



# ANTI-TRAFFICKING IN PERSONS HELP DESK OPERATIONS MANUAL



**Philippine Copyright ©2021  
Collaborative Action Against Trafficking (CAAT) Project**

**All rights reserved.**

The content of this publication may be freely quoted, shared, and used provided proper acknowledgement is given.

Correct citation:

Collaborative Action Against Trafficking (CAAT) Project. (2021). *Anti-Trafficking in Persons Helpdesk Operations Manual*. Plan International Philippines and Balay Mindanaw.

**Published by:**

**Plan International Philippines**  
4/F Bloomingdale Building  
205 Salcedo, Legazpi Village,  
1229 Makati City  
<https://plan-international.org/philippines>

**Balay Mindanaw Foundation Inc.**  
53-A Zone 2 Upper Bulua  
Cagayan de Oro City  
12th Butuan – Cagayan de Oro-Iligan  
Road  
Cagayan de Oro  
9000 Misamis Oriental  
<https://balaymindanaw.org/>

Production of this document was supported with funds from Plan International Germany. The content was informed by various government agencies, law enforcement units, and local governments.

The CAAT Project was supported with funding from the people of Germany and implemented by Plan International Philippines and Balay Mindanaw Foundation Inc. in 27 select communities in Eastern Visayas, CARAGA, and Region X. Since 2017 to 2021, the project aims to strengthen child protection in Visayas and Mindanao through the implementation of a project on anti-trafficking in person (TIP) and prevention and response to Online Sexual Abuse and Exploitation (OSAEC).



**COLLABORATIVE ACTION  
AGAINST TRAFFICKING**

Written by Atty. Ma. Araceli Basco Habaradas  
Designed by Richard Dy and Andrew Zarate

**REPORT HUMAN TRAFFICKING!**

**CALL 1343**

**OUTSIDE METRO MANILA: (02) 1343**

 **1343 Actionline**

 **1343actionline@cfo.gov.ph**

 **1343actionline.ph**

**DOWNLOAD FOR FREE:**

**1343 Actionline Mobile App**



Download on the  
**App Store**



Get it on  
**Google play**







**ANTI-TRAFFICKING IN PERSONS  
HELP DESK OPERATIONS MANUAL**



# TABLE OF CONTENTS

3	<b>FOREWORD</b>
5	<b>ACKNOWLEDGEMENTS</b>
7	CHAPTER 1 <b>THE MANUAL: AN INTRO</b>
11	CHAPTER 2 <b>THE OVERALL INTER-AGENCY SYSTEM &amp; THE HELP DESK</b>
17	CHAPTER 3 <b>THE HELP DESK</b>
26	CHAPTER 4 <b>GATHERING TIP INFORMATION</b>
44	CHAPTER 5 <b>ENFORCEMENT</b>
56	CHAPTER 6 <b>PROTECTION &amp; ASSISTANCE TO VICTIM</b>
68	CHAPTER 7 <b>CASE DEVELOPMENT</b>
76	CHAPTER 8 <b>NETWORKING AND ADVOCACY WORK</b>
81	<b>REFERENCES</b>





## FOREWORD

On behalf of the Inter-Agency Council Against Trafficking (IACAT), we laud our partners in civil society, particularly Plan International and Balay Mindanaw Foundation Inc., for working in collaboration with the government to come up with this valuable “Anti- Trafficking in Persons Help Desk Operations Manual.” The creation of this manual is in line with the essential provisions of existing laws concerning human trafficking, particularly Republic Act No. 9208, as amended by Republic Act No. 10364.

As described by our laws, trafficking may occur in the form of recruitment, transportation, transfer or harboring, or receipt of persons with or without the victim’s consent or knowledge within or across national borders. This manual was designed to aid – not only our state security forces – but also the whole of society in ensuring that their presence is not only felt but also well-established and functional at key points of entry and exit in the country: seaports, airports, and inland terminals. With a unified and standardized set of operational guidelines for anti-trafficking help desks, the IACAT is optimistic that our drive against human trafficking will greatly improve, with the end view of eliminating trafficking in persons at the soonest possible time.

This manual is envisioned to implement a multi-pronged solution that will cast a wide net of protection for victims of trafficking, especially Filipino children. With the clear guidelines instituted herein, Help Desk team members will no longer fumble in the dark in providing protection and assistance that complement the work of our law enforcement agents. The manual shines light on the intricacies and importance of inter-agency cooperation and help provide context on key actions and why such steps need to be implemented.

The manual is a product of rigorous consultations and backed by scientific evidence and is arranged in a no-frills manner that outlines the essential points when it comes to (1) organizing the help desk, (2) information gathering, (3) enforcement, (4) protection and assistance, and (5) case development. A careful reading and training facilitated through this manual will capacitate our Help Desk team members with the necessary information about relevant legal provisions or regulations needed to be enforced, and train them with best practices we have implemented in the past that can be readily replicated in newly established help desks.

At this juncture, we again thank our partners in this initiative for believing that a whole-of-nation approach towards ending human trafficking is the most effective way to address this pernicious issue. This manual is but one of the many successful collaborations that were the product of concerted efforts to support the training and capacity-building of our frontline defenders. May the whole Philippine society – the public and private spheres combined – continue to work towards protecting our people in all ways possible, especially the most vulnerable.

**SASP JINKY P. DEDUMO**

Executive Director IACAT Secretariat





# ACKNOWLEDGEMENTS

This development of this manual came about when the Collaborative Action Against Trafficking (CAAT) Project was pursuing the establishment of anti-trafficking in persons (ATIP) help desks in its project areas. While CAAT was able to support the physical set-up of help desks at airports, sea ports and land-based transportation terminals, there was also a significant need for standardizing protocols and guidelines for all help desk officers. Working closely with IACAT, CAAT embarked on a review and updating of existing ATIP policies and protocols, particularly at ports or terminals where cases of trafficking are most likely to occur. Our sincerest gratitude goes to **Atty. Araceli B. Habaradas**, our writer-consultant, for maximizing all possible options in developing this manual despite the COVID-19 restrictions.

We would also like to specifically thank the following sub-national governments, regional government agencies, and law enforcement units for their major contributions in the development of this manual: **Inter-Agency Task Force against Trafficking (IACAT)**, especially **Prosecutor Yvette Coronel** and **Ms. Carina Urbano** for facilitating the review of the manuscript and referrals; **Philippine National Police – Regional Office 8** for sharing their **PNP Manual on Revised Standard Operating Procedures: Trafficking in Person Investigations**; **Justice, Peace & Integrity of Creation-Integrated Development Center, Inc.**; the local governments of **Cagayan de Oro City, Tacloban City, Ormoc City, Liloan, and San Ricardo**; **Department of Justice (DOJ) Regional Prosecution Office XI**; **DOJ CARAGA**; **Department of Social Welfare and Development (DSWD) Regions 8 and 10**, and; **Cagayan de Oro City Social Welfare and Development Office (CSWDO)**.

We would also like to acknowledge the following for their support and contributions:

**CAAT Project Team:** Enrico Baloro, Jaycel Hurley, Maricel Simbajon, Rhoda Ercilla, Zuriel Mark Tiempo, James Lee Mercado, Rochelle Basallote, Nelson Oquias, Arianne Huelva, Boots Rebuena, Karen Alcober, Kate Love Krizzle Garcia, Angie Escobilla, Arnel Neri, Leonardo Andoy, Sabrina Balais, Argie Khim Ormilla, Alejandro Amparo, Flordeliza Petilo, and Crispin Amora.

**Finance and Logistics:** Jhod Dural, Lourdesita Casi, Oscar Hawan, and Baht Latumbo.

**Contributors:** Cathy Seco, Selena Fortich, Maricel Campomanes, Roy Soledad, Ernesto Almocera, Shigemi Muramatsu, Aly Narvaez, and Richard Dy.

**Design:** Richard Dy and Andrew Zarate

**Proofreading and Editing:** Melanie Joy Miso

Plan International Philippines and Balay Mindanaw Foundation Inc. are grateful for your time, insights, and support in the development of this manual and in joining our fight towards the eradication of human trafficking in the Philippines.



# CHAPTER 1

# THE MANUAL: AN INTRO

- Purpose; where used
- Who will use
- TIP and this Manual
- Manual features

## What is the purpose of this manual?

This manual is a step-by-step guide for all personnel in charge or part of anti-trafficking help desk operations at ports or terminals where cases of trafficking in persons are likely to occur. The guide is aimed at:

- providing a standard and unified set of operational guidelines for anti-trafficking help desk personnel;
- strengthening the personnel's capacity when managing and running these front line operations; and
- consequently improving the efficiency and functionality of these help desks in reducing, even eliminating, trafficking in persons occurring in these points of entry and exit.

This manual is also designed to help regional or local inter-agency anti-trafficking bodies or joint task forces (typically composed of agencies of the national government as well as local governments, in partnership with civil society organizations) when establishing or improving their ground level presence — often through operational helpdesks — in seaports, airports and inland terminals.

## State Policy & Help Desk Operations

It is the policy of the State to give highest priority to the enactment of measures that will 'protect the people from any threat of violence and exploitation' and 'eliminate trafficking in persons.' (Sec. 2, RA 9208)

The establishment of help desk operations at ports and terminals is one of those measures that can give life to this state policy. Having effective operations at points of entry/exit will strengthen community-based protection and prevention mechanisms to reduce, even eliminate trafficking.



## Who will be using this manual?

Help Desk team members, particularly their field implementors, are given this handy guide to perform their tasks of protecting and assisting trafficking victims and of complementing the work of law enforcement agents. These duty bearers include personnel

from both government and civil society organizations designated to manage anti-trafficking help desks at ports and terminals and/or to provide immediate support and assistance to trafficking victims rescued by these help desks.

Among those specifically recommended to use this manual are duty bearers charged with:

- gathering information and receiving complaints or tips on trafficking at help desks;
- detecting and intercepting potential cases of trafficking at ports of entry/exit;
- rescuing and providing security to trafficking victims;
- gathering needed evidence at the ports to support successful prosecution of trafficking cases; or
- giving immediate support and assistance to trafficking victims rescued at the ports.

While initially conceptualized for the use of helpdesks in project areas covered by PLAN International and Balay Mindanao Foundation Inc. (BMFI), this manual is also created and designed with the view of making it useful for all anti-trafficking help desks throughout the country.

### **What activities can be considered trafficking in persons?**

Trafficking may occur in the form of recruitment, transportation, transfer or harboring, or receipt of persons with or without the victim's consent or knowledge, within or across national borders through any of the means identified in RA 9208 as amended by RA 10364.<sup>1</sup>

Implementors using this manual will be most interested in identifying, rescuing, and

giving protection and assistance to trafficked persons who are recruited, transported, or transferred through airports, seaports, and inland terminals. Corollary to this interest is the help desk's task to gather as much information needed to successfully prosecute those who caused or aided in the transport or transfer of the rescued victims of trafficking.



It shall be unlawful for any person to “recruit, transport, transfer, harbor, provide, or receive a person by any means, including those done under the pretext of domestic or overseas employment or training or apprenticeship, for the purpose of prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage.” (Sec.4(a), RA 9208 as amended)

### **Where can trafficking occur?**

Trafficking in persons can occur within or across national borders. This help desk operations manual is primarily intended to cover incidents of trafficking within Philippine borders. Operations on trafficking in persons through international travel are principally governed by protocols provided by the Bureau of Immigration.

While this manual is not designed to govern operations tasked to monitor international human trafficking (i.e., across national borders), many of its features may still be used to the extent that they are consistent with protocols prescribed by the Bureau of Immigration and IACAT.

<sup>1</sup> Trafficking in Persons refers to the recruitment, obtaining, hiring, providing, offering, transportation, transfer, maintaining, 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



## What are the features of this manual?

### How to use it?

Chapters two and three respectively describe the overall system that governs help desk operations and the organizational set-up and physical requirements needed to establish/manage a functional help desk. All manual users must read these chapters to understand how each implementor's task contributes to and affects the entire anti-trafficking operations.

Each succeeding chapter (four to eight) covers a specific function that may be performed by the help desk in relation to the overall system of anti-trafficking operations conducted at ports/terminals in a locality.

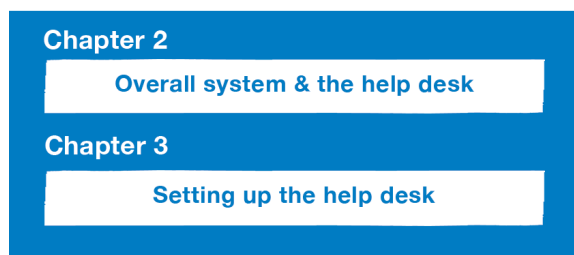
Found in every chapter are:

- the core objectives underlying a particular help desk function;
- the roles and duties of each field implementor when performing a key role;
- step-by-step and practical instructions as well as checklists where necessary; and
- identification of points of interaction or coordination between and among each field implementor.

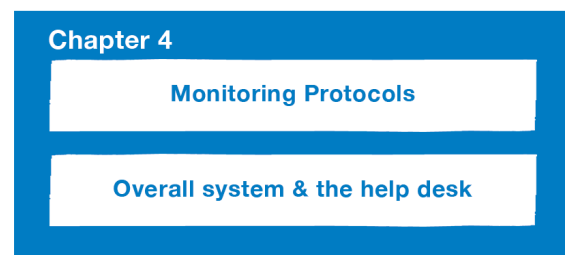
An understanding of the whole system of help desk operations, being inherently inter-agency in nature, will encourage each duty bearer to do their individual functions better.

A visual representation of the manual's organization is shown below:

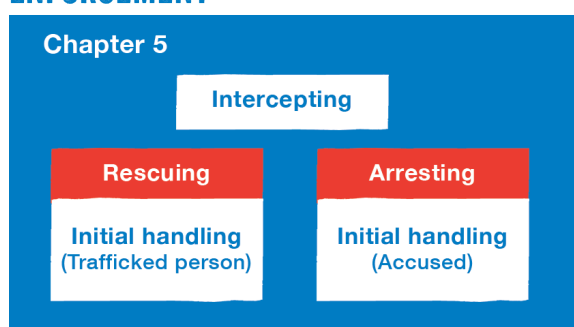
## ORGANIZATION



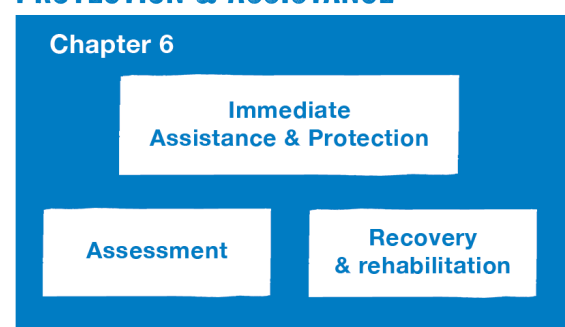
## INFORMATION GATHERING



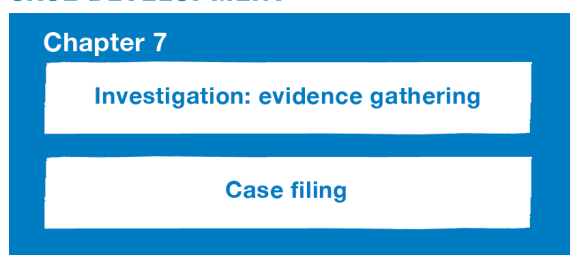
## ENFORCEMENT



## PROTECTION & ASSISTANCE



## CASE DEVELOPMENT



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.

In each chapter indicated above, every implementor needs: (a) to keep an eye on where a task may be assigned specifically to her/him; and (b) to read the roles of other implementors to understand where coordination work may be needed.

Found throughout this guidebook are red boxed sections (such as the one appearing below) to show:

1. Relevant legal provisions or regulations that manual users must carefully read and remember; and
2. Some specific help desk practices implemented in different regions or LGUs that may serve as inspiration for other help desk operations to be established.

Important reminders for TIP Help Desk members are, on the other hand, highlighted throughout the guidebook in blue colored boxes such as this:

Read each chapter in sequence to understand your role in relation to the entire picture of anti-trafficking operations done at ports and terminals.



**'Trafficking in Persons' (TIP)** 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 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. [Section 3(a), Republic Act 9208]

## CHAPTER 2

# THE OVERALL INTER-AGENCY SYSTEM & THE HELP DESK

- Understanding the bigger picture
- System of inter-agency cooperation
- Help desk in the context of the overall picture

An anti-trafficking help desk does not exist in isolation. Each TIP Help Desk is a component of a larger, overall anti-trafficking system existing beyond the physical space of ports and terminals where it lives and must be appreciated in the context of this overall structure the law aims to institutionalize.

### What is the overall anti-trafficking structure that informs the organization of a TIP Help Desk?

This bigger system is an inter-agency cooperation existing at various levels with the Inter-Agency Council Against Trafficking (IACAT) at its helm.<sup>2</sup> IACAT establishes its presence from the regional level down to the local government units (See Figure 1) through:

- Inter-agency committees against TIP.** These are the Regional Inter-Agency Committee Against Trafficking in Persons and Violence Against Women and Children (RIACAT-VAWC) and

Local Committee against Trafficking in Persons and Violence against Women and Children (LCAT-VAWC) established at the provincial, city or municipality levels.<sup>3</sup> Each inter-agency committee serves as the policy and program coordinating and monitoring body of anti-trafficking efforts at the local level.

- Inter-agency law enforcement task forces against TIP.** These include the National Inter-Agency Law Enforcement Task Force Against Trafficking in Persons (NIATFAT) and the Local Inter-Agency Law Enforcement Task Force Against Trafficking in Persons (LIATFAT)<sup>4</sup> [also referred to in this guidebook as “Inter-Agency Task Force”] The NIATFAT and LIATFAT are respectively referred to earlier as the National Inter-Agency Task Force Against Trafficking and the National Inter-Agency Task Force Against Trafficking under a 2004 IACAT Resolution adopting the guidelines for their establishment and operation.<sup>5</sup>

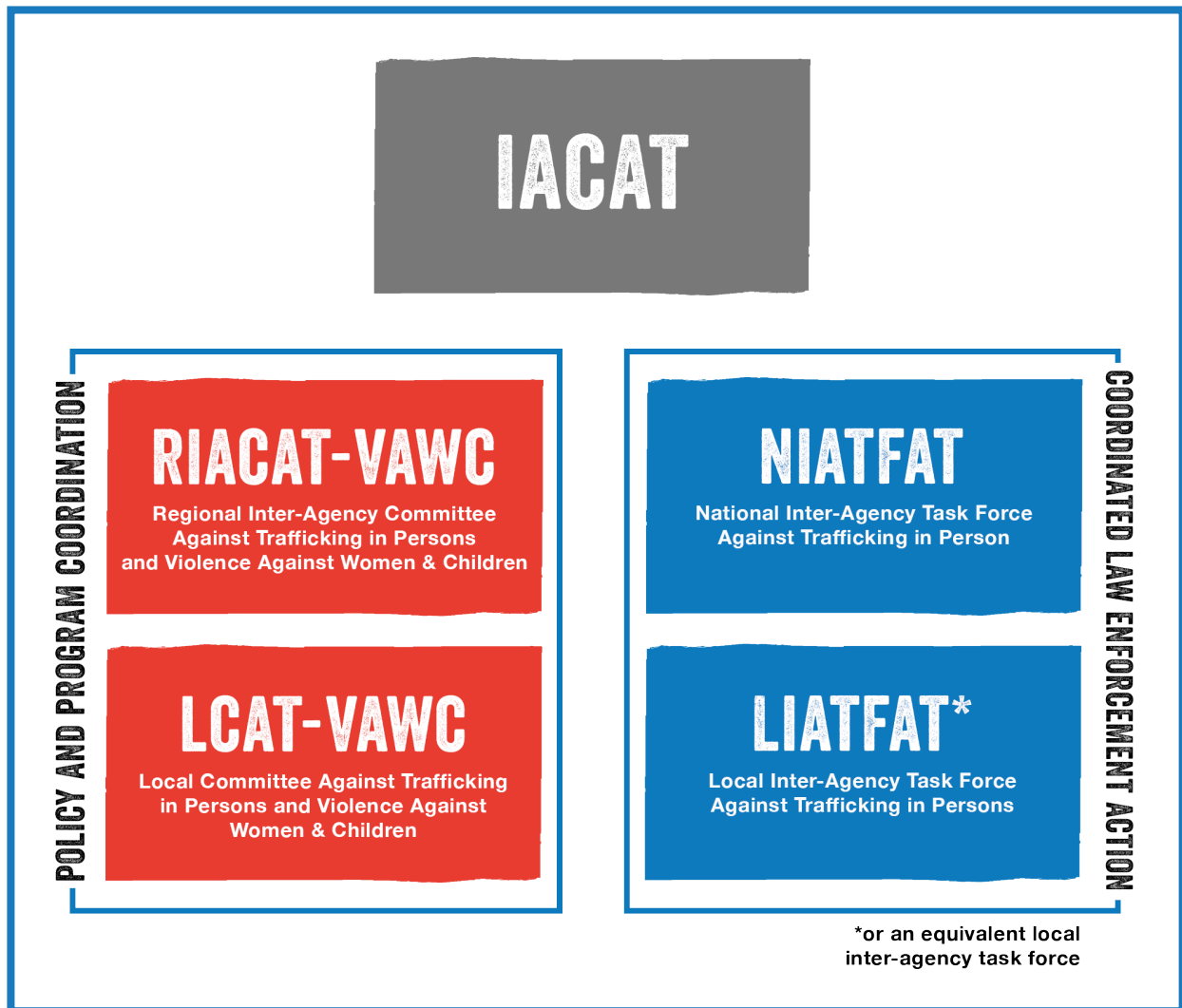
<sup>2</sup> Sec. 20, RA 9208.

<sup>3</sup> Sec. 145 (Existing sub-national structures), RIRR.

<sup>4</sup> The National Inter-Agency Law Enforcement Task Force Against Trafficking in Persons (NIATFAT) and the Local Inter-Agency Law Enforcement Task Force Against Trafficking in Persons (LIATFAT) established at various airports and seaports including land-based task forces shall continue to exist and function as created pursuant to the IACAT Guidelines. Sec. 150(a), RIRR (Existing anti-trafficking task forces).

<sup>5</sup> IACAT Resolution No. 2, Series of 2004, Adopting the Guidelines for the Establishment and Operations of the Inter-Agency Task Force Against Trafficking in Persons (IATFAT) and the Local Inter-Agency Task Force Against Trafficking (LIATFAT).

Figure 1. The overall anti-trafficking structure



The TIP help desk, as a key front line operation of anti-trafficking efforts in every region or locality, must be organized and managed in the context of this overall anti-trafficking structure created under the law.

### What are these Inter-Agency Task Forces?

Inter-Agency Task Forces such as the LIATFAT are established at various airports and seaports, but they also include land-based task forces that exist and function pursuant to the Guidelines for

the Establishment and Operations of the Inter-Agency Task Force Against Trafficking in Persons (IATFAT) and the Local Inter-Agency Task Force Against Trafficking (LIATFAT) [the “IACAT Guidelines”].<sup>6</sup> The composition of each Anti-Trafficking Task Force depends on the location where each is created.

Critical to the work of each Inter-Agency Task Force is having a strong presence in ports and inland-based transport terminals through mechanisms such as TIP Help Desks.

<sup>6</sup> RIRR, Sec. 150.(a), Existing anti-trafficking task forces. The IACAT, based on its continuous assessment of the situation in various ports, shall establish an anti-trafficking task force as may be necessary. Sec. 150(b), RIRR.

\* This means that help desks complement and enhance the work of law enforcers. See also Chapter 5. The enumerated composition is based on IACAT Resolution No. 2, Series of 2004, Adopting the Guidelines for the Establishment and Operations of the Inter-Agency Task Force Against Trafficking in Persons (IATFAT) and the Local Inter-Agency Task Force Against Trafficking (LIATFAT).

Airports	Seaports	Land-based
Representative of the local prosecution office	Representative of the local prosecution office	Representative of the local prosecution office
Head of the local immigration office or alien control office	Head of the local Philippine Ports Authority	Head of the local police office of the Women & Children's Desk of the PNP
Head of the PNP Aviation Security Group	Head of the local Philippine Coast Guard	Head of the PNP Traffic Management Group
Head of the local or airport NBI office	Head of the local PNP Maritime Group	Head of the local NBI office
Airport manager of his/her representative		

The composition of these inter-agency task forces highlights that TIP Help Desks established at ports and inland transport terminals must be always appreciated in relation to law enforcement operations.\*

(NOTE: The above enumeration is the LIATFAT composition prescribed by an IACAT resolution and does not limit the composition of help desks per locality. See subsequent discussion in this Chapter.)

**Which office or part of the overall anti-trafficking structure directly oversees and supervises TIP Help Desk operations in a port/terminal?**

Where existing and when possible, the existing Inter-Agency Task Force (or its local equivalent) may oversee and coordinate work at help desks in ports/terminals falling within their scope. However, since Anti-Trafficking Task Forces focus mainly on coordination of law enforcement action, the responsibility of managing, supervising and maintaining day-to-day operations of help

desks may be assigned to other offices or organizations (e.g., LGU). This may vary in every locality and in each specific port/terminal and will require deep involvement of non-law enforcement agencies or offices.

The setup in different ports/terminals may vary depending on available resources and peculiar circumstances (e.g., in cases where an active joint task force in the region is based in an LGU that is located far from a port or terminal) and challenges faced by each locality. Specifics will depend on the agreement of members of the inter-agency group covering the area where a port/terminal lives or of the joint task force that organizes and manages TIP help desks.



'All law enforcement agencies shall cooperate in the establishment and operations of the task forces, including the detail of their personnel to the composite task forces.'

'The IACAT or the NIATFAT shall likewise continually conduct training



programs for the members of the task force and review the performance of the task forces.’

[Revised IRR of RA 9208 as amended by RA 10364]

### Can a help desk be organized by an LGU or any other organization in an area where there is no active LIATFAT or inter-agency task force?

Yes. The move to set up a TIP Help Desk may come from an existing inter-agency initiative whether organized by the Inter-Agency Task Force described above or by the LGU or any organization (e.g., NGO, the transport company) that intends to develop a more visible anti-trafficking presence in a port or terminal.

Regardless of what body/organization/institution initiates the organization of a help desk, what is essential is that it is established and sustained with an overall organization that involves inter-agency cooperation to ensure that all its functions (as discussed in subsequent chapters) are effectively performed. Whoever is taking the initiative to organize a TIP Help Desk can recruit the involvement and cooperation of different government agencies involved in anti-trafficking work (mirroring the membership of inter-agency task forces in other areas) as well as of private groups and individuals willing to help. **Note:** Whatever office or group initiates the organization of a TIP Help Desk, it must always do so in close coordination with law enforcement agencies.



### PRACTICES SHARED

- In one region, with the DOJ and DSWD taking a lead role, a Memorandum of Agreement was signed by different government offices and local organizations for the creation of an IACAT network for the region. This IACAT network looks after anti-trafficking initiatives that include a help desk in a major airport in the locality.
- In many regions, the DOJ Regional Anti-Trafficking Task Force (RATTF) is an active member of the Regional IACAT by providing, among others, legal advice to the PNP and other law enforcement agents (LEA), to the DSWD, and to other members of IACAT.

### What kind of inter-agency cooperation is needed for each level of the anti-trafficking structure to work?

IACAT's composition<sup>7</sup> is indicative of the inter-agency cooperation needed for an anti-trafficking initiative to work. When zooming in on domestic trafficking (the focus of this guidebook), the inter-agency cooperation of the following agencies, through its regional or local offices, is needed for the purposes of establishing and maintaining TIP Help Desks at ports/terminals:

1. Philippine National Police (PNP) and other law enforcement agencies having a presence at airports, seaports and land terminals;
2. Department of Justice (DOJ) through its Regional Anti-Trafficking Task Force (RATTF) and/or its Offices of the Prosecutor;
3. Department of Social Welfare and Development (DSWD) through its regional offices;
4. Department of Labor and Employment (DOLE);

5. Local Government Units (LGU);
6. Non-government organizations (NGO) and other private sector participation.

**What kind of inter-agency cooperation is needed for each level of the anti-trafficking structure to work?**

IACAT’s composition<sup>7</sup> is indicative of the inter-agency cooperation needed for an anti-trafficking initiative to work. When zooming in on domestic trafficking (the focus of this guidebook), the inter-agency cooperation of the following agencies, through its regional or local offices, is needed for the purposes of establishing and maintaining TIP Help Desks at ports/terminals:

1. Philippine National Police (PNP) and other law enforcement agencies having a presence at airports, seaports and land terminals;
2. Department of Justice (DOJ) through its Regional Anti-Trafficking Task Force (RATTF) and/or its Offices of the Prosecutor;
3. Department of Social Welfare and Development (DSWD) through its regional offices;
4. Department of Labor and Employment (DOLE);
5. Local Government Units (LGU);
6. Non-government organizations (NGO) and other private sector participation.

**Is the composition of joint task forces or inter-agency committees limited to the above-named agencies?**

No. The composition of inter-agency task forces or committees in localities may vary depending on the identified needs and available resources.

**Why is it necessary for each implementor to understand the overall organization set-up governing a help desk?**

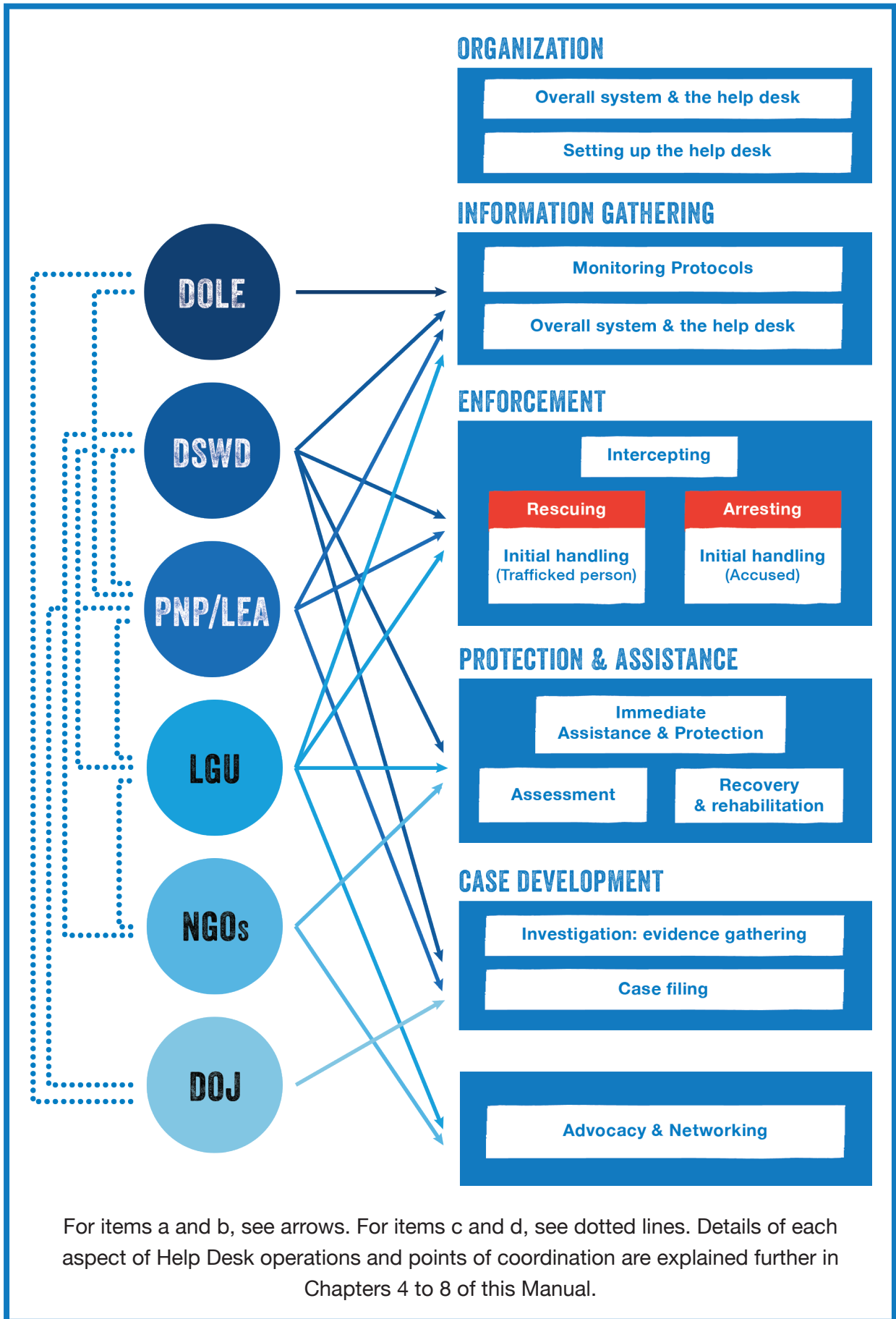
An understanding of the overall set-up and primary roles played by each implementor is needed for a TIP Help Desk management to know:

- a. who takes primary responsibility for every task or activity for anti-trafficking work;
- b. where an implementor may play an auxiliary role by extending support or assistance to those given primary responsibilities in each task;
- c. where points of coordination and collaboration are possible; and
- d. where an exchange of information may be needed.

---

<sup>7</sup> Department of Justice (DOJ); Department of Social Welfare and Development (DSWD); Department of Foreign Affairs (DFA); Department of Labor and Employment (DOLE); Department of the Interior and Local Government (DILG); Philippine Overseas Employment Administration (POEA); Bureau of Immigration (BI); Philippine National Police (PNP); Philippine Commission on Women (PCW); Commission on Filipinos Overseas (CFO); Philippine Center for Transnational Crimes (PCTC); non-government organizations (NGO) representing the sectors of women, OFWs and children. Sec. 20 of RA 9208 as amended and Sec. 121 of the RIRR (on the IACAT and its Composition).

Figure 2. The Primary Roles They Play: An Overview



## CHAPTER 3

# THE HELP DESK

- Overall goals
- What help desk operations cover
- Target audience
- Composition of a team
- Referral system

Anti-trafficking help desk operations<sup>8</sup> are encouraged to be established and maintained at all entry and exit points in a territorial jurisdiction, particularly in seaports, airports and overland terminals because these are points where interception of trafficking is most possible. This chapter is primarily aimed as the take-off, step-by-step guide when starting to physically organize (or reorganize) and set-up help desks at these entry/exit points.

### What are the overall goals when establishing a TIP Help Desk at a port or terminal?

A TIP Help Desk has to be established at a port or terminal because of two primary reasons: prevention and protection. As a “front liner” of anti-trafficking efforts in an LGU or Region, the Help Desk:

- establishes the presence of LIATFAT (or its equivalent Inter-Agency Task Force in the locality)<sup>9</sup> in an area where TIP frequently occurs; and
- consequently expands the inter-agency group’s ability to detect and intercept TIP incidents at the port/terminal and to later file cases against traffickers.

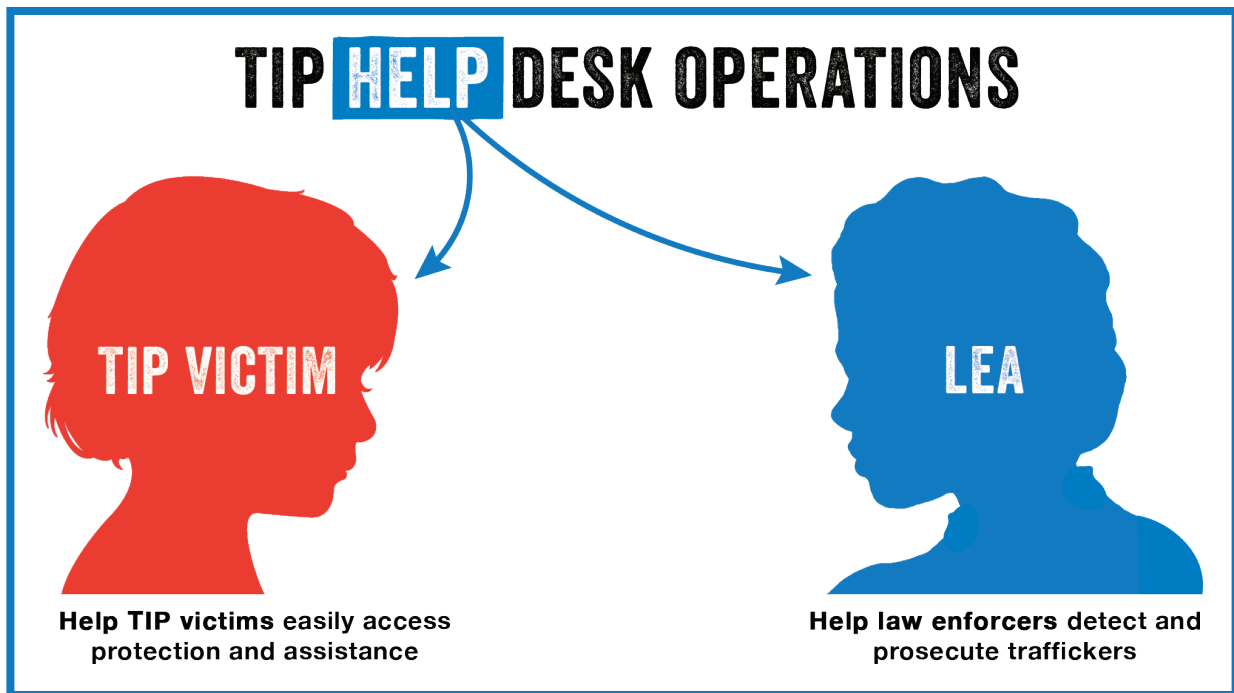


Also, the ground level presence of a Help Desk improves TIP victims’ access to protection from trafficking. The Help Desk serves as a “bridge” between the TIP victim and providers of assistance (e.g., social worker, LGU) and of protection (e.g., LEA).

<sup>8</sup> In some LGUs, anti-trafficking help desks in these ports/terminals take the form of children’s desks, WCPD desks, or passenger assistance desks.

<sup>9</sup> Whichever is organized and is monitoring TIP incidents in the area covered by the port or terminal.

Stated simply, the “**HELP**” in Help Desk means helping both (a) law enforcement agents in identifying, arresting and prosecuting traffickers; and (b) TIP victims in avoiding trafficking and obtaining assistance.



### What do Help Desk operations primarily contemplate?

In order to accomplish the overall goals of protection and prevention, the operations of a fully functional TIP Help Desk at a port/terminal contemplate the following:

- a. to obtain information that can potentially lead to identification and detection of TIP victims and traffickers or that can complement evidence gathering activities of the LEA (see Chapters 4 and 7 of this Manual);
- b. with the lead of the LEA or other authorized persons, to cause or to aid in the interception, the rescue of TIP victims, and arrest of traffickers (see Chapter 5);
- c. to facilitate or assist in the provision of protection and assistance to TIP victims (see Chapter 6);
- d. to harness the participation of private groups and individuals in the creation/development of a help desk system that can enhance anti-trafficking operations in

- e. a port or terminal (see Chapter 8); and
- e. to develop a system of referral and coordination among all actors involved directly and indirectly in help desk operations for the purpose of ensuring efficient performance of the above-enumerated functions.

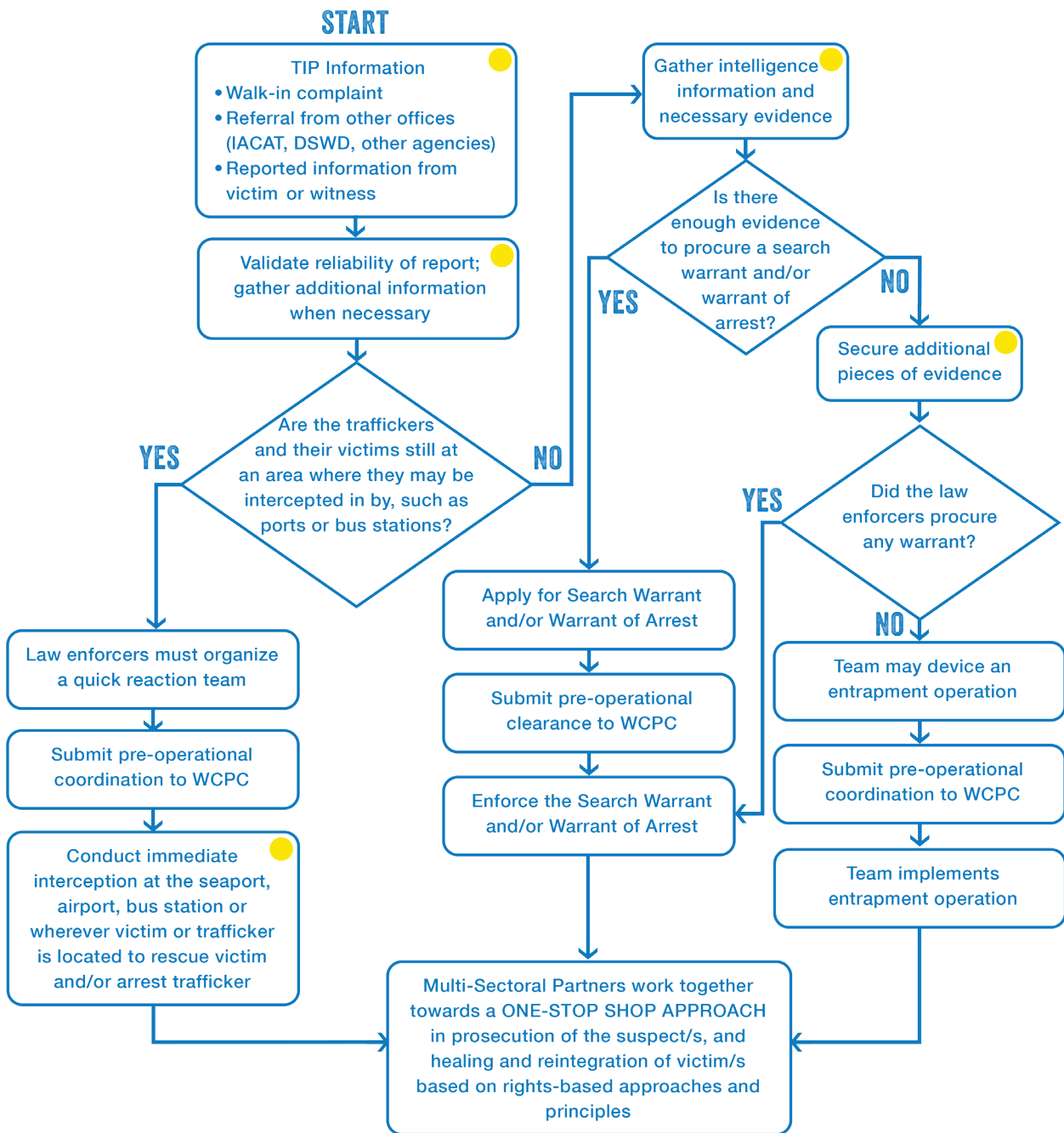
### Help Desk in the context of law enforcement

TIPHelpDeskOperations must be appreciated in relation to the law enforcement’s work against trafficking. As such, key functions and activities of a Help Desk must be seen in the context of protocols followed by law enforcement agencies when dealing with trafficking cases.

Illustrated on the next page is the TIP flowchart guiding PNP anti-trafficking operations and the corresponding parts (see yellow dots in the figure) where Help Desk operations at the port or terminal can play a key role.



Figure 3. TIP Help Desk operations in the context of law enforcement



**Who is the primary target “audience” of TIP Help Desk operations at ports/ terminals?**

A TIP Help Desk aims its efforts to primarily obtain the attention and cooperation of all persons at seaports, airports and overland terminals, particularly:

- a. trafficked persons — to the extent that they need: information about their rights;

assistance to be protected or rescued from trafficking; and immediate support and other services; and

- b. informants — those persons having information on or likely to detect TIP victims (to facilitate their reporting of suspected trafficking cases and any other information that can lead to the detection, interception and rescue of trafficked persons). See also Chapter 4 discussion on a network of informants.

## What is the composition of a TIP Help Desk?

The composition of a Help Desk team ideally reflects the membership in the inter-agency anti-trafficking body that covers the area where a port/terminal is found.<sup>10</sup> A fully operational TIP Help Desk must therefore have well-trained personnel from member agencies of RIACAT, LCAT or LIATFAT (or its Inter-Agency Task Force equivalent). More particularly, the team must involve the following core members:

- a. representative/s of law enforcement agencies having jurisdiction over the port/terminal;
- b. port/terminal personnel assigned to monitor potential trafficking activities (e.g., Manila Harbor Task Force Against TIP);
- c. social worker/s;
- d. dedicated help desk personnel (designated by a government agency, the LGU or a volunteer partner organization); and
- e. security personnel, if needed to complement the work of LEA.

### Should all of the above-listed core members be present (or represented) at the port or terminal?

If the volume of operations (number of scheduled trips, passengers) requires and if available resources permit, yes. When not possible, a TIP Help Desk must have the presence of at least one of the following at any given time as dedicated help desk personnel to receive reports or any information that may point to a potential case of trafficking:

- Police or other law enforcement agencies;
- Barangay authorities;
- Local social welfare and development office (LSWDO);

- Local Council for the Protection of Children (LCPC); or the
- local anti-trafficking committee or task force (e.g., LIATFAT, RIACAT, RATTF).<sup>11</sup>



### GOOD PRACTICE

One LGU passed an ordinance providing for the designation in the desk of each port and terminal: (1) an assigned Women and Children Protection Desk Officer (or if not available, any trained Police Woman Officer of the PNP) and (2) a trained social worker from the City Social Welfare and Development Office in coordination with the BCPC of the locality covering the port or terminal.

### What law enforcement agency should be part of the TIP Help Desk?

The law enforcement agency that will be part of a TIP Help Desk will depend on the port or terminal where desk operations are established. The PNP Aviation Security Group (PNP-AVSEGROUP) takes the lead role in law enforcement duties in airports. The port police under the Philippine Ports Authority (PPA), in collaboration with the Philippine Coast Guard, takes charge of shipping ports.

For bus terminals, the LEA that will closely coordinate with TIP Help Desk operations will depend on the area where an inland terminal is located and on the nearest or most accessible PNP unit that can address anti-trafficking concerns. This PNP unit may be the Anti-Trafficking in Persons (ATIP) Unit, the Women and Children Protection Desk (WCPD), or their equivalent units.

<sup>10</sup> Refer to Chapter 2 discussion.

<sup>11</sup> Rule II, Sec. 6, Revised IRR of RA 9208 as amended by RA 10364.

The Help Desk must manage potentially conflicting or overlapping duties of law enforcement agencies such as in the case where the PNP-AVSEGROUP is in charge of anti-trafficking operations in the airport premises and at the same time, the PNP unit of the LGU (or the PNP ATIP unit of the region) may be in charge of anti-trafficking operations in the locality where the airport is located.



### What if no LEA can be permanently assigned/designated at the port/terminal?

There are transit areas where, due to limited resources, an LEA cannot be permanently assigned or designated. In such situations, the Help Desk can explore any of these options:

- a. Request for the designation of an LEA to be on shift only during hours when there are scheduled trips; OR
- b. Identify the nearest PNP station and/or barangay then:
  - have a direct line of communication with each; and
  - ensure that there is an LEA on standby (ready to go to the port/terminal) in case urgent action is needed.



One of the legally-prescribed responsibilities of the PNP is the establishment of an anti-trafficking section under the Women and Children Protection Desks nationwide.

[Sec. 140, Revised IRR of RA 9208 as amended by RA 10364]

### In areas where there is a significant number of reported cases of trafficking done in the guise of domestic or overseas employment...

Many TIP victims are illegally recruited or are enticed by employment only to end up being used for prostitution, pornography or sexual exploitation. In areas known to be transit points of TIP victims recruited illegally, a Help Desk may coordinate to have a DOLE representative as part of its team.

The DOLE representative can take lead in verifying the authenticity and correctness of labor-related documents and other employment-related papers presented by passengers who are suspected to be victims of trafficking or who are suspected to be agents of traffickers/recruiters.



It is unlawful to “recruit, obtain, hire, provide, offer, transport, transfer, maintain, harbor, or receive a person by any means, including those done under the pretext of domestic or overseas employment or training or apprenticeship, for the purpose of prostitution, pornography, or sexual exploitation.”

[Section 4(a), RA 9208 as amended by RA 10364]

### What if no DOLE representative can be assigned at the port/terminal?

If no DOLE representative can be present even during shifts where there are scheduled flights/trips, the Help Desk must have team members that have received specialized instruction or training from DOLE to properly inspect DOLE documents and other employment-related papers presented by passengers. It is also advised to have a direct line with an assigned DOLE representative to permit immediate coordination when needed.

## What if no DOLE representative can be assigned at the port/terminal?

If no DOLE representative can be present even during shifts where there are scheduled flights/trips, the Help Desk must have team members that have received specialized instruction or training from DOLE to properly inspect DOLE documents and other employment-related papers presented by passengers. It is also advised to have a direct line with an assigned DOLE representative to permit immediate coordination when needed.

## Help Desk operations beyond the gates of a port or terminal...

Especially in cases where not all of its core members can have representatives physically present at the port/terminal, a help desk must have an established system of coordination with the following:

- Regional or local office of DSWD;
- LGU (e.g., Office of the Governor or Mayor);
- RIACAT, LCAT or its equivalent inter-agency group or task force in the locality (e.g., RATTf);<sup>12</sup> and
- DOJ through the Local Prosecution Office or the RATTf office if available in the area.

## Is the help desk team limited to representatives from government agencies or offices? How about the private sector?

Since a Help Desk is part of the larger anti-trafficking operations of the government, its core composition necessarily comes from government agencies or offices. However, active private sector participation will play a significant role in complementing operations established at the port or terminal. Different actors that will enhance help desk operations may, among many others, include:

- a. Management of airlines, bus operators, and shipping lines (“transport companies”);

- b. Employees of transport companies;
- c. Employees stationed at ports/terminals (e.g., security guards, maintenance personnel); and
- d. Civil society organizations.

The creativity and resourcefulness of each help desk management, combined with its networking capability, can result in the recruitment of more private sector involvement in preventing trafficking and assisting TIP victims.



### GOOD PRACTICE

The Zamboanga Sea Based Anti-Trafficking Task Force membership includes private companies such as the shipping companies operating in the ports covered by the task force.

## How can airlines, bus operators, and shipping lines complement Help Desk operations?

Bus operators, airlines, and shipping lines — with the initiative and assistance of TIP Help Desk teams — can be instrumental in disseminating information, establishing an internal mechanism for gathering information on and detecting trafficking, and orienting their employees (e.g., drivers, conductors, inspectors) on how to coordinate effectively with the anti-trafficking operations in a port/terminal.

Bus operators and owners/managers of airlines and shipping lines may also be encouraged to incorporate necessary documentary requirements (e.g., specific identification documents) as a pre-condition for issuance of tickets. This can aid the anti-trafficking monitoring work of the Help Desk.

<sup>12</sup> Refer to earlier discussion in Chapter 2.

## What role/s may be assumed by employees of transport companies and those stationed at ports/terminals?

Based on existing practices, these personnel may play several important roles in the overall operations of the help desk, two of which are:

- a. Disseminating information — this role can encourage other passengers to keep an eye on potential cases of trafficking or can inform/convince victims of trafficking to approach the help desk or any of its team members.
- b. Monitoring and gathering information — being physically located at the ground level, these employees are in a good position to observe passengers and/or examine their travel documents, and consequently, report to the Help Desk crucial TIP information when suspected.

## How can civil society organizations complement Help Desk operations?

Civil society organizations (e.g., non-profits; faith-based organizations) can complement Help Desk operations in multiple ways. Their representatives may play a key role in many aspects of the operations including:

- helping disseminate information inside the premises of and adjacent to the port/terminal;
- assisting the help desk team in monitoring potential TIP victims and traffickers;
- providing support and assistance to rescued TIP victims;
- training the help desk's network of potential informants; and
- supplying additional personnel components needed by the help desk.



NGOs shall “extend assistance to local government units ... especially in building local capacity on developing trafficking prevention programs and protection, recovery and reintegration programs for victims of trafficking.”  
[Sec. 149, Revised IRR of RA 9208 as amended by RA 10364.]

## Locating the physical help desk

The entire TIP Help Desk operations go beyond merely having a table physically located inside the port or terminal. It is however essential to have a physical desk or station with a visible and strategic presence to enable TIP Help Desk operations to effectively perform many of their prevention and protection duties. Visibility and strategic presence may be achieved in any or all of the following locations:

- a. areas where passengers are required to pass through (e.g., entrance door or hallway, before or after the baggage check station);
- b. areas before embarkation or after disembarkation; and
- c. waiting areas such as the boarding section.



The physical help desk or station is only one of the components of the bigger TIP Help Desk Operations inside the port or terminal.



## Is one physical desk or station sufficient?

The decision on how many physical desks or stations to be set up depends on the area and volume of passengers to be covered in a port or terminal. This decision should be a result of careful planning and strategic coordination.

### To illustrate:

In one airport, one table is located near the entrance door to monitor and visually identify likely TIP victims (particularly, identification of minors who are traveling alone) among passengers. Upon identification by personnel at the first table of a potential TIP victim, the identified passenger is directly referred to the second table located near the escalator where local social workers can speak to the passenger and further validate the possibility of a trafficking incident.

Once there is a reasonable suspicion that the referred passenger is a victim of TIP or of attempted trafficking, he/she is brought to the IACAT Network Office for further investigation.

Having a physical desk is not enough. Having functional and efficient help desk operations is key.



## Is a separate room or office needed by the TIP Help Desk?

If available resources permit, the TIP Help Desk must have a separate office or area where passengers identified to be a likely (based on reasonable suspicion) victim of TIP can be brought. This separate area can provide the needed privacy and confidentiality to potential TIP victims who may be further

interviewed or investigated by the help desk team.

The private area is also needed to give intercepted and rescued TIP victims a sense of safety and security by keeping them separate from traffickers. This is also the area where said TIP victims can be given immediate assistance (e.g., food, rest).

## What if no separate room or area can be permanently used by the TIP Help Desk?

If resources available do not permit the allocation of a dedicated room or private area for the help desk team, a “sharing” arrangement may be requested from the port/terminal management where an office or room used for other purposes can be temporarily used only when needed (such as when an interception happens). If no such area can be “borrowed” to serve the above-described purposes, the help desk can identify a nearby area (e.g., barangay station) where TIP victims can be immediately referred.

## Are there other logistical requirements needed when setting up a help desk?

In addition to the establishment of physical desks/stations and identification of a separate room or area, the following provisions must be prepared to make the help desk fully functional and operational:

- a. Standard forms on TIP information (see suggested form in Chapter 4) — to record information on reported TIP incidents.
- b. Logbook — also to record information on reported TIP incidents.
- c. Information and education materials — to help increase awareness about trafficking and to inform passengers and other potential TIP informants how to report suspected TIP incidents. (see discussion in Chapter 4)
- d. Communication equipment or devices

(e.g., mobile phones, radios) — to be used by Help Desk personnel, volunteers and other implementors for quick coordination.

- e. Directory of essential contact numbers (e.g., nearby PNP station; barangay) — to have a ready list of persons and offices to contact when needed by the Help Desk operations.

- f. Locked cabinet or storage — to put the logbook and other documents in.

The TIP Help Desk must also have essential communication equipment and a comprehensive directory on hand for proper coordination and quick response.

<b>SUGGESTED LIST: Offices/individuals and contact numbers to be included in a TIP Help Desk Directory</b>
PNP unit nearest the port/terminal — Anti-Trafficking in Persons (ATIP) Unit, the Women and Children Protection Desk (WCPD), or their equivalent units.
Barangay official/s in charge of anti-trafficking concerns; and/or
Local Council for the Protection of Children (LCPC)
Local social welfare and development office (LSWDO); and/or
Regional or local DSWD office
RIACAT, LIACAT or its equivalent inter-agency group or task force in the locality (e.g., local anti-trafficking committee or task force); or
LGU’s Office of the Prosecutor (in the absence of an established presence of the above inter-agency anti-trafficking group or task force in the area covered by the port/terminal)
Person designated by or unit under the office of the local chief executive (e.g., mayor, governor) in charge of anti-trafficking concerns within the LGU
Nearest available shelters for TIP victims.

# CHAPTER 4

# GATHERING

# TIP INFORMATION

- Purpose of information gathered
- Persons who can gather
- Eliciting information (active gathering)
- Receiving information (passive gathering)

Gathering information on trafficking incidents that are possibly occurring in a port or terminal is one of the primary activities undertaken by a TIP Help Desk since this task requires close observation of or interaction with passengers who may be potential TIP victims, traffickers, or informants.

This chapter describes active and passive ways of gathering information that can directly or indirectly, lead to the detection of TIP incidents in a port or terminal and presents these ways in a structured and organized manner for the guidance of Help Desk implementors.

## What does the information gathering work of help desks contemplate?

Information gathering work is both a:

- a. primary task of a help desk — to generate TIP information that may result in the eventual identification, interception, and rescue of TIP victims and even the arrest

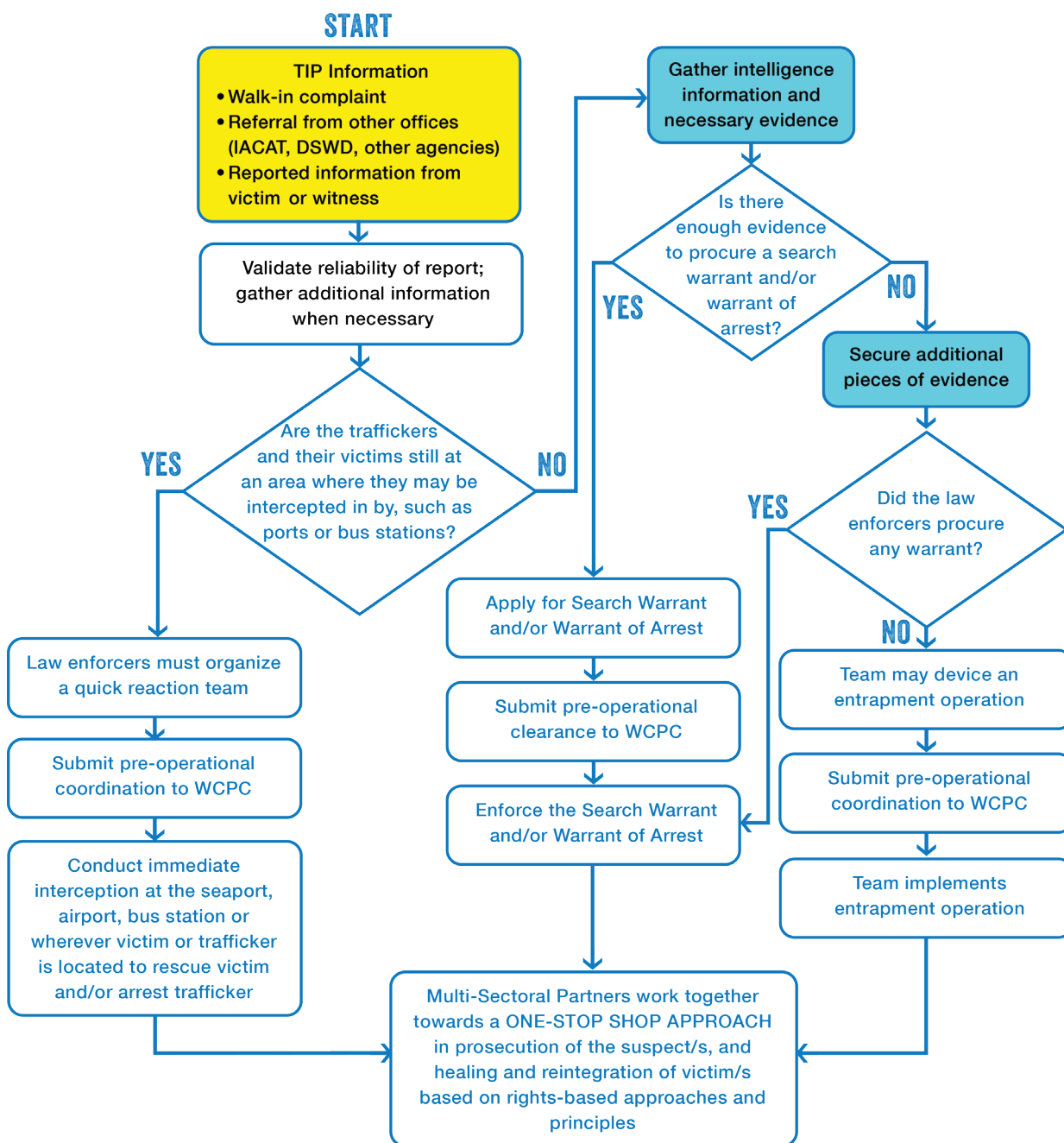
and prosecution of suspected traffickers; and

- b. secondary task of a help desk — to supplement the duties of law enforcers in an ongoing case development work (intelligence, securing additional evidence) that may later result in the arrest and prosecution of traffickers and/or rescue of victims within or outside ports/terminals. **(To be done only under the direction/supervision of law enforcers)**

Help desks are feeders of information to the LEA for case build-up or conduct of on-the-spot operations. To illustrate where the information gathering work of a TIP Help Desk fits, see Figure 1 (TIP Flowchart) on the next page of this chapter. The portion marked with a yellow box represents the primary task of information gathering while those marked with blue boxes (secondary task) will be done under the direction of or in coordination with law enforcement agents.



**Figure 1.** TIP Flowchart followed by the PNP (from the Revised Standard Operating Procedures: Trafficking in Persons Investigations, May 2017; highlighted boxes added in this Help Desk Guidebook)



### Who can help in the information-gathering function of a Help Desk?

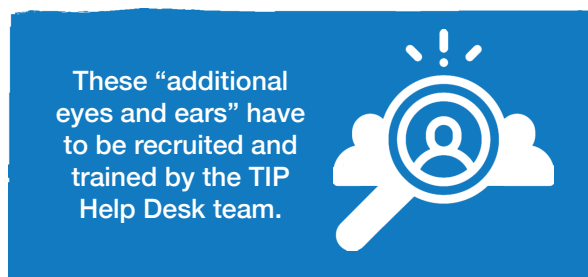
Gathering information on trafficking can be done by help desk team members as well as volunteers who are on duty at the port/terminal.

However, since the personnel assigned to a help desk may be limited due to resource constraints, anti-trafficking desks

at each port/terminal must develop ways of multiplying their “eyes” and “ears” to detect TIP cases. The help desk’s additional sources of information may include:

- a. a network of informants such as but not limited to:
  - employees of the transport company (airline, shipping, bus company);
  - port/terminal employees;

- security personnel;
  - porters; and
  - maintenance.
- b. the general public particularly:
- passengers (departing, arriving); and
  - bystanders.



### How to recruit the information-gathering capabilities of this network of informants and the general public?

A system must be in place so that information available to or gathered by these “additional eyes and ears” can be relayed immediately to help desk personnel, more preferably to law enforcement agents who are on duty at the port/terminal.

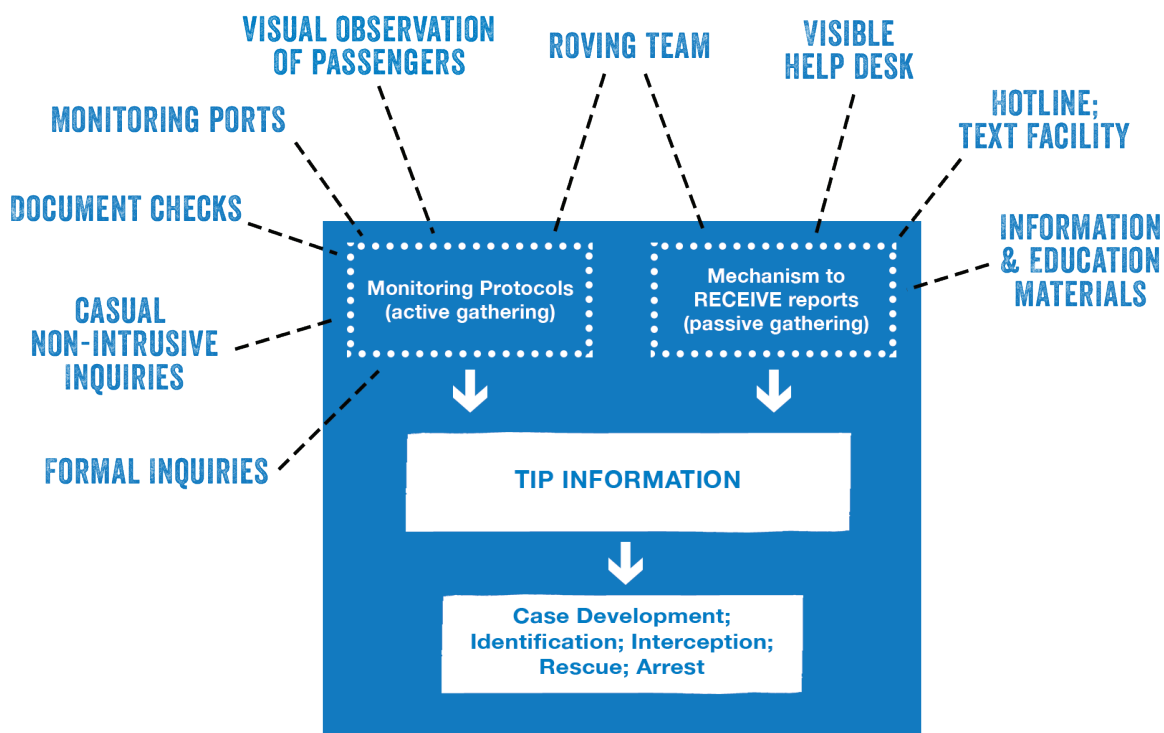
The help desk shall establish this system (e.g., information dissemination; informants’ network) in alignment with particular circumstances and available resources in a specific port or terminal. Several mechanisms discussed in this chapter must be established keeping in mind the potential help this network of informants and the general public can provide. (See also Chapter 8 of this Guidebook for more details.)

### How can Help Desk operations gather needed information on TIP incidents?

Potential TIP incidents at ports or terminals may be gathered by a Help Desk (with the help of the above-enumerated feeders of information) through the:

- implementation of monitoring protocols and activities [Active Information Gathering]; and
- establishment of mechanisms to invite and receive reports (including tips, leads, or information) of suspected TIP incidents [Passive Information Gathering].

Figure 2. At a glance: TIP Information Gathering Function of a TIP Help Desk



Each TIP Help Desk can develop or modify its own protocol depending on the specific set-up of each port or terminal and the available resources it has. Approaches to information gathering found in this chapter are highly recommended to be adopted to the extent possible. If adjustments will be made, the objectives of each mechanism must be kept in mind.



A TIP Help Desk is more than a physical desk. It is a **SYSTEM** developed within the port or terminal. It is part of a wider anti-trafficking operation in the area.

## ACTIVE INFORMATION GATHERING

### What are the monitoring channels or protocols that can be organized for active information gathering?

A TIP Help Desk may implement various monitoring protocols and activities, both formal and informal, within the port or terminal premises. Formal monitoring protocols may include the designation of monitoring points and the assignment of a roving team to check travel documents or make standard inquiries to passengers.

Complementing formal protocols are informal information gathering activities such as visual observation of passengers and casual inquiries that may be implemented by Help Desk personnel and volunteers and by its network of informants.

Information-gathering is mostly done through non-intrusive methods such as observation of visual indicators or signs of trafficking, standard inspection of travel documents and identification papers, and quick/casual inquiries. A non-intrusive determination of suspected trafficking can progress to a preliminary assessment of trafficking or even an interception when needed.



### What is a monitoring point?

Monitoring points are specific areas in a port or terminal where passengers are required to pass through and are therefore viable opportunities to more closely observe or identify red flags of trafficking. Some monitoring points can be designated inspection points where travel documents and identification papers can be checked and verified.

### Where can monitoring points be established?

Some areas in a port or terminal where inspections, inquiries, or spot checks can be done are:

- security desk at entrance/exit gates;
- ticket booth/window/counter;
- check-in counter;
- baggage inspection area; and
- boarding or arrival gates.

A system of close coordination between personnel assigned at those identified points and the Help Desk team must be established to ensure quick response from an LEA in the event red flags surface. This system (which necessarily includes readily available modes of communication) shall be established by the Help Desk operations.



**Who are the specific persons in each monitoring point who can be designated or recruited to help identify TIP cases?**


When Help Desk resources permit, law enforcement agents should ideally be assigned in each identified monitoring point where they can, to the extent their authority permits, conduct inquiries, inspections, or spot checks.

If there are limitations to the number of LEA that can be assigned, the Help Desk operations (as illustrated in the next page) may:

- a. assign other members of its team (e.g., Help Desk members from the LGU or barangay; volunteers from NGOs); and/or

- b. solicit the assistance of persons from its established network of informants (e.g., security guards; employees of transport company).

Persons in charge of monitoring must have adequate training and knowledge on what to check in documents. Part of the Help Desk’s operation is the training of its personnel and volunteers and of its network of informants on how to check travel documents and other identification papers.



**POSSIBLE MONITORING POINTS & PERSONS WHO MAY ASSIST LAW ENFORCERS IN MONITORING TIP INCIDENTS**



**Entrance/Exit gates**

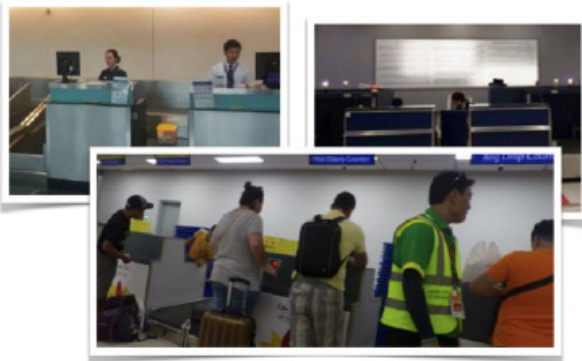
- Security personnel
- Porters, baggage assistance
- LGU representatives
- Stationed help desk volunteers



**Ticket booth/window**

- Transport company employees
- Stationed help desk volunteers





**Check-in counters**

- Transport company employees
- Porters, baggage assistance
- Stationed help desk volunteers

**Baggage inspection area**

- Port/terminal employees
- Porters, baggage assistance
- Stationed help desk volunteers



Physical TIP help desks can be strategically set-up: (1) adjacent or near these areas or (2) in passageways between any of the above points.

**What documents can be checked at monitoring points?**

Monitoring can be done through checking and verification of documents. Standard documents to be checked (especially in check-in or ticket validation counters) are travel tickets and identification cards/papers. Identification papers can serve as a basis to check if the person traveling is a minor. Names in tickets and identification cards can also show if passengers traveling together are not relatives.

If a passenger shows signs as a TIP victim (see discussion below on visual indicators) and/or if the documents reveal that the passenger, especially if a minor, is not traveling with a relative, then Help Desk personnel stationed at the monitoring point can: (a) proceed with non-intrusive, casual inquiries (see sample questions below) or

(b) if authorized to do so, conduct a more formal interview. If the person who checked the documents is not a Help Desk personnel (such as in the case of a travel company employee), said person must immediately alert any LEA, LGU/barangay official, or nearby authorized Help Desk personnel to conduct an inquiry and if necessary, an interception.

If minority is established (or suspected), additional documents can be requested from the passenger to ensure that the minor is not a victim of child trafficking.



Child trafficking is considered qualified trafficking.





The network of informants (in photo: check-in officer) must have an established mode of communicating immediately with the Help Desk for immediate assistance and intervention in cases of suspected TIP incidents.

**Can passengers be asked to show documents other than their travel documents and identification papers?**

If there is an initial, non-intrusive determination of suspected trafficking, the LEA assigned at a port/terminal (or any authorized Help Desk personnel) must be informed of the matter immediately for the LEA to:

- conduct a closer inquiry (preliminary assessment); and
- determine if travel should be allowed or intercepted.

This process of preliminary assessment can include the LEA's request to show additional documents and the conduct of a more formal inquiry to validate if there is reasonable ground to believe that trafficking is occurring or about to occur.

**NOTE:** At any time casual inquiries are made, questions posed or the conversation carried must be child and gender sensitive.

**What are some possible documents that can be requested from a passenger who is suspected to be a trafficker or a TIP victim?**

If the suspected TIP victim is a child who is unaccompanied by an adult, some documents that can be further requested by the LEA are:

- a. documents showing parents' permission (e.g., a notarized letter of consent) for the child to travel without either parent to accompany;

- b. travel clearance issued by the local DSWD; or
- c. barangay certification confirming authority to travel if the minor is 15 to 17 years old.

Documents to be requested depend on travel restrictions imposed in a port/terminal; by an airline, shipping line, or bus operator; or by a local ordinance where the port/terminal is located.

If the suspected TIP victim is a child accompanied by an adult who is not a relative, the following documents can be checked from the adult:

- a. proof of adoption (e.g., adoption certificate);
- b. court order granting custody/legal guardianship;
- c. proof of foster care placement (i.e., foster family license);
- d. notarized letter of consent from the parent/s or legal guardian of the child confirming that the accompanying adult has permission to travel with the child;
- e. certification from the barangay that the person accompanying the child is authorized by the parents/guardian to travel with the child.

If the suspected TIP victim is an adult, the following documents can be requested:

- a. pertinent documents supporting employment;
- b. document showing the place of residence if the information is not available in identification papers presented.



**GOOD PRACTICE**

One LGU caused the creation of a children's desk in all identified entry and exit points (bus terminals, domestic airport, seaport) of the city.

**What if the suspected TIP victim is an adult and refuses requests of additional documents not required for travel or evades further inquiries?**

If there is a strong suspicion that the adult passenger is a TIP victim, the Help Desk personnel can, at best, speak to the suspected TIP victim and inform him/her of the available assistance that can be provided.

Alam mo, marami nang insidente ng trafficking na nangyayari dito. Karamihan pa ay hindi alam ng mga bumabyahe na pwede silang mabiktima ng trafficking. Pagdating na lang sa Maynila, magugulat sila na yun na nga ang nangyari...

Mag-a-advice lang at sana 'wag mong masamain: pag-isipan mo nang mabuti kung gusto mong tumuloy na di ka sigurado kung ano naghihintay sa'yo dun. Basta mayroong help desk dito na handang mag-extend ng tulong sa'yo...



**SUSPECTED ADULT TIP VICTIM**



**HELP DESK PERSONNEL**

**Should the person asking for additional documents or making further inquiries be a law enforcement agent?**

When additional documents are to be requested from a passenger who is a suspected TIP victim or when further inquiry will be done, the LEA (having the proper training to pose probing questions to determine reasonable suspicion of trafficking) is the person recommended to do this. An exception to this is when stricter travel restrictions are imposed and/or additional documents are required under a local ordinance or by the policy of the travel company or of the port/terminal. In case such exception is sanctioned by

policy or ordinance, authorized personnel designated in the ordinance or policy can request additional documents.



### GOOD PRACTICE

With a view to protect minors against child trafficking, an LGU in Region X crafted its own “Unaccompanied Child Travel Protection Ordinance” with implementing rules to specifically guide law enforcers when monitoring travel of children into or out of the LGU. The ordinance details monitoring and reporting mechanisms to be implemented in all transit points — bus terminals, airports, seaports — in that LGU.

The active gathering of information through monitoring activities can be static as in the case of monitoring points, or mobile through roving individual Help Desk personnel/ volunteers or teams.

### Where can roving teams do their monitoring activities?

Roving members of Help Desk operations can do their monitoring work in strategic areas of a port or terminal where potential TIP victims and traffickers can be observed (or overheard) more closely or where non-intrusive interaction with them is possible.

A roving team, both visible (in uniform or with identification) and discreet (in casual clothes; undercover), will complement the information gathering work of a Help Desk.



### Should roving team members be wearing uniforms and identification cards?

Depending on the monitoring strategy adopted by a Help Desk, all roving team members can be uniformed or some members can be instructed to wear clothing that will not identify them as part of the anti-trafficking operations.

Members of the team who may be assigned to randomly check travel documents or make standard inquiries to passengers must be in uniform to display their authority to do such activities. Also, having uniformed help desk members (e.g., LEA) moving around the premises will be most helpful in encouraging:

- informants to relay any complaint of information (referral); and
- victims to seek help (self-referral).

On the other hand, roving team members who are not in uniform can more discreetly observe and interact with TIP victims without alerting or alarming traffickers.

### Should roving team members be wearing uniforms and identification cards?

Depending on the monitoring strategy adopted by a Help Desk, all roving team members can be uniformed or some members can be instructed to wear clothing that will not identify them as part of the anti-trafficking operations.

Members of the team who may be assigned to randomly check travel documents or make standard inquiries to passengers must be in uniform to display their authority to do such activities. Also,



having uniformed help desk members (e.g., LEA) moving around the premises will be most helpful in encouraging:

- informants to relay any complaint of information (referral); and
- victims to seek help (self-referral).

On the other hand, roving team members who are not in uniform can more discreetly observe and interact with TIP victims without alerting or alarming traffickers.

### Who can be part of roving teams?

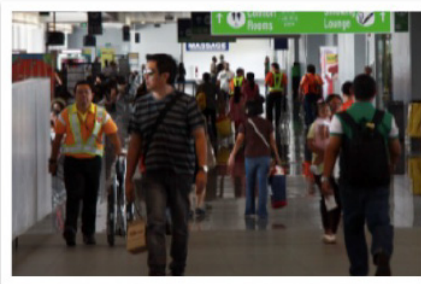
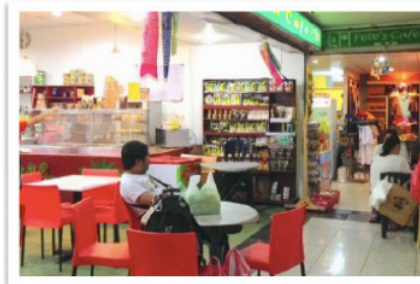
In addition to the LEA assigned at a port or terminal, anyone who is given adequate training in identifying TIP indicators (see discussion below on visual signs) can be recruited as part of a Help Desk's roving team. How a roving team conducts its monitoring work will depend on the overall strategies to be adopted by the Help Desk operations.

### What are some visual indicators to monitor when identifying possible cases of TIP?

Often preceding any spot check or non-intrusive inquiry is the observation of visual signs among departing or arriving passengers that may point to trafficking victims. Some visual indicators to closely monitor are cases where suspected TIP victims:

- a. display unusual fear, distress, or depression (indicative of psychological abuse);
- b. exhibit unfamiliarity with the environment or the situation;
- c. may be unwilling or unable to communicate directly with others;
- d. cannot move around freely or their movements are restricted or controlled;
- e. show overt signs of physical abuse (e.g., bruises, scars, injuries); or
- f. show the physical appearance indicating minority.<sup>13</sup>

TIP victims are usually identified with the presence of one or more of these visual indicators.



**Roving teams can monitor these areas (clockwise):** Areas where passengers fall in line; waiting areas; canteens; and passenger hallways

<sup>13</sup> Modified from the Revised Standard Operating Procedures: Trafficking in Persons Investigations, May 2017 (Section 4-1 under Chapter 4, TIP Indicators)

Central to a Help Desk's information gathering work is the ability of its personnel and volunteers (including its network of informants) to spot "red flags" of potential TIP incidents.



### What are some more visible indicators of possible trafficking when the suspected victim is a minor?

Children, being more vulnerable, are often subjected to trafficking. These are additional scenarios or red flags to trigger further inquiry if a child is a TIP victim:

- the child is traveling unaccompanied; or
- the adult who is with the child does not appear to be the parent or a relative of the child.

### When visual indicators point to a suspicion of possible trafficking, what can be done?

When observed visual signs point to a suspicion of possible trafficking, the Help Desk personnel (preferably law enforcement agents or social workers with appropriate training) can initiate other non-intrusive means (e.g., casual inquiry) of determining trafficking. A more formal interview may be initiated when circumstances warrant it.



Kaano-ano niyo po iyang bata? Kanina pa siya iyak nang iyak. Unang beses ba niya magbiyahe?

Ngayon lang kita nakitang byumahe dito. Parang hindi ka taga-rito sa amin. Taga-san ka? Anong gagawin mo sa Maynila?

Initiating **CASUAL CONVERSATIONS** is a non-intrusive way of gathering more information that can potentially verify if there is a possible case of trafficking.



If the initial determination at a monitoring point is still insufficient but there is a strong suspicion of possible trafficking, the person who flags this potential TIP case can coordinate with the Help Desk and the roving team. The roving team can possibly gather more information at the boarding section and confirm if a TIP incident is occurring.

If the Help Desk personnel or any of its trained informants arrives at a reasonable

belief that a TIP incident is happening, they must be aware of who to immediately call or inform. This system of cooperation or coordination shall be established by the Help Desk. A direct line to the LEA is most essential in cases where victims and traffickers are spotted in the area and immediate action or response (e.g., interception, further inquiry) from law enforcers is needed.



*The **BOARDING SECTION** of a port/ terminal is an ideal spot to both (1) locate a physical help desk; and (2) post a roving team since potential TIP victims and traffickers, having limited movement, can be better observed in this area.*

## PASSIVE INFORMATION GATHERING

### What is the goal of establishing a system of receiving complaints and calls of TIP?

A TIP Help Desk may implement various monitoring protocols and activities, both formal and informal, within the port or terminal premises. Formal monitoring protocols may include the designation of monitoring points and the assignment of a roving team to check travel documents or

make standard inquiries to passengers.

Complementing formal protocols are informal information gathering activities such as visual observation of passengers and casual inquiries that may be implemented by Help Desk personnel and volunteers and by its network of informants.



## What mechanisms can strengthen the Help Desk’s ability to gather and receive TIP reports and information?

Suspected trafficking cases at ports and terminals may be “passively” yet effectively detected by TIP help desks through mechanisms that welcome — or even better, encourage — reports from potential informants or any other valuable information or leads (“referrals”) pointing to TIP cases. Among these mechanisms are:

- a. the establishment of a physical help desk in a strategic location;
- b. having a visible team of help desk personnel and volunteers throughout the port or terminal; and
- c. creation of hotlines and text facilities to serve the same purpose;

These mechanisms can be more effective if complemented by a Help Desk’s use of information and educational materials that will inform the public how to report information or leads.

Having visible and accessible mechanisms will make it easier for a trafficked person to find assistance, inquire about possible ways to escape, and self-report (self-referral).

It is not enough to have a physical desk and simply wait for informants to approach and volunteer information. The Help Desk must develop creative ways to encourage victims to report TIP incidents and the general public to be vigilant and report any information on potential TIP.



## Who are the potential informants that TIP help desk personnel can encourage to report suspected trafficking incidents?

Any person who has any knowledge or learns of facts or circumstances that give rise to a reasonable belief that a person will be, is suspected to be, or is in the process of being trafficked must report such matter immediately.<sup>14</sup> In the context of ports and terminals, this may be:

- a. passengers;
- b. the established network of informants at the port/terminal (refer to earlier discussion);
- c. family members of the TIP victim;
- d. the trafficked person (personal manifestation; self-referral).

## Who may officially receive reports on possible cases of trafficking?

The law<sup>15</sup> provides that any person who has knowledge or learns of information that gives rise to a reasonable belief that a person will be, or suspected to be, or is in the process of being trafficked shall immediately report to any of the following:

- barangay authorities;
- the local social welfare and development office (LSWDO);
- the nearest police or other law enforcement agencies;
- the Local Council for the Protection of Children (LCPC); or
- any member of the LCPC or local anti-trafficking committee.<sup>16</sup>

Having any or all of these above-listed government agencies/units represented in TIP help desks and establish their visible presence at ports/terminals will facilitate the receipt of any information (including tips, leads) pointing to suspected trafficking cases.

<sup>14</sup> Sec. 6, Rule II, RIRR.

<sup>15</sup> “Sec. 6. Who may and where to report, RULE II REPORTING, INVESTIGATION AND OTHER LAW ENFORCEMENT ACTION, Article I, Reporting of Suspected/Alleged Trafficking Incident)

<sup>16</sup> Sec. 6, Rule II, RIRR.



### RECOMMENDED PRACTICE

Having an LEA that is always available at a port or terminal is strongly advised to address situations where immediate validation of TIP incidents or interception of TIP victims or traffickers may occur.

### Can reports be received by other help desk personnel who are not from any of the above-listed government offices or units?

Yes. In case the person designated at the physical desk is not from any of the above agencies or offices, reports of possible cases of trafficking may still be received by other Help Desk personnel (such as LGU volunteers or NGO representatives) provided that:

- they are designated by the local anti-trafficking committee (or the equivalent inter-agency body in the area) and
- the received information is immediately relayed to the LEA, barangay, LSWDO, LCPC, or the local anti-trafficking committee or task force that covers the port or terminal.

**REMEMBER.** Each Help Desk must adopt its own system of referral of information received to ensure that immediate action is taken on the report received.



### What information must be obtained from the person reporting?

Help Desk personnel to whom a report of a suspected or alleged trafficking incident is made shall immediately get pertinent details of the trafficking incident from the person who reported, such as but not limited to the:

- a. name, address, age, and sex of the trafficked person;
- b. location of the victim and/or where the trafficking incident occurred;
- c. name and address of the alleged or suspected recruiter or trafficker;
- d. manner of committing the alleged recruitment or trafficking; and
- e. names and addresses of witnesses, if any.

A standard form to guide the receipt of TIP information (illustrated on Figure 4 and attached as Annex A of this Manual) is recommended for use of a Help Desk.

Also, such report and any available information obtained from the person reporting shall be entered preferably in a separate logbook maintained by the desk. Depending on the extent of operations maintained in a port/terminal, this information may be consolidated with the TIP logbook of the nearest PNP station or barangay.

### Where will the information received by a help desk be relayed?

After receiving a report from an informant, the help desk personnel will immediately relay the TIP information to the LEA stationed at that port/terminal. If there is no LEA present, the information must be immediately referred to any of the following agencies, whichever is most accessible or

whichever unit is having direct coordination with the Help Desk:

- a. NBI Anti-Human Trafficking Division;
- b. PNP Anti-Trafficking in Persons (ATIP) Unit; or
- c. PNP Women and Children Protection Desk (WCPD) or their equivalent units.<sup>17</sup>

The LEA receiving the referral shall promptly validate the report to determine if the information received is sufficient to support the conduct of appropriate action or intervention.<sup>18</sup> If the informant is willing, the help desk personnel may accompany the informant to the LEA receiving the referral.<sup>19</sup>

### What if the information received requires immediate action?

When the information received refers to an alleged trafficking incident that has just happened and it is likely that traffickers could be intercepted/arrested and/or victims could be rescued, the help desk personnel receiving information can temporarily dispense with filling out of the standard form and shall immediately refer the matter to a nearest available LEA.<sup>20</sup> This means that the help desk personnel must immediately call the LEA stationed at (or nearest to) the port/terminal to initiate an interception when it deems appropriate.



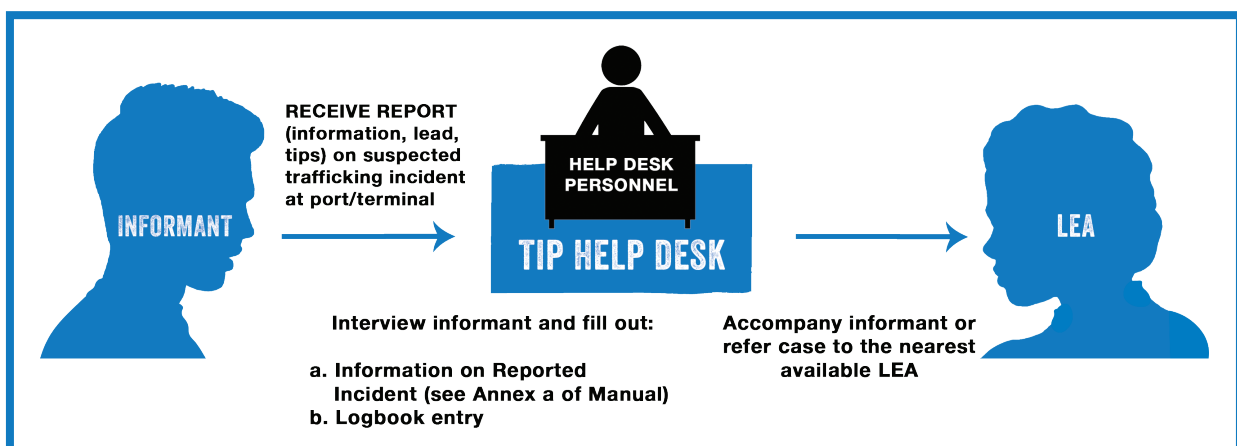
The PNP is mandated to organize a separate and dedicated anti-trafficking in person unit (ATIP Unit) at the national and regional levels to be composed of trained TIP investigators that shall, among others, exclusively handle cases involving violations of the Anti-Trafficking Law and ensure the implementation of specific roles and responsibilities of the PNP under said law.

[Sec. 151, Revised IRR of the Anti-Trafficking Law]

TIP Help Desks are located in different areas faced with peculiar circumstances in each area. Because of this, each Help Desk must develop its own case referral system (set of procedures and inter-agency coordination) to ensure a quick response every time a TIP information requiring urgent action is received.



Figure 3. Flow of information on suspected trafficking incident at port/terminal



<sup>17</sup> IACAT Guidelines on the Referral System Involving Trafficking in Persons Cases, Section 4 (Case Referral on Domestic Trafficking).

<sup>18</sup> IACAT Guidelines on the Referral System Involving Trafficking in Persons Cases, Section 4 (Case Referral on Domestic Trafficking). See Chapter 5 on Intervention.

<sup>19</sup> Adapted from Article I, Section 9 (par. 3) of the RIRR.

<sup>20</sup> Adapted from Article I, Section 9 (par. 4) of the RIRR.

Figure 4. Suggested Help Desk Form for receiving of TIP information

**TIP HELP DESK: Port/Terminal of:** \_\_\_\_\_

**INFORMATION ON REPORTED INCIDENT**

**To the Help Desk Personnel:** Please fill out this form when an incident or information on suspected trafficking at the port/terminal is reported. Fill the needed information to the extent of available or known to the informant

Information on trafficked person victim	
Name of trafficked person	
Address	
Sex	
Other details that describe the identity of the trafficked person (e.g., physical appearance):	
Suspected trafficking incident	
Location of victim and/or where the trafficking incident occurred	
Manner of committing the alleged trafficking or recruitment	
Other details known to the informant about the incident (e.g., what was heard or seen):	
Alleged/suspected trafficker or recruiter	
Name	
Address	
Other details (e.g., physical appearance) known to the informant on the suspected trafficker:	
<b>Name of informant:</b>	
<b>Contact details:</b>	
<b>Date/time when report is received:</b>	
Other witnesses, if any: (Name, address, contact details)	

Based on Section 9 of the Revised IRR of R.A. No. 9208, as amended by R.A. No. 10064

## Should a TIP Help Desk have its own hotline?

If resources permit, a help desk in a locality can assign a hotline, whether a dedicated mobile number or landline, that can receive reports — calls or text messages — of possible trafficking incidents happening in a port or a terminal. (Note: A dedicated number means the phone is not used for any other purpose.) This hotline/text facility is in addition to the IACAT 1343 Action Line or any hotline that the IACAT Anti-Trafficking Task Force in the area may have.<sup>21</sup>

Remember that somebody must be ready to take any call or text and relay info immediately. A dedicated hotline is useless without any member of the Help Desk monitoring it.

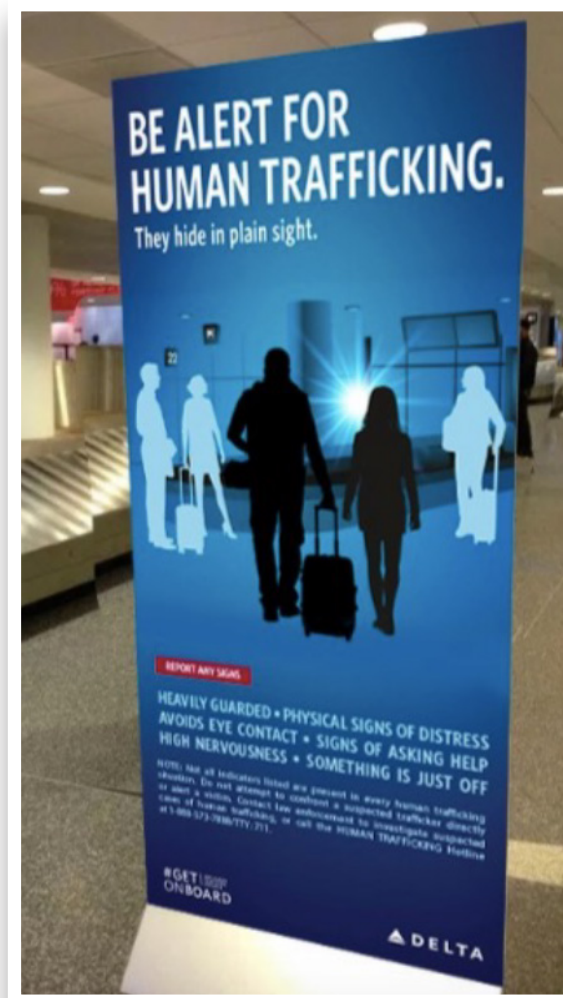


Sample **INFORMATION MATERIALS** to be visibly displayed in ports and terminals.



## How can these “passive” information gathering mechanisms be maximized?

As earlier mentioned, one of the key sources of information are passengers at the port/terminal and among these passengers may be potential TIP victims. Passengers will be encouraged to report TIP incidents if they are aware of signs of trafficking and how to report information or leads. Their education is crucial. Information dissemination through materials such as videos and posters visible all around the port/terminal can significantly improve the information gathering activities of a Help Desk.



<sup>21</sup> Rule II, Sec. 6, RIRR.



## CHECKLIST: Establishing and Improving the Information Gathering Capability of a TIP Help Desk

### Are monitoring points designated?

Are the persons at each monitoring point trained on what documents to examine and what visual signs to examine?

Does each monitoring point have a direct line of communication with the Help Desk (or the nearest local PNP if no physical desk is established yet)?

### Does the Help Desk have a network of informants?

Are the informants in this network trained to identify visual signs that may point to a possible case of trafficking?

Are they aware how to quickly relay TIP information to the Help Desk (or the nearest local PNP if no physical desk is established yet)?

### Is there an organized roving team that can go around the port/terminal and closely observe possible cases of TIP?

Are the roving team members trained to identify visual signs that may point to a possible case of trafficking? to initiate casual conversations with passengers to discreetly spot TIP cases?

Are there designated specific areas of assignment for roving team members to monitor?

### Does the Help Desk have:

a physical desk or station that is visible and easily accessible to TIP victims or informants?

a designated hotline or text facility that can receive communications or complaints from TIP victims or informants?

anti-trafficking information and educational materials seen throughout the port/terminal?

In case TIP information is received from any of the above mechanisms, is the Help Desk prepared to send an LEA or any help desk member who is trained to conduct a preliminary assessment and if needed, to proceed with an interception?

## CHAPTER 5

# ENFORCEMENT

- Interception
- Who can intercept
- When to intercept; assessment
- Preparation for interception/rescue/arrest
- Rescue of victim
- Arrest of a trafficker

As mentioned in Chapter 2, TIP Help Desks at ports and inland transport terminals must always be appreciated in relation to law enforcement operations. Central to these operations is the *interception* of TIP activities at exit points, which interception may result in the *arrest* of suspected traffickers and/or the *rescue* of suspected TIP victims. (See Figure 1 on next page)

### What is interception?

Interception is the part of law enforcement operations that focuses on the interruption and possibly the stopping of movement of passengers from:<sup>22</sup>

- crossing an exit point of an LGU whether by land, air, or sea; and
- consequently, making their way to a prospective destination where they may be subjected to exploitation (e.g., prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude, or debt bondage).

Interception goes beyond inquiring about the details of travel and determining if the passenger should or should not be prevented from traveling. It involves the stopping of travel as a proactive way of preventing a TIP victim from being transported to and exploited in another location.

Simply put, interception is done to prevent people from being trafficked.



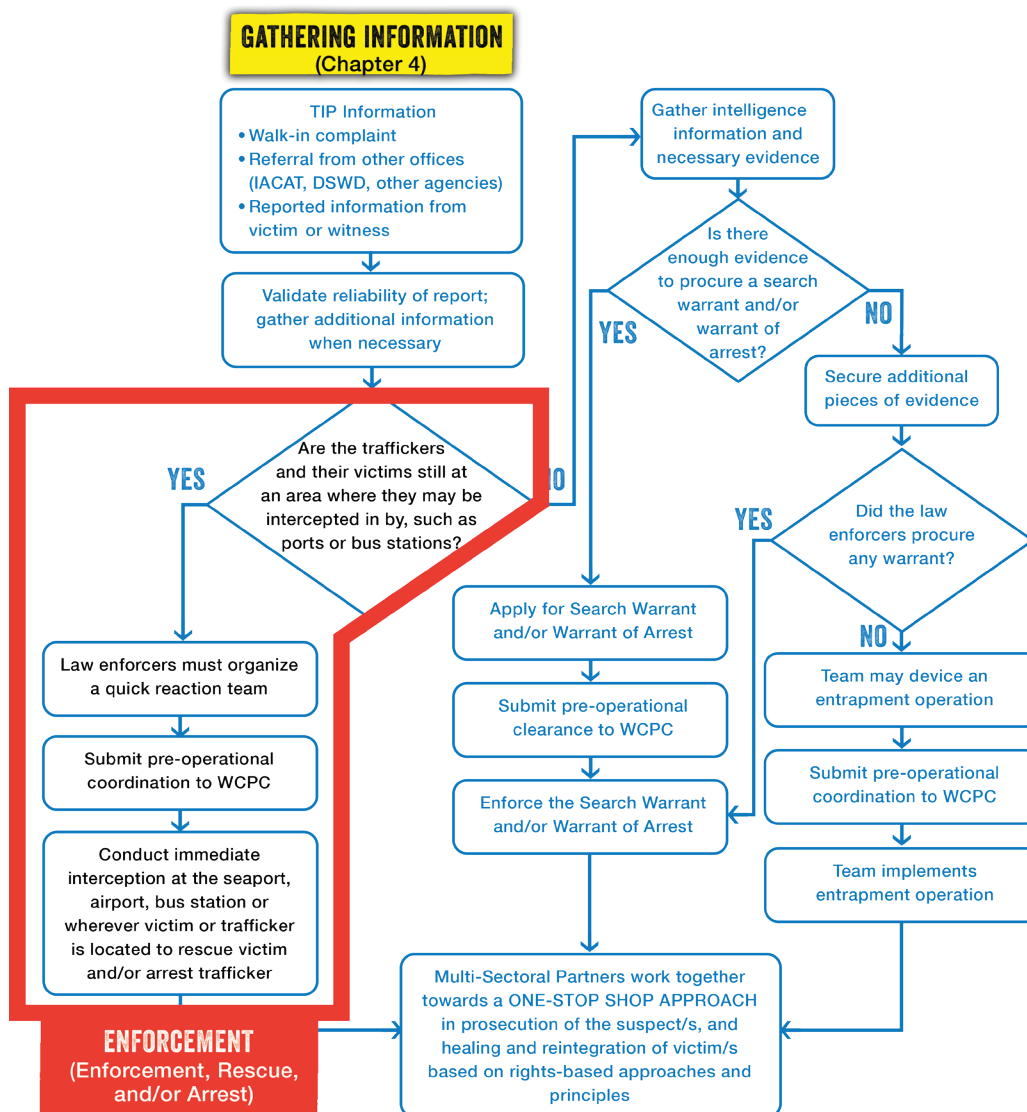
### Is interception the same as an arrest?

No. Interception is the order to stop passengers from traveling. Arresting involves the LEA's taking of custody of the person suspected of trafficking.

From further inquiry and investigation after an interception, an arrest may occur.

<sup>22</sup> Definition modified from 'Interception and Asylum: When Migration Control and Human Rights Collide' by Andrew Brouwer and Judith Kumin [<https://www.unhcr.org/afr/4963237d0.pdf>]

**Figure 1.** Identifying law enforcement activities of interception, rescue, and/or arrest in a port or terminal in the PNP’s TIP Flowchart (from the PNP Manual Revised Standard Operating Procedures: Trafficking in Persons Investigations, May 2017; highlighted boxes added in this Help Desk Guidebook)



**Is interception the same as a rescue?**

In a way, they are the same to the extent that an alleged TIP victim is “saved” from a potentially dangerous or difficult situation. But these two activities must still be distinguished from each other.

Interception contemplates the stopping of travelers from boarding or from leaving the port/terminal because of a genuine suspicion that they are involved in trafficking. Rescue protocols go beyond stopping of travels. Rescue contemplates the taking of physical


custody of TIP victims (to protect them from the traffickers and to provide needed assistance to them in order for them to be removed from the situation of trafficking) and may be done simultaneously with the arrest of a suspected trafficker.

An interception is done with the view of rescuing a TIP victim or arresting a trafficker. However, an interception may or may not result to an arrest or a rescue.

## Aims of enforcement

The law provides that an anti-trafficking enforcement operation is ultimately aimed at:

- a. rescuing, protecting, and assisting a trafficked person;
- b. arresting suspects in the act of committing an offense; and
- c. seizing evidence to support eventual prosecution of the suspects.<sup>23</sup>



Three-fold objective of a law enforcement's TIP operation

An interception is done in anticipation of achieving any or all of the above aims. Thus, the conduct of a rescue and/or an arrest may happen soon after an interception.

## Who can be intercepted?

In the context of law enforcement operations at the port/terminal, the travel of a departing or arriving passenger who is a possible victim of trafficking or who may be a suspected trafficker can be intercepted.

## Who can do an interception?

An interception is always done by or upon instruction or close coordination with the law enforcement agents.

The directive to intercept travels can be done by the LEA in strict accordance with the following:

- a. Revised Rules and Regulations Implementing RA 9208 as amended by RA 10364 dated July 2012;
- b. PNP Manual Revised Standard Operating Procedures: Trafficking in Persons Investigations dated May 2017; and

- c. Any ordinance passed by the local government unit where the port or terminal is located.



“The interception of trafficking incidents and arrest of traffickers at exit points shall be the primary responsibility of the IACAT Task Force Against Trafficking [if present], or by any LEA assigned thereat.”

[Who may intercept and arrest at exit points, Sec. 21, Revised IRR of RA 9208 as amended by RA 10364]

## Can an interception be initiated by an LEA not stationed within the port or terminal?

Yes. Note that an interception may be a result of information gathered from within the port/terminal or *from outside the port/terminal* (e.g., reports received by the PNP-WCPD of a different LGU; suspected TIP incidents resulting from surveillance and intelligence work done by the LIATFAT). If the latter, the initiative to conduct an interception may not originate from the LEA component of the Help Desk team. In such cases, the PNP that intends to initiate an interception is required:

- a. Interception in seaports — to coordinate with the Maritime Group and the local WCPD where the exploitation occurs in case a TIP activity will be intercepted in seaports;<sup>24</sup>
- b. Interception in airports — to coordinate with the Aviation Security Group (AVSEGROU), the Bureau of Immigration in case the suspect is expected to travel in or out of the country, and the local WCPD where the exploitation occurs in case a TIP activity will be intercepted in airports;<sup>25</sup>

<sup>23</sup> Objectives of a law enforcement operation, Sec. 13, Revised IRR of RA 9208 as amended by RA 10364

<sup>24</sup> PNP Manual Revised Standard Operating Procedures: Trafficking in Persons Investigations, May 2017

<sup>25</sup> Ibid.

- c. Interception in bus terminals — to coordinate with the local WCPD where the exploitation occurs in case a TIP activity will be intercepted in inland terminals.



#### GOOD PRACTICE

One LGU passed an anti-trafficking ordinance providing for the protection of children's travel and containing guidelines on the interception of trafficking incidents at entry and exit points — including identified bus terminals — within the locality.

\* Unaccompanied Child Travel Protection Ordinance IRR, Cagayan de Oro City.

#### Where can an interception be done?

For as long as it is done pursuant to the directive of an LEA, an interception can be done anywhere within the port or terminal. However, to better complement the work of the LEA, the Help Desk operations can be set up strategically for ease of conduct of an interception. Some possible steps to be taken by the Help Desk are:

- a. identification of *strategic points of interception* (relate to the monitoring points discussed in Chapter 4);
- b. creation of an effective *system of communication* among Help Desk implementors *and of coordination* with the LEA;
- c. enhancement of *information gathering* mechanisms of the Help Desk to feed valuable information that can trigger an interception;
- d. having key *implementors* (e.g., social worker) readily available — either designated at the Help Desk or are easily on call and accessible from the port or

terminal — to assist the LEA especially in cases of on-the-spot interceptions.

Even if an interception is primarily a law enforcement activity, the effective organization and strategic set-up of Help Desk operations are crucial to complement and cause a successful interception.



#### Can a TIP incident still be intercepted even if the persons involved successfully boarded the plane/ship/bus?

Yes. If it is not able to timely intercept the TIP incident at the port/terminal, the LEA initiating the interception, with the assistance of the Help Desk, shall immediately coordinate with the IACAT Task Force for the conduct of interception at the destination port/terminal (or onboard the vehicle if there are authorities available to do so) and the proper turn-over of the intercepted persons and rescued trafficked persons.<sup>26</sup>

#### When can an interception happen?

An interception can happen upon receipt of information, e.g., referral, complaint (whether from within or outside of the port/terminal) involving a TIP incident and upon the LEA's assessment that a case of trafficking (or any other offense related to it or in its furtherance) has been committed or is actually being committed within the port or terminal.<sup>27</sup>

See Figure 2 for a visual illustration of the events leading to the LEA's enforcement activities of interception, rescue, and/or arrest.

<sup>26</sup> Modified from Sec. 23, Article IV (Interception and Arrests at Exit Points) of the Revised IRR of RA 9208 as amended by RA 10364.

"Sec. 23. Procedure in the interception at seas. — When an interception is done within territorial waters, the authorities concerned shall immediately coordinate with the IACAT Task Force for the proper turn-over of the intercepted persons and the rescued trafficked

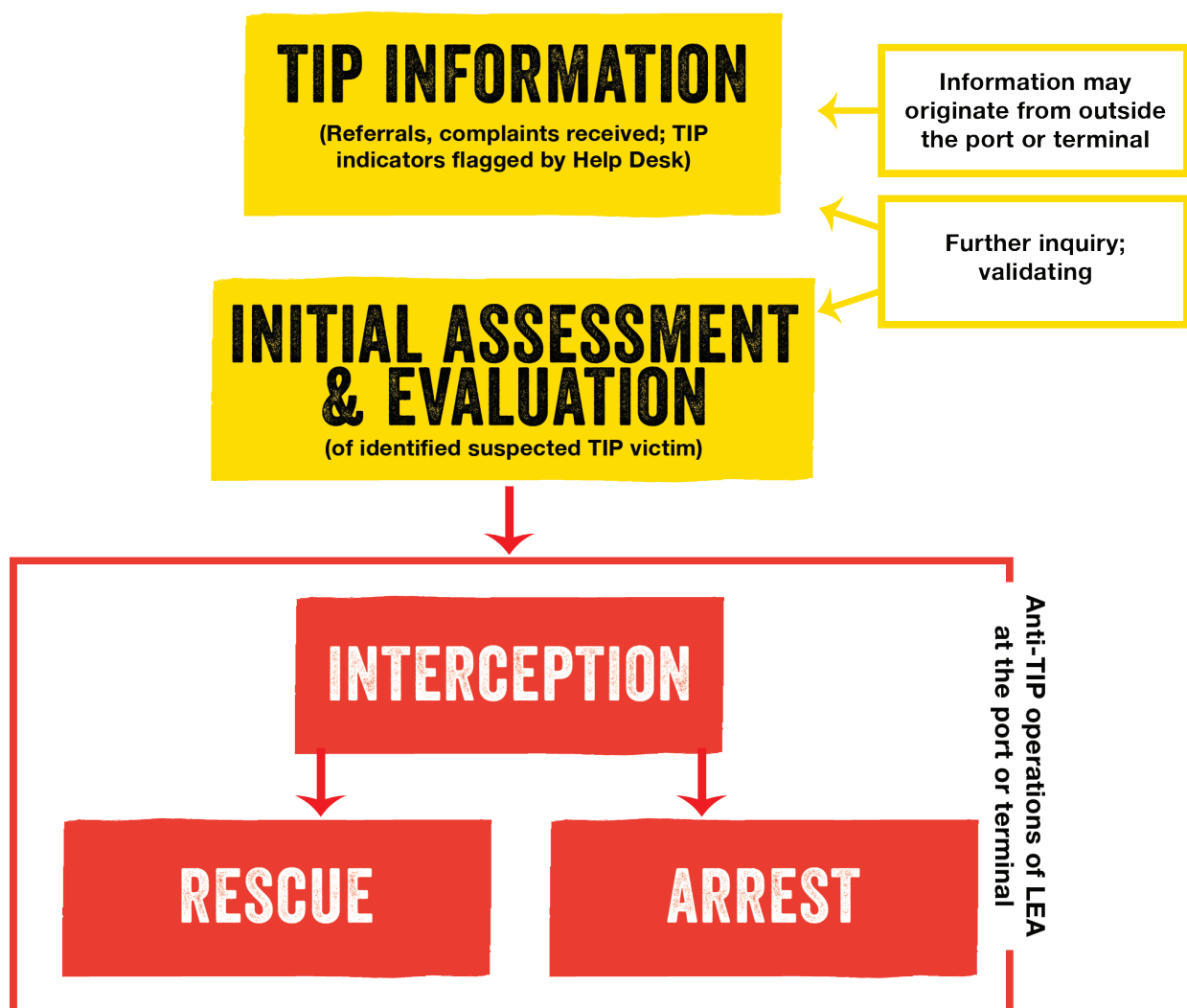
<sup>27</sup> Modified from Section 26(b) of the Revised IRR of RA 9208 as amended by RA 10364 (on detection at primary inspection under the guidelines and procedures for offloading persons."



“When an offense punishable under the Act or any other offense in relation thereto or in furtherance thereof has been committed, or is actually being committed in the presence of any member of LEA, or a law enforcement member of the anti-trafficking task force, or an immigration officer assigned at the international airport or seaport, such officer shall immediately cause the interception and/or arrest of the persons involved.”

[Revised IRR of RA 9208 as amended by RA 10364, Sec. 22(a)]

Figure 2. Illustration of events leading to LEA’s enforcement activities at the port or terminal.





## When is an assessment and evaluation initiated?

The Help Desk may encounter a potential TIP victim as a result of its information-gathering mechanisms (as discussed in Chapter 4) or of referrals, complaints, and other information received from outside the port/terminal. When such information received raises doubts on the purpose of the passenger's travel or suspicions of a possible trafficking case (pointing to a need to further determine if there is a TIP incident occurring), the Help Desk can initiate an assessment and evaluation of the suspected TIP victim.

At the help desk level, usually it is the PNP and/or the port police that gets access to sensitive intelligence information when planning for interception and possible arrest.

For example, the PNP member of the Help Desk may receive information of possible TIP from police stations or check points from outside the port/terminal.



## Who shall conduct the assessment and evaluation?

Ideally, the assessment is done by the LEA being the person authorized to make a determination if an interception is in order. However, in cases where an LEA is not yet immediately available, other members of the Help Desk (e.g., social worker) can commence the assessment and evaluation

to inform of the LEA's decision whether or not an interception should occur.

The Help Desk team member who will initiate the assessment must have sufficient training in conducting such assessment.

## How is the assessment done?

An assessment is done through an interview of the suspected TIP victim. The interview is conducted to determine facts and circumstances surrounding the suspected TIP victim's travel.

When conducting this interview, the Help Desk implementor must note the following:<sup>28</sup>

- a. The suspected TIP victim's consent must be secured and the purpose of the interview must be explained to them. In cases where the suspected TIP victim is a minor and unaccompanied by an adult, the inquiry may be initiated right away.
- b. If the suspected TIP victim is a minor, the presence of a social worker is mandatory.<sup>29</sup>
- c. Identify a private, safe and comfortable location of the interview to ensure that the potential TIP incident is kept confidential.

If upon the LEA's determination that there is already sufficient information and basis to immediately proceed to an interception, the assessment and evaluation may not be needed.



<sup>28</sup> Patterned after the PNP Manual Revised Standard Operating Procedures: Trafficking in Persons Investigations, May 2017 under Section 2-2 (Victim Assessment).

<sup>29</sup> Social workers must be briefed on this. They must be on-call or at least required to report or be on duty for help desk operations.

Pasensya na sa abala pero kung pwede sanang makausap ka sandali para malinawan lang namin yung ilang detalye tungkol sa pagbyahe mong ito.

Ako po si \_\_\_\_\_ [show official identification] isa sa mga assigned help desk personnel dito sa port na naglalayong maiwasan po ang mga kaso ng human trafficking...

...bahagi lang ng policy dito sa port na malapitang bantayan ang mga pasahero para matiyak na maiwasan ang anumang uri ng human trafficking... Sa pakikipag-usap namin sa iyo, makakasama po ang aming resident social worker [or whoever is authorized to interview]...



**SUSPECTED  
TIP VICTIM**



**HELP DESK  
PERSONNEL**

### Are there special skills needed when conducting this assessment?

Unless the person doing the interview is an LEA that is in charge of anti-trafficking concerns, this assessment inquiry must be done by a Help Desk personnel who has received sufficient training in order to:<sup>30</sup>

- do the interview in a gender-sensitive manner and in cases where the suspected victim is a minor, conduct it in a child-friendly manner;
- have the awareness that a suspected TIP victim may be afraid, suspicious, or under trauma or may not even be able to identify themselves as victims and be

able to adjust the conduct of the interview accordingly;

- be able to keep the message clear and simple; and
- determine if the victim is likely to have been trafficked and is requiring support.

There is a fine line between inquiries made as part of the information gathering activities described in Chapter 4 and the inquiry made for the purpose of assessing whether an interception should be done. Inquiries for purpose of information gathering are intended to determine if there are indicators of a TIP incident and these inquiries may immediately shift to an assessment when circumstances call for it.


<sup>30</sup> Patterned after the PNP Manual Revised Standard Operating Procedures: Trafficking in Persons Investigations, May 2017 under Section 2-2 (Victim Assessment)



## Upon assessment, what will trigger the interception?

The information gathered from the interview can be corroborated by other documents that may have been examined during the information gathering phase or that may have been supplied by the suspected TIP victim. These documents may include identification papers, travel documents and tickets, receipts, and contracts among many others.<sup>31</sup>

From this wealth of information, the LEA shall assess if a case of trafficking (or any other offense related to it or in its furtherance) has been committed or is actually being committed within the port or terminal.<sup>32</sup> If the assessment points to a determination that there is a trafficking situation, the interception may be initiated.



Specific protocols in executing an interception may be developed beforehand together with the port or terminal management or with the owners or management of the airline, shipping line, or bus operator. These protocols will depend on the physical set-up of and the travel procedures implemented within the port/terminal.

## Preparing for an interception

Unless an interception has to be done immediately (on the spot), preparations must be made before the actual interception is executed by the LEA. These preparations, which may require the assistance of the Help Desk team, are essential with the

understanding that a rescue and/or an arrest may happen with the interception.

With the LEA taking the lead, the Help Desk operations must be prepared when an interception, rescue, and/or arrest will be done. The Help Desk team may serve as part of the quick action team to be assembled by the LEA when conducting its operations at the port/terminal. (However, it is also possible that an interception may or may not result in an arrest or a rescue such as in cases where a TIP victim decides to leave the premises after the interception and the trafficker is nowhere to be found.)

## Who is often involved when preparing for such operations?

As part of the preparations, the team conducting the law enforcement operation shall coordinate with and ensure the presence during the operation of:

- a. a DSWD social worker; or
- b. the LSWDO of the LGU where the port/terminal is located; or
- c. an accredited NGO (particularly its social worker) that services trafficked persons.<sup>33</sup>

Coordination work may extend to other relevant government agencies (e.g., concerned member agencies of the IACAT; the LGU) to the extent they will be needed by the LEA and as the situation requires. However, specifics (exact time, location) may not be disclosed to them ahead to preserve the confidentiality of the planned operations and to increase the likelihood of its success.

As part of the preparations, an operation plan may be completed by the assembled team


<sup>31</sup> The PNP Manual Revised Standard Operating Procedures: Trafficking in Persons Investigations, May 2017 under Item 2.1 (Identifying TIP Victims) of Section 2-2 enumerates these documents as corroborative of the information gathered from the interview: identity documents; medical records; diaries, journals or letters; pictures from or about the victim; copies of contracts; record of earnings (such as pay slips); travel documents and tickets; phone logs and text messages; hygiene cards; receipts; and other similar items.

<sup>32</sup> Derived from Sec. 22 (Procedure in the interception, arrest and investigation of traffickers in persons at international airport or seaport) of the Revised IRR of RA 9208 as amended by RA 10364.

<sup>33</sup> Section 15, Revised IRR of RA 9208 as amended by RA 10364.

to ensure the protection of the rights and welfare of TIP victims.

With the LEA taking the lead in preparing for the anti-TIP enforcement operations, the guidelines provided in the PNP Manual on the Revised Standard Operating Procedures: Trafficking in Persons Investigations (Section 3-2: Pre-Operation Procedure) must also be strictly observed.




### Why is there a need to ensure the presence of a social worker during operations?

Rescue contemplates the taking of physical custody of TIP victims as enforcement operations are conducted. The DSWD, LSWDO, or NGO social worker — or in case of their unavailability, any registered and accredited social worker — must be present during the operations to provide protection and assistance to these trafficked persons as soon as they are in the custody of the authorities.

In cases where there is a large number of trafficked persons to be rescued, the attending social worker may, prior to or after the rescue, request reinforcement from the nearest DSWD Field Office, LSWDO, and/or NGO.<sup>34</sup>

A fully functional Help Desk system requires having an established composition of a quick action team (which must necessarily include a social worker) that can be easily reached and readily assembled by the LEA when an interception/rescue/arrest has to be executed immediately.




### Giving the DSWD advance notice.

While a social worker has to be present during the conduct of operations, there are certain areas where not all available social workers are equipped (yet) to handle trafficking in person victims. Even if there are social workers who are equipped to do so, they are also assigned to concerns other than trafficking.

Advance notice to the DSWD (as time and availability of sufficient information will permit) will help ensure the availability of a social worker, preferably one who is regularly assigned to trafficking cases.

Also, giving advance notice will facilitate preparations for finding an appropriate shelter for the rescued TIP victim.

Social workers are limited in number and have to attend to many other concerns. A late notification may result to their non-availability on the approximate date of rescue.



### What does it mean when a social worker is “equipped” to handle TIP victims?

Social workers who are sufficiently trained or experienced to handle trafficking cases are those who:

- are aware of how to skillfully speak to TIP victims;
- familiar in drafting or preparing affidavits;
- can effectively assist with or facilitate the filing of cases after a rescue; and
- know how to testify in courts for cases involving trafficking.

<sup>34</sup> Section 15, Revised IRR of RA 9208 as amended by RA 10364.



### GOOD PRACTICE

In one LGU where a help desk is maintained at the airport, there is a standing agreement that DSWD will be informed in advance — at least three days prior to the conduct of rescue operations.

\* Joint interview: DSWD Region X and CSWD Cagayan de Oro City (October 2020)

### What must be primarily kept in mind when a rescue is conducted?

Together with or soon after an interception, a rescue operation may occur and all LEA and Help Desk team members who are part of the team conducting the operations must primarily keep in mind: An awareness of and respect for the rights and welfare of the trafficking victims during the operation. The protection of TIP victims during the conduct of operations is paramount.

To ensure that the welfare of TIP victims are respected and their protection prioritized, the team conducting a rescue must carry out the operation in accordance with the prepared operational plan and must strictly observe the following:

- a. Immediately after the rescue, the team shall separate the victims from the suspected traffickers to prevent any attempt of intimidation or exercise of undue influence.
- b. Rescued victims shall be removed from the scene of the operations and immediately endorsed to the care and

assistance of the social worker who is part of the team.

- c. Victims shall be assisted to ensure their safety. (See more under Chapter 6)

One of the primary objectives of a TIP operation in a port or terminal is: To rescue, protect and assist TIP victims.



### How about the arrest of traffickers?

Absent a valid warrant of arrest, the LEA can cause an arrest when an offense punishable under the anti-trafficking law or any other offense in relation to that law or in furtherance thereof (e.g., illegal recruitment) has been committed, or is actually being committed in the presence of the LEA conducting the arrest.<sup>35</sup>

As earlier stated, an interception involves the directive to stop the passengers who are suspected to be involved in trafficking from traveling. The arrest that can happen with or soon after an interception involves the LEA taking custody of the person suspected of trafficking.

Note that if the LEA is in possession of a valid warrant of arrest, it may opt to immediately proceed with the arrest without having to go through the assessment and evaluation process described earlier.



<sup>35</sup> Derived from Sec. 22 under Article IV (on Interception and Arrests at Exit Points) of the Revised IRR of RA 9208 as amended by RA 10364. "Sec. 22. Procedure in the interception, arrest and investigation of traffickers in persons at international airport or seaport. a) When an offense punishable under the Act or any other offense in relation thereto or in furtherance thereof has been committed, or is actually being committed in the presence of any member of LEA, or a law enforcement member of the anti-trafficking task force, or an immigration officer assigned at the international airport or seaport, such officer shall immediately cause the interception and/or arrest of the persons involved." [underscoring supplied]

## What must be primarily kept in mind when an arrest is conducted?

When conducting the arrest with or soon after the interception, the team handling the operations must be primarily kept in mind: An awareness of and respect for the rights of the suspected trafficker who is arrested as provided in Republic Act No. 7438.<sup>36</sup>

Thus, when causing the arrest, the following must be done by the LEA with the utmost respect to the rights of suspected traffickers:

- a. Securing arrested traffickers with the use of handcuffs or restraining devices (to protect the arresting officer and other persons around);
- b. Thoroughly search the arrested suspects (for any weapons and items used, e.g., fraudulent travel documents to perpetrate the crime of trafficking); and
- c. Bring the arrested suspects to the police station, unit, or office for further investigation and disposition (including booking procedures, etc).

Keeping in mind the rights of arrested persons, the LEA shall not use torture, undue force, violence, threats, intimidation, or any other unlawful means when conducting the arrest. The use of reasonable force is justified only whenever suspects resist arrest.



## Responsibilities attached to the conduct of arrest

The LEA conducting the operations and responsible for the arrest of the alleged trafficker shall also:

- a. take full custody over the person arrested including his or her appearance during the inquest proceeding;
- b. execute the proper affidavit of arrest;
- c. investigate the case;
- d. gather and conduct an inventory of the evidence obtained from the person arrested;
- e. take the statement of the trafficked persons or other witnesses. (See also Chapter 7 on case development)

When causing an arrest in a port or terminal as part of the anti-TIP operations, the LEA must follow strictly the prescribed arrest procedures under the PNP Manual on the Revised Standard Operating Procedures: Trafficking in Persons Investigations in relation to the PNP Manual on the Revised Philippine National Police Operational Procedures.<sup>37</sup>



“No action or suit shall be brought, instituted or maintained in any court or tribunal or before any other authority against any: (a) law enforcement officer; (b) social worker; or (c) person acting in compliance with a lawful order from any of the above, for lawful acts done or statements made during an authorized rescue operation, recovery or rehabilitation/intervention, or an investigation or prosecution of an anti-trafficking case: Provided, That such acts shall have been made in good faith.”

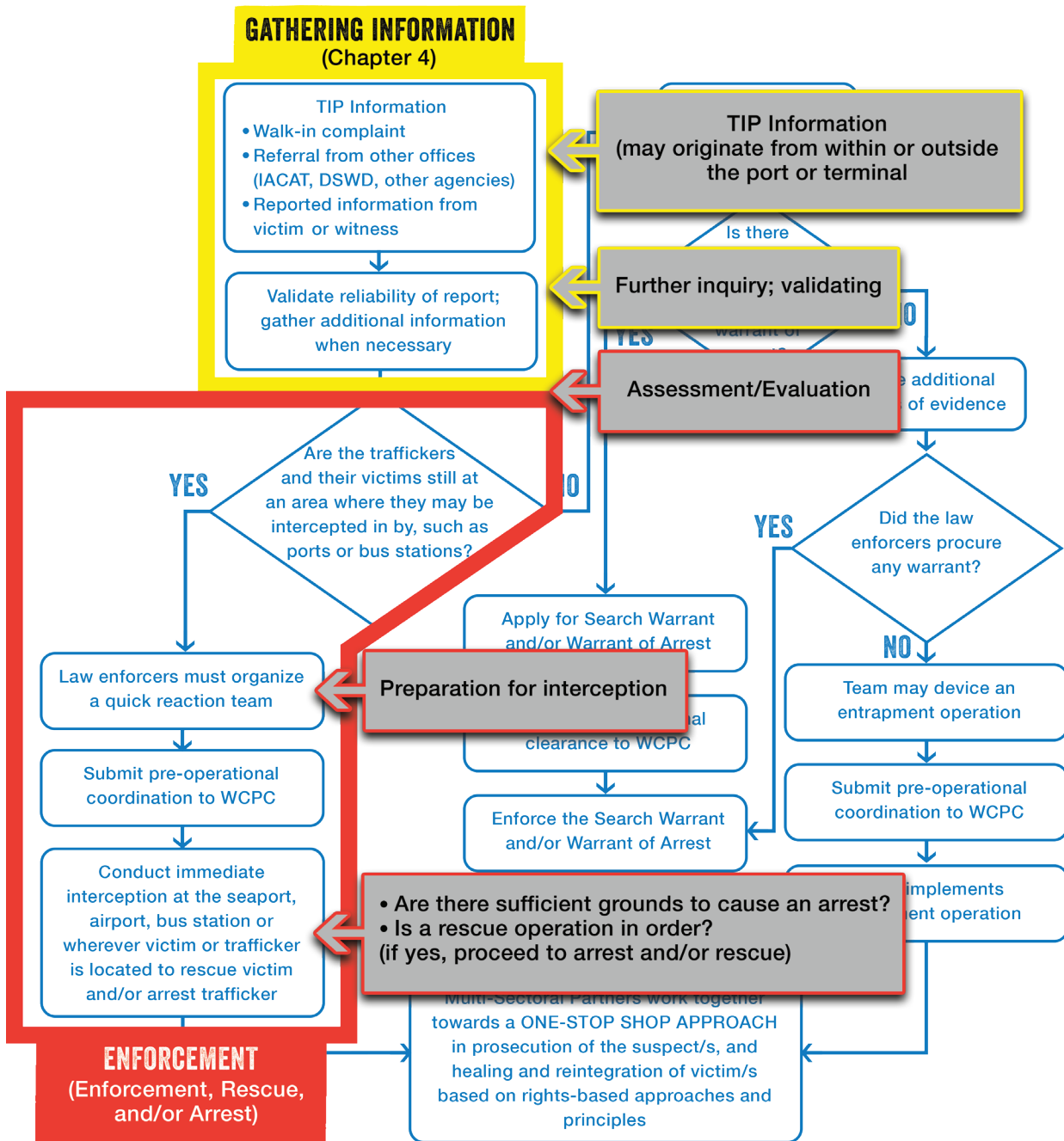
[Sec. 17-C, RA 9208 as amended by RA 10364]

<sup>36</sup> An Act Defining Certain Rights of Persons Arrested, Detained or Under Custodial Investigation as well as The Duties of the Arresting, Detaining and Investigating Officers, and Providing Penalties For Violations Thereof; Sections 22 and 24 under Article IV (on Interception and Arrests at Exit Points) of the Revised IRR of RA 9208 as amended by RA 10364.

<sup>37</sup> [http://www.pnp.gov.ph/images/transparency\\_seal/2016/manuals/PNPOperationsManual.pdf](http://www.pnp.gov.ph/images/transparency_seal/2016/manuals/PNPOperationsManual.pdf)

# VISUAL SUMMARY OF THE CHAPTER ON ENFORCEMENT

(in relation to the TIP Flowchart)





# CHAPTER 6

# PROTECTION AND ASSISTANCE

# TO THE **VICTIM**

- At point of rescue
- Immediately after rescue
- Temporary custody
- Intake assessment
- After victims have “stabilized”

As repeatedly emphasized, one of the three key objectives of an anti-trafficking operation at the port or terminal is the rescue, protection, and assistance of TIP victims. Chapter 5 covered the triggers and general preparation for the conduct of rescue operations while this chapter focuses on the protection and assistance that can be provided by a Help Desk team to rescued TIP victims.

## When are protection and assistance services received by a trafficked person?

Assistance and protection are given to trafficked persons from point of rescue up until reintegration into their families and communities. This chapter covers primarily the point of rescue from a trafficking situation where immediate assistance and protection can be provided by Help Desk operations up until the victim’s statement is taken for purposes of filing a case against the trafficker. (See also Chapter 7)

Subsequent phases of providing protection and assistance — particularly rehabilitation and reintegration — are not covered in this chapter as these are no longer within the operations of a TIP Help Desk. These

phases are instead covered in greater detail by IACAT’s manual on Guidelines On The Referral System Involving Trafficking In Persons Cases.

The TIP Help Desk team still plays a role up until the provision of TIP victims’ immediate needs after the rescue, and the case development work that will ensue from the conducted law enforcement operations at the port/terminal.

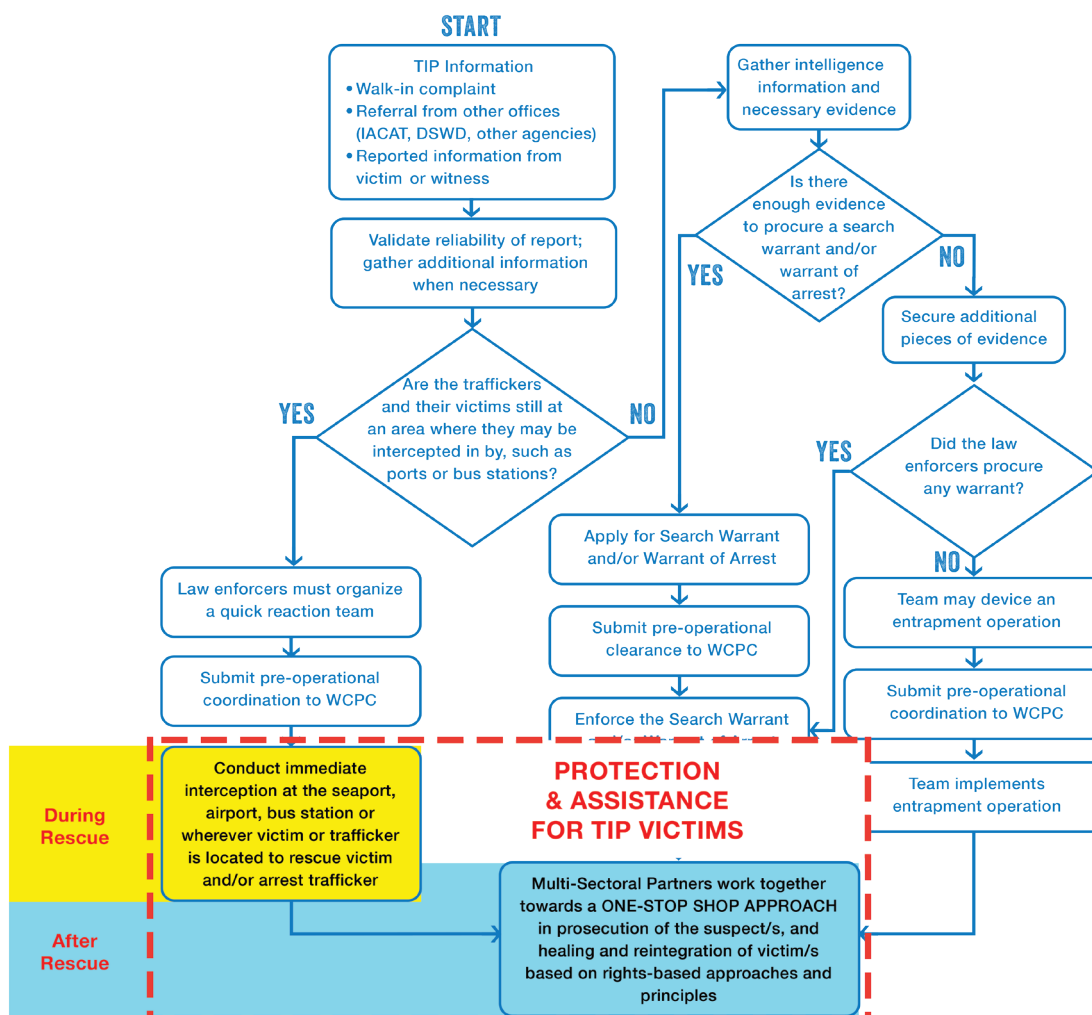
## TIP victim protection and assistance in two phases

For purposes of organizing and maintaining a TIP Help Desk, protection and assistance given to TIP victims rescued at a port/terminal can be appreciated and prepared for in two phases: (1) during or at the scene of the rescue conducted; and (2) after rescue operations. The law further refers to this “after” phase into two sub-phases or categories:

- a. the “immediate needs” of TIP victims after rescue; and
- b. when TIP victims “have stabilized and the situation has normalized.”<sup>38</sup>

<sup>38</sup> Sections 16 and 17, Article III (Conduct of Law Enforcement Operations and Protection of Rescued Persons During and After an Operation) of the Revised IRR of RA 9208 as amended by RA 10364.

Figure 1. Help Desk operations' role of providing protection and assistance to the TIP victim in relation to the PNP's TIP Flowchart



### Guiding principles behind help desk protection and assistance function.


When giving assistance and protection to trafficked persons during and soon after a rescue operation, the TIP help desk team must keep in mind the:

1. security and safety of trafficked persons, particularly the removal of threats to their life;
2. provision and satisfaction of trafficked persons' immediate and emergency needs; and
3. confidentiality of identity and other sensitive personal information of trafficked persons.

These immediate goals of protection and assistance must be done within the overall

goal of helping trafficked persons achieve recovery — that is, the trafficked persons' "healing to regain" their "self-esteem and control of forces around them" and to enable them to move on with their lives.<sup>39</sup>

**Confidentiality of the identity of TIP victims and all their sensitive personal information is of primary importance to ensure that their right to privacy is respected and that they are protected from any potential revenge or retaliation by perpetrators. All duty bearers must not share with unauthorized persons any information about TIP victims unless their informed consent is given.**



<sup>39</sup> IACAT Guidelines On The Referral System Involving Trafficking In Persons Cases (IACAT Resolution No. 006, s. 2017)



## Protection and assistance at the scene of operations

To ensure their security and safety during the conduct of operations, rescued victims shall be immediately:

- a. separated from the suspected traffickers;
- b. removed from the scene where operations are conducted; and
- c. endorsed to the care and assistance of a social worker.

While a law enforcement operation is aimed at rescuing, protecting, and assisting trafficked persons, a good amount of responsibility of protection and assistance falls on the social worker.

## Scope of responsibility of social worker



“The members of the rescue team shall ensure the full protection of the rights of trafficked persons during an operation. . . .”

[Treatment of trafficked persons during a rescue operation, Sec. 16, Revised IRR of RA 9208 as amended by RA 10364]

## taking part in TIP rescue operations

When taking part in the operations at a port/terminal, the social worker has a responsibility that relates to the:

- a. protection and assistance given to the TIP victim (victim-centered);<sup>40</sup> and
- b. prosecution of person/s who are suspected trafficking (trafficker-focused).<sup>41</sup>

This two-part responsibility of the social worker reflects the two-fold objective of

TIP Help Desk operations of protection and prevention.



## GOOD PRACTICE

In one region where an inter-agency cooperation was established by its anti-trafficking task force, DSWD assigned social workers who serve as focal persons for TIP victims developed strong coordination with both the PNP-WCPD and the aforementioned anti-trafficking task force.

## What must a social worker prepare prior to the rescue operations?

In close coordination with the LEA handling enforcement operations and the TIP Help Desk team, a social worker must prepare for the needs of trafficked victims during and immediately after rescue operations. These needs typically include:

- a. food;
- b. clothing;
- c. personal hygiene items, toiletries;
- d. separate area or space inside or near the port/terminal where TIP victims can be temporarily secured;
- e. temporary accommodation where TIP victims can stay after rescue;
- f. transport arrangements in case the TIP victims have to be moved to the shelter immediately after the rescue.

Protection and assistance address the following needs of trafficked persons:

- physical health / physiological
- psychological
- psychosocial
- economic
- legal

<sup>40</sup> Chapters 5 and 6 of this Guidebook.

<sup>41</sup> Chapters 6 and 7 of this Guidebook.

Other preparations shall be made in accordance with the identified needs of trafficked persons.

Also, a Help Desk team shall source funds needed to prepare for the above-described items in the event that a joint task force or law enforcement team has no allotted budget for it. (See Chapter 8 on fund sourcing)



“The DSWD / LSWDO / accredited NGO shall ensure that the immediate needs of trafficked persons are addressed after the rescue.”

[Treatment of rescued trafficked persons immediately after a rescue operation, Sec. 17, Revised IRR of RA 9208 as amended by RA 10364]

### Help Desk coordination work for TIP victims' needs

To ensure that the needs of TIP victims are immediately addressed each time a rescue operation is conducted, the TIP Help Desk team must develop ahead of time a system of cooperation and collaboration among the following agencies/offices:

- a. for logistic preparations (e.g., food, transport): DSWD, LGU, and/or NGOs;
- b. to help in preparations for a temporary shelter or accommodation: DSWD, LGU and/or NGOs;
- c. for immediate medical care and treatment of rescued TIP victims: DOH, LGU;
- d. for the psychosocial care of rescued victims to cope with trauma, anxieties, and other mental health concerns: DSWD, DOH, LGU and/or NGOs;
- e. for legal concerns of rescued TIP victims: PNP, DOJ or local inter-agency anti-TIP task force, DSWD and/or NGOs.

The above coordination with DSWD can be

done with either the regional office or the field office covering the port/terminal area. When coordinating with the LGU, the Help Desk [in cases where it is not managed by the LGU] can liaise with the City or Municipal Social Welfare and Development Office and/or in cases of trafficked children, with the Local Council for the Protection of Children.



During rescue operations, social workers are “highly needed to provide psycho-social counseling and assist victim-survivors of trafficking all throughout the process from recovery to reintegration.”

[Guidelines in the Implementation of the Recovery and Reintegration Program for Trafficked Persons, DSWD Memo Circular No. 20 (2015)]

### Immediate separation from suspected traffickers

If a rescue operations team is required to immediately separate TIP victims from suspected traffickers, where will they be brought? Rescued victims can be immediately brought to:

- a. a dedicated room used by the TIP Help Desk team in the port/terminal;
- b. in the absence of a dedicated room for the help desk, a pre-identified separate room or private area in the port/terminal prepared for purposes of the rescue operations; or
- c. a private space in an area adjacent to or nearby the port/terminal (e.g., halfway facility of port; DSWD office; room at barangay or LGU hall; office of an NGO).

In the absence of any of the above-listed spaces, the rescued victims can be directly brought to a temporary shelter/accommodation prepared for them.

The physical, social and psychological recovery of a trafficked person starts at the point of withdrawal or the time when the trafficked person is rescued and separated from the perpetrator.



### How should this separate space be prepared?

In addition to serving as a space to separate TIP victims from perpetrators, the separate room or area as above described will be used by a Help Desk team to attend to the most immediate needs of these victims. It is the space where:

- a. rescued victims can eat, change clothes, rest, and recover from stress/trauma caused by the rescue operations;
- b. the social worker can speak to TIP victims and may commence their intake (obtain names and other standard details obtained by social workers when dealing with persons in crisis); and
- c. these rescued victims can freely and comfortably communicate with the social worker.

Thus, the TIP Help Desk must prepare this separate space in the best way the above purposes can be met.

### Guide to choosing the separate space

When a Help Desk team prepares for rescue operations, its choice of space where TIP victims can be brought to immediately separate them from suspected traffickers is guided by this standard: **That the separate area or space for TIP victims is...**

- a. safe and secure — the victims are not exposed to dangers or risks especially

those coming from traffickers.

- b. suitable — appropriate for the particular needs of trafficked victims (such as in the case of children) and will be conducive for the accomplishment of the purposes discussed earlier.
- c. private — the area will help preserve the confidentiality of victims' identities and avoid access by the media.
- d. accessible — preferably, the space is within or near the port/terminal where rescued victims can immediately rest and recover from the incident.

The separate space where the TIP victims is brought after removal from the scene of rescue operations may be different from the temporary shelter/ accommodation where they will later be placed in temporary custody.



## When transporting rescued victims

When rescued victims need to be brought to a safe space (as above described) outside the port/terminal or directly to the shelter where the victims are placed in temporary custody, transportation arrangements have to be planned by the Help Desk operations. When planning this, the help desk shall ensure that rescued victims are transported separately from the perpetrators using an unmarked non-police vehicle.<sup>42</sup>

## Transferring to a facility and temporary custody

Depending on the social worker's assessment, rescued victims may be later brought to a facility, shelter, or accommodation where they are placed under temporary custody of either the DSWD or the LSWDO.

In the absence of an available DSWD or local facility, rescued victims may be turned over to a DSWD-licensed residential care facility. The identification and notification of a facility or shelter where rescued victims may be brought shall be part of the pre-rescue operations of the Help Desk team, particularly of the social worker.

## When selecting possible shelters for rescued TIP victims, what must be considered?

The following are some guide questions to consider (and must be answered in the affirmative) when selecting possible facilities, accommodations, or shelters for trafficked persons:

- Is the shelter safe and can it give the trafficked person security most especially from any of the persons who perpetrated the trafficking?

- Can the shelter help the trafficked person gain a feeling and perception of safety?
- Is the shelter gender-friendly? child-friendly? (to consider the specific needs of women and children victims of trafficking)

Each TIP Help Desk must have a ready directory (see Figure 2 in next page) containing a list of facilities / accommodations / shelters that can possibly receive TIP victims rescued from the port/terminal.

## Should all TIP victims be brought to a facility for temporary custody after the rescue?

*Ideally, yes* if only to guarantee the immediate safety and security of TIP victims from all possible dangers and risks coming from perpetrators of trafficking. This arrangement is only temporary up until the social worker (as case manager of TIP victim) conducting the intake assessment of victims makes a more definite recommendation.



### GOOD PRACTICE

Constructed near the airport of a major city is a halfway house for victims of human trafficking and other abuses at the airport.

\*Bahay Silungan sa Paliparan near NAIA (<https://www.philstar.com/metro/2007/05/11/397961/miaa-builds-shelter-trafficking-victims>)

<sup>42</sup> IACAT Guidelines on the Referral System Involving Trafficking in Persons Cases

Figure 2. Suggested directory of possible facilities or shelters for rescued TIP victims.

**Shelters for TIP victims rescued at \_\_\_\_\_**  
(insert name of port or terminal)

Each help desk must completely accomplish this list for quick reference in cases of rescue at ports or terminals.

<b>For GIRLS</b>				
Shelter / Residential Facility / Drop-In Center	Address	Phone Number	Contact Person	DSWD Accredited? (Yes / No)

<b>For BOYS</b>				
Shelter / Residential Facility / Drop-In Center	Address	Phone Number	Contact Person	DSWD Accredited? (Yes / No)

<b>For WOMEN</b>				
Shelter / Residential Facility / Drop-In Center	Address	Phone Number	Contact Person	DSWD Accredited? (Yes / No)

<b>For MEN</b>				
Shelter / Residential Facility / Drop-In Center	Address	Phone Number	Contact Person	DSWD Accredited? (Yes / No)

## When the rescued TIP victim is a child

If the rescued TIP victim is a minor, said child will be brought to:

- to the victim's family or next of kin (unless there are reasons, as the social worker determines, not to immediately return the minor after rescue);<sup>43</sup>
- to an available shelter, residential facility, or drop-in center nearest the port or terminal as identified by the social worker;
- if (a.) or (b.) is not possible — to any other temporary shelter that is appropriate for the minor.



### GOOD PRACTICE

One LGU devotes a facility that caters to women and children in crisis situations such as trafficking. The facility operates 24/7 under the care of social workers, nurses, psychologists, and house parents employed by the city government.

\*Women and Children Crisis Center in Barangay Sinalhan, Sta. Rosa, Laguna (<https://mb.com.ph/2021/01/12/santa-rosa-laguna-lgu-inaugurates-women-and-children-crisis-center/>)

## When the rescued TIP victim is an adult

Rescued victims who are adults may be brought to an available facility, shelter, or accommodation as identified by the social worker if these rescued TIP victims give their consent. Absent this consent and any other valid reason to retain physical custody,<sup>44</sup> the adult TIP victim is allowed to leave after

a social worker completes the process of intake and the discussion of legal concerns (to be discussed below and Chapter 7).

## Should a rescued adult victim who refuses to give consent be convinced to stay in a shelter?

The social worker assigned to an adult victim's case must exert sufficient efforts to encourage — even convince — the trafficked person to stay in a shelter and ensure the victim's safety and security especially from perpetrators of trafficking.

Having the victim's placement in safe accommodations will also be helpful in ensuring complete rehabilitation and recovery before the victim's reintegration into the community.

Hindi ka namin pwedeng pilitin na mag-stay ka muna dun sa shelter pero sana pag-isipan mo pa rin at i-consider dahil unang-una, concerened kami sa kaligtasan mo... 'Di natin matitiyak na kung uuwi ka, baka hanapin ka nung may pakana ng insidenteng ng trafficking. Baka balikan ka...

Doon sa shelter, mas safe ka... at least habang bago pa itong insidente [referring to the rescue operations] at hindi pa alam ng mga pulis yung kilos at galaw ng trafficker o ng mga galamay niya...



RESCUED  
TIP VICTIM



SOCIAL WORKER/  
HELP DESK PERSONNEL

<sup>43</sup> The social worker prepares a Parental Capability Assessment Report when making a determination if the minor will be returned to the family or next of kin. If there basis not to return the minor to his/her parents, the social worker can initiate involuntary commitment proceedings.


<sup>44</sup> One valid reason to retain physical custody is when the rescued victims are also facing criminal charges.



### If the rescued victims refuse custody

When a rescued TIP victim refuses to be placed in custody (even temporary), the Help Desk team — or more specifically, the social worker assigned to this victim’s case — will ensure that the victim is provided assistance to facilitate the transport to his/her place of residence.

Provision of assistance is based on the individual needs of the TIP victim considering age, sex, status and other factors with his/her consent.



### When TIP victims “have stabilized”

The law provides that when rescued victims “have stabilized” and “the situation has normalized,”<sup>45</sup> they shall be informed by the social worker with the assistance of LEA or any competent Help Desk team member of:

- a. the situation and legal processes that will take place following the rescue operations; and
- b. the assistance and options available to them.



### What does the law mean when determining TIP victims “have stabilized”?

With the welfare of victims given paramount importance, the social worker must determine: “Is the victim well-rested and ready to have a discussion of matters relating to the case and to be interviewed?” This means that the discussion of legal concerns related to a TIP incident — and possibly the taking of the victim’s statement — will only be done once the rescued victim’s immediate needs are addressed and is in a proper condition and state of mind.

The social worker’s assistance comes in by explaining clearly in a manner and language that will allow the victim to best understand the legal situation and processes that will take place following the rescue operations.

This includes a conversation about the rescued victim’s willingness and readiness to give a statement about the trafficking and consequently in the prosecution of the case against the trafficker/s. (See Chapter 7 for details on case development)

Alam mo bang yung insidenteng nagdulot ng pagharang sa inyo sa port at ng pag-rescue sa iyo ay bunga ng tinatawag sa batas na trafficking? Maraming nabibiktima at na-e-exploit dahil sa trafficking kaya pinagbabawal at pinaparusahan ito sa ilalim ng batas... Siguro kung hindi pa kayo na-rescue, baka tuluyan na kayong nabiktima...

Kaya matapos ang rescue ninyo, gusto nating matiyak na yung may pakana sa pagkakalagay mo sa insidente ng trafficking ay na magawa ito sa iba at makadagdag pa sa mga pwedeng mabiktima. Para mangyari ito, may ligal na prosesong pagdadaan at mahala sa prosesong ito ang pagbibigay mo ng salaysay...



<sup>45</sup> Section 17, Article III (Conduct of Law Enforcement Operations and Protection of Rescued Persons During and After an Operation) of the Revised IRR of RA 9208 as amended by RA 10364.

## What are the legal processes that will take place after rescue operations?

The legal processes that must be explained by the social worker to the rescued victim include the following:

- conduct of an investigation;
- taking of the victim's statement (using a multi-disciplinary approach); and
- appearance of the victim before a prosecutor for inquest proceedings

The LEA and other members of the TIP Help Desk can assist the social worker to explain these legal processes better as well as all other assistance that can be made available to the rescued victim.

Kasama sa pagbuo ng matibay na kaso laban sa mga may pakana sa trafficking ay ang masusing imbestigasyon ng PNP, at kailangan nila ng maraming ebidensta para tiyak na sa kulungan ang bagsak ng mga "trafficker" na yun. Kaya kung may alam kang pwedeng ebidensya na makakatulong sa pagpapatibay ng kaso...

At syem, isa sa pinakamahalaga para mas lalong maging matibay ang kasong isasampa sa kanila, mainam na makapagbigay ka ng salaysay patungkol sa mga nangyari bago nitong rescue at sa naging partisipasyon ng "trafficker" na 'yun.

Sa pagbibigay mo ng salaysay tungkol sa insidente at pagbuo ng statement mo kina [nama of LEA], sasamahan kita. Parang magkukwentuhan lang tayo kasama sina [explain who will be part of the multi-disciplinary approach]...



**RESCUED  
TIP VICTIM**



**SOCIAL WORKER/  
HELP DESK PERSONNEL**

If the rescued victim agrees to give a statement, the social worker and the LEA together with any Help Desk team member who can assist in the process (e.g., a lawyer from an NGO) can proceed in interviewing

the victim. See more on the taking of sworn statements in Chapter 7.

It is important to frame the discussion on legal processes and the cooperation of the rescued victim in giving a statement and taking part in the progress of the case as part of **PREVENTION** (preventing others from becoming trafficking victims) and **PROTECTION** (protecting the rescued victim from the traffickers).



## Intake assessment of the rescued victim

Integral to the provision of protection and assistance to a rescued victim is the conduct of an intake assessment. The social worker does an intake assessment to determine appropriate interventions for the victim, which may include the following:

- Provision of temporary shelter
- Psychosocial counseling
- Referral for legal assistance
- Medical assistance
- Livelihood assistance
- Job placement assistance
- Educational assistance
- Skills training
- Other psychosocial services for the victim's family



## When should the intake assessment be done?

Intake assessment can be done at any time after the rescued victim is turned over to the social worker. The appropriate timing of its conduct will depend on the social worker's determination but it must always be after the victim's immediate needs are already provided. Intake assessment requires full engagement of the victim and this engagement must start with the creation of an environment where the victim's immediate needs (e.g., provision of food) are addressed and the victim can rest and feel secure.

If done before the discussion on legal processes, an intake assessment can be an opportunity to establish rapport with the rescued victim. Trust and rapport established early on can increase the likelihood of a victim's agreement to give a statement and cooperate in the prosecution process.

All social workers handling TIP victims rescued from ports or terminals must strictly follow DSWD Memorandum Circular No. 20 (2015) on the Guidelines in the Implementation of the Recovery and Reintegration Program for Trafficked Persons as well as the IACAT Guidelines on the Referral System Involving Trafficking in Persons Cases.



## Who will handle the TIP victim's case management after the rescue?

At the time of rescue, the LEA recruits the participation of a social worker — whether from DSWD, the LGU, or an accredited NGO — for the purpose of providing protection and assistance to a TIP victim during the

operations. After the TIP victim is rescued and immediate needs are addressed, a social worker will then take charge of the victim's case management (for purposes of providing necessary interventions). The social worker who took part in the rescue operations may or may not be the same person taking charge of the victim's case management.

The inter-agency body handling Help Desk operations must develop a clear system of determining which government agency or unit will take charge of handling a TIP victim's case moving forward. This system of determining what agency/office assumes "jurisdiction" over a TIP victim's case must be clear to avoid confusion or overlapping of efforts.

## When can confusion or overlapping of efforts possibly occur?

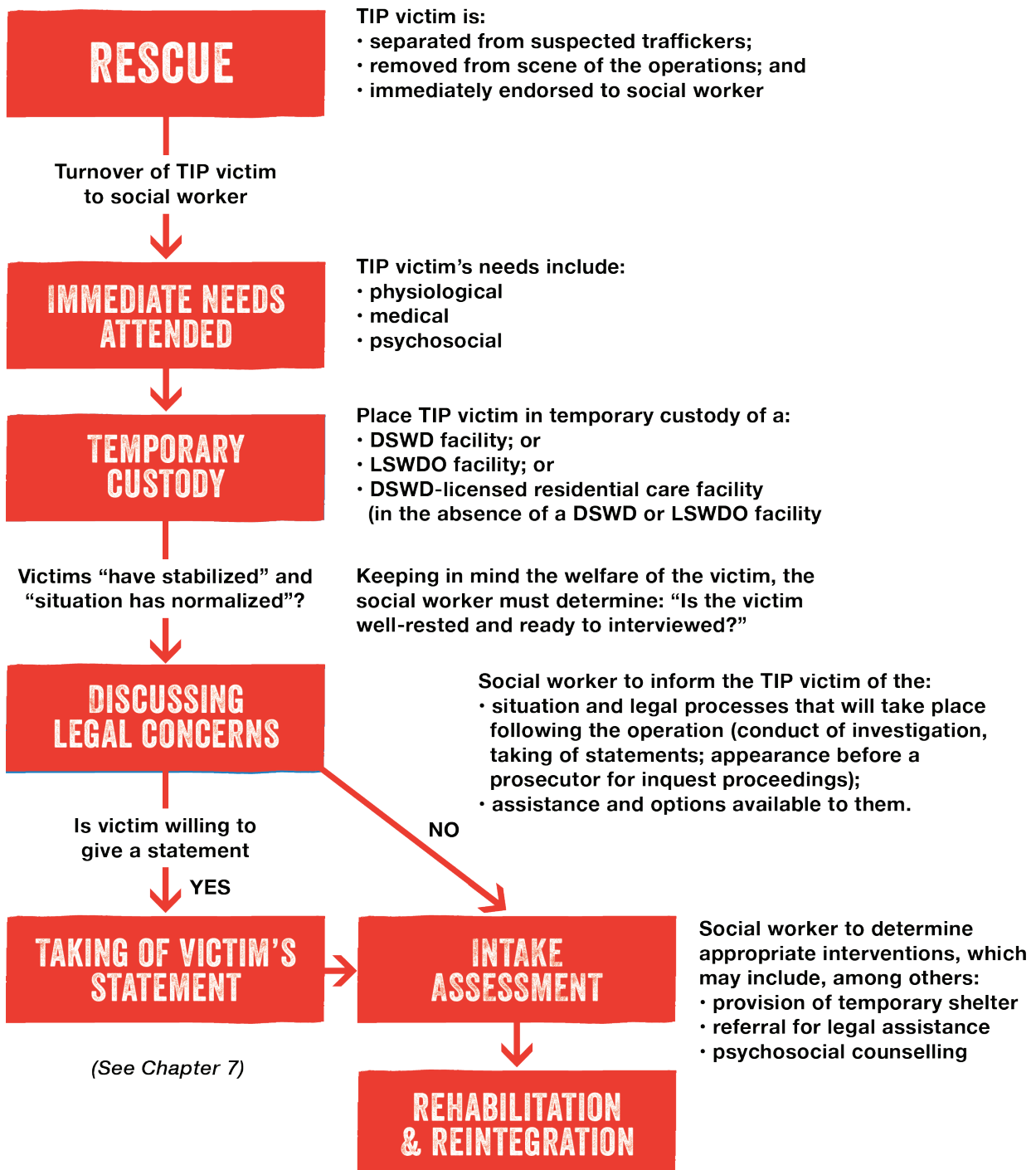
To illustrate, the TIP victim is rescued in a port located in a certain LGU and the social worker who took part in the rescue operations is from the DSWD Regional Office covering the LGU. After the rescue, will the TIP victim's case management be handled by the same DSWD Regional Office or by the social worker of the LGU where the port is located? And if the TIP victim is a resident of another LGU, will the social worker of that LGU take over case management?

These potential questions should be settled by a clear system established ahead by the help desk operations or the inter-agency body managing it to ensure that:

- the needed protection for and assistance to the victim are adequately provided; and
- the coordination with the LEA for purposes of filing a case against the trafficker is not impeded.

**REMEMBER: DO NO HARM.** Treat each interaction with a TIP victim, most especially if a child, with extreme care. Do not undertake actions that could make a trafficked person's situation worse. Each contact with them can positively or negatively affect their well-being. Consider all contact with TIP victims as a potential step towards improving their life.

## SUMMARY: PROCESS FLOW INVOLVING TIP HELP DESK'S PROVISION AND ASSISTANCE TO TIP VICTIM



# CHAPTER 7

## CASE DEVELOPMENT

- Interception
- Who can intercept
- When to intercept; assessment
- Preparation for interception/rescue/arrest
- Rescue of victim
- Arrest of a trafficker

One of the three objectives of an anti-trafficking enforcement operation conducted at ports/terminals is seizing evidence to support the eventual prosecution of suspects who caused the trafficking incident.<sup>46</sup> This ultimate aim of prosecuting perpetrators of trafficking goes into both prevention and protection purposes of a TIP Help Desk — preventing future trafficking incidents and protecting rescued TIP victims as well as those who may be victimized by acts of traffickers.

Essential in all these is the case development work of LEA and the TIP Help Desk. They can do their share to contribute to effective case development and ultimately, successful prosecution of suspects.

### What does case development work contemplate?

Case development generally covers all work done by the LEA in building a case that will lead to the filing of charges with the prosecutor's office and to support the successful

prosecution of suspected traffickers. This work involves the conduct of investigation that necessarily includes conducting interviews, taking sworn statements or affidavits, and gathering evidence.



### Case development work in relation to Help Desk operations

The work done by a Help Desk (even before any rescue or arrest happens) ultimately contributes to case development. The information-gathering capabilities and other documentation work of a Help Desk (see Chapter 4), if maximized, can directly or indirectly result to evidence (e.g., travel documents expected; case referrals received)

<sup>46</sup> Objectives of a law enforcement operation, Sec. 13, Revised IRR of RA 9208 as amended by RA 10364. The three objectives are: (a) Rescuing, protecting and assisting a trafficked person; (b) Arresting suspects in the act of committing an offense; and (c) Seizing evidence to support eventual prosecution of the suspects.



that can support the development of cases against traffickers.

Even if enforcement operations at the port/terminal have concluded, TIP Help Desk team members may still have a role to play in the case development. Remember Chapter 6 discussion on giving rescued TIP victims a glimpse of legal processes taking place after the rescue operations? In all those processes explained to the rescued victim (conduct of the investigation; taking of victim's statement; and victim's appearance before a prosecutor for inquest proceedings), the support of some Help Desk personnel (e.g., help in affidavit making) is needed.

Also, help desk team members who may be involved in events leading to the interception or in the actual enforcement operations may later be asked to execute their own sworn statements to bolster the case being developed against suspected traffickers.

**Case development work happens before, during, and after the conduct of interception/rescue/arrest operations at the port and terminal.**



### **Evidence gathering and preparation post-rescue**

Immediately after the conduct of enforcement operations at a port/terminal, the LEA and other persons involved in the interception, rescue, and/or arrest shall for prosecutorial purposes, process and prepare needed evidence such as but not limited to:

a. sworn statements of rescued trafficked persons;

- b. sworn statements of witnesses;
- c. affidavit of arrest (when a suspected trafficker has been arrested); and
- d. pieces of evidence obtained from the conduct of operations.<sup>47</sup>

### **Who takes charge in interviewing and taking the statements of rescued TIP victims?**

As the person in charge of case development and filing of cases resulting from TIP rescue operations, the LEA takes lead in interviewing rescued victims for the purpose of assisting the latter in preparing their sworn statements. These sworn statements or affidavits are important support documents for the filing of cases before the office of the prosecutor.

However, there may be occasions when the social worker, if better trained and equipped to communicate with trafficking victims (especially children), takes the lead in handling the interview, but this must be done in the presence and with the guidance of the LEA.



**The TIP Operations at the port/terminal shall: (a) "Secure all evidence necessary for prosecution" and (b) "Ensure the filing of appropriate charges against arrested traffickers and other suspected traffickers involved."**

[From the PNP Manual Revised Standard Operating Procedures: Trafficking in Persons Investigations, May 2017 under Section 3-1 (General Guidelines in the Conduct of TIP Operations)]

<sup>47</sup> Documentation & processing after the rescue operation, Sec. 20, Art. III (Conduct of Law Enforcement Operations and Protection of Rescued Persons During and After an Operation), Revised IRR of RA 9208 as amended by RA 10364.



## Reminder: Necessary pre-requisites to taking a rescued victim's sworn statement

As emphasized in Chapter 6, before a rescued victim can be interviewed for the purposes of putting together a sworn statement, the victim must have agreed to giving said statement. The victim's agreement should have been obtained only after he/she was informed about and able to understand the post-rescue legal procedures and the value of giving the statement.<sup>48</sup>

Salamat sa pagpayag mong magbigay ng salaysay... Ako si [give name, show official identification] ng [state name of law enforcement agency] at isa ako sa mag nagbubuo ng kasong isasampa sa mga may kinalaman sa nagyayaring trafficking na siyang naging dahilan ng rescue sa port/terminal. Ako ang mag-i-interview sa'yp pero kasama natin dito [names of social worker and other authorized help desk personnel]...

Nabanggit ni [name of social worker] na naipaliwanag niya na sa'yo kung bakit tayo may interview ngayon at bakit ka magbibigay ng sinumpaang salaysay, tama ba? Gusto ko lang matiyak na naiintindihan mo itong proseso ng imbestigasyon kung saan mahalagang bahagi ang pagbibigay mo ng salaysay, at kung may tanong ka pa o gustong linawin, andito ako para



**RESCUED  
TIP VICTIM**



**SOCIAL WORKER/  
HELP DESK PERSONNEL**

The LEA taking the statement must confirm that these “pre-requisites” are met before proceeding to the conduct of the interview.

### When can the statement be taken?

As mentioned, the interview can happen only upon the victims' agreement to have their statements taken. But more than this willingness to give a statement, there

must also be an indication of the victims' readiness to cooperate since they may have experienced severe

**The sworn statement shall only be taken upon a showing of the victim's willingness and readiness to cooperate.**

### Where will the victim's statement be taken?

When identifying a place where the victim's statement is taken, the Help Desk team must ensure that the area is:

- safe;
- comfortable;
- conducive for conducting interviews; and
- appropriate to safeguard the confidentiality of the interview.

The identification of this interview area must form part of the pre-rescue operation planning as the interview and taking of statements may happen not long after rescue operations.

With a possibility that the statement-taking will happen soon after the rescue, the interview may be done in the area where the victims are brought immediately after conduct of rescue operations provided the above criteria are met. [Relate this to an earlier discussion (Guide to choosing the separate space) found in Chapter 6.]

### Who may be present in the conduct of the interview?

Before the victim's statement is taken, the social worker (to whom the victim is turned over after rescue) shall coordinate with the LEA for the conduct of a multi-disciplinary

<sup>48</sup> Revised IRR of RA 9208 as amended by RA 10364, Sec. 19 on Taking of Statement.

interview procedure. A multi-disciplinary approach to taking a victim's statement means the involvement, to the extent possible, of all persons that can facilitate the conduct of a safe and comfortable interview of the victim. Thus, in addition to the LEA and social worker, among those who can also be present are:

- a. psychologist, counselor, or other appropriate specialists — especially if the victim is potentially suffering from trauma or has special or developmental needs;
- b. interpreter/translator — to assist a victim who can only understand a certain language or dialect or who may have limitations in communication (e.g., deaf); and
- c. lawyer — if the victim secured the lawyer's service.

Others who can be present are the independent adult for child victim-witnesses such as a family member and the third party who is requested/allowed by the victim to be present. An "independent adult" is one who is not part of the interviewing team and who is also not among those suspected to be involved in trafficking.

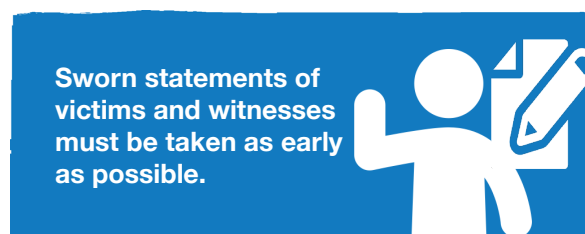
If adopting a multi-disciplinary approach is not feasible, at the very least, a joint interview by the social worker and the LEA is advisable to avoid repetitive interviews.<sup>49</sup> Joint interviews are most advised when dealing with rescued child victims to avoid repeated interviews that can re-traumatize the child.

### **Is the social worker's presence in the interview process mandatory?**

The taking of a victim's statement must, as much as possible, be done in the presence of a registered social worker.<sup>50</sup> The social worker plays an important role in helping

rescued victims understand better the questions posed as well as in providing the victim company and comfort while being interviewed.

However, there may be situations when a registered social worker is not available and the victim's statement must already be obtained (especially for the purpose of inquest proceedings). In the absence of a social worker, any person trained in child-sensitive and/or gender-sensitive interview techniques may accompany the trafficked victim.



### **What must be asked and answered during the interview to complete the victim's sworn statement?**

Every interview is conducted to know the essential facts that can help establish acts of trafficking or any related offense (e.g., illegal recruitment). After the interview, the sworn statement must be able to supply details on the following:

- a. WHO — Who are the people involved? Who talked to the victim? Who promised payment? Who threatened? This will include names and/or descriptions of people identified.
- b. WHEN — Precise dates and times when circumstances leading to the trafficking happened. (Example: When were you recruited?)
- c. WHERE — Identification of relevant places such as where the victims were first contacted by the recruiter or trafficker

<sup>49</sup> Revised IRR of RA 9208 as amended by RA 10364, Sec. 19 on Taking of Statement.

<sup>50</sup> Ibid.

and what places/areas/locations did they pass through before reaching the port/terminal.

- d. WHAT and HOW — Facts that a victim can provide to support the establishment of trafficking. (Example: How did the trafficking happen?) These can include stories of recruitment and circumstances that led the victim to be brought to the port/terminal.<sup>51</sup>



**“The Sworn Statement or Sinumpaang Salaysay of the victim-witness is based on the interview which the investigator conducts. It shall include the details which will aid the prosecutor in determining the charges against the offenders.”**

[From the PNP Manual Revised Standard Operating Procedures: Trafficking in Persons Investigations, May 2017 under Section 2-3 (Interviewing and Taking of Sworn Statements)]

### Should the rescued victim’s interview be recorded?

If possible, the in-depth interview of rescued victims shall be documented using any available medium of recording. The audio or video recording of the victim’s interview is strongly advised to:

- a. minimize the number of repeat interviews of the victim;
- b. ensure that the victim’s sworn statement will be drafted accurately;
- c. preserve the details of the victim’s statement as it is given soon after the conduct of rescue operations; and

- d. help both the victim and the prosecuting team when preparing for inquest proceedings or for court hearings.

### Explaining why and getting the victim’s consent

Before a trafficked person’s interview can be documented through audio or video recording,<sup>52</sup> the social worker, LEA or any authorized Help Desk personnel present must:

- a. Explain clearly how the interview process will be conducted including the use of recording instruments and what will happen to the records after the interview;<sup>53</sup>
- b. Clearly relay the reasons for and advantages in having the interview recorded in such a manner; and
- c. Obtain the consent of the rescued victim or of his/her guardian (in case the victim is a minor).

**These can form part of the discussion with the victim of legal processes that will take place after the rescue. (See Chapter 6)**



**“The interview of rescued trafficked persons “may be documented by any available medium of recording with the consent of the trafficked person or his or her guardian.”**

[Revised IRR of RA 9208 as amended by RA 10364, Sec. 19 on Taking of Statement]

<sup>51</sup> Modified from Section 2-3 (Interviewing and Taking of Sworn Statements) of the PNP Manual Revised Standard Operating Procedures: Trafficking in Persons Investigations.

<sup>52</sup> Revised IRR of RA 9208 as amended by RA 10364, Sec. 19 on Taking of Statement

<sup>53</sup> Section 2-4 (Pre-Interview), Item (c.) of the PNP Manual Revised Standard Operating Procedures: Trafficking in Persons Investigations, May 2017.

## What if the rescued victim is hesitant to have the interview recorded?

A rescued victim's refusal to have an audio or video recording of the interview must be respected. However, if still possible, the social worker, LEA, or any authorized Help Desk personnel present must try to convince the TIP victim to reconsider by:

- a. first asking for the concerns/reasons behind the refusal;
- b. then responding accordingly to address the concerns; and
- c. later, highlighting the advantages of having such recording.

Nasabi mo kanina na nag-aalangan ka na i-record kasi baka may ibang makakuha ng kopya ng video? Sana mabigyan ka ng assurance na ang kopya ng recording ay pwede lamang mapakinggan/mapanuod ng mga taong nandito saka ng mga taong tutulong (katulad nina fiscal) para mabuo ang matibay na kasi laban dun sa trafficker...

...Saka gusto ko sanang mabanggit ulit yung kahalagahan ng pagkakaroon ng recording, lalo na't hindi naman perpekto ang memorya nating lahat. Yung recording ang makatitiyak na wala tayong detalyeng makakaligtaan o malalampasan lalo na sa proseso ng pagbubuo ng kasong ito.



**RESCUED  
TIP VICTIM**



**SOCIAL WORKER/  
HELP DESK PERSONNEL**

## General guidelines to keep in mind during the victim's interview

In the process of taking a victim's statement, those who are present during the interview must (1) beforehand introduce themselves to

the interviewed victim and (2) throughout the interview, keep in mind the following:

- The victim must always be comfortable and at ease.
- Neither blame the victim nor sound/ behave judgmentally.
- A sensitive, respectful, and calm tone and demeanor must always be maintained.
- Everyone must remain attentive and sensitive to the needs of the victim.
- Language and behavior during the interview must be gender-sensitive and/ or child-friendly.

When rescued victims are treated respectfully and always feel safe and secure throughout the investigation process, their continued cooperation in the prosecution of the case can be expected.



## Two-part responsibility of the social worker involved in rescue operations

As stated in Chapter 6, the social worker who takes part in rescue operations has a responsibility that relates not only to the protection given to TIP victims (victim-centered)<sup>54</sup> but also to the prosecution of persons who caused their trafficking (trafficker-focused).<sup>55</sup>

Proper documentation work of TIP incidents is an essential duty of the Help Desk. Thus, its members must be capacitated in doing this.



<sup>54</sup> Chapters 5 and 6 of this Guidebook.

<sup>55</sup> Chapters 6 and 7 of this Guidebook.

Part of this second responsibility is the social worker's execution of an affidavit that will form part of documentary evidence gathered for case development. Later on, the social worker may be called to testify in court when the trafficker is being prosecuted.

### What does the affidavit of a social worker who took part in the operations contain?

Soon after taking part in the rescue operations and attending to the needs of rescued victims, the social worker must also execute a sworn statement on facts arising from or related to the rescue, which may include:

- a. facts related to the conduct of rescue operations (when conducted; who are the victims rescued; exact location; LEA present);
- b. details seen/observed from the rescue (who was seen to accompany the rescued TIP victim; observed behaviors; what were heard)
- c. information relayed by the TIP victim to the social worker during and after the rescue (when recruited; victim's account of the trafficking and of the rescue).

### Who will take the statement of the social worker?

As a rule, affidavits needed for case build-up and filing against suspected traffickers are prepared by the LEA in charge of the case. However, because of the volume of work resulting from the operations (investigation, case development, etc.), there are instances when the social worker assists in the process by drafting his/her own affidavit.

### The victim-interviewer's affidavit

There is a possibility that TIP victims will not cooperate fully in the process of case development as in cases where they choose

not to execute a sworn statement or even if they do, they will later decide not to testify in court. In these situations, evidence from other sources will be needed to improve the likelihood of a trafficker's conviction. One suggested piece of evidence is the execution of a victim-interviewer's affidavit. This affidavit can be executed by TIP Help Desk team members (e.g. LEA, social worker) who took part in enforcement operations and directly communicated with or interviewed the rescued victims.

So if a rescued victim later decides not to testify in court, the prosecutor may offer the victim-interviewer affidavits as evidence to show the fact that the rescued victim's statements were made.<sup>56</sup>

### The victim-interviewer's affidavit

There is a possibility that TIP victims will not cooperate fully in the process of case development as in cases where they choose not to execute a sworn statement or even if they do, they will later decide not to testify in court. In these situations, evidence from other sources will be needed to improve the likelihood of a trafficker's conviction. One suggested piece of evidence is the execution of a victim-interviewer's affidavit. This affidavit can be executed by TIP Help Desk team members (e.g. LEA, social worker) who took part in enforcement operations and directly communicated with or interviewed the rescued victims.



#### SUGGESTED PRACTICE

For purposes of speed and efficiency, the social worker can proceed in drafting his/her own affidavit while the LEA prepares sworn statement/s of rescued TIP victims after they are interviewed.

<sup>56</sup> Under the doctrine of independently relevant statements, the fact that the rescued victims' statements were made (as confirmed by the victim-interviewers) is relevant evidence. But any statement of the victim-interviewer on the truth or falsity of the victims' statements is immaterial.



So if a rescued victim later decides not to testify in court, the prosecutor may offer the victim-interviewer affidavits as evidence to show the fact that the rescued victim's statements were made.<sup>57</sup>

### Content of victim-interviewer affidavit

When the LEA and social worker prepare their affidavits — whether as separate victim-interviewer affidavits or as part of their respectively executed affidavit of arrest and affidavit as a social worker — they may include the following:

- that the affiant LEA or social worker interviewed the rescued victim and/or assisted in the preparation of the victim's affidavit and that they were present when the victim's sworn statement was executed;
- information received directly from the victim or statements personally heard from the rescued victim that refers to the TIP incident;
- demeanor and behavior of the rescued victim during investigation and interview.

### Who are the other witnesses who can possibly execute sworn statements to support case development work?

Other than those made by rescued victims, statements from witnesses and other persons possessing information about the TIP incident at the port/terminal may be prepared. These statements can possibly come from persons:

- who may have witnessed events leading to or the actual conduct of interception, rescue, and/or arrest at the port/terminal (e.g., employees of travel company, employees of port/terminal);
- who had direct interaction with the rescued victims or the arrested suspects (e.g., social worker; passengers); and
- who reported the trafficking incident.<sup>58</sup>

### What if the person arrested wants to give a sworn statement?

If the arrested suspect expresses an interest to give a sworn statement, the LEA investigating the case shall ensure that:

- a. the suspect's statement is reduced in writing in the presence of the suspect and of the lawyer chosen by the suspect;
- b. all processes prescribed under the PNP Manual Revised Standard Operating Procedures: Trafficking in Persons Investigations<sup>59</sup> are strictly followed; and
- c. the provisions of Republic Act No. 7438 (An Act Defining Certain Rights of Persons Arrested, Detained or Under Custodial Investigation as well as The Duties of the Arresting, Detaining and Investigating Officers, and Providing Penalties For Violations Thereof) are faithfully observed.

Investigation and evidence – gathering may still continue even after Inquest proceedings.



### Affidavit of arrest after enforcement operations at port/terminal

As in all occasions when enforcement operations are conducted and arrests are done, the LEA who conducted the arrest at a port/terminal must soon after execute an affidavit of arrest. When preparing said affidavit of arrest, the LEA shall be guided by the PNP Manual Revised Standard Operating Procedures: Trafficking in Persons Investigations<sup>52</sup> that provides a sample “Affidavit of Arresting Officer” under its Annex I-S.

<sup>57</sup> Under the doctrine of independently relevant statements, the fact that the rescued victims' statements were made (as confirmed by the victim-interviewers) is relevant evidence. But any statement of the victim-interviewer on the truth or falsity of the victims' statements is immaterial.

<sup>58</sup> Sec. 11. Taking of statements of persons in possession of information about a suspected trafficking incident. The concerned LEA may invite any person who knows or who is in possession of knowledge or information about the reported trafficking incident. The information provided shall be evaluated by the LEA for the purpose of determining their sufficiency to support the filing of a case or the conduct of the necessary law enforcement operation.” Article II (Law Enforcement Action on a Reported/Referred Case of Trafficking, Revised IRR of RA 9208 as amended by RA 10364).

<sup>59</sup> Under Section 3-4 (Post-Operation), Item 4.1(m) on Rescue Operation with Arrest.

<sup>60</sup> Dated May 2017. PNPM-WCPC-NSU-24-2-16.



# CHAPTER 8

# NETWORKING AND ADVOCACY WORK

- Rationale
- Internal and external
- Potentials of each collaboration

For a TIP Help Desk to be a fully functional operation at a port/terminal and able to maximize its capabilities of protecting trafficked persons and preventing trafficking incidents, networking and advocacy work is essential. Networking and advocacy work is arguably the only Help Desk task not directly connected to the conduct of enforcement operations at ports/terminals. Nonetheless, this work is integral to complementing all other work that can make enforcement operations successful.

## What is the rationale behind networking and advocacy?

Maximizing a TIP Help Desk's ability to help requires reinforcement from individuals and groups who may not form part of the inter-agency cooperation. This reinforcement may come in the form of resource complement, information provision, and service availability.

a. **Resources.** TIP Help Desks often operate on very limited resources

and have to rely on shared budget contributions of member agencies of the inter-agency cooperation. The burden of this limitation can be eased by developing a network that can share some resources needed by the help desk, whether financial or non-financial.

**By constantly aiming to enhance its network, the help desk is able to deepen its spring of resources (human, monetary, logistic, etc.) and consequently expand its capabilities.**

b. **Service.** Closely related to the need for resource complement is the limited availability of services that may be needed in the course of a help desk's operations. With an expected lean team that can devote full attention to anti-TIP activities at a port/terminal, the help desk team ought to coordinate with offices — both public and private — that can address gaps in the desk's capabilities and obtain some amount of commitment to supplement the desk's needs.

c. **Information gathering.** As mentioned in Chapter 4, information-gathering is a primary activity of each TIP Help Desk but its limited personnel demands multiplication of “eyes” and “ears” to generate valuable TIP information for an eventual identification, interception, and rescue of TIP victims and to supplement law enforcers’ case development work. Enhancement of information gathering capability requires both networking with individuals or groups (for Active Information Gathering) and advocacy to the public (for Passive Information Gathering).

work is a going concern that must be constantly deepened and expanded to allow the help desk to also constantly improve its capabilities.

**Scope of networking and advocacy work**

While TIP Help Desks referred to in this guidebook are only those maintained in ports or terminals, the networking and advocacy required to make them fully functional require the work to go beyond the port/terminal. It may be helpful for each Help Desk operation to divide this networking and advocacy work as internal and external.

**When should networking and advocacy be done?**

From the time of setting up and organizing a TIP Help Desk at the port/terminal up until it commences operations, networking and advocacy work comes into play. This

Summarized below is a list are some possible “targets” for networking and advocacy work for help desk teams. These network and advocacy possibilities are also visually illustrated on Figure 1.

Figure 1. List of possible “targets” for networking and advocacy work for help desk teams.

Resource complement		Service supplement	
<ul style="list-style-type: none"> <li>• non-profit organizations</li> <li>• faith-based groups</li> </ul>	<ul style="list-style-type: none"> <li>• LGU</li> <li>• other private sector individuals and groups</li> </ul>	<ul style="list-style-type: none"> <li>• local police</li> <li>• LGU</li> <li>• barangay</li> </ul>	<ul style="list-style-type: none"> <li>• psychologists</li> <li>• doctors</li> <li>• legal aid groups</li> <li>• private law practitioners</li> </ul>
Information gathering			
<ul style="list-style-type: none"> <li>• transport companies (management and employees)</li> <li>• passengers</li> <li>• LGU residents</li> </ul>	<ul style="list-style-type: none"> <li>• port/terminal employees (security, porters, maintenance)</li> </ul>		

## How can reaching out to the above-listed individuals or groups benefit help desk operations?

Each TIP Help Desk must consistently assess its resource needs and match these needs with its resource capabilities. The gaps in between can be those areas where a help desk can most benefit when networking with individuals and organizations who are not part of the inter-agency cooperation.

### a. Resources

As mentioned in Chapter 6 of this Guidebook, the Help Desk team may have to source funds to prepare for items needed in a rescue operation (mostly for TIP victims) in the event that a joint task force or law enforcement team has no allotted budget for it. Networking with individuals and organizations may result in the development of funding sources that may aid in the provision of rescued victims' needs such as food, clothing, personal hygiene items, and toiletries. Resource complement may also be in the form of providing temporary accommodation (where TIP victims can stay after rescue operations) or transport arrangements (in case TIP victims have to be moved to the shelter immediately after a rescue or later have to be assisted to return to their places of residence).

Other resource support may come in the form of IEC materials production and dissemination as well as the provision of human resources to assist in help desk work at the port/terminal.

### b. Service

As mentioned in Chapter 5, preparations for law enforcement operations include ensuring the presence of a social worker during rescue operations. This means the notification of a DSWD social worker; the LSWDO of the LGU where the port/terminal is located; or an accredited NGO

(particularly its social worker) that services trafficked persons. Unless the TIP help desk has a permanently assigned social worker to assist TIP victims 24/7, it must have a network of social workers to contact who can help most especially during rescue operations.

Also, some help desks (as in the case of bus terminals) may not have a permanently assigned law enforcement complement. In cases like this, the help desk must have seamless coordination with nearby WCPD stations that can be alerted in case a TIP activity needs immediate interception. (See Chapter 5 discussion.)

Protection and assistance of TIP victims may require provisions that attend to their physiological, psychological, psychosocial, economic, and legal needs. (See Chapter 6 discussion.) The help desk may not [yet] have a full-time multidisciplinary team to address all these needs but its networking and coordination with other offices and individuals who can provide these will plug gaps and allow the desk to deliver its service effectively. Some possibilities are:

- Psychological needs of TIP victims may be attended to by social workers but possibly only to a limited extent. Having a list of certified psychologists or counselors who may be part of a team of volunteers who can potentially extend volunteer service time when needed will be helpful. This list of volunteers can be developed and expanded through the networking activities of a help desk team.
- For legal needs, a help desk may network with the local Integrated Bar of the Philippines or with private law practitioners who can be on call to provide on-the-spot legal advice or assistance to TIP victims or simply help prepare their affidavits.
- In cases where immediate medical

attention (e.g., examination, treatment) is needed post-rescue operations, having doctors who are readily available will also augment the help desk's capabilities.

Coordination work for rescue operations may also extend to the LGU (e.g., child protection committee, LCPC, barangay tanod) to the extent they will be needed by the LEA and as the situation requires.

**c. Information-gathering**

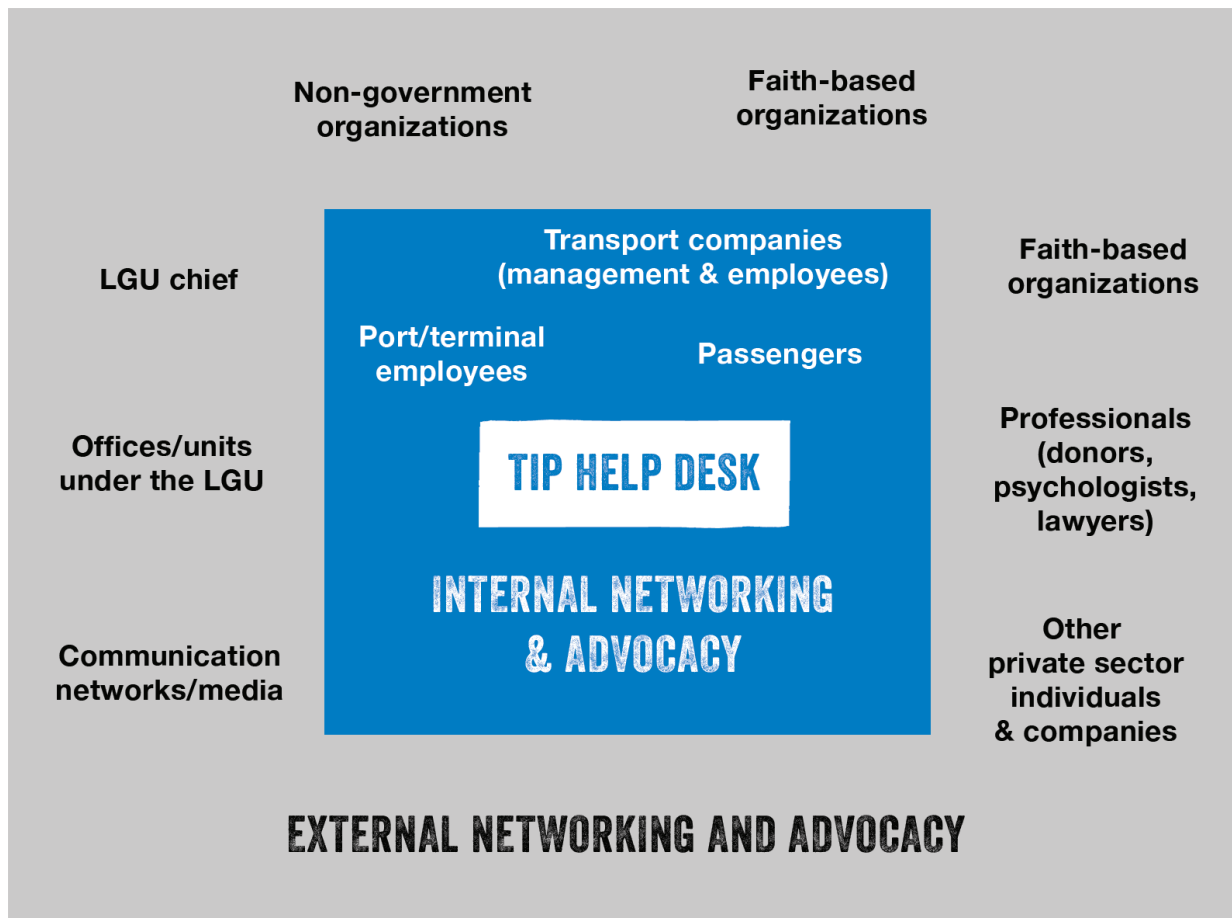
To enhance information-gathering, network and advocacy work can be directed at potential feeders of information from inside the port/terminal where people can closely observe TIP incidents as well as from the

community/LGU that can feed valuable information that can lead to successful interceptions.

The magnitude of a help desk's initiative to inform the public and invite active reporting of needed information (tips, leads) from both inside and outside the terminal can be expanded with the help of individuals/groups engaged in communication and media work (e.g., local radio stations).

The networking and advocacy initiative must be done in accord with the information-gathering systems and mechanisms established by the help desk. (For a more detailed discussion, see Chapter 4 of this Guidebook).

Figure 2. AT A GLANCE: Network and advocacy possibilities for a TIP Help Desk



# REFERENCES

Republic Act No. 9208 (Anti-Trafficking in Persons Act of 2003) as amended by Republic Act No. 10364 (Expanded Anti-Trafficking in Persons Act of 2012)

Revised Rules and Regulations Implementing R.A. No. 9208, otherwise known as the 'Anti-Trafficking in Persons Act of 2003' as amended by R.A. No. 10364, otherwise known as 'The Expanded Anti-Trafficking in Persons Act of 2012'

Republic Act No. 7438, An Act Defining Certain Rights of Persons Arrested, Detained or Under Custodial Investigation as well as The Duties of the Arresting, Detaining and Investigating Officers, and Providing Penalties For Violations Thereof

IACAT Guidelines On The Referral System Involving Trafficking In Persons Cases (IACAT Resolution No. 006, s. 2017)

IACAT Resolution No. 2, Series of 2004, Adopting the Guidelines for the Establishment and Operations of the Inter- Agency Task Force Against Trafficking in Persons (IATFAT) and the Local Inter-Agency Task Force Against Trafficking (LIATFAT).

PNP Manual Revised Standard Operating Procedures: Trafficking in Persons Investigations dated May 2017 (PNPM-WCPC-NSU-24-2-16)

Implementing Rules, Unaccompanied Child Travel Protection Ordinance of 2018, Cagayan de Oro City





