

**EIGHTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES**
Second Regular Session

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20 AUG 26 P3:03

SENATE

RECEIVED

S.B. No. 1794

Introduced by SEN. WIN GATCHALIAN

**AN ACT
STRENGTHENING REPUBLIC ACT NO. 9208, AS AMENDED BY
REPUBLIC ACT NO. 10364, ENTITLED "AN ACT TO INSTITUTE
POLICIES TO ELIMINATE TRAFFICKING IN PERSONS ESPECIALLY
WOMEN AND CHILDREN, ESTABLISHING THE NECESSARY
INSTITUTIONAL MECHANISMS FOR THE PROTECTION AND
SUPPORT OF TRAFFICKED PERSONS, PROVIDING PENALTIES FOR
ITS VIOLATIONS, AND FOR OTHER PURPOSES"**

EXPLANATORY NOTE

Technological developments have changed and facilitated the commission of human trafficking. Scrupulous individuals use new methods and tools via the internet to perpetrate their criminal acts and to broaden their exploitation of technological vulnerabilities of Filipinos, especially women and children. In this age of increased cross border movements, these criminals have been misusing and abusing new and emerging technologies for their illegal activities to remain undetected and afford themselves impunity.

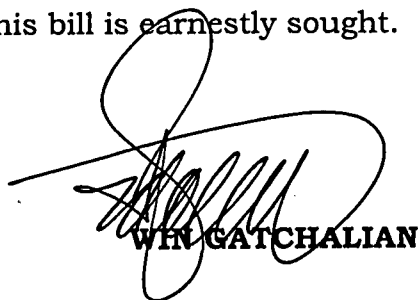
In order to build barriers against and effectively detect, prevent and fight human trafficking, it is of utmost importance that law enforcement agencies are adequately empowered to combat new forms of modern-day slavery affecting vulnerable Filipinos, especially women and children in

various sectors. It is thus necessary to update and enhance Republic Act No. 9208, as amended by Republic Act No. 10364, otherwise known as the Expanded Anti-Trafficking in Persons Act, and take into account improvements in standards and methodologies in surveillance, interception, investigation, and prosecution to effectively strengthen mechanisms to combat acts of trafficking of persons, sexual exploitation, prostitution, forced labor, slavery, removal or sale of organs, and pornography.

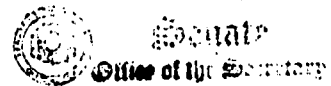
Accordingly, this proposed measure enhances the method of detecting, investigating and prosecuting cases of human trafficking by providing standards and guidelines in surveillance, interception, and recording of communications of suspected traffickers under the supervision of the courts.

It has also incorporated and emphasized the responsibilities of internet service providers and tourism-oriented establishments in facilitating investigations and in reporting acts of trafficking in persons. In addition, the measure provides corresponding penalties for violations committed by abusive law enforcement agencies, negligent internet service providers and tourism-oriented establishments. Lastly, it proposes to reorganize the Inter-Agency Council Against Trafficking to include the National Bureau of Investigation, Department of Health, Department of Information and Communications Technology, Department of Transportation, and Overseas Workers Welfare Administration to strengthen cooperation and consolidate all government efforts against human trafficking.

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



WM. GATCHALIAN



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OF TRAFFICKED PERSONS, PROVIDING PENALTIES FOR ITS
VIOLATIONS, AND FOR OTHER PURPOSES"**

*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 "SECTION. 8. *INVESTIGATION Initiation and Prosecution of Cases.* -

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

10 "(B) *SURVEILLANCE, INTERCEPTION AND RECORDING OF*
11 *COMMUNICATIONS.* - IN CASES INVOLVING CHILD TRAFFICKING,

1 AND NOTWITHSTANDING THE PROVISIONS OF REPUBLIC ACT NO.
2 4200 (ANTI-WIRE TAPPING LAW), A LAW ENFORCEMENT OFFICER
3 MAY, UPON A WRITTEN ORDER FROM THE COURT, TRACK DOWN,
4 INTERCEPT AND RECORD, WITH THE USE OF ANY MODE, FORM,
5 KIND OR TYPE OF ELECTRONIC OR OTHER SURVEILLANCE
6 EQUIPMENT OR INTERCEPTING AND TRACKING DEVICES, OR WITH
7 THE USE OF ANY OTHER SUITABLE WAYS AND MEANS FOR THAT
8 PURPOSE, ANY COMMUNICATIONS, CONVERSATIONS,
9 DISCUSSIONS, DATA, INFORMATION, OR MESSAGES, SPOKEN OR
10 WRITTEN INVOLVING AT LEAST ONE PERSON CHARGED WITH OR
11 SUSPECTED OF TRAFFICKING IN PERSONS.

12 I. *FORMAL APPLICATION FOR JUDICIAL AUTHORIZATION.* - THE
13 CHIEF OF THE PHILIPPINE NATIONAL POLICE (PNP) OR THE
14 DIRECTOR OF THE NATIONAL BUREAU OF INVESTIGATION
15 (NBI) OR ANY OF THEIR DULY AUTHORIZED
16 REPRESENTATIVES, WHO HAS BEEN DULY AUTHORIZED BY
17 THE DEPARTMENT OF JUSTICE (DOJ) IN WRITING, MAY
18 SUBMIT *EX PARTE* APPLICATIONS FOR THE ISSUANCE OF
19 WRITTEN ORDERS FROM THE REGIONAL TRIAL COURT, TO
20 TRACK DOWN, INTERCEPT AND RECORD, ANY
21 COMMUNICATIONS, CONVERSATIONS, DISCUSSIONS, DATA,
22 INFORMATION, OR MESSAGES, SPOKEN OR WRITTEN, UPON
23 EXAMINATION UNDER OATH OF THE APPLICANT AND THE
24 WITNESSES HE MAY PRODUCE TO ESTABLISH THAT THERE
25 IS PROBABLE CAUSE TO BELIEVE BASED ON PERSONAL
26 KNOWLEDGE OF FACTS OR CIRCUMSTANCES THAT: (A) THE
27 CRIME OF TRAFFICKING HAS BEEN COMMITTED, OR IS
28 BEING COMMITTED, OR IS ABOUT TO BE COMMITTED; (B)
29 EVIDENCE, WHICH IS ESSENTIAL TO THE CONVICTION OF
30 ANY CHARGED OR SUSPECTED PERSON FOR, OR TO THE
31 SOLUTION OR PREVENTION OF, ANY SUCH CRIMES, WILL BE

1 OBTAINED; AND, (C) THAT THERE IS NO OTHER EFFECTIVE
2 MEANS READILY AVAILABLE FOR ACQUIRING SUCH
3 EVIDENCE.

4 II. CLASSIFICATION AND CONTENT OF THE ORDER OF THE
5 COURT. - THE ORIGINAL APPLICATION FOR AUTHORITY TO
6 TRACK DOWN, INTERCEPT AND RECORD, INCLUDING HIS
7 APPLICATION TO EXTEND OR RENEW, IF ANY, THE WRITTEN
8 ORDER GRANTED BY THE COURT, AND ANY SUCH ORDER
9 TO EXTEND OR RENEW THE SAME SHALL BE DEEMED, AND
10 ARE HEREBY DECLARED, AS CLASSIFIED INFORMATION:
11 PROVIDED, THAT THE PERSON BEING SURVEILLED OR
12 WHOSE COMMUNICATIONS, LETTERS, PAPERS, MESSAGES,
13 CONVERSATIONS, DISCUSSIONS, SPOKEN OR WRITTEN
14 WORDS AND EFFECTS HAVE BEEN MONITORED, LISTENED
15 TO, BUGGED OR RECORDED BY LAW ENFORCEMENT
16 AUTHORITIES HAS THE RIGHT TO BE INFORMED OF THE
17 ACTS DONE BY THE LAW ENFORCEMENT AUTHORITIES IN
18 THE PREMISES OR TO CHALLENGE, IF HE OR SHE INTENDS
19 TO DO SO, THE LEGALITY OF THE INTERFERENCE BEFORE
20 THE COURT WHICH ISSUED THE WRITTEN ORDER.

21 THE WRITTEN ORDER OF THE COURT AUTHORIZING THE
22 TRACK DOWN, INTERCEPTION AND RECORDING, SHALL
23 SPECIFY THE FOLLOWING: (A) THE IDENTITY, SUCH AS NAME
24 AND ADDRESS, IF KNOWN, OF THE CHARGED OR
25 SUSPECTED PERSON WHOSE COMMUNICATIONS,
26 MESSAGES, CONVERSATIONS, DISCUSSIONS, OR SPOKEN
27 OR WRITTEN WORDS ARE TO BE TRACKED DOWN, TAPPED,
28 LISTENED TO, INTERCEPTED, AND RECORDED AND, IN THE
29 CASE OF RADIO, ELECTRONIC, OR TELEPHONIC (WHETHER
30 WIRELESS OR OTHERWISE) COMMUNICATIONS, MESSAGES,
31 CONVERSATIONS, DISCUSSIONS, OR SPOKEN OR WRITTEN

1 WORDS, THE ELECTRONIC TRANSMISSION SYSTEMS OR THE
2 TELEPHONE NUMBERS TO BE TRACKED DOWN, TAPPED,
3 LISTENED TO, INTERCEPTED, AND RECORDED AND THEIR
4 LOCATIONS, OR IF THE PERSON SUSPECTED OF THE CRIME
5 IS NOT FULLY KNOWN, SUCH PERSON SHALL BE SUBJECT
6 TO CONTINUOUS SURVEILLANCE PROVIDED THERE IS A
7 REASONABLE GROUND TO DO SO; (B) THE IDENTITY (NAME,
8 ADDRESS, AND THE POLICE OR LAW ENFORCEMENT
9 ORGANIZATION) OF THE POLICE OR OF THE LAW
10 ENFORCEMENT OFFICIAL, INCLUDING THE INDIVIDUAL
11 IDENTITY (NAMES, ADDRESSES, AND THE POLICE OR LAW
12 ENFORCEMENT ORGANIZATION) OF THE MEMBERS OF HIS
13 TEAM, JUDICIALLY AUTHORIZED TO TRACK DOWN, TAP,
14 LISTEN TO, INTERCEPT, AND RECORD THE
15 COMMUNICATIONS, MESSAGES, CONVERSATIONS,
16 DISCUSSIONS, OR SPOKEN OR WRITTEN WORDS; (C) THE
17 OFFENSE OR OFFENSES COMMITTED, OR BEING
18 COMMITTED, OR SOUGHT TO BE PREVENTED; AND, (D) THE
19 LENGTH OF TIME WITHIN WHICH THE AUTHORIZATION
20 SHALL BE USED OR CARRIED OUT.

21 III. *EFFECTIVE PERIOD OF JUDICIAL AUTHORIZATION.* - ANY
22 AUTHORIZATION GRANTED BY THE COURT PURSUANT TO
23 THIS SECTION SHALL ONLY BE EFFECTIVE FOR THE LENGTH
24 OF TIME SPECIFIED IN THE WRITTEN ORDER OF THE
25 COURT, WHICH SHALL NOT EXCEED A PERIOD OF THIRTY
26 (30) DAYS FROM THE DATE OF RECEIPT BY THE APPLICANT
27 POLICE OR LAW ENFORCEMENT OFFICIAL OF THE WRITTEN
28 ORDER.

29 THE COURT MAY EXTEND OR RENEW THE SAID
30 AUTHORIZATION FOR ANOTHER NON-EXTENDIBLE PERIOD,
31 WHICH SHALL NOT EXCEED THIRTY (30) DAYS FROM THE

1 EXPIRATION OF THE ORIGINAL PERIOD: PROVIDED, THAT
2 THE COURT IS SATISFIED THAT SUCH EXTENSION OR
3 RENEWAL IS IN THE PUBLIC INTEREST: AND PROVIDED,
4 FURTHER, THAT THE *EX PARTE* APPLICATION FOR
5 EXTENSION OR RENEWAL, WHICH MUST BE FILED BY THE
6 ORIGINAL APPLICANT, HAS BEEN DULY AUTHORIZED IN
7 WRITING BY THE DOJ.

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

21 IF NO CASE IS FILED WITHIN THE THIRTY (30)-DAY PERIOD,
22 THE APPLICANT POLICE OR LAW ENFORCEMENT OFFICIAL
23 SHALL, WITHIN THIRTY (30) DAYS FROM THE EXPIRATION OF
24 THE SAID THIRTY (30)-DAY PERIOD, NOTIFY THE PERSON
25 SUBJECT OF THE SURVEILLANCE THAT HE OR SHE WAS
26 THE SUBJECT OF SURVEILLANCE, INTERCEPTION AND
27 RECORDING, AND THE TERMINATION THEREOF. FAILURE TO
28 NOTIFY THE SURVEILLED WITHIN THE REQUIRED PERIOD
29 SHALL BE PENALIZED UNDER SECTION 10(g) OF THIS ACT.

30 IV. *CUSTODY OF INTERCEPTED AND RECORDED*
31 *COMMUNICATIONS.* - ALL TAPES, DISCS, AND RECORDINGS

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

26 V. *CONTENTS OF JOINT AFFIDAVIT.* - THE JOINT AFFIDAVIT OF
27 THE POLICE OR OF THE LAW ENFORCEMENT OFFICIAL AND
28 THE INDIVIDUAL MEMBERS OF HIS TEAM SHALL STATE: (A)
29 THE NUMBER OF TAPES, DISCS, AND RECORDINGS THAT
30 HAVE BEEN MADE, AS WELL AS THE NUMBER OF EXCERPTS
31 AND SUMMARIES THEREOF AND THE NUMBER OF WRITTEN

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

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

25 VI. *DISPOSITION OF DEPOSITED MATERIAL.* -THE SEALED
26 ENVELOPE OR SEALED PACKAGE AND THE CONTENTS
27 THEREOF, WHICH ARE DEPOSITED WITH THE AUTHORIZING
28 COURT, SHALL BE DEEMED AND ARE HEREBY DECLARED
29 CLASSIFIED INFORMATION, AND THE SEALED ENVELOPE OR
30 SEALED PACKAGE SHALL NOT BE OPENED AND ITS
31 CONTENTS (INCLUDING THE TAPES, DISCS, AND

1 RECORDINGS AND ALL THE EXCERPTS AND SUMMARIES
2 THEREOF AND THE NOTES AND MEMORANDA MADE IN
3 CONNECTION THEREWITH) SHALL NOT BE DIVULGED,
4 REVEALED, READ, REPLAYED, OR USED AS EVIDENCE
5 UNLESS AUTHORIZED BY WRITTEN ORDER OF THE
6 AUTHORIZING COURT. FOR THIS PURPOSE, THE DOJ SHALL
7 FILE A WRITTEN APPLICATION TO OPEN THE SEALED
8 ENVELOPE OR SEALED PACKAGE BEFORE THE
9 AUTHORIZING COURT, WITH PROPER WRITTEN NOTICE TO
10 THE PERSON WHOSE CONVERSATION, COMMUNICATION,
11 MESSAGE DISCUSSION OR SPOKEN OR WRITTEN WORDS
12 HAVE BEEN THE SUBJECT OF SURVEILLANCE,
13 MONITORING, RECORDING AND INTERCEPTION, TO OPEN,
14 REVEAL, DIVULGE, AND USE THE CONTENTS OF THE
15 SEALED ENVELOPE OR SEALED PACKAGE AS EVIDENCE.

16 THE WRITTEN APPLICATION WITH NOTICE TO THE PARTY
17 CONCERNED TO OPEN THE DEPOSITED SEALED ENVELOPE
18 OR SEALED PACKAGE SHALL CLEARLY STATE THE PURPOSE
19 OR REASON: (A) FOR OPENING THE SEALED ENVELOPE OR
20 SEALED PACKAGE; (B) FOR REVEALING OR DISCLOSING ITS
21 CLASSIFIED CONTENTS; (C) FOR REPLAYING, DIVULGING,
22 AND OR READING ANY OF THE LISTENED TO, INTERCEPTED,
23 AND RECORDED COMMUNICATIONS, MESSAGES,
24 CONVERSATIONS, DISCUSSIONS, OR SPOKEN OR WRITTEN
25 WORDS (INCLUDING ANY OF THE EXCERPTS AND
26 SUMMARIES THEREOF AND ANY OF THE NOTES OR
27 MEMORANDA MADE IN CONNECTION THEREWITH); AND, (D)
28 FOR USING ANY OF SAID LISTENED TO, INTERCEPTED, AND
29 RECORDED COMMUNICATIONS, MESSAGES,
30 CONVERSATIONS, DISCUSSIONS, OR SPOKEN OR WRITTEN
31 WORDS (INCLUDING ANY OF THE EXCERPTS AND

1 SUMMARIES THEREOF AND ANY OF THE NOTES OR
2 MEMORANDA MADE IN CONNECTION THEREWITH) AS
3 EVIDENCE.

4 **VII. EVIDENTIARY VALUE OF DEPOSITED MATERIALS.** – ANY
5 LISTENED TO, INTERCEPTED, AND RECORDED
6 COMMUNICATIONS, MESSAGES, CONVERSATIONS,
7 DISCUSSIONS, OR SPOKEN OR WRITTEN WORDS, OR ANY
8 PART OR PARTS THEREOF, OR ANY INFORMATION OR FACT
9 CONTAINED THEREIN, INCLUDING THEIR EXISTENCE,
10 CONTENT, SUBSTANCE, PURPORT, EFFECT, OR MEANING,
11 WHICH HAVE BEEN SECURED IN VIOLATION OF THE
12 PERTINENT PROVISIONS OF THIS ACT, SHALL ABSOLUTELY
13 NOT BE ADMISSIBLE AND USABLE AS EVIDENCE AGAINST
14 ANYBODY IN ANY JUDICIAL, QUASI-JUDICIAL, LEGISLATIVE,
15 OR ADMINISTRATIVE INVESTIGATION, INQUIRY,
16 PROCEEDING, OR HEARING.

17 “(C) *Prosecution of Cases.* – Any person who has personal knowledge of
18 the commission of any offense under this Act, such as the trafficked
19 person, the parents, spouse, siblings, children or legal guardian may
20 file a complaint for trafficking.

21 “(D) *PLEA BARGAINING.* – THE ACCUSED, WITH THE CONSENT OF
22 THE OFFENDED PARTY AND THE PROSECUTOR, MAY BE ALLOWED
23 BY THE TRIAL COURT TO PLEAD GUILTY TO A LESSER OFFENSE
24 WHICH IS NECESSARILY INCLUDED IN THE OFFENSE CHARGED.

25 “(E) *Affidavit of Desistance.* – Cases involving trafficking in persons
26 should not be dismissed based on the affidavit of desistance executed
27 by the victims or their parents or legal guardians. Public and private
28 prosecutors are directed to oppose and manifest objections to motions
29 for dismissal.

1 "Any act involving the means provided in this Act or any attempt
2 thereof for the purpose of securing an Affidavit of Desistance from the
3 complainant shall be punishable under this Act."
4

5 SECTION 8-A. *DUTIES OF AN INTERNET SERVICE PROVIDER (ISP).* -

6 ALL INTERNET SERVICE PROVIDERS (ISPS) SHALL NOTIFY THE PNP
7 OR THE NBI WITHIN SEVEN (7) DAYS FROM OBTAINING FACTS AND
8 CIRCUMSTANCES THAT ANY FORM OF CHILD TRAFFICKING, CHILD
9 PORNOGRAPHY, OR ANY FORM SEXUAL EXPLOITATION OF
10 CHILDREN IS BEING COMMITTED USING ITS SERVER OR FACILITY.
11 NOTHING IN THIS SECTION MAY BE CONSTRUED TO REQUIRE AN
12 ISP TO ENGAGE IN THE MONITORING OF ANY USER, SUBSCRIBER
13 OR CUSTOMER, OR THE CONTENT OF ANY COMMUNICATION OF
14 ANY SUCH PERSON: PROVIDED, THAT NO ISP SHALL BE HELD
15 CIVILLY LIABLE FOR DAMAGES ON ACCOUNT OF ANY NOTICE
16 GIVEN IN GOOD FAITH IN COMPLIANCE WITH THIS SECTION.

17 FURTHERMORE, AN ISP SHALL PRESERVE SUCH EVIDENCE FOR
18 PURPOSE OF INVESTIGATION AND PROSECUTION BY RELEVANT
19 AUTHORITIES.

20 AN ISP SHALL, UPON THE REQUEST OF PROPER AUTHORITIES,
21 FURNISH THE PARTICULARS OF USERS WHO GAINED OR
22 ATTEMPTED TO GAIN ACCESS TO AN INTERNET ADDRESS WHICH
23 CONTAINS ANY FORM OF CHILD TRAFFICKING, CHILD
24 PORNOGRAPHY OR ANY FORM OF SEXUAL EXPLOITATION OF
25 CHILDREN.

26 ALL ISPS SHALL INSTALL AVAILABLE TECHNOLOGY, PROGRAM OR
27 SOFTWARE TO ENSURE THAT ACCESS TO OR TRANSMITTAL OF
28 ANY FORM OF CHILD PORNOGRAPHY WILL BE BLOCKED OR
29 FILTERED.

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

4 THE DOJ, WITH THE NATIONAL TELECOMMUNICATIONS
5 COMMISSION (NTC), AND SUCH OTHER RELEVANT GOVERNMENT
6 AGENCIES, SHALL PROMULGATE WITHIN NINETY (90) DAYS FROM
7 THE EFFECTIVITY OF THIS ACT THE NECESSARY RULES AND
8 REGULATIONS FOR THE IMPLEMENTATION OF THIS PROVISION
9 WHICH SHALL INCLUDE, AMONG OTHERS, THE INSTALLATION OF
10 FILTERING SOFTWARE THAT WILL BLOCK ACCESS TO OR
11 TRANSMISSION OF ANY FORM OF CHILD TRAFFICKING, CHILD
12 PORNOGRAPHY, OR SEXUAL EXPLOITATION OF CHILDREN.

13
14 SECTION 8-B. *RESPONSIBILITY OF TOURISM-ORIENTED*
15 *ESTABLISHMENTS¹ INCLUDING HOTELS, RESORTS, INNS, MOTELS,*
16 *AND OTHER RELATED FACILITIES AND SERVICES.* – ALL TOURISM-
17 ORIENTED ESTABLISHMENTS INCLUDING HOTELS, RESORTS,
18 INNS, MOTELS, AND OTHER RELATED FACILITIES AND SERVICES
19 SHALL NOTIFY THE PNP OR THE NBI WITHIN SEVEN (7) DAYS
20 FROM OBTAINING FACTS AND CIRCUMSTANCES THAT CHILD
21 TRAFFICKING, CHILD PORNOGRAPHY, OR SEXUAL EXPLOITATION
22 OF CHILDREN IS BEING COMMITTED IN THEIR PREMISES:
23 PROVIDED, THAT THESE TOURISM-ORIENTED ESTABLISHMENTS
24 SHALL ADOPT POLICIES, TO BE REGULARLY UPDATED AND
25 IMPLEMENTED, TO ADDRESS AND PREVENT THE POSSIBLE

¹ 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 CONDUCT OF CHILD TRAFFICKING, CHILD PORNOGRAPHY OR
2 SEXUAL EXPLOITATION OF CHILDREN IN THEIR RESPECTIVE
3 ESTABLISHMENTS : PROVIDED, FURTHER THAT PUBLIC DISPLAY
4 OF ANY FORM OF CHILD PORNOGRAPHY WITHIN THEIR PREMISES
5 IS A CONCLUSIVE PRESUMPTION OF THE KNOWLEDGE OF THE
6 OWNERS/OPERATORS AND OWNERS OR LESSORS OF BUSINESS
7 ESTABLISHMENTS OF THE VIOLATION OF THIS ACT.

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

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

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

30 THE IACAT, WITH THE DEPARTMENT OF TOURISM AND SUCH
31 OTHER RELEVANT GOVERNMENT AGENCIES, SHALL PROMULGATE

1 WITHIN NINETY (90) DAYS FROM THE EFFECTIVITY OF THIS ACT
2 THE NECESSARY RULES AND REGULATIONS FOR THE
3 IMPLEMENTATION OF THIS PROVISION.

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

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

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

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

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

26 II. THE PENALTY OF NOT LESS THAN SIX (6) YEARS AND ONE
27 (1) DAY TO TWELVE (12) YEARS OF IMPRISONMENT SHALL
28 BE IMPOSED ANY PERSON WHO COPIES IN WHATEVER
29 FORM, REMOVES, DELETES, EXPUNGES, INCINERATES,
30 SHREDS OR DESTROYS THE TAPES, DISCS AND
31 RECORDING, AND THEIR EXCERPTS AND SUMMARIES,

1 WRITTEN NOTES OR MEMORANDA MADE IN CONNECTION
2 WITH THE AUTHORIZED INTERCEPTION AND RECORDING
3 UNDER SUB-SECTION IV THEREOF;

4 III. THE PENALTY OF NOT LESS THAN TEN (10) YEARS AND
5 ONE (1) DAY TO TWELVE (12) YEARS OF IMPRISONMENT
6 SHALL BE IMPOSED ON ANY PERSON, POLICE OR LAW
7 ENFORCEMENT OFFICER WHO OMIT OR EXCLUDE FROM
8 THE JOINT AFFIDAVIT ANY ITEM OR PORTION THEREOF
9 MENTIONED IN SUB-SECTION V THEREOF;

10 IV. THE PENALTY OF SIX (6) YEARS AND ONE (1) DAY TO
11 EIGHT (8) YEARS OF IMPRISONMENT SHALL BE IMPOSED
12 ON ANY PERSON WHO VIOLATES HIS OR HER DUTY TO
13 NOTIFY IN WRITING THE PERSONS SUBJECT OF THE
14 SURVEILLANCE UNDER SUB-SECTION VI THEREOF;

15 V. THE PENALTY OF TEN (10) YEARS AND ONE (1) DAY TO
16 TWELVE (12) YEARS OF IMPRISONMENT SHALL BE
17 IMPOSED ON ANY POLICE OR LAW ENFORCEMENT
18 OFFICIAL WHO, WITHOUT AUTHORITY FROM THE COURT
19 TRACKS DOWN, TAPS, LISTENS TO, INTERCEPTS, AND
20 RECORDS IN WHATEVER MANNER OR FORM ANY
21 COMMUNICATION, MESSAGE, CONVERSATION,
22 DISCUSSION, OR SPOKEN OR WRITTEN WORD OF A
23 PERSON CHARGED WITH OR SUSPECTED OF CHILD
24 TRAFFICKING UNDER THIS ACT;

25 VI. IN ADDITION TO THE LIABILITY OF THE OFFENDER FOR
26 THE COMMISSION OF ANY OTHER OFFENSE, THE
27 PENALTY OF TEN (10) YEARS AND ONE (1) DAY TO
28 TWELVE (12) YEARS OF IMPRISONMENT AND THE
29 ACCESSORY PENALTY OF PERPETUAL ABSOLUTE
30 DISQUALIFICATION FROM PUBLIC OFFICE SHALL BE
31 IMPOSED UPON ANY POLICE OR LAW ENFORCEMENT

1 PERSONNEL WHO MALICIOUSLY OBTAINED AN
2 AUTHORITY TO TRACK DOWN, TAP, LISTEN TO,
3 INTERCEPT, AND RECORD IN WHATEVER MANNER OR
4 FORM ANY COMMUNICATION, MESSAGE, CONVERSATION,
5 DISCUSSION, OR SPOKEN OR WRITTEN WORDS OF A
6 PERSON CHARGED WITH OR SUSPECTED OF CHILD
7 TRAFFICKING UNDER THIS ACT; FURTHER, THE PARTY
8 AGGRIEVED BY SUCH AUTHORIZATION SHALL BE
9 ALLOWED ACCESS TO THE SEALED ENVELOPE OR
10 SEALED PACKAGE AND THE CONTENTS THEREOF AS
11 EVIDENCE FOR THE PROSECUTION OF ANY POLICE OR
12 LAW ENFORCEMENT PERSONNEL WHO MALICIOUSLY
13 PROCURED SAID AUTHORIZATION.

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

24 "(I) ANY TOURISM-ORIENTED ESTABLISHMENTS INCLUDING
25 HOTELS, RESORTS, INNS, MOTELS, AND OTHER RELATED
26 FACILITIES AND SERVICES WHO WILLFULLY AND KNOWINGLY FAIL
27 TO COMPLY WITH THE NOTICE, POLICY AND TRAINING
28 REQUIREMENTS UNDER SECTION 8-B OF THIS ACT SHALL SUFFER
29 THE PENALTY OF A FINE OF NOT LESS THAN FIVE HUNDRED
30 THOUSAND PESOS (PHP500,000.00) BUT NOT MORE THAN ONE
31 MILLION PESOS (PHP1,000,000.00) FOR THE FIRST OFFENSE. IN

1 CASE OF SUBSEQUENT OFFENSE, THE PENALTY SHALL BE A FINE
2 OF NOT LESS THAN ONE MILLION PESOS (PHP1,000,000.00) BUT
3 NOT MORE THAN TWO MILLION PESOS (PHP2,000,000.00) AND
4 REVOCATION OF ITS LICENSE TO OPERATE AND IMMEDIATE
5 CLOSURE OF THE ESTABLISHMENT; AND

6 ~~"(g)~~ (J) If the offender is a corporation, partnership, association,
7 club, establishment or any juridical person, the penalty shall be
8 imposed upon the owner, president, partner, manager, and/or any
9 responsible officer who participated in the commission of the crime or
10 who shall have knowingly permitted or failed to prevent its
11 commission;

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

19 ~~"(i)~~ (L) If the offender is a foreigner, he or she shall be immediately
20 deported after serving his or her sentence and be barred permanently
21 from entering the country;

22 ~~"(j)~~ (M) Any employee or official of government agencies who shall
23 issue or approve the issuance of travel exit clearances, passports,
24 registration certificates, counseling certificates, marriage license, and
25 other similar documents to persons, whether juridical or natural,
26 recruitment agencies, establishments or other individuals or groups,
27 who fail to observe the prescribed procedures and the requirement as
28 provided for by laws, rules and regulations, shall be held
29 administratively liable, without prejudice to criminal liability under
30 this Act. The concerned government official or employee shall, upon
31 conviction, be dismissed from the service and be barred permanently

1 to hold public office. his or her retirement and other benefits shall
2 likewise be forfeited; and

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

6
7 Sec. 3. Section 16 of Republic Act No. 9208 is hereby amended to read
8 as follows:

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

14 “(K) DEPARTMENT OF HEALTH (DOH) – SHALL DEVELOP A
15 COMPREHENSIVE PROGRAM TO PREVENT THE TRAFFICKING OF
16 HUMAN ORGANS. IT SHALL ALSO UNDERTAKE ACTIVITIES TO
17 INCREASE PUBLIC AWARENESS ON ORGAN TRAFFICKING, WHICH
18 MAY INCLUDE, BUT NOT LIMITED TO, MEDICAL PRACTITIONER,
19 FAMILY AND PATIENT INFORMATION AND EDUCATION, PUBLIC
20 EDUCATION AND ADVOCACY CAMPAIGN; AND SHALL RENDER
21 ASSISTANCE IN THE INVESTIGATION AND PROSECUTION OF
22 ORGAN TRAFFICKING.

23 “(L) DEPARTMENT OF INFORMATION AND COMMUNICATIONS
24 TECHNOLOGY (DICT) – SHALL EXTEND IMMEDIATE ASSISTANCE
25 FOR THE PREVENTION OF THE COMMISSION OF CYBERCRIME
26 OFFENSES RELATED TO TRAFFICKING IN PERSONS,
27 PARTICULARLY ONLINE SEXUAL EXPLOITATION OF CHILDREN;
28 AND ASSIST LAW ENFORCEMENT AND PROSECUTION AGENCIES
29 IN THE INVESTIGATION OF TRAFFICKING IN PERSONS COMMITTED
30 THROUGH THE USE OF TECHNOLOGY AND SOCIAL MEDIA.

1 “(M) DEPARTMENT OF TRANSPORTATION (DOTR) – CONSISTENT
2 WITH ITS MANDATE TO PROVIDE VIABLE, EFFICIENT, FAST, SAFE
3 AND DEPENDABLE TRANSPORTATION, IT SHALL DEVELOP A
4 COMPREHENSIVE PROGRAM AND AWARENESS CAMPAIGN TO
5 ASSIST TRANSPORTATION SECTORS AND TRANSPORTATION
6 PERSONNEL, SUCH AS AIRLINE FLIGHT ATTENDANTS, AIRPORT
7 AGENTS, TAXI AND BUS DRIVERS, TRUCKERS, AND TRAIN AND
8 DELIVERY DRIVERS TO IDENTIFY VICTIMS OF TRAFFICKING IN
9 PERSONS AND TO REPORT INCIDENTS OF TRAFFICKING IN
10 PERSONS.

11 “(N) OVERSEAS WORKERS WELFARE ADMINISTRATION (OWWA) –
12 SHALL PROVIDE WELFARE PROGRAMS AND SERVICES THAT
13 RESPOND TO THE NEEDS OF ITS MEMBER-OFWS, INCLUDING
14 THEIR FAMILIES, WHO HAVE BECOME VICTIMS OF TRAFFICKING
15 IN PERSONS. THE SERVICES TO THE OFWS SHALL INCLUDE
16 SOCIAL ASSISTANCE, EDUCATION AND TRAINING, CULTURAL
17 SERVICES, FINANCIAL MANAGEMENT, REINTEGRATION, AND
18 ENTREPRENEURIAL DEVELOPMENT SERVICES. IT SHALL
19 LIKEWISE PROVIDE PROMPT AND APPROPRIATE RESPONSE IN
20 REPATRIATION OF OFWS WHO ARE VICTIMS OF TRAFFICKING IN
21 PERSONS.

22 “~~(H)~~(O) Local government units (LGUs) – shall monitor and document
23 cases of trafficking in persons in their areas of jurisdiction, effect the
24 cancellation of licenses of establishments which violate the provisions
25 of this Act and ensure effective prosecution of such cases. They shall
26 also undertake an information campaign against trafficking in persons
27 through the establishment of the Migrants Advisory and Information
28 Network (MAIN) desks in municipalities or provinces in coordination
29 with the DILG, Philippine Information Agency (PIA), Commission on
30 Filipinos Overseas (CFO), NGOs and other concerned agencies. They

1 shall encourage and support community-based initiatives which
2 address the trafficking in persons.

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

6
7 Sec. 4. Section 20 of Republic Act No. 9208 is hereby amended to read
8 as follows:

9 "SECTION 20. INTER-AGENCY COUNCIL AGAINST TRAFFICKING. -

10 There is hereby established an Inter-Agency Council Against
11 Trafficking, to be composed of the Secretary of the DOJ as
12 Chairperson and the Secretary of the Department of Social Welfare
13 and Development as Co-Chairperson and shall have the following as
14 members:

15 "(a) Secretary, Department of Foreign Affairs;

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

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

19 "(D) SECRETARY, DEPARTMENT OF HEALTH

20 "(E) SECRETARY, DEPARTMENT OF INFORMATION AND
21 COMMUNICATIONS TECHNOLOGY;

22 "(F) SECRETARY, DEPARTMENT OF TRANSPORTATION;

23 "(g) Administrator, Philippine Overseas Employment
24 Administration;

25 "(H) ADMINISTRATOR, OVERSEAS WORKERS WELFARE
26 ADMINISTRATOR;

27 "(i) Commissioner, Bureau of Immigration;

28 "(j) Chief, Philippine National Police;

29 "(k) Chairperson, Philippine Commission on Women;

30 "(l) Chairperson, Commission on Filipinos Overseas;

1 "(m) Executive Director, Philippine Center for Transnational
2 Crimes;

3 "(N) DIRECTOR, NATIONAL BUREAU OF INVESTIGATION; AND

4 "(l) Three (3) representatives from NGOs, who shall include one
5 (1) representative each from among the sectors representing
6 women, overseas Filipinos, and children, with a proven record of
7 involvement in the prevention and suppression of trafficking in
8 persons. These representatives shall be nominated by the
9 government agency representatives of the Council, for
10 appointment by the President for a term of three (3) years.

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

16
17 Sec. 5. Section 21 of Republic Act No. 9208 is hereby amended to read
18 as follows:

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

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

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

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

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

29 "(e) Coordinate the conduct of massive information dissemination and
30 campaign on the existence of the law and the various issues and

1 problems attendant to trafficking through the LGUs, concerned
2 agencies, and NGOs;

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

5 (g) Assist in filing of cases against individuals, agencies, institutions or
6 establishments that violate the provisions of this Act;

7 (h) Formulate a program for the reintegration of trafficked persons in
8 cooperation with DOLE, DSWD, Technical Education and Skills
9 Development Authority (TESDA), Commission on Higher Education
10 (CHED), LGUs and NGOs;

11 (i) Secure from any department, bureau, office, agency, or
12 instrumentality of the government or from NGOs and other civic
13 organizations such assistance as may be needed to effectively
14 implement this Act;

15 (j) Complement the shared government information system for
16 migration established under Republic Act No. 8042, otherwise known
17 as the "Migrant Workers and Overseas Filipinos Act of 1995" with data
18 on cases of trafficking in persons, and ensure that the proper agencies
19 conduct a continuing research and study on the patterns and scheme
20 of trafficking in persons which shall form the basis for policy
21 formulation and program direction;

22 (k) Develop the mechanism to ensure the timely, coordinated, and
23 effective response to cases of trafficking in persons;

24 (l) Recommend measures to enhance cooperative efforts and mutual
25 assistance among foreign countries through bilateral and/or
26 multilateral arrangements to prevent and suppress international
27 trafficking in persons;

28 (m) Coordinate with the Department of INFORMATION AND
29 ~~Transportation and~~ Communications TECHNOLOGY (~~DOTC~~ DICT),
30 Department of Trade and Industry (DTI), and other NGOs in

1 monitoring the promotion of advertisement of trafficking in the
2 internet;

3 (n) Adopt measures and policies to protect the rights and needs of
4 trafficked persons who are foreign nationals in the Philippines;

5 (o) Initiate training programs in identifying and providing the necessary
6 intervention or assistance to trafficked persons; and

7 (p) Exercise all the powers and perform such other functions necessary
8 to attain the purposes and objectives of this Act.

9
10 Sec. 6. Section 24 of Republic Act No. 9208 is hereby amended to read
11 as follows:

12 "Section 24. *Other Services for Trafficked Persons.* -

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

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

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

26 (D) RECOVERY AND REINTEGRATION PROGRAM FOR TRAFFICKED
27 PERSONS (RRPTP). - THE DSWD SHALL IMPLEMENT RECOVERY
28 AND REINTEGRATION FOR TRAFFICKED PERSONS WHICH
29 INCLUDE A COMPREHENSIVE PACKAGE OF SERVICES FOR
30 INDIVIDUAL VICTIM-SURVIVOR OF TIP, THE IMMEDIATE FAMILY

1 AND THE COMMUNITY AT LARGE. THE RRPTP MUST INCLUDE THE
2 FOLLOWING MAJOR PROGRAM COMPONENT:

- 3 (1) CAPABILITY ENHANCEMENT FOR SERVICE PROVIDERS;
- 4 (2) DIRECT SERVICES TO TRAFFICKED PERSONS, WHICH
5 SHALL COVER COSTS FOR AUXILIARY SERVICES TO
6 VICTIMS/WITNESSES, WHICH INCLUDES TRANSPORTATION,
7 BOARD AND LODGING, DOCUMENTATION AND OTHER
8 INCIDENTAL EXPENSES;
- 9 (3) UPGRADE OF TEMPORARY SHELTERS;
- 10 (4) IMPLEMENTATION OF THE NATIONAL REFERRAL SYSTEM
11 AND UPDATING AND MAINTENANCE OF THE NATIONAL
12 RECOVERY AND REINTEGRATION DATABASE; AND
- 13 (5) ADVOCACY.

14
15 Sec. 7. *EFFECTIVITY.* – This Act shall take effect fifteen (15) days
16 following its complete publication in at least two (2) newspapers of general
17 circulation.

Approved,