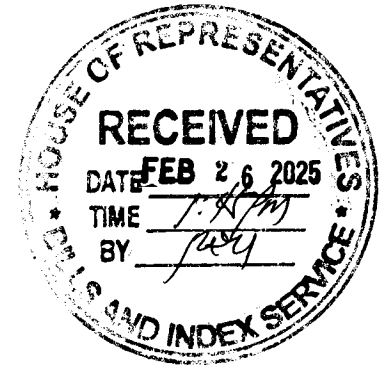


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
Third Regular Session

11471
HOUSE BILL NO. _____



Introduced by **AKBAYAN Representative Percival V. Cendaña**

EXPLANATORY NOTE

Republic Act No. 9208 or the Expanded Anti-Trafficking in Persons Act of 2022 was amended by Republic Act No. 11862, which was approved just on 23 June 2022. Despite the fairly recent introduction of amendments to the law, rapid and alarming developments in Trafficking in Persons (TIP) demand immediate amendments to the Philippines' anti-trafficking law.

Thus, this measure focuses on the introduction of the following reforms relevant to TIP:

- (1) Expanding the definition of human trafficking to include the act of forcing the commission of illegal or fraudulent activities. This captures the phenomenon of “scam hubs” – large compounds that operate technology-facilitated fraudulent activities using human trafficking victims from developing countries – and the specific challenge of identifying TIP victims, recognizing their victimization and need for redress, and distinguishing them from scammers/ fraud operators;
- (2) Penalizing the specific act of allowing the use of one’s license, permit, or franchise for the commission of TIP activities, a modus that surfaced during investigations of the Senate on scam hubs where it became apparent that these illegal operations were taking advantage of the regulatory cover provided by licensed and registered online gambling facilities;
- (3) Introducing the crime of “human smuggling”, which is the consensual facilitation of the entry or continued presence of a person without lawful status or documentation in a country where he or she is not a citizen or a resident. Human smuggling networks are usually large, cross-border criminal syndicates offering, for large amounts of money, dangerous and illegal exit and entry routes to individuals who do not have the options to migrate legally; and,
- (4) Establishing the Child Advocacy Center (CAC) model which provides for a formal, comprehensive, integrated, and multidisciplinary response to the investigation and disposition of cases involving child trafficking, aimed at

reducing the number of times children are questioned and examined in courts or through legal processes and coordinating therapeutic interventions and services for child victims.

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



Rep. Percival V. Cendana
AKBAYAN Party-list

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. **11471**

Introduced by **AKBAYAN Representative Percival V. Cendaña**

AN ACT
STRENGTHENING PROTECTIONS AGAINST TRAFFICKING IN
PERSONS, AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 9208, AS
AMENDED BY REPUBLIC ACT NOS. 10364 AND 11862, OTHERWISE
KNOWN AS THE “EXPANDED ANTI-TRAFFICKING IN PERSONS ACT OF
2022”

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

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

3 “SECTION 1. *Short Title.* – This Act shall be known as the
4 “Expanded Anti-Trafficking Act of 2025.”

5
6 **SEC. 2.** Section 4 of Republic Act No. 9208 as amended, is hereby further
7 amended to read as follows:

8 “SEC. 4. *Acts of Trafficking in Persons.* – It shall be unlawful for
9 any person, natural or juridical, to commit by means of a threat, or use of
10 force, or other forms of coercion, or through abduction, fraud, deception,
11 abuse of power or of position, or through taking advantage of the
12 vulnerability of the person, or by giving or receiving of payment or
13 benefit to obtain the consent of a person having control over another
14 person, any of the following acts:

15
16 (a) To recruit, obtain, hire, provide, offer, transport, transfer, maintain,
17 harbor, or receive a person by any means, including those done under

1 the pretext of domestic or overseas employment or training or
2 apprenticeship, for the purpose of prostitution, pornography, sexual
3 abuse or exploitation, production, creation or distribution of CSAEM
4 or CSAM, forced labor, slavery, involuntary servitude, or debt
5 bondage, **OR FORCED COMMISSION OF ILLEGAL OR**
6 **FRAUDULENT ACTIVITIES;**

7 xxx”

8
9 **SEC. 3.** Section 5 of Republic Act No. 9208, as amended, is hereby further
10 amended to read as follows:

11 “SEC. 5. *Acts that Promote Trafficking in Persons.* – The
12 following acts which promote or facilitate trafficking in persons shall be
13 unlawful:

14 (a) To ~~knowingly~~ lease or sublease, use, or allow to be used any
15 house, building, tourism enterprise, or any similar establishment; or
16 any vehicle or carrier by land, sea, and air; or any of their computer
17 system or computer hardware, other computer-related devices, or any
18 of their digital platform and application, for the purpose of promoting
19 trafficking in persons; **PROVIDED, THAT IF THE VEHICLE IS**
20 **OPERATING BY WAY OF A FRANCHISE, THE FRANCHISE**
21 **SHALL BE CANCELLED;**

22 xxx

23 (n) To knowingly or by gross negligence facilitate, assist, or help
24 in the entry into the country of persons who are convicted sex offenders
25 whether at international and local airports, territorial boundaries, and
26 seaports for the purpose of promoting trafficking in persons; ~~or~~

27 (o) To arrange, facilitate, expedite, or cause the introduction or
28 encounter of persons who are suspected or convicted sex offenders in any
29 jurisdiction, to a child. The actual introduction or encounter need not
30 occur to be liable under this provision. It is enough that there is a
31 deliberate attempt to cause the introduction or encounter; **OR**

32 **(P) TO ALLOW THE USE OF LEGALLY-OBTAINED**
33 **REGULATORY LICENSE, PERMIT, OR FRANCHISE FOR THE**
34 **COMMISSION OF ACTS OF TRAFFICKING: PROVIDED,**

1 THAT, WHEN THE LICENSE OR PERMIT HOLDER IS A
2 JURIDICAL PERSON, THE PENALTY SHALL BE IMPOSED
3 UPON THE OWNER, PRESIDENT, PARTNER, MANAGER OR
4 ANY RESPONSIBLE OFFICER, OR ANY TWO (2) OR MORE OF
5 THEM.”

6
7 SEC. 4. A new Section 6-A is hereby inserted into Republic Act No. 9208, to
8 read as follows:

9 “SEC. 6-A. HUMAN SMUGGLING. – THE CRIME OF
10 HUMAN SMUGGLING IS COMMITTED THROUGH THE
11 FOLLOWING ACTS:

12 (A) SECURING OR AIDING THE ENTRY OF A
13 PERSON INTO A COUNTRY OF WHICH HE/SHE IS NOT A
14 CITIZEN OR PERMANENT RESIDENT, OR WITHOUT THE
15 APPROPRIATE VISAS OR LEGAL DOCUMENTS, FOR
16 FINANCIAL OR OTHER MATERIAL BENEFIT; OR

17 (B) FACILITATING, BY ANY UNLAWFUL MEANS,
18 THE CONTINUED PRESENCE OF A SMUGGLED PERSON IN
19 A RECEIVING COUNTRY IN ORDER TO OBTAIN FINANCIAL
20 OR OTHER MATERIAL BENEFIT, INCLUDING HARBORING
21 A SMUGGLED PERSON, PROVIDING SPURIOUS
22 DOCUMENTS, OR ARRANGING THEIR DOMESTIC
23 TRANSPORT OR ANY MEANS TO PREVENT SCRUTINY,
24 DETECTION OR DEPORTATION.

25
26 VIOLATIONS UNDER THIS SECTION SHALL BE
27 SUBJECT TO THE SAME PENALTIES AS SECTION 5 OF THIS
28 ACT: PROVIDED, THAT WHEN IT IS PROVEN THAT THE
29 PERSON(S) SMUGGLED INTO THE PHILIPPINES DID NOT
30 CONSENT TO THE ENTRY, OR SUFFERED PHYSICAL ABUSE
31 OR INHUMAN OR DEGRADING TREATMENT EVEN IF HE OR
32 SHE CONSENTED, THE ACT SHALL BE CONSIDERED
33 TRAFFICKING IN PERSONS AND SHALL BE PENALIZED
34 UNDER SECTION 4 OF THIS ACT.

1
2 CRIMINAL LIABILITY SHALL NOT BE
3 EXTINGUISHED BY ANY FUTURE OFFICIAL ACTION
4 WHICH MAY BE TAKEN WITH RESPECT TO THE
5 SMUGGLED PERSON AND OR THEIR LEGAL STATUS:
6 PROVIDED, THAT WHEN THE SMUGGLED PERSON IS
7 LATER DETERMINED TO BE A REFUGEE AND/OR HAS BEEN
8 GRANTED ASYLUM BY THE RECEIVING GOVERNMENT
9 DUE TO CONFLICT, GENERALIZED VIOLENCE, OR A WELL-
10 FOUNDED FEAR OF PERSECUTION IN THE COUNTRY OF
11 ORIGIN, THIS FACT MAY BE INTRODUCED AS A DEFENSE
12 BY THE ACCUSED.”
13

14 SEC. 5. A new Section 16-A is hereby inserted into Republic Act No. 9208, to
15 read as follows:

16 “SEC. 16-A. IN ADDITION TO THEIR OBLIGATIONS
17 UNDER SECTION 16 OF THIS ACT, LOCAL GOVERNMENT
18 UNITS AT THE PROVINCIAL AND CITY LEVEL SHALL,
19 THROUGH THEIR LOCAL SOCIAL WELFARE
20 DEVELOPMENT OFFICES, ESTABLISH CHILD ADVOCACY
21 CENTERS (CACs) TO PROVIDE A FORMAL,
22 COMPREHENSIVE, INTEGRATED AND
23 MULTIDISCIPLINARY RESPONSE TO THE INVESTIGATION
24 AND DISPOSITION OF CASES INVOLVING CHILD
25 TRAFFICKING, WITH A VIEW TO REDUCING THE NUMBER
26 OF TIMES CHILDREN ARE QUESTIONED AND EXAMINED IN
27 COURTS OR THROUGH LEGAL PROCESSES, AND
28 COORDINATING THERAPEUTIC INTERVENTIONS AND
29 SERVICES FOR CHILD VICTIMS.
30

31 THE CAC, AT THE MINIMUM, SHALL PROVIDE THE
32 FOLLOWING:

33 (A) A MULTIDISCIPLINARY TEAM TO PROVIDE A
34 PORTFOLIO OF SERVICES TO CHILD-VICTIMS, INCLUDING

1 LEGAL CASE SUPPORT, MENTAL HEALTH AND PSYCHO-
2 SOCIAL SUPPORT, PROTECTION, AND CUSTODY WHERE
3 RELEVANT;

4 (B) A VICTIM ADVOCATE THAT WILL SERVE AS
5 THE PRIMARY CONTACT AND LIAISON BETWEEN THE
6 CHILD-VICTIM AND GOVERNMENT AGENCIES, THE
7 PROSECUTOR'S OFFICE, AND THE COURTS; AND

8 (C) FORENSIC INTERVIEWS IN A CHILD-
9 CENTERED AND TRAUMA-INFORMED SETTING WITH THE
10 CHILD-VICTIM AND NON-OFFENDING FAMILY MEMBERS.

11
12 WHEN THE OFFENSE INVOLVES ONLINE SEXUAL
13 ABUSE AND EXPLOITATION OF CHILDREN (OSAEC) OR
14 THE PRODUCTION AND DISTRIBUTION OF CHILD SEXUAL
15 ABUSE AND EXPLOITATION MATERIALS (CSAEM), THE
16 ESTABLISHMENT OF THE CACs SHALL BE IN
17 COORDINATION WITH THE NATIONAL COORDINATING
18 CENTER AGAINST OSAEC AND CSAEM (NCC-OSAEC-
19 CSAEM).

20
21 THE CACs SHALL PROVIDE ASSISTANCE TO ALL
22 INDIVIDUALS WHO WERE MINORS AT THE TIME OF
23 COMMISSION OF THE CRIME AGAINST THEM, INCLUDING
24 THOSE WHO HAVE AGED OUT BUT SUFFER FROM LONG-
25 TERM TRAUMA: PROVIDED, THAT THE RULES ON THE
26 EXAMINATION OF CHILD WITNESSES AND THE BENEFITS
27 PROVIDED TO CHILD WITNESSES SHALL ONLY APPLY TO
28 THOSE WHO CONTINUE TO BE MINORS WHILE THE LEGAL
29 PROCEEDINGS ARE ONGOING.

30
31 THE ESTABLISHMENT OF THE CACs MAY BE
32 FUNDED THROUGH GRANTS AND DONATIONS FROM
33 FOREIGN AND LOCAL SOURCES, AND MAY ALSO BE

1 **SOURCED FROM THE GENDER AND DEVELOPMENT (GAD)**
2 **BUDGET IF THE CHILD-VICTIM IS A GIRL.”**
3

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

6 **“SEC. 24. Other Services for Trafficked Persons. –**

7 (b) *Legal Assistance.* – Trafficked ~~persons~~ **FILIPINOS**
8 **OVERSEAS** shall be considered under the category “Overseas Filipino
9 in Distress” and may avail of the legal assistance created by Republic Act
10 No. 8042, subject to the guidelines as provided by law.

11 (b) xxx

12 (c) xxx

13 (d) xxx

14 **(E) FOREIGN VICTIMS IN THE PHILIPPINES. – FOR**
15 **TRAFFICKED FOREIGNERS IN THE PHILIPPINES, THE**
16 **DSWD SHALL PROVIDE THE APPROPRIATE SERVICES IN**
17 **ACCORDANCE WITH PHILIPPINE OBLIGATIONS UNDER**
18 **INTERNATIONAL LAW, SUCH AS THE ASEAN CONVENTION**
19 **AGAINST TRAFFICKING IN PERSONS (ACTIP). WHERE AN**
20 **INTERPRETER IS NECESSARY, INTERPRETATION**
21 **SERVICES SHALL BE PROVIDED BY THE DSWD, IN**
22 **COORDINATION WITH THE EMBASSIES OF THE TIP**
23 **VICTIM-SURVIVOR.”**
24

25 **SEC. 7. Separability Clause.** – If any part of this Act is declared
26 unconstitutional or invalid, the other provisions not affected thereby shall continue to
27 be in full force and effect.
28

29 **SEC. 8. Repealing Clause.** – All laws, acts, presidential decrees, executive
30 orders, administrative orders, and rules and regulations inconsistent with or contrary to
31 the provisions of this Act are deemed amended, modified, or repealed accordingly:
32 Provided, That this Act shall not in any way amend or repeal the provisions of Republic
33 Act No. 7610, otherwise known as the “Special Protection of Children Against Abuse,
34 Exploitation and Discrimination Act.”

1

2 **SEC. 9. *Effectivity*.** – This Act shall take effect fifteen (15) days after
3 publication in the Official Gazette or in at least two (2) newspapers of general
4 circulation.

Approved,