

SENATE

S. NO. 395

Introduced by Senator Antonio "Sonny" F. Trillanes IV

EXPLANATORY NOTE

The tasks of creating a comprehensive program to prevent and suppress trafficking in persons, coordinating its implementation by various government agencies and of monitoring and overseeing the strict implementation of Republic Act No. 9208 otherwise known as the *Anti-Trafficking in Persons Act of 2003*, has been placed by the law on the Inter-Agency Council Against Trafficking or IACAT¹.

However, instead of providing direct funding for the IACAT, the law merely created a trust fund into which all fines as well as proceeds and properties forfeited under RA No. 9208 are supposed to be accumulated to be used exclusively for programs that will prevent acts of trafficking and protect, rehabilitate, reintegrate trafficked persons into the mainstream of society², and directed all participating agencies to include any project they may have under the law in their department's annual budget for inclusion in the annual General Appropriations Act³.

Considering the growing number of trafficking cases and the number of victims who need the support and assistance of the IACAT, this mode of funding is hardly sufficient to meet the challenges of the times. Moreover, funds from fines and forfeitures imposed by RA No. 9208 are slow in coming and no significant increase in the rate of the accumulation of said fund is expected in the near future.

Hence, there is an imperative necessity to provide additional and substantial funding for the IACAT if we are to expect it to do its job. Moreover, there is an imperative necessity of creating a permanent secretariat not only to manage the activities of the IACAT but also to provide for the continuity of plans and programs and to ensure that institutional memory is retained in the fight against human trafficking.

It is time to "*put our money where our mouth is*", so to speak. While the Government has been singing praises to our Overseas Filipino Workers (OFWs) as our "*Bagong Bayani*" or

¹ Section 21 (a) to (p), RA No. 9208

² Section 15, RA No. 9208

³ Section 28, RA No. 9208

our modern day heroes, it has not sufficiently funded the inter-agency council tasked with the duty and function of preventing and protecting them from the menace of human trafficking.

This Bill aims not only to create a permanent secretariat for the IACAT but also to provide additional substantial funding intended to support the IACAT and to shore-up its capacities and capabilities in order to be able to meet the growing challenges of the times, especially in the light of the ongoing global financial crisis.

The immediate passage of this Bill is earnestly enjoined.



ANTONIO "SONNY" F. TRILLANES IV
Senator

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

OFFICE OF THE CLERK

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SENATE

S. NO. 395

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

AN ACT
CREATING A PERMANENT SECRETARIAT FOR THE INTER-AGENCY COUNCIL AGAINST TRAFFICKING (IACAT) WHICH WAS UNDER SECTION 20 OF REPUBLIC ACT NO. 9208, OTHERWISE KNOWN AS THE "ANTI-TRAFFICKING IN PERSONS ACT OF 2003" AS WELL AS PROVIDING FOR ADDITIONAL FUNDING FOR THE IACAT AND FOR OTHER RELATED PURPOSES.

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

1 **SECTION 1. *Creation of a Permanent Secretariat for the IACAT.*** - A permanent
2 Secretariat for the Inter-Agency Council Against Trafficking (IACAT) created under Section
3 20 of Republic Act No. 9802 otherwise known as the "*Anti-Trafficking in Persons Act of*
4 *2003*" is hereby created, which Secretariat shall be attached to the Department of Justice
5 (DOJ) for purpose of program coordination. The said Secretariat shall be headed by an
6 Executive Director and shall have such number of officers and employees as support staff,
7 who shall perform such duties and functions and shall have such compensation, emoluments
8 and benefits as may be determined by the IACAT. The Executive Director and support staff
9 shall be appointed by the President upon the recommendation of the IACAT. The annual
10 budget for the personnel and operations of the Secretariat shall be submitted as part of the
11 budget for the DOJ for funding annually under the general appropriations act.

12 **SEC. 2. *Additional funding for the Inter-Agency Council Against Trafficking***
13 *created under RA No. 9208.* - The amount of one hundred million pesos (PHP

1 100,000,000.00) is hereby appropriated to form part of the Trust Fund of the IACAT under
2 Section 15 of Republic Act No. 9208. The Secretary of Budget and Management is hereby
3 directed to ensure the availability of the said amount to the IACAT in a timely manner.

4

5 **SEC. 3. *Purpose of the Fund.*** - The Fund shall be administered and managed by the
6 IACAT and shall be used exclusively for the implementation of plans and programs that will
7 prevent acts of trafficking and protect, rehabilitate, reintegrate trafficked persons into the
8 mainstream of society and shall include, but shall not limited to, those enumerated in Section
9 15 of RA No. 9203, as well as to supplement the programs of the appropriate government
10 agencies in delivering the mandatory services and other services to trafficked persons as
11 provided in Sections 23 and 24 of RA No. 9208.

12

13 **SEC. 4. *Separability Clause.*** - If any provision, part or portion of this Act shall be
14 held invalid, the remaining provisions, parts or portions of the Act not otherwise affected
15 thereby shall remain valid and effective.

16

17 **SEC. 5. *Repealing Clause.*** - All laws, executive issuances, orders and rules and
18 regulations contrary to or inconsistent with this Act, or any part thereof, are hereby repealed,
19 amended and/or modified accordingly.

20

21 **SEC. 6. *Effectivity.*** - This Act shall take effect upon its publication in the *Official*
22 *Gazette* or in at least two (2) national newspapers of general circulation.

Approved,