

FIFTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )

ST. LOUIS  
OFFICE OF THE SECRETARY

10 JUL 12 P1 54

SENATE  
S.B. No. 1216

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INTRODUCED BY SEN. MANNY VILLAR

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### EXPLANATORY NOTE

Human trafficking is a concern that affects every country. The United Nations estimated that every year, there are 600,000 to 800,000 victims who are being trafficked across international borders.

Developing countries like the Philippines are becoming one of the largest sources of trafficked persons. In the Philippines, it was estimated that more than 400,000 women and more than 100,000 children are being trafficked across countries every year. The traffickers are taking advantage of the fact that most Filipinos are seeking better opportunities overseas. Many Filipinos voluntarily migrate to work abroad only to be exploited in the end.

But trafficking not only occurs across countries but also occurs within the country. The Philippines has internal trafficking of women and children from rural areas, particularly in the Visayas and Mindanao, to urban areas, such as Metro Manila and Cebu, for sexual exploitation or forced labor as domestic workers, factory workers, or in the drug trade.


To address the alarming cases of trafficking especially of women and children, Republic Act 9208 or the Anti-Trafficking in Persons Act was passed in 2003. Republic Act 9208 enumerates various programs and services that the government should provide to trafficked victims particularly emergency shelter or appropriate housing, counseling, legal, medical and psychological services; livelihood and skills training; and education assistance to a trafficked child.

With the increasing number of victims being assisted by the government, institutionalizing a temporary shelter program is necessary. Establishment of temporary shelters throughout the country will ensure that appropriate assistance such as medical and legal services will be provided for trafficking survivors. The provision of psychosocial counseling is also essential before the return to and reintegration of the trafficked persons with their respective families and community. The counseling will help them cope with their trauma, understand their situation better, and prevent the possibility of revictimization. A trauma or crisis that is not resolved may lead to more psychological, social and medical problems. As observed by the Commission on Filipinos Overseas- Task Force Against Human Trafficking (CFO-TFHT) in the various cases it handles, most of the repatriated victims were suffering from severe trauma because of the exploitation that they had experienced. Others have to face more serious problems such as unwanted pregnancies, sexually transmitted diseases, broken families and accumulated debts. The shelter may also provide a proper and fair venue for family counseling for victims whose families are unaware of their sad plight or in some cases, where family members or relatives have facilitated their being recruited or trafficked. Most victims feared that they may feel unaccepted when they return to their home because of their "misfortune".

As part of the reintegration process for the trafficked persons, livelihood assistance and projects should be integral components of a shelter. Through the projects, they will be provided with opportunities for their livelihood upon their return to their respective homes. The livelihood trainings will also help them channel their energies into more productive activities as part of the "healing process".

Ultimately, this bill seeks to protect and empower the trafficked persons, and promote the pro-active commitment of the government in eliminating trafficking in persons.

The immediate passage of this proposed Act is earnestly sought in consideration of the prevalence of trafficking of Filipinos and the emotional turmoil they experience that needs to be addressed with urgency.



**MANNY VILLAR**

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**AN ACT**  
**PROMOTING TO INSTITUTE MECHANISMS FOR THE CREATION OF TEMPORARY**  
**SHELTER PROGRAM FOR TRAFFICKED PERSONS**

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

**SECTION 1. Title.** - This Act shall be known as the "Temporary Shelter Program for Trafficked Persons Act."

**SECTION 2. Legal Basis.** - The temporary shelter program shall be provided by the State, in accordance with the Section 23 on Mandatory Services to Trafficked Persons of Republic Act 9208, otherwise known as the Anti-Trafficking in Persons Act of 2003.

The law specifically states that "to ensure recovery, rehabilitation and reintegration into the mainstream of society, concerned government agencies shall make available the following services to trafficked persons:

- a) emergency shelter or appropriate housing;
- b) counseling;
- c) free legal services;
- d) medical or psychological services;
- e) livelihood and skills training; and
- f) educational assistance to a trafficked child.

**SECTION 3. Establishment of Temporary Shelter Houses for Trafficked Persons.** - There shall be temporary shelter houses to be established in metropolitan areas (Metro Manila, Cebu and Davao) in the Philippines, and in other provinces where trafficking incidents are most prevalent.

**SECTION 4. Objective of the Temporary Shelter Program.** - The creation of temporary shelter program for trafficked persons shall have following objective:

- 1) Provide a safe shelter to trafficked persons against possible threats; allows the provision of continuous psycho-social, counseling and medical services, and livelihood assistance for trafficked persons; and
- 2) Facilitate faster case build-up for trafficked persons.

**SECTION 5. Criteria for Entitlement.** - The program will provide temporary shelter for trafficked persons. An assessment from the legal officers and/or counselors is required to determine if the elements of trafficking are present. Victims of other forms of abuses not directly related to trafficking, will be referred to appropriate government or non-government agencies.

Trafficked persons will be accommodated until they have been provided with appropriate assistance . Unless there are possible threats in their community, and

reintegration should be delayed, priority will be given to trafficked persons who are based in the province.

**SECTION 6. Provision of Other Services.** - Trafficked persons who availed of the program shall also be provided with the necessary legal, medical, and psychosocial services. Livelihood assistance and trainings will be included in the program through partnership among government and non-government agencies, international organizations, civil society groups and the private sector.

**SECTION 7. Supervision of CFO.** -The Commission on Filipinos Overseas (CFO) through its Task Force Against Human Trafficking (TFHT) shall supervise the establishment, implementation and operation of the temporary shelter program. The CFO shall appoint the necessary personnel to operate the temporary shelter, subject to civil service laws, rules and regulations.

**SECTION 8. Cooperation and Funding.** - The amount of Five Million Pesos (Php 5,000,000.00) shall be sources from the Presidential Social Fund for the initial establishment and operation of the temporary shelter houses and shall be released to the CFO-TFHT. Funds necessary for the continued operation and maintenance in the succeeding years shall be integrated in budget of the CFO.

A reasonable percentage of the earnings of the Philippine Gaming Corporation shall be allotted for the establishment and maintenance of the shelter homes.

**SECTION 9. Implementing Rules and Regulations.** - Within thirty (30) days from the effectivity of this Act, the CFO in coordination and consultation with other offices, shall formulate the rules and regulations to implement the provisions of this Act.

**SECTION 10. Effectivity.** This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least (2) national newspaper of general circulation.

Approved,