

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
A. Francisco Gold Condominium II, EDSA cor. Mapagmahal St.,
Diliman, Quezon City

March 14, 2005

MEMORANDUM CIRCULAR NO. 2005-06

TO : ALL PROVINCIAL GOVERNORS, CITY / MUNICIPAL MAYORS,
PUNONG BARANGAYS, DILG REGIONAL, PROVINCIAL AND
CITY DIRECTORS AND FIELD OFFICERS AND OTHERS
CONCERNED

SUBJECT : STRICT IMPLEMENTATION OF REPUBLIC ACT NO. 9208, 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
TRAFFICKING PERSONS, PROVIDING PENALTIES FOR ITS
VIOLATIONS, AND FOR OTHER PURPOSES

Prefatory Statement

Pursuant to RA 9208, otherwise known as "Anti-Trafficking In Persons Act of 2003", trafficking in persons refers to the recruitment, transportation, transfer or harboring or receipt of persons with or without the victim's consent or knowledge, within or across national borders by means of threat or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or position, taking advantage of the vulnerability of the person or, the giving or receiving of payments of benefits to achieve the consent of a person having control over another person for the purpose of exploitation which includes at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs.

Basically, this government's effort is in compliance to the policy of the State which is to promote human dignity, protect the people from any threat of violence and exploitation, eliminate trafficking in persons, and mitigate pressures for involuntary migration and servitude of persons, not only to support trafficked persons but more importantly, to ensure their recovery, rehabilitation and reintegration into the mainstream of society.

In Asia, the Philippines has been found to be a source, transport and destination country for persons trafficked for purposes of sexual exploitation and forced labor especially for women and children which occurs in the rural and urban metropolitan areas. Human trafficking is considered now as the third largest source of profits for organized crimes, next to drugs and guns.

It is in this premise that RA 9208 was passed into law. Specifically, it sets up the policies to eliminate trafficking in persons, especially women and children. It establishes the necessary institutional mechanisms to protect and support trafficked persons. It also provides penalties for violators.

Measures/Strategies in Preventing and Eliminating Human Trafficking at the Local Level

To ensure a unified and synchronized effort in preventing and eliminating human trafficking, all local government units are hereby enjoined to implement the following measures in their respective localities in operationalizing their defined roles and responsibilities:

1. Community Education on Republic Act No.9208

The LGUs in cooperation with concerned agencies shall take the lead in conducting a massive information campaign on RA 9208 in all barangays under their respective jurisdictions.

2. Establishment of Migrants Advisory Information Network (MAIN) Desks within the Women and Children's Desks or any existing or other equivalent mechanism

To sustain the campaign against trafficking in persons, LGUs shall establish a Migrant Advisory and Information Desks Network (MAIN) in cooperation with the DILG, PIA, Commission on Filipino Overseas (CFO), NGOs, and other concerned agencies. The MAIN Desks shall provide the clients and/or victims of trafficking in persons and their families, the following information:

- A. Procedures in filing cases or reporting of suspected alleged trafficking incidents
- B. Programs that address trafficking in persons
- C. Legal protection to trafficked persons
- D. Preferential entitlement under the Witness Protection Program
- E. Trafficked persons who are foreign nationals
- F. Other services for trafficked persons
- G. Repatriation of trafficked persons
- H. Rights of the person arrested, investigated or detained

The MAIN Desk Officer as a pre-requisite to the position shall have a thorough knowledge of RA 9208. He/she shall coordinate with the Women and Children's Desk Officer as the need arises.

3. Enactment of a Local Ordinance on the Elimination/Prevention/Control Trafficking in Persons

In order to institutionalize local efforts on prevention, elimination and control of trafficking in persons, all local government units are further enjoined to cause the enactment of an ordinance incorporating among others the appropriate measures/strategies which the concerned LGU deemed necessary specifically those complying Sections 16, 17 and 33 of the Local Government Code of 1991.

The local ordinance may cover but not limited to the following:

- A. Definition of Relevant Terms;
- B. Support Services and Programs that address trafficking in persons
- C. Creation of Local Committee on Anti-Trafficking (or making use of any existing or other equivalent mechanism)
- D. Functions of the Local Committee on Anti-Trafficking (any existing or other equivalent mechanism)
- E. Coordination with Local Officer of the National Agencies involved in the anti-trafficking in persons campaign
- F. Coordination with other government agencies, NGOs, Pos
- G. Reporting
- H. Appropriations

4. Alliance Building

To ensure the smooth operationalization of the provision of RA 9208, all LGUs are further encouraged to establish partnership with the following agencies on concerned areas:

AGENCIES/ ORGANIZATIONS	AREAS OF CONCERN
DSWD	<ul style="list-style-type: none"> • Provision of psycho-social counseling, temporary shelter and other support services to victims/survivors of trafficking and their families • Skills training and livelihood services to victims/survivors of trafficking
PNP	<ul style="list-style-type: none"> • Apprehension and/or arrest of traffickers
DOT	<ul style="list-style-type: none"> • Formulation and implementation of preventive measures to stop sex tourism packages
DepEd	<ul style="list-style-type: none"> • Conduct of non-formal education classes re RA 9208
POEA	<ul style="list-style-type: none"> • Provision of legal assistance to victims of trafficking
BOI	<ul style="list-style-type: none"> • Apprehension of suspected traffickers and their cohorts
CHR	<ul style="list-style-type: none"> • Integration of anti-trafficking efforts in the Barangay Human Rights Action Center (BHRAC)
CWC	<ul style="list-style-type: none"> • Advocacy against trafficking of children
PIA	<ul style="list-style-type: none"> • Information dissemination on RA 9208
TESDA	<ul style="list-style-type: none"> • Skills and entrepreneurial training to trafficked victims
DILG	<ul style="list-style-type: none"> • Submission of reports on cases of trafficked persons
DOLE	<ul style="list-style-type: none"> • Employment and livelihood facilitation
DFA	<ul style="list-style-type: none"> • Repatriation of trafficked victims
DOH	<ul style="list-style-type: none"> • Health services
DOJ	<ul style="list-style-type: none"> • Prosecution of trafficking cases
CSOs	<ul style="list-style-type: none"> • Legal counseling, shelter and livelihood facilitation

Responsibility of DILG Regional Field Offices

All DILG Regional Directors and Field Officers are hereby directed to coordinate with the concerned local officials within their respective areas of assignment to ensure the compliance of this Memorandum Circular and NAPOLCOM Memorandum Circular No. 2004-03 dated May 18, 2004 (attached) and submit a quarterly report based from the Complaint Standard Reporting Form (attached NAPOLCOM Form No. 24) to the Office of the Secretary through the Bureau of Local Government Development.

For the information and guidance of all concerned.

(Sgd.) ANGELO T. REYES
Secretary