



Republic of the Philippines
Province of Iloilo
MUNICIPALITY OF OTON
OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS from the Minutes of the Sangguniang Bayan of Oton, Iloilo during its Regular Session held at the Municipal Session Hall of Oton, Iloilo last **November 2, 2006** at 2:30 in the afternoon.

PRESENT:	Hon. Jafet P. Salinas	SB Member
	Hon. Jose Neil P. Olivares	SB Member (Asst. Floor Leader)
	Hon. Eusebio G. Villavicencio, Jr.	SB Member
	Hon. Felimon Gregorio M. Calvo	SB Member (Floor Leader)
	Hon. Virginia F. Olivares	SB Member
	Hon. Francisca C. Ezpeleta	SB Member
	Hon. Pablo S. Guevara, Jr.	SB Member
	Hon. Simplicio R. Carroon, Jr.	SB Member (Presiding Officer)
	Hon. Edgar N. Javellana	SB Member (ABC Representative)
	Hon. Lee C. Alison	SB Member (SK Representative)
ON OFFICIAL BUSINESS:	Hon. Vicente B. Flores, Jr.	Vice Mayor (OIC Mayor)
ABSENT:	None.	

ORDINANCE NO. 2006 – 164

AN ORDINANCE ENFORCING THE PROVISIONS OF R.A. 9208, OTHERWISE KNOWN AS THE ANTI-TRAFFICKING ACT OF 2003 AND ITS IMPLEMENTING RULES AND REGULATIONS AND FOR OTHER PURPOSES.

AS PROPOSED by Hon. Jose Neil P. Olivares and Hon. Virginia F. Olivares, ON MOTION of the Committee on Women and Family, composed by, Hon. Virginia F. Olivares, Hon. Eusebio G. Villavicencio, Jr. and Hon. Lee C. Alison and duly seconded by Hon. Edgar N. Javellana

BE IT ORDAINED by the Sangguniang Bayan of Oton, Iloilo, an Ordinance, to wit:

SECTION 1. TITLE. This Ordinance shall be known as the "Anti-Trafficking in Persons Ordinance of 2005".

SECTION 2. DECLARATION OF POLICY. It is hereby declared that the Local Government Unit (LGU) of Oton values the dignity of every human person and guarantees the respect of individual rights. In pursuit of this policy, the LGU of Oton in support of the National Policy in promoting human dignity, protection of the people from any threat of violence and exploitation, and elimination of trafficking in persons, shall prescribe a monitoring, protection and support system, and measures that will prevent or suppress trafficking in persons as mandated under Section 16 (5) and Section 19 (IRR) of R.A. 9208.

It shall be an LGU Policy to recognize the equal rights and inherent human dignity of women and men as enshrined in the United Nations Universal Declaration on Human Rights, United Nations Convention on the Rights of the Child, United Nations Convention on the Protection of Migrant Workers and their Families, United Nations Convention Against Transnational Organized Crime including its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and all other relevant and universally accepted human rights instruments and other international conventions to which the Philippines is a signatory.

SECTION 3. DEFINITION OF TERMS. As used in this Ordinance:

a. **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 of position, taking advantage of the vulnerability of the person, or, the giving or receiving of payments or 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.

The recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation shall also be considered as "trafficking in persons" even if it does not involve any of the means set forth in the preceding paragraph.

b. **Child** – refers to a person below eighteen (18) years of age or one who is over eighteen (18) but is unable to fully take care of or protect himself / herself from abuse, neglect, cruelty, exploitation or discrimination because of a physical or mental disability or condition.

c. **Prostitution** – refers to any act, transaction, scheme or design involving the use of a person, by another, for sexual intercourse or lascivious conduct in exchange for money, profit or any other consideration.

d. **Forced Labor and Slavery** – refer to the extraction of work or services from any person by means of enticement, violence, intimidation or threat, use of force or coercion, including deprivation of freedom, abuse of authority or moral ascendancy, debt-bondage or deception.

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- e. **Sex Tourism** – refers to a program organized by travel and tourism-related establishments and individuals which consists of tourism packages or activities, utilizing and offering escort and sexual services as enticement for tourists. This includes sexual services and practices offered during rest and recreation periods for members of the military.
- f. **Sexual Exploitation** – refers to participation by a person in prostitution or the production of pornographic materials as a result of being subjected to a threat, deception, coercion, abduction, force, abuse of authority, debt bondage, fraud or through abuse of a victim's vulnerability.
- g. **Debt Bondage** – refers to the pledging by the debtor of his / her personal services or labor or those of a person under his / her control as security or payment for a debt, when the length and nature of services is not clearly defined or when the value of the services as reasonably assessed is not applied toward the liquidation of the debt.
- h. **Pornography** – refers to any representation, through publication, exhibition, cinematography, indecent shows, information technology, or by whatever means, of a person engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a person for primarily sexual purposes.

SECTION 4. SUPPORT SERVICES AND PROGRAMS THAT ADDRESS TRAFFICKING IN PERSONS. – The LGU shall undertake the following programs and activities:

- a. Implement the mandatory services enumerated in Section 23 of R.A. 9208 and programs that address Trafficking in Persons enumerated in paragraph (j), Section 16 of the same Code;
- b. Develop and disseminate information materials on anti-trafficking;
- c. Train (LGU) personnel involved in programs against trafficking in persons;
- d. Institute or strengthen support services and programs;
- e. Develop and sustain the Migrant Advisory and Information Network (MAIN);
- f. Establish a system of referral, monitoring and reporting of trafficking cases using the prescribe standard reporting form;
- g. Conduct inspection, in coordination with proper authorities, of houses, buildings or establishments suspected of being used for trafficking activities;
- h. Institute a reward scheme for those who have provided any information that led to the suppression / prevention of trafficking activities and apprehension of persons involved therein;
- i. Undertake other related activities at the local level.

SECTION 5. LOCAL COMMITTEE ON ANTI-TRAFFICKING. A local committee on anti-trafficking shall be constituted. The Committee shall be chaired by the Chair of the Committee on Women and Family of the Sanggunian and shall be composed of the local counterparts, whenever available, of the national government agencies, where applicable, which are members of the Inter Agency Council Against Trafficking (IACAT) enumerated in Section 20 of R.A. 9208.

Department of Justice (DOJ)
Department of Social Welfare and Development (DSWD)
Department of Foreign Affairs (DFA)
Department of Labor and Employment (DOLE)
Philippine Overseas and Employment Administration (POEA)
Bureau of Immigration (BI)
Philippine National Police (PNP)
National Commission on the Role of Filipino Women (NCRFW)

The following who shall be appointed by the Local Chief Executive for a term of three (3) years, from among the nominees of the Sanggunian, shall also be members of the Local Committee:

- a) representatives of accredited NGOs / POs; and
- b) representatives from the Barangay Human Rights Action Centers.

SECTION 6. FUNCTIONS OF THE LOCAL COMMITTEE ON ANTI-TRAFFICKING. The Committee shall:

- a. Coordinate (LGU) programs and activities related to the campaign against trafficking;
- b. Propose and recommend policies and regulations on anti-trafficking to the Sanggunian;
- c. Monitor and review policies, programs, projects and activities on anti-trafficking;

SECTION 7. COORDINATION WITH LOCAL OFFICES OF NATIONAL AGENCIES INVOLVED IN THE ANTI-TRAFFICKING IN PERSONS CAMPAIGN. The Local Committee shall coordinate with the local offices of the national agencies enumerated below or their local offices to ensure that they perform their responsibilities provided under Section 16 of R.A. 9208.

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- a. Department of Foreign Affairs (DFA)
- b. Department of Social Welfare and Development (DSWD)
- c. Department of the Interior and Local Government (DILG)
- d. Department of Labor and Employment (DOLE)
- e. Department of Justice (DOJ)
- f. Bureau of Immigration (BI)
- g. Philippine National Police (PNP)
- h. Philippine Overseas and Employment Administration (POEA)

The Local Committee shall likewise coordinate with the following agencies:

- a. Commission on Filipino Overseas (CFO)
- b. Philippine Center for Transnational Crime (PCTC)
- c. Overseas Workers Welfare Administration (OWWA)
- d. National Police Commission (NAPOLCOM)
- e. Department of Education (DEPED) and Commission on Higher Education (CHED)
- f. Technical Education and Skills Development Authority (TESDA)

SECTION 8. COORDINATION WITH OTHER GOVERNMENT AGENCIES, NGOS, AND POs. The LGU shall coordinate with other Government Agencies, Non-governmental Organizations and People's Organizations engaged in anti-trafficking activities.

SECTION 9. PROTECTION AND SUPPORT SERVICES.

- a. Trafficked persons or victims of trafficking in persons shall be afforded their right to confidentiality as mandated by Section 52, R.A 9208, on the stage when the LGU of Oton is extending protection and support services to them;
- b. Victims of trafficking in persons shall be given preferential treatment under the Assistance to Individuals in Crises Situation (AICS) Program whose guidelines or mechanics shall be issued by the Municipal Mayor;
- c. The Local Committee shall provide basic social services for the prevention, rescue, recovery, rehabilitation and reintegration / after care support services to victims of trafficking in persons. It shall provide these services in coordination with concerned government agencies, NGOs and POs.

SECTION 10. INFORMATION CAMPAIGN.

- a. There shall be created a Local Migrants Advisory and Information Network (MAIN) Desk which shall be manned by the Municipal Information Officer and the Public Employment Service Officer;
- b. The Local MAIN desk shall be responsible to conduct information and education campaign (IEC) against trafficking in person. It shall work in coordination with the DILG, PIA, Commission on Filipino Overseas (CFO), NGOs and other concerned agencies.
- c. The Local MAIN desk shall also help the Local Committee in the monitoring program against trafficking in person.

SECTION 11. APPROPRIATIONS. For the effective implementation of this Ordinance, an initial appropriation of Twenty Thousand Pesos (P20,000.00) is hereby appropriated. Thereafter, 20% from the Gender and Development (GAD) Funds of the IRA shall form part of the annual appropriations.

SECTION 14. SEPARABILITY CLAUSE. The declaration of invalidity of any provision of this Ordinance or part thereof shall not affect the validity of the remaining provisions.

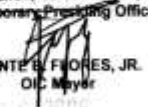
SECTION 16. EFFECTIVITY. This Ordinance shall take effect upon approval.

SECTION 17. COPIES. This Ordinance shall be furnished to the Office of the Mayor; MSWDO; Oton PNP; DILG; MTC; MPDO; Information Officer; Children & Women's Desk; and the Sangguniang Panlalawigan of Iloilo for information and guidance.

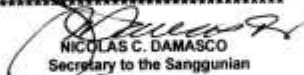
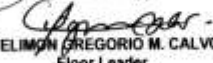
UNANIMOUSLY APPROVED.

I HEREBY CERTIFY to the correctness of the foregoing Ordinance.

Attested: 
BENIGNO R. CARREON, JR.,
Temporary Presiding Officer

Approved: 
VICENTE B. FLORES, JR.,
OIC Mayor

Concurred:


NICOLAS C. DAMASCO
Secretary to the Sanggunian

FELIMON GREGORIO M. CALVO
Floor Leader

Date Approved: NOV 21 2006

Date Posted: _____

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