERSON BEING
33 SURVEILLED OR WHOSE COMMUNICATIONS, LETTERS, PAPERS,
34 MESSAGES, CONVERSATIONS, DISCUSSIONS, SPOKEN OR
35 WRITTEN WORDS AND EFFECTS HAVE BEEN MONITORED,
36 LISTENED TO, BUGGED OR RECORDED BY LAW ENFORCEMENT

1 AUTHORITIES HAS THE RIGHT TO BE INFORMED OF THE ACTS
2 DONE BY THE LAW ENFORCEMENT AUTHORITIES IN THE
3 PREMISES OR TO CHALLENGE, IF HE OR SHE INTENDS TO DO SO,
4 THE LEGALITY OF THE INTERFERENCE BEFORE THE COURT
5 WHICH ISSUED THE WRITTEN ORDER.
6

7 THE WRITTEN ORDER OF THE COURT AUTHORIZING THE TRACK
8 DOWN, INTERCEPTION AND RECORDING, SHALL SPECIFY THE
9 FOLLOWING: (A) THE IDENTITY, SUCH AS NAME AND ADDRESS, IF
10 KNOWN, OF THE CHARGED OR SUSPECTED PERSON WHOSE
11 COMMUNICATIONS, MESSAGES, CONVERSATIONS, DISCUSSIONS,
12 OR SPOKEN OR WRITTEN WORDS ARE TO BE TRACKED DOWN,
13 TAPPED, LISTENED TO, INTERCEPTED, AND RECORDED AND, IN
14 THE CASE OF RADIO, ELECTRONIC, OR TELEPHONIC (WHETHER
15 WIRELESS OR OTHERWISE) COMMUNICATIONS, MESSAGES,
16 CONVERSATIONS, DISCUSSIONS, OR SPOKEN OR WRITTEN
17 WORDS, THE ELECTRONIC TRANSMISSION SYSTEMS OR THE
18 TELEPHONE NUMBERS TO BE TRACKED DOWN, TAPPED, LISTENED
19 TO, INTERCEPTED, AND RECORDED AND THEIR LOCATIONS, OR IF
20 THE PERSON SUSPECTED OF THE CRIME IS NOT FULLY KNOWN,
21 SUCH PERSON SHALL BE SUBJECT TO CONTINUOUS
22 SURVEILLANCE PROVIDED THERE IS A REASONABLE GROUND TO
23 DO SO; (B) THE IDENTITY (NAME, ADDRESS, AND THE POLICE OR
24 LAW ENFORCEMENT ORGANIZATION) OF THE POLICE OR OF THE
25 LAW ENFORCEMENT OFFICIAL, INCLUDING THE INDIVIDUAL
26 IDENTITY (NAMES, ADDRESSES, AND THE POLICE OR LAW
27 ENFORCEMENT ORGANIZATION) OF THE MEMBERS OF HIS TEAM,
28 JUDICIALLY AUTHORIZED TO TRACK DOWN, TAP, LISTEN TO,
29 INTERCEPT, AND RECORD THE COMMUNICATIONS, MESSAGES,
30 CONVERSATIONS, DISCUSSIONS, OR SPOKEN OR WRITTEN
31 WORDS; (C) THE OFFENSE OR OFFENSES COMMITTED, OR BEING
32 COMMITTED, OR SOUGHT TO BE PREVENTED; AND, (D) THE
33 LENGTH OF TIME WITHIN WHICH THE AUTHORIZATION SHALL BE
34 USED OR CARRIED OUT.

35 III. *EFFECTIVE PERIOD OF JUDICIAL AUTHORIZATION.* - ANY
36 AUTHORIZATION GRANTED BY THE COURT PURSUANT TO THIS

1 SECTION SHALL ONLY BE EFFECTIVE FOR THE LENGTH OF TIME
2 SPECIFIED IN THE WRITTEN ORDER OF THE COURT, WHICH SHALL
3 NOT EXCEED A PERIOD OF THIRTY (30) DAYS FROM THE DATE OF
4 RECEIPT BY THE APPLICANT POLICE OR LAW ENFORCEMENT
5 OFFICIAL OF THE WRITTEN ORDER.

6
7 THE COURT MAY EXTEND OR RENEW THE SAID AUTHORIZATION
8 FOR ANOTHER NON-EXTENDIBLE PERIOD, WHICH SHALL NOT
9 EXCEED THIRTY (30) DAYS FROM THE EXPIRATION OF THE
10 ORIGINAL PERIOD: PROVIDED, THAT THE COURT IS SATISFIED
11 THAT SUCH EXTENSION OR RENEWAL IS IN THE PUBLIC INTEREST:
12 AND PROVIDED, FURTHER, THAT THE *EX PARTE* APPLICATION FOR
13 EXTENSION OR RENEWAL, WHICH MUST BE FILED BY THE
14 ORIGINAL APPLICANT, HAS BEEN DULY AUTHORIZED IN WRITING
15 BY THE DOJ.

16
17 IN CASE OF DEATH OF THE ORIGINAL APPLICANT, OR IN CASE HE
18 IS PHYSICALLY DISABLED TO FILE THE APPLICATION FOR
19 EXTENSION OR RENEWAL, THE ONE NEXT IN RANK TO THE
20 ORIGINAL APPLICANT AMONG THE MEMBERS OF THE TEAM NAMED
21 IN THE ORIGINAL WRITTEN ORDER OF THE COURT SHALL FILE THE
22 APPLICATION FOR EXTENSION OR RENEWAL: PROVIDED, THE
23 APPLICANT POLICE OR LAW ENFORCEMENT OFFICIAL SHALL HAVE
24 THIRTY (30) DAYS AFTER THE TERMINATION OF THE PERIOD
25 GRANTED BY THE REGIONAL TRIAL COURT AS PROVIDED IN THE
26 PRECEDING PARAGRAPHS WITHIN WHICH TO FILE THE
27 APPROPRIATE CASE BEFORE THE PUBLIC PROSECUTOR'S OFFICE
28 FOR ANY VIOLATION OF THIS ACT.

29
30 IF NO CASE IS FILED WITHIN THE THIRTY (30)-DAY PERIOD, THE
31 APPLICANT POLICE OR LAW ENFORCEMENT OFFICIAL SHALL,
32 WITHIN THIRTY (30) DAYS FROM THE EXPIRATION OF THE SAID
33 THIRTY (30)-DAY PERIOD, NOTIFY THE PERSON SUBJECT OF THE
34 SURVEILLANCE THAT HE OR SHE WAS THE SUBJECT OF
35 SURVEILLANCE, INTERCEPTION AND RECORDING, AND THE
36 TERMINATION THEREOF. FAILURE TO NOTIFY THE SURVEILLED

1 WITHIN THE REQUIRED PERIOD SHALL BE PENALIZED UNDER
2 SECTION 10(g) OF THIS ACT.

3
4 *CUSTODY OF INTERCEPTED AND RECORDED COMMUNICATIONS.* –
5 ALL TAPES, DISCS, AND RECORDINGS MADE PURSUANT TO THIS
6 SECTION, INCLUDING ALL EXCERPTS AND SUMMARIES THEREOF
7 AS WELL AS ALL WRITTEN NOTES OR MEMORANDA MADE IN
8 CONNECTION THEREWITH, SHALL, WITHIN FORTY-EIGHT (48)
9 HOURS AFTER THE EXPIRATION OF THE PERIOD FIXED IN THE
10 WRITTEN ORDER, OR WITHIN FORTY-EIGHT (48) HOURS AFTER THE
11 EXPIRATION OF ANY EXTENSION OR RENEWAL, BE DEPOSITED
12 WITH THE COURT GRANTING THE AUTHORITY IN A SEALED
13 ENVELOPE OR SEALED PACKAGE, AS THE CASE MAY BE, AND
14 SHALL BE ACCOMPANIED BY A JOINT AFFIDAVIT OF THE
15 APPLICANT POLICE OR LAW ENFORCEMENT OFFICIAL AND THE
16 MEMBERS OF HIS TEAM. IN CASE OF DEATH OF THE APPLICANT OR
17 IN CASE HE IS PHYSICALLY DISABLED TO EXECUTE THE REQUIRED
18 AFFIDAVIT, THE ONE NEXT IN RANK TO THE APPLICANT AMONG
19 THE MEMBERS OF THE TEAM NAMED IN THE WRITTEN ORDER
20 SHALL EXECUTE WITH THE MEMBERS OF THE TEAM THAT
21 REQUIRED AFFIDAVIT. IT SHALL BE UNLAWFUL FOR ANY PERSON,
22 POLICE OFFICER OR ANY CUSTODIAN OF THE TAPES, DISCS AND
23 RECORDING, AND THEIR EXCERPTS AND SUMMARIES, WRITTEN
24 NOTES OR MEMORANDA TO COPY IN WHATEVER FORM, TO
25 REMOVE, DELETE, EXPUNGE, INCINERATE, SHRED OR DESTROY
26 IN ANY MANNER THE ITEMS ENUMERATED ABOVE IN WHOLE OR IN
27 PART UNDER ANY PRETEXT WHATSOEVER.

28
29 *CONTENTS OF JOINT AFFIDAVIT.* – THE JOINT AFFIDAVIT OF THE
30 POLICE OR OF THE LAW ENFORCEMENT OFFICIAL AND THE
31 INDIVIDUAL MEMBERS OF HIS TEAM SHALL STATE: (A) THE
32 NUMBER OF TAPES, DISCS, AND RECORDINGS THAT HAVE BEEN
33 MADE, AS WELL AS THE NUMBER OF EXCERPTS AND SUMMARIES
34 THEREOF AND THE NUMBER OF WRITTEN NOTES AND
35 MEMORANDA, IF ANY, MADE IN CONNECTION THEREWITH; (B) THE
36 DATES AND TIMES COVERED BY EACH OF SUCH TAPES, DISCS,

1 AND RECORDINGS; (C) THE NUMBER OF TAPES, DISCS, AND
2 RECORDINGS, AS WELL AS THE NUMBER OF EXCERPTS AND
3 SUMMARIES THEREOF AND THE NUMBER OF WRITTEN NOTES AND
4 MEMORANDA MADE IN CONNECTION THEREWITH THAT HAVE
5 BEEN INCLUDED IN THE DEPOSIT; AND (D) THE DATE OF THE
6 ORIGINAL WRITTEN AUTHORIZATION GRANTED BY THE DOJ TO
7 THE APPLICANT TO FILE THE EX PARTE APPLICATION TO CONDUCT
8 THE TRACKING DOWN, TAPPING, INTERCEPTING, AND RECORDING,
9 AS WELL AS THE DATE OF ANY EXTENSION OR RENEWAL OF THE
10 ORIGINAL WRITTEN AUTHORITY GRANTED BY THE COURT.

11
12 THE JOINT AFFIDAVIT SHALL ALSO CERTIFY UNDER OATH THAT NO
13 DUPLICATES OR COPIES OF THE WHOLE OR ANY PART OF ANY OF
14 SUCH TAPES, DISCS, AND RECORDINGS, AND THAT NO
15 DUPLICATES OR COPIES OF THE WHOLE OR ANY PART OF ANY OF
16 SUCH EXCERPTS, SUMMARIES, WRITTEN NOTES, AND
17 MEMORANDA, HAVE BEEN MADE, OR, IF MADE, THAT ALL SUCH
18 DUPLICATES AND COPIES ARE INCLUDED IN THE SEALED
19 ENVELOPE OR SEALED PACKAGE, AS THE CASE MAY BE,
20 DEPOSITED WITH THE AUTHORIZING DIVISION OF THE COURT OF
21 APPEALS.

22
23 IV. *DISPOSITION OF DEPOSITED MATERIAL.* -THE SEALED ENVELOPE
24 OR SEALED PACKAGE AND THE CONTENTS THEREOF, WHICH ARE
25 DEPOSITED WITH THE AUTHORIZING COURT, SHALL BE DEEMED
26 AND ARE HEREBY DECLARED CLASSIFIED INFORMATION, AND THE
27 SEALED ENVELOPE OR SEALED PACKAGE SHALL NOT BE OPENED
28 AND ITS CONTENTS (INCLUDING THE TAPES, DISCS, AND
29 RECORDINGS AND ALL THE EXCERPTS AND SUMMARIES THEREOF
30 AND THE NOTES AND MEMORANDA MADE IN CONNECTION
31 THEREWITH) SHALL NOT BE DIVULGED, REVEALED, READ,
32 REPLAYED, OR USED AS EVIDENCE UNLESS AUTHORIZED BY
33 WRITTEN ORDER OF THE AUTHORIZING COURT. FOR THIS
34 PURPOSE, THE DOJ SHALL FILE A WRITTEN APPLICATION TO OPEN
35 THE SEALED ENVELOPE OR SEALED PACKAGE BEFORE THE
36 AUTHORIZING COURT, WITH PROPER WRITTEN NOTICE TO THE

1 PERSON WHOSE CONVERSATION, COMMUNICATION, MESSAGE
2 DISCUSSION OR SPOKEN OR WRITTEN WORDS HAVE BEEN THE
3 SUBJECT OF SURVEILLANCE, MONITORING, RECORDING AND
4 INTERCEPTION, TO OPEN, REVEAL, DIVULGE, AND USE THE
5 CONTENTS OF THE SEALED ENVELOPE OR SEALED PACKAGE AS
6 EVIDENCE.

7
8 THE WRITTEN APPLICATION WITH NOTICE TO THE PARTY
9 CONCERNED TO OPEN THE DEPOSITED SEALED ENVELOPE OR
10 SEALED PACKAGE SHALL CLEARLY STATE THE PURPOSE OR
11 REASON: (A) FOR OPENING THE SEALED ENVELOPE OR SEALED
12 PACKAGE; (B) FOR REVEALING OR DISCLOSING ITS CLASSIFIED
13 CONTENTS; (C) FOR REPLAYING, DIVULGING, AND OR READING ANY
14 OF THE LISTENED TO, INTERCEPTED, AND RECORDED
15 COMMUNICATIONS, MESSAGES, CONVERSATIONS, DISCUSSIONS,
16 OR SPOKEN OR WRITTEN WORDS (INCLUDING ANY OF THE
17 EXCERPTS AND SUMMARIES THEREOF AND ANY OF THE NOTES OR
18 MEMORANDA MADE IN CONNECTION THEREWITH); AND, (D) FOR
19 USING ANY OF SAID LISTENED TO, INTERCEPTED, AND RECORDED
20 COMMUNICATIONS, MESSAGES, CONVERSATIONS, DISCUSSIONS,
21 OR SPOKEN OR WRITTEN WORDS (INCLUDING ANY OF THE
22 EXCERPTS AND SUMMARIES THEREOF AND ANY OF THE NOTES OR
23 MEMORANDA MADE IN CONNECTION THEREWITH) AS EVIDENCE.

24
25 V. *EVIDENTIARY VALUE OF DEPOSITED MATERIALS.* – ANY LISTENED
26 TO, INTERCEPTED, AND RECORDED COMMUNICATIONS,
27 MESSAGES, CONVERSATIONS, DISCUSSIONS, OR SPOKEN OR
28 WRITTEN WORDS, OR ANY PART OR PARTS THEREOF, OR ANY
29 INFORMATION OR FACT CONTAINED THEREIN, INCLUDING THEIR
30 EXISTENCE, CONTENT, SUBSTANCE, PURPORT, EFFECT, OR
31 MEANING, WHICH HAVE BEEN SECURED IN VIOLATION OF THE
32 PERTINENT PROVISIONS OF THIS ACT, SHALL ABSOLUTELY NOT BE
33 ADMISSIBLE AND USABLE AS EVIDENCE AGAINST ANYBODY IN ANY
34 JUDICIAL, QUASI-JUDICIAL, LEGISLATIVE, OR ADMINISTRATIVE
35 INVESTIGATION, INQUIRY, PROCEEDING, OR HEARING.

1 "(C) *Prosecution of Cases.* – Any person who has personal knowledge of the
2 commission of any offense under this Act, such as the trafficked person, the
3 parents, spouse, siblings, children or legal guardian may file a complaint for
4 trafficking.

5
6 "(D) *PLEA BARGAINING.* – THE ACCUSED, WITH THE CONSENT OF THE
7 OFFENDED PARTY AND THE PROSECUTOR, MAY BE ALLOWED BY THE
8 TRIAL COURT TO PLEAD GUILTY TO A LESSER OFFENSE WHICH IS
9 NECESSARILY INCLUDED IN THE OFFENSE CHARGED.

10
11 "(E) *Affidavit of Desistance.* – Cases involving trafficking in persons should not
12 be dismissed based on the affidavit of desistance executed by the victims or
13 their parents or legal guardians. Public and private prosecutors are directed
14 to oppose and manifest objections to motions for dismissal.

15
16 "Any act involving the means provided in this Act or any attempt thereof for
17 the purpose of securing an Affidavit of Desistance from the complainant shall
18 be punishable under this Act."

19
20 SECTION 8-A. *DUTIES OF AN INTERNET SERVICE PROVIDER (ISP).* – ALL
21 INTERNET SERVICE PROVIDERS (ISPS) SHALL NOTIFY THE PNP OR THE
22 NBI WITHIN SEVEN (7) DAYS FROM OBTAINING FACTS AND
23 CIRCUMSTANCES THAT ANY FORM OF CHILD TRAFFICKING, CHILD
24 PORNOGRAPHY, OR ANY FORM SEXUAL EXPLOITATION OF CHILDREN IS
25 BEING COMMITTED USING ITS SERVER OR FACILITY. NOTHING IN THIS
26 SECTION MAY BE CONSTRUED TO REQUIRE AN ISP TO ENGAGE IN THE
27 MONITORING OF ANY USER, SUBSCRIBER OR CUSTOMER, OR THE
28 CONTENT OF ANY COMMUNICATION OF ANY SUCH PERSON: PROVIDED,
29 THAT NO ISP SHALL BE HELD CIVILLY LIABLE FOR DAMAGES ON
30 ACCOUNT OF ANY NOTICE GIVEN IN GOOD FAITH IN COMPLIANCE WITH
31 THIS SECTION.

32
33 FURTHERMORE, AN ISP SHALL PRESERVE SUCH EVIDENCE FOR
34 PURPOSE OF INVESTIGATION AND PROSECUTION BY RELEVANT
35 AUTHORITIES.

1 AN ISP SHALL, UPON THE REQUEST OF PROPER AUTHORITIES, FURNISH
2 THE PARTICULARS OF USERS WHO GAINED OR ATTEMPTED TO GAIN
3 ACCESS TO AN INTERNET ADDRESS WHICH CONTAINS ANY FORM OF
4 CHILD TRAFFICKING, CHILD PORNOGRAPHY OR ANY FORM OF SEXUAL
5 EXPLOITATION OF CHILDREN.

6
7 ALL ISPS SHALL INSTALL AVAILABLE TECHNOLOGY, PROGRAM OR
8 SOFTWARE TO ENSURE THAT ACCESS TO OR TRANSMITTAL OF ANY FORM
9 OF CHILD PORNOGRAPHY WILL BE BLOCKED OR FILTERED.

10
11 AN ISP WHO SHALL KNOWINGLY, WILLFULLY AND INTENTIONALLY
12 VIOLATE THIS PROVISION SHALL BE SUBJECT TO THE PENALTY
13 PROVIDED UNDER SECTION 10(H) OF THIS ACT.

14
15 THE DOJ, WITH THE NATIONAL TELECOMMUNICATIONS COMMISSION
16 (NTC), AND SUCH OTHER RELEVANT GOVERNMENT AGENCIES, SHALL
17 PROMULGATE WITHIN NINETY (90) DAYS FROM THE EFFECTIVITY OF THIS
18 ACT THE NECESSARY RULES AND REGULATIONS FOR THE
19 IMPLEMENTATION OF THIS PROVISION WHICH SHALL INCLUDE, AMONG
20 OTHERS, THE INSTALLATION OF FILTERING SOFTWARE THAT WILL BLOCK
21 ACCESS TO OR TRANSMISSION OF ANY FORM OF CHILD TRAFFICKING,
22 CHILD PORNOGRAPHY, OR SEXUAL EXPLOITATION OF CHILDREN.

23
24 SECTION 8-B. *RESPONSIBILITY OF TOURISM-ORIENTED ESTABLISHMENTS⁵*
25 *INCLUDING HOTELS, RESORTS, INNS, MOTELS, AND OTHER RELATED*
26 *FACILITIES AND SERVICES. – ALL TOURISM-ORIENTED ESTABLISHMENTS*
27 *INCLUDING HOTELS, RESORTS, INNS, MOTELS, AND OTHER RELATED*
28 *FACILITIES AND SERVICES SHALL NOTIFY THE PNP OR THE NBI WITHIN*
29 *SEVEN (7) DAYS FROM OBTAINING FACTS AND CIRCUMSTANCES THAT*
30 *CHILD TRAFFICKING, CHILD PORNOGRAPHY, OR SEXUAL EXPLOITATION*

⁵ Republic Act No. 9593 The Tourism Act of 2009 defines "Tourism enterprises" as facilities, services and attractions involved in tourism, such as, but not limited to: travel and tour services; tourist transport services, whether for land, sea or air transportation; tour guides; adventure sports; services involving such sports as mountaineering, spelunking, scuba diving, and other sports activities of significant tourism potential; convention organizers; accommodation establishments, including, but not limited to, hotels, resorts, apartelles, tourist inns, motels, pension houses, and home stay operators; tourism estate management services, restaurants, shops and department stores, sports and recreational centers, spas, museums and galleries, theme parks, convention centers and zoos; (Section 4[p])

1 OF CHILDREN IS BEING COMMITTED IN THEIR PREMISES: PROVIDED,
2 THAT THESE TOURISM-ORIENTED ESTABLISHMENTS SHALL ADOPT
3 POLICIES, TO BE REGULARLY UPDATED AND IMPLEMENTED, TO
4 ADDRESS AND PREVENT THE POSSIBLE CONDUCT OF CHILD
5 TRAFFICKING, CHILD PORNOGRAPHY OR SEXUAL EXPLOITATION OF
6 CHILDREN IN THEIR RESPECTIVE ESTABLISHMENTS : PROVIDED,
7 FURTHER THAT PUBLIC DISPLAY OF ANY FORM OF CHILD PORNOGRAPHY
8 WITHIN THEIR PREMISES IS A CONCLUSIVE PRESUMPTION OF THE
9 KNOWLEDGE OF THE OWNERS/OPERATORS AND OWNERS OR LESSORS
10 OF BUSINESS ESTABLISHMENTS OF THE VIOLATION OF THIS ACT.

11
12 ALL TOURISM-ORIENTED ESTABLISHMENTS REFERRED TO IN THE
13 PRECEDING PARAGRAPH SHALL POST A NOTICE WITH THE CONTACT
14 DETAILS OF HUMAN TRAFFICKING HOTLINES, BOTH NATIONAL AND
15 LOCAL, IN A CONSPICUOUS PLACE NEAR THE PUBLIC ENTRANCE OF THE
16 ESTABLISHMENT OR IN ANOTHER CONSPICUOUS LOCATION IN CLEAR
17 VIEW OF THE PUBLIC AND EMPLOYEES WHERE SIMILAR NOTICES ARE
18 CUSTOMARILY POSTED.

19
20 FOR THIS PURPOSE, THE INTER-AGENCY COUNCIL AGAINST
21 TRAFFICKING (IACAT) SHALL DEVELOP A MODEL NOTICE THAT COMPLIES
22 WITH THE REQUIREMENTS OF THIS SECTION AND MAKE THE MODEL
23 NOTICE AVAILABLE FOR DOWNLOAD ON ITS INTERNET WEB SITE.

24
25 FURTHER, ALL TOURISM-ORIENTED ESTABLISHMENTS REFERRED TO IN
26 THE FIRST PARAGRAPH OF THIS SECTION SHALL TRAIN ITS EMPLOYEES
27 WHO ARE LIKELY TO INTERACT OR COME INTO CONTACT WITH VICTIMS
28 OF HUMAN TRAFFICKING IN RECOGNIZING THE SIGNS OF HUMAN
29 TRAFFICKING AND HOW TO REPORT THOSE SIGNS TO THE APPROPRIATE
30 LAW ENFORCEMENT AGENCY. THE IACAT SHALL DEVELOP A TRAINING
31 CURRICULUM OR PROGRAM AND MAKE THE SAME AVAILABLE FOR
32 DOWNLOAD ON ITS INTERNET WEB SITE.

33
34 THE IACAT, WITH THE DEPARTMENT OF TOURISM AND SUCH OTHER
35 RELEVANT GOVERNMENT AGENCIES, SHALL PROMULGATE WITHIN
36 NINETY (90) DAYS FROM THE EFFECTIVITY OF THIS ACT THE NECESSARY

1 RULES AND REGULATIONS FOR THE IMPLEMENTATION OF THIS
2 PROVISION.

3
4 ANY WILLFUL AND INTENTIONAL VIOLATION OF THIS PROVISION SHALL
5 BE SUBJECT TO THE PENALTY PROVIDED UNDER SECTION 10(i) OF THIS
6 ACT.

7
8 **SEC. 2.** Section 10 of Republic Act No. 9208, as amended, is hereby amended
9 to read as follows –

10
11 “SECTION 10. *Penalties and Sanctions.* – The following penalties and
12 sanctions are hereby established for the offenses enumerated in this Act: xxx
13 xxx xxx

14
15 “(G) ANY APPLICANT POLICE OR LAW ENFORCEMENT OFFICIAL AND THE
16 MEMBERS OF HIS TEAM AUTHORIZED TRACK DOWN, INTERCEPT AND
17 RECORD, ANY COMMUNICATIONS, CONVERSATIONS, DISCUSSIONS,
18 DATA, INFORMATION, OR MESSAGES, SPOKEN OR WRITTEN, UNDER
19 SECTION 8 HEREOF SHALL BE PENALIZED FOR THE PROHIBITED ACTS
20 THEREIN:

21
22 I. THE PENALTY OF TEN (10) YEARS AND ONE (1) DAY TO TWELVE
23 (12) YEARS OF IMPRISONMENT SHALL BE IMPOSED UPON THE
24 APPLICANT POLICE OR LAW ENFORCEMENT OFFICIAL WHO
25 FAILS TO NOTIFY THE PERSON SUBJECT OF THE
26 SURVEILLANCE, MONITORING, INTERCEPTION AND RECORDING
27 UNDER SUB-SECTION III THEREOF;

28
29 II. THE PENALTY OF NOT LESS THAN SIX (6) YEARS AND ONE (1)
30 DAY TO TWELVE (12) YEARS OF IMPRISONMENT SHALL BE
31 IMPOSED ANY PERSON WHO COPIES IN WHATEVER FORM,
32 REMOVES, DELETES, EXPUNGES, INCINERATES, SHREDS OR
33 DESTROYS THE TAPES, DISCS AND RECORDING, AND THEIR
34 EXCERPTS AND SUMMARIES, WRITTEN NOTES OR MEMORANDA
35 MADE IN CONNECTION WITH THE AUTHORIZED INTERCEPTION
36 AND RECORDING UNDER SUB-SECTION IV THEREOF;

- 1 III. THE PENALTY OF NOT LESS THAN TEN (10) YEARS AND ONE (1)
2 DAY TO TWELVE (12) YEARS OF IMPRISONMENT SHALL BE
3 IMPOSED ON ANY PERSON, POLICE OR LAW ENFORCEMENT
4 OFFICER WHO OMIT OR EXCLUDE FROM THE JOINT AFFIDAVIT
5 ANY ITEM OR PORTION THEREOF MENTIONED IN SUB-SECTION
6 V THEREOF;
7
- 8 IV. THE PENALTY OF SIX (6) YEARS AND ONE (1) DAY TO EIGHT (8)
9 YEARS OF IMPRISONMENT SHALL BE IMPOSED ON ANY PERSON
10 WHO VIOLATES HIS OR HER DUTY TO NOTIFY IN WRITING THE
11 PERSONS SUBJECT OF THE SURVEILLANCE UNDER SUB-
12 SECTION VI THEREOF;
13
- 14 V. THE PENALTY OF TEN (10) YEARS AND ONE (1) DAY TO TWELVE
15 (12) YEARS OF IMPRISONMENT SHALL BE IMPOSED ON ANY
16 POLICE OR LAW ENFORCEMENT OFFICIAL WHO, WITHOUT
17 AUTHORITY FROM THE COURT TRACKS DOWN, TAPS, LISTENS
18 TO, INTERCEPTS, AND RECORDS IN WHATEVER MANNER OR
19 FORM ANY COMMUNICATION, MESSAGE, CONVERSATION,
20 DISCUSSION, OR SPOKEN OR WRITTEN WORD OF A PERSON
21 CHARGED WITH OR SUSPECTED OF CHILD TRAFFICKING
22 UNDER THIS ACT;
23
- 24 VI. IN ADDITION TO THE LIABILITY OF THE OFFENDER FOR THE
25 COMMISSION OF ANY OTHER OFFENSE, THE PENALTY OF TEN
26 (10) YEARS AND ONE (1) DAY TO TWELVE (12) YEARS OF
27 IMPRISONMENT AND THE ACCESSORY PENALTY OF PERPETUAL
28 ABSOLUTE DISQUALIFICATION FROM PUBLIC OFFICE SHALL BE
29 IMPOSED UPON ANY POLICE OR LAW ENFORCEMENT
30 PERSONNEL WHO MALICIOUSLY OBTAINED AN AUTHORITY TO
31 TRACK DOWN, TAP, LISTEN TO, INTERCEPT, AND RECORD IN
32 WHATEVER MANNER OR FORM ANY COMMUNICATION,
33 MESSAGE, CONVERSATION, DISCUSSION, OR SPOKEN OR
34 WRITTEN WORDS OF A PERSON CHARGED WITH OR SUSPECTED
35 OF CHILD TRAFFICKING UNDER THIS ACT; FURTHER, THE
36 PARTY AGGRIEVED BY SUCH AUTHORIZATION SHALL BE

1 ALLOWED ACCESS TO THE SEALED ENVELOPE OR SEALED
2 PACKAGE AND THE CONTENTS THEREOF AS EVIDENCE FOR
3 THE PROSECUTION OF ANY POLICE OR LAW ENFORCEMENT
4 PERSONNEL WHO MALICIOUSLY PROCURED SAID
5 AUTHORIZATION.
6

7 “(H) ANY ISP FOUND GUILTY OF WILLFULLY AND KNOWINGLY FAILING
8 TO COMPLY WITH THE NOTICE AND INSTALLATION REQUIREMENTS
9 UNDER SECTION 8-A OF THIS ACT SHALL SUFFER THE PENALTY OF A FINE
10 OF NOT LESS THAN FIVE HUNDRED THOUSAND PESOS (PHP500,000.00)
11 BUT NOT MORE THAN ONE MILLION PESOS (PHP1,000,000.00) FOR THE
12 FIRST OFFENSE. IN CASE OF SUBSEQUENT OFFENSE, THE PENALTY
13 SHALL BE A FINE OF NOT LESS THAN ONE MILLION PESOS
14 (PHP1,000,000.00) BUT NOT MORE THAN TWO MILLION PESOS
15 (PHP2,000,000.00) AND REVOCATION OF ITS LICENSE TO OPERATE;
16

17 “(I) ANY TOURISM-ORIENTED ESTABLISHMENTS INCLUDING HOTELS,
18 RESORTS, INNS, MOTELS, AND OTHER RELATED FACILITIES AND
19 SERVICES WHO WILLFULLY AND KNOWINGLY FAIL TO COMPLY WITH THE
20 NOTICE, POLICY AND TRAINING REQUIREMENTS UNDER SECTION 8-B OF
21 THIS ACT SHALL SUFFER THE PENALTY OF A FINE OF NOT LESS THAN
22 FIVE HUNDRED THOUSAND PESOS (PHP500,000.00) BUT NOT MORE THAN
23 ONE MILLION PESOS (PHP1,000,000.00) FOR THE FIRST OFFENSE. IN
24 CASE OF SUBSEQUENT OFFENSE, THE PENALTY SHALL BE A FINE OF NOT
25 LESS THAN ONE MILLION PESOS (PHP1,000,000.00) BUT NOT MORE THAN
26 TWO MILLION PESOS (PHP2,000,000.00) AND REVOCATION OF ITS
27 LICENSE TO OPERATE AND IMMEDIATE CLOSURE OF THE
28 ESTABLISHMENT; AND
29

30 “(g) (J) If the offender is a corporation, partnership, association, club,
31 establishment or any juridical person, the penalty shall be imposed upon the
32 owner, president, partner, manager, and/or any responsible officer who
33 participated in the commission of the crime or who shall have knowingly
34 permitted or failed to prevent its commission;
35

“(h) (K) The registration with the Securities and Exchange Commission (SEC) and license to operate of the erring agency, corporation, association, religious group, tour or travel agent, club or establishment, or any place of entertainment shall be cancelled and revoked permanently. the owner, president, partner or manager thereof shall not be allowed to operate similar establishments in a different name;

“(+) (L) If the offender is a foreigner, he or she shall be immediately deported after serving his or her sentence and be barred permanently from entering the country;

“(H) (M) Any employee or official of government agencies who shall issue or approve the issuance of travel exit clearances, passports, registration certificates, counseling certificates, marriage license, and other similar documents to persons, whether juridical or natural, recruitment agencies, establishments or other individuals or groups, who fail to observe the prescribed procedures and the requirement as provided for by laws, rules and regulations, shall be held administratively liable, without prejudice to criminal liability under this Act. The concerned government official or employee shall, upon conviction, be dismissed from the service and be barred permanently to hold public office. his or her retirement and other benefits shall likewise be forfeited; and

“(k)(N) Conviction, by final judgment of the adopter for any offense under this Act shall result in the immediate rescission of the decree of adoption.”

SEC. 3. Section 16 of Republic Act No. 9208 is hereby amended to read as follows:

“SECTION 16. Programs that Address Trafficking in Persons. – The government shall establish and implement preventive, protective and rehabilitative programs for trafficked persons. For this purpose, the following agencies are hereby mandated to implement the following programs:

XXX XXX XXX

1 “(K) DEPARTMENT OF HEALTH (DOH) – SHALL DEVELOP A
2 COMPREHENSIVE PROGRAM TO PREVENT THE TRAFFICKING OF HUMAN
3 ORGANS. IT SHALL ALSO UNDERTAKE ACTIVITIES TO INCREASE PUBLIC
4 AWARENESS ON ORGAN TRAFFICKING, WHICH MAY INCLUDE, BUT NOT
5 LIMITED TO, MEDICAL PRACTITIONER, FAMILY AND PATIENT
6 INFORMATION AND EDUCATION, PUBLIC EDUCATION AND ADVOCACY
7 CAMPAIGN; AND SHALL RENDER ASSISTANCE IN THE INVESTIGATION
8 AND PROSECUTION OF ORGAN TRAFFICKING.

9
10 “(L) DEPARTMENT OF INFORMATION AND COMMUNICATIONS
11 TECHNOLOGY (DICT) – SHALL EXTEND IMMEDIATE ASSISTANCE FOR THE
12 PREVENTION OF THE COMMISSION OF CYBERCRIME OFFENSES
13 RELATED TO TRAFFICKING IN PERSONS, PARTICULARLY ONLINE SEXUAL
14 EXPLOITATION OF CHILDREN; AND ASSIST LAW ENFORCEMENT AND
15 PROSECUTION AGENCIES IN THE INVESTIGATION OF TRAFFICKING IN
16 PERSONS COMMITTED THROUGH THE USE OF TECHNOLOGY AND SOCIAL
17 MEDIA.

18
19 “(M) DEPARTMENT OF TRANSPORTATION (DOTR) – CONSISTENT WITH ITS
20 MANDATE TO PROVIDE VIABLE, EFFICIENT, FAST, SAFE AND
21 DEPENDABLE TRANSPORTATION, IT SHALL DEVELOP A COMPREHENSIVE
22 PROGRAM AND AWARENESS CAMPAIGN TO ASSIST TRANSPORTATION
23 SECTORS AND TRANSPORTATION PERSONNEL, SUCH AS AIRLINE FLIGHT
24 ATTENDANTS, AIRPORT AGENTS, TAXI AND BUS DRIVERS, TRUCKERS,
25 AND TRAIN AND DELIVERY DRIVERS TO IDENTIFY VICTIMS OF
26 TRAFFICKING IN PERSONS AND TO REPORT INCIDENTS OF TRAFFICKING
27 IN PERSONS.

28
29 “(N) OVERSEAS WORKERS WELFARE ADMINISTRATION (OWWA) – SHALL
30 PROVIDE WELFARE PROGRAMS AND SERVICES THAT RESPOND TO THE
31 NEEDS OF ITS MEMBER-OFWS, INCLUDING THEIR FAMILIES, WHO HAVE
32 BECOME VICTIMS OF TRAFFICKING IN PERSONS. THE SERVICES TO THE
33 OFWS SHALL INCLUDE SOCIAL ASSISTANCE, EDUCATION AND TRAINING,
34 CULTURAL SERVICES, FINANCIAL MANAGEMENT, REINTEGRATION, AND
35 ENTREPRENEURIAL DEVELOPMENT SERVICES. IT SHALL LIKEWISE

1 PROVIDE PROMPT AND APPROPRIATE RESPONSE IN REPATRIATION OF
2 OFWS WHO ARE VICTIMS OF TRAFFICKING IN PERSONS.

3
4 ~~"(4)~~(O) Local government units (LGUs) – shall monitor and document cases of
5 trafficking in persons in their areas of jurisdiction, effect the cancellation of
6 licenses of establishments which violate the provisions of this Act and ensure
7 effective prosecution of such cases. They shall also undertake an information
8 campaign against trafficking in persons through the establishment of the
9 Migrants Advisory and Information Network (MAIN) desks in municipalities or
10 provinces in coordination with the DILG, Philippine Information Agency (PIA),
11 Commission on Filipinos Overseas (CFO), NGOs and other concerned
12 agencies. They shall encourage and support community-based initiatives
13 which address the trafficking in persons.

14 "In implementing this Act, the agencies concerned may seek and enlist the
15 assistance of NGOs, people's organizations (POs), civic organizations and
16 other volunteer groups.

17
18 **SEC. 4.** Section 20 of Republic Act No. 9208 is hereby amended to read as follows:
19

20 "SECTION 20. INTER-AGENCY COUNCIL AGAINST TRAFFICKING. – There is
21 hereby established an Inter-Agency Council Against Trafficking, to be
22 composed of the Secretary of the DOJ as Chairperson and the Secretary of the
23 Department of Social Welfare and Development as Co-Chairperson and shall
24 have the following as members:

25
26 "(a) Secretary, Department of Foreign Affairs;

27 "(b) Secretary, Department of Labor and Employment;

28 "(c) Secretary, Department of the Interior and Local Government;

29 "(D) SECRETARY, DEPARTMENT OF HEALTH

30 "(E) SECRETARY, DEPARTMENT OF INFORMATION AND
31 COMMUNICATIONS TECHNOLOGY;

32 "(F) SECRETARY, DEPARTMENT OF TRANSPORTATION;

33 "(g) Administrator, Philippine Overseas Employment Administration;

34 "(H) ADMINISTRATOR, OVERSEAS WORKERS WELFARE
35 ADMINISTRATOR;

36 "(i) Commissioner, Bureau of Immigration;

"(j) Chief, Philippine National Police;
"(k) Chairperson, Philippine Commission on Women;
"(l) Chairperson, Commission on Filipinos Overseas;
"(m) Executive Director, Philippine Center for Transnational Crimes;
"(N) DIRECTOR, NATIONAL BUREAU OF INVESTIGATION; AND
"(l) Three (3) representatives from NGOs, who shall include one (1) representative each from among the sectors representing women, overseas Filipinos, and children, with a proven record of involvement in the prevention and suppression of trafficking in persons. These representatives shall be nominated by the government agency representatives of the Council, for appointment by the President for a term of three (3) years.

"The members of the council may designate their permanent representatives who shall have a rank not lower than an assistant secretary or its equivalent to meetings, and shall receive emoluments as may be determined by the Council in accordance with existing budget and accounting rules and regulations."

SEC. 5. Section 21 of Republic Act No. 9208 is hereby amended to read as follows:

"SECTION 21. *Functions of the Council.* - The Council shall have the following powers and functions:

"(a) Formulate a comprehensive and integrated program to prevent and suppress the trafficking in persons;

"(b) Promulgate rules and regulations as may be necessary for the effective implementation of this Act;

"(c) Monitor and oversee the strict implementation of this Act;

"(d) Coordinate the programs and projects of the various member agencies to effectively address the issues and problems attendant to trafficking in persons;

"(e) Coordinate the conduct of massive information dissemination and campaign on the existence of the law and the various issues and problems attendant to trafficking through the LGUs, concerned agencies, and NGOs;

(f) Direct other agencies to immediately respond to the problems brought to their attention and report to the Council on action taken;

- (g) Assist in filing of cases against individuals, agencies, institutions or establishments that violate the provisions of this Act;
- (h) Formulate a program for the reintegration of trafficked persons in cooperation with DOLE, DSWD, Technical Education and Skills Development Authority (TESDA), Commission on Higher Education (CHED), LGUs and NGOs;
- (i) Secure from any department, bureau, office, agency, or instrumentality of the government or from NGOs and other civic organizations such assistance as may be needed to effectively implement this Act;
- (j) Complement the shared government information system for migration established under Republic Act No. 8042, otherwise known as the "Migrant Workers and Overseas Filipinos Act of 1995" with data on cases of trafficking in persons, and ensure that the proper agencies conduct a continuing research and study on the patterns and scheme of trafficking in persons which shall form the basis for policy formulation and program direction;
- (k) Develop the mechanism to ensure the timely, coordinated, and effective response to cases of trafficking in persons;
- (l) Recommend measures to enhance cooperative efforts and mutual assistance among foreign countries through bilateral and/or multilateral arrangements to prevent and suppress international trafficking in persons;
- (m) Coordinate with the Department of INFORMATION AND ~~Transportation~~ and Communications TECHNOLOGY (~~DOTC~~ DICT), Department of Trade and Industry (DTI), and other NGOs in monitoring the promotion of advertisement of trafficking in the internet;
- (n) Adopt measures and policies to protect the rights and needs of trafficked persons who are foreign nationals in the Philippines;
- (o) Initiate training programs in identifying and providing the necessary intervention or assistance to trafficked persons; and
- (p) Exercise all the powers and perform such other functions necessary to attain the purposes and objectives of this Act.

SEC. 6. Section 24 of Republic Act No. 9208 is hereby amended to read as follows:

"Section 24. Other Services for Trafficked Persons. -

1 (a) Legal Assistance. - Trafficked persons shall be considered under the
2 category "Overseas Filipino in Distress" and may avail of the legal assistance
3 created by Republic Act No. 8042, subject to the guidelines as provided by
4 law.

5
6 (b) Overseas Filipino Resource Centers. - The services available to overseas
7 Filipinos as provided for by Republic Act No. 8042 shall also be extended to
8 trafficked persons regardless of their immigration status in the host country.

9
10 (c) The Country Team Approach. - The country team approach under
11 Executive Order No. 74 of 1993, shall be the operational scheme under which
12 Philippine embassies abroad shall provide protection to trafficked persons
13 insofar as the promotion of their welfare, dignity and fundamental rights are
14 concerned.

15
16 (D) RECOVERY AND REINTEGRATION PROGRAM FOR TRAFFICKED
17 PERSONS (RRPTP). - THE DSWD SHALL IMPLEMENT RECOVERY AND
18 REINTEGRATION FOR TRAFFICKED PERSONS WHICH INCLUDE A
19 COMPREHENSIVE PACKAGE OF SERVICES FOR INDIVIDUAL VICTIM-
20 SURVIVOR OF TIP, THE IMMEDIATE FAMILY AND THE COMMUNITY AT
21 LARGE. THE RRPTP MUST INCLUDE THE FOLLOWING MAJOR PROGRAM
22 COMPONENT:

- 23
24 (1) CAPABILITY ENHANCEMENT FOR SERVICE PROVIDERS;
25 (2) DIRECT SERVICES TO TRAFFICKED PERSONS, WHICH SHALL
26 COVER COSTS FOR AUXILIARY SERVICES TO
27 VICTIMS/WITNESSES, WHICH INCLUDES TRANSPORTATION,
28 BOARD AND LODGING, DOCUMENTATION AND OTHER
29 INCIDENTAL EXPENSES;
30 (3) UPGRADE OF TEMPORARY SHELTERS;
31 (4) IMPLEMENTATION OF THE NATIONAL REFERRAL SYSTEM AND
32 UPDATING AND MAINTENANCE OF THE NATIONAL RECOVERY AND
33 REINTEGRATION DATABASE; AND
34 (5) ADVOCACY.
35

1 **SEC. 7. EFFECTIVITY.** – This Act shall take effect fifteen (15) days following
2 its complete publication in at least two (2) newspapers of general circulation.

3

4 Approved,