

## The Anti-Trafficking in Persons Act of 2003: Reflections and Challenges Ahead

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The Article first discusses some background and history on human trafficking. It then discusses how trafficking is a violation of human rights as recognized internationally and then lays down the response of the international community to such violations. Anti-Trafficking Law in the United States (US) is then analyzed. The Article argues that it is ironic that with the advent of a comprehensive trafficking law in the Philippines, the latest 2004 US report shows the Philippines has been relegated to Tier 2 I terms of prevention of trafficking in persons. The Article then provides reasons on the necessity of a Philippine Law on Trafficking. After which a discussion of the Anti-Trafficking Law is provided. The Article then identifies challenges to the new law. Firstly, the challenge of art. 202 of the Revised Penal Code (RPC) is explained. Under said article, a woman in prostitution is considered an offender and is subject to criminal prosecution. The Article posits that a “prostitute” who is a victim of trafficking should not be punished and be held liable under art. 202. The Article also identifies policy and political challenges. The first problem is budget allotment. Lack of institutional support is also identified. Another area of challenges is the socio-cultural sphere. The problem is how to convince the potential victims to give serious attention to trafficking. After which discussions follow on particular potential victims like migrant workers and parents and children.