

INTER-AGENCY COUNCIL AGAINST TRAFFICKING

GUIDELINES ON THE NOMINATION AND SELECTION OF SECTORAL REPRESENTATIVES TO THE INTER-AGENCY COUNCIL AGAINST TRAFFICKING

Pursuant to the pertinent provisions of Republic Act No. 9208, otherwise known as the "Anti-Trafficking in Persons Act of 2003," as amended by Republic Act No. 10364, otherwise known as the "Expanded Anti-Trafficking Act of 2012" (collectively the "Expanded Act") and its Revised Implementing Rules and Regulations and other related laws; and in furtherance of the mandate of the Inter-Agency Council Against Trafficking (IACAT), as well as the National Strategic Plan 2017-2021 for the effective implementation of the Expanded Act, with a view of having an effective and efficient nomination and selection process of the three (3) non-government organizations (NGO) representatives to the Inter-Agency Council Against Trafficking (Council), and of setting the procedures thereof, the following guidelines are hereby promulgated for strict implementation by all concerned:

Section 1. Title.

These guidelines shall be known as the "Guidelines on The Nomination and Selection of Sectoral Representatives to the Inter-Agency Council Against Trafficking" ("Guidelines").

Section 2. Purpose.

These Guidelines are promulgated to prescribe the procedure for screening, nomination, selection and recommendation to the President of the Republic of the Philippines, of three (3) NGO representatives with one representative each from among the sectors representing women, overseas Filipinos, and children, pursuant to Section 20 of the Expanded Act.

Section 3. Declaration of Policy.

It is the policy of the Council to:

- A. **GOOD GOVERNANCE:** Adopt guidelines and procedures that ensure transparency, accountability, and integrity in the performance of its duties and responsibilities.
- B. **MULTI-DISCIPLINARY PARTNERSHIP:** Pursue genuine and dynamic engagement with civil society organizations in the performance of its duties and responsibilities as a collegiate body tasked to oversee the implementation of the Anti-Trafficking in Persons Law and develop policies and programs in pursuance thereof.

- C. **SUSTAINABLE INTERVENTIONS:** Implement approaches that drive sustainability, inclusivity, and optimal impact in the delivery of its programs and services.
- D. **COMPETENCY and CAPACITY:** In the selection and nomination of NGO Representatives, the Council shall ensure that the nominees have the competency and capacity to perform the duties and responsibilities mandated by law and in accordance with the policies and principles herein enshrined.

Section 4. Eligibility for Nomination as Sectoral Representative to the Council

- A. **Minimum Requirements for NGOs.** The following shall be the minimum requirements that renders an NGO eligible for nomination:
1. The NGO is a duly licensed and registered non-stock, non-profit, and non-government organization in the Philippines;
 2. It must have an office in Metro Manila, and at least one project area in both Visayas and Mindanao;
 3. The NGO must have been implementing anti-trafficking programs or services in the Philippines for at least five (5) years;
 4. It must have a proven track record of involvement in the advocacy against trafficking in persons, the prevention and suppression of trafficking in persons, or the protection of trafficked persons.
 5. Majority of the NGO's clients/beneficiaries belong to the sector it seeks to represent;
 6. A significant segment of its network is composed of organizations and individuals belonging to the sector it represents;
 7. It has a multi-disciplinary national or international network also engaged in anti-trafficking efforts; or is at least a member of an international or national NGO coalition or federation; and
 8. There are no pending criminal, civil or administrative cases or investigation before any office, court or tribunal against the NGO. An exception may be made if the case is a harassment suit.
- A. **Minimum Requirements for NGO Representatives.** The following shall be the minimum requirements that renders the chosen representative of an NGO eligible for nomination:
1. The Representative has been involved in anti-trafficking work for at least two (2) years;
 2. The Representative heads or manages the organization for at least two (2) years; and
 3. There are no pending criminal, civil or administrative cases or investigation before any office, court or tribunal against the representative. An exception may be made if the case is a harassment suit.

Section 5. Procedure for Application, Nomination, and Selection

A. Application

The IACAT Secretariat shall publicly announce the opening for applications for Representative Seat to the Council, including in its website www.iacat.net

Interested applicants may obtain a nomination form at IACAT Secretariat, DOJ Main Office in Manila City, or download the nomination forms from the website. The deadline for the submission shall likewise be indicated thereat.

NGOs may only be nominated upon submission of a fully accomplished Application for Nomination Form (Nomination Form) to the IACAT Secretariat.

B. Nomination by the Member Agencies

Any Member Agency may nominate an NGO and its chosen representative. A Member Agency may nominate only one (1) representative per sector, for a total of three (3) possible nominees coming from the three (3) identified sectoral representations. The nomination shall be in written form, and submitted to the Chairperson, through the IACAT Secretariat.

The IACAT Secretariat shall determine a specific period for submission of nominations by the Member Agencies, and shall notify them accordingly. It shall review the nominations and issue a Certification of Pre-Qualification, after validation of the information and documents submitted. The status of the application shall be posted in the Council's website.

The IACAT Secretariat shall prepare a summary brief on all nominees who pre-qualified and shall furnish all Heads of Member Agencies a copy thereof, including a copy of the nomination forms for their review, two weeks before a Special Meeting of the Council is called for the selection process.

C. Selection

A Special Meeting of the Council shall be called by the Chairperson for the selection of the NGO Representatives. In selecting an NGO Representative, the following procedure shall be observed:

1. The IACAT Secretariat shall present to the Council all nominations submitted, a standard brief on the nominees and his/her organization, and the nominating agency.
2. Voting shall be done through secret balloting.
3. Tallying of scores shall be transparent and done immediately after all the votes are in.
4. An NGO may receive as many as eleven (11) votes. To be officially selected as Sectoral Representative however, an NGO needs only seven (7) votes, or the most number of votes in case there are abstentions, or by final vote of the Chairperson of the Council in case of a tie.

Section 6. Recommendation of the Selected NGO Representatives to the President.

The Council shall promulgate a resolution formally recommending to the President of the Republic of the Philippines, the appointment of the selected NGOs and their representatives.

The IACAT Secretariat shall transmit an original copy of the Resolution to the Office of the President (OP), including all the relevant documents and clearances. It shall furnish a copy of the resolution to all members of the Council as well as the 3 NGOs who were selected. It shall likewise be posted in the Council's website.

Section 7. Veto by the President of the Republic of the Philippines.

The President may veto the selection of a selected NGO for just cause. In such instances, the Council shall provide the President with a second and third option who are runner-ups during the selection process, respectively.

Section 8. Duration and Termination of the Sectoral Representation

The NGO and its representative who shall have been selected and appointed by the President of the Philippines will serve for a term of three (3) years. The NGO may serve as many terms for as long as it is selected and re-appointed.

However, the Council, through a Council's resolution, may recommend to the President of the Philippines to terminate an NGO's sectoral representation even prior to the expiration of its term, when the NGO or its representative is no longer compliant to the minimum requirements or qualifications of a sectoral representative.

Section 8. Effectivity.

Upon its effectivity, these Guidelines will remain in force until revoked, by two-thirds vote of the government representatives of the Council.