



SENATE
Office of the Secretary

SEVENTEENTH CONGRESS OF THE]
REPUBLIC OF THE PHILIPPINES]
First Regular Session]

'16 AUG -8 P1:37

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SENATE

S.B. No. 992

Introduced by SEN. WIN GATCHALIAN

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

EXPLANATORY NOTE

According to the 2014 Trafficking in Persons Report released by the U.S. Department of State the Philippines remains to be a Tier 2 country, meaning that our government has yet to meet the minimum standards for the elimination of trafficking. In 2014, the Department of Social Welfare and Development reported assisting 1,824 human trafficking victims nationwide. This official statistic is most likely a mere fraction of the actual number which includes unreported cases. These crimes often go unreported because victims lack information on human trafficking, and the families of victims accept the situation as normal.

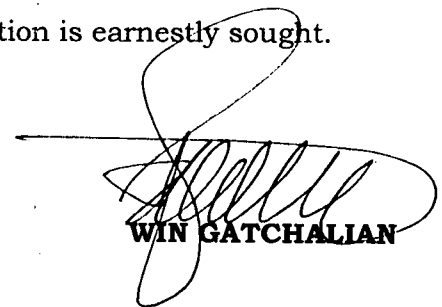
Human trafficking in all of its forms, including forced labor and sexual exploitation, is a crime fundamentally repugnant to the values of the State and the basic dignity and rights of the Filipino. The lack of understanding and awareness of human trafficking continues to facilitate a culture of impunity for the perpetrators, and a burden of injustice for the victims. The State must assume a larger role in stopping trafficking at its source - by educating potential victims about the dangers of trafficking and instructing them on how

to seek protection from the government.

Our children are some of the most vulnerable victims of trafficking. Domestically, there are 2.2 million child labourers between the ages of 15-17, many of whom are engaged in hazardous unskilled working environments. Some children work in virtual slavery in the informal employment sector as domestic helpers. Others are exploited for prostitution and pornography, while children in war-torn areas with communist and Moro separatist movements are easy targets for forced conscription into the armed movements.


In order to empower the youth against the scourge of human trafficking, this legislation seeks to create a comprehensive Human Trafficking Preventive Education Program. 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.

Support for the passage and approval of this legislation is earnestly sought.



WIN GATCHALIAN

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

1 SECTION 1. **Short Title.** - This Act shall be known as the "Human
2 Trafficking Preventive Education Program Act".

3 SEC. 2. **Declaration of Policy.** - It is hereby declared a policy of the
4 State to protect the youth from human trafficking and other crimes
5 fundamentally detrimental to their development and wellbeing. The State shall
6 enhance the knowledge of the youth of their basic rights and promote their
7 vigilance against human traffickers by providing preventive education to teach
8 them about the dangers of human trafficking in its various forms.

9 SEC. 3. **Preventive Education Program.** - The Inter-Agency Council
10 Against Trafficking (Council) shall facilitate the establishment of a Human
11 Trafficking Preventive Education Program. The Program shall accomplish the
12 following objectives:

- 13 a) Educate the youth about fundamental rights concerning labor and
14 employment, liberty, human security, as well as other essential rights;
- 15 b) Orient the youth about the dangers of international and domestic
16 human trafficking in its various forms including but not limited to

1 illegal recruitment, unfair labor practices, involuntary servitude,
2 sexual exploitation and prostitution, and child labor;

3 c) Provide the youth with information on services provided by
4 government agencies and non-governmental organizations to aid and
5 protect victims of human trafficking, and;

6 d) Identify members of the youth who have been, or are currently victims
7 of human trafficking and refer them to the proper agency or
8 organization for protection and rehabilitation.

9 The Program shall have a school-based component and a community- based
10 component.

11 SEC. 4. **School-Based Program.** - The Council, in cooperation with the
12 Department of Education, the Commission on Higher Education, and the
13 Technical Education and Skills Development Authority, shall implement a
14 School-Based Program to accomplish the objectives stated in Section 3 of this
15 Act. The School-Based Program shall cover all students enrolled in junior high
16 schools, senior high schools, colleges and universities, and technical or
17 vocational education programs.

18 The school principal, college or university president, or technical school
19 head shall be responsible for the following:

20 a) Facilitate the effective and efficient implementation of the Program in his
21 or her educational institution;

22 b) Assign guidance counsellors or equivalent support staff to identify and
23 protect human trafficking victims and at-risk students, and;

24 c) Establish a safe and proactive human trafficking reporting mechanism
25 which allows members of the school community to report suspected or
26 confirmed cases of human trafficking within the school.

27 SEC. 5. **Community-Based Program.** - The Council, in cooperation with
28 the Council for the Welfare of Children (CWC), shall implement a Community-
29 Based Program to accomplish the objectives stated in Section 3 of this Act. The
30 Community-Based Program shall cover all out-of-school youth in the
31 Philippines, and it shall be implemented at the barangay level.

32 The Chairman of the various Barangay Councils for the Protection of

1 Children (BCPC) of the CWC shall be responsible for the following:

- 2 a) Facilitate the effective and efficient implementation of the Program in
3 their respective barangays;
- 4 b) Assign guidance counsellors, social workers, or equivalent staff to identify
5 and protect human trafficking victims and at-risk out-of-school youth, and;
- 6 c) Establish a safe and proactive human trafficking reporting mechanism which
7 allows barangay residents to report suspected cases of human trafficking
8 within the community.

9 **SEC. 6. Youth in Conflict-Afflicted Areas** - The Council shall prioritize
10 the implementation of the Program in conflict-afflicted areas, with special
11 emphasis on human trafficking practices commonly perpetrated in conflict-
12 afflicted areas.

13 **SEC. 7. Accountability Measures** - The head of the educational
14 institution and the Chairman of the BCPC, as the case may be, shall submit to
15 the Council a bi-annual progress report on the implementation and outcomes
16 of the Program in their respective jurisdictions.

17 Failure to ensure faithful implementation of the Program consistent with
18 the provisions of this Act shall result in administrative sanctions for the
19 Institution Head or Chairman, as the case may be, subject to due process and
20 the provisions of applicable laws, rules, and regulations.

21 **SEC. 8. Appropriations.** - The amount of One Hundred Million Pesos
22 (P100,000,000.00) is hereby initially appropriated to implement the provisions
23 of this Act. Thereafter, such amount necessary to effectively carry out the
24 provisions of this Act shall be included in the annual General Appropriations
25 Act.

26 **SEC. 9. Civil Society Participation.** - The Council shall endeavour to
27 utilize non-governmental organizations (**NGOs**), community stakeholders, and
28 other civil society actors with knowledge and experience on human trafficking
29 prevention and suppression in the formulation, implementation, and
30 monitoring of the Program.

31 **SEC. 10. Implementing Rules and Regulations.** - Within (60) days
32 from the effectivity of this Act, the Council, in coordination with the
33 government agencies and entities mentioned in the provisions of this Act, shall

1 promulgate the implementing rules and regulations as may be necessary to
2 ensure the efficient and effective implementation of this Act.

3 SEC. 11. **Separability Clause.** - Should any part of this Act be declared
4 unconstitutional, the rest of the provisions of this Act shall continue to be in
5 effect and subsisting.

6 SEC. 12. **Repealing Clause.** - The provisions of other laws, decrees,
7 executive orders, rules and regulations inconsistent with this Act are hereby
8 repealed, amended, or modified accordingly.

9 SEC. 13. **Effectivity** - This Act shall take effect fifteen (15) days after its
10 publication in the *Official Gazette* and/or in at least two (2) national
11 newspapers in general circulation.

Approved,