

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



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SENATE
P.S. Resolution No. 204

RECEIVED BY

Introduced by **SENATOR IMEE R. MARCOS**

RESOLUTION
DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN
INQUIRY, IN AID OF LEGISLATION, INTO THE CONTINUING REPORTS OF
CHILD ONLINE SEXUAL EXPLOITATION DESPITE NUMEROUS LAWS
SAFEGUARDING AND AFFECTING RIGHTS OF CHILDREN

WHEREAS, Article XV, Section 3, par. 2 of the 1987 Constitution provides that, "*the State shall defend the right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development*". While, Article II, Sec. 13 of the Constitution also provides that "*the State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs*";

WHEREAS, to uphold the rights and protection granted by the Constitution, Congress has enacted the following laws: Republic Act No. 9775 or the "*Anti-Child Pornography Act of 2009*", Republic Act No. 7610 or the "*Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act*", Republic Act No. 9208 or the "*Anti-Trafficking in Persons Act of 2003*," as amended by Republic Act No. 10364, and Republic Act No. 10175 or the "*Cybercrime Prevention Act of 2012*";

WHEREAS, just recently, on 30 July 2022, R.A. 11930 otherwise known as the "*Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act*" lapsed into law which provides special protection to children from all forms of sexual violence, abuse and exploitation especially those committed with the use of information and communications technology (ICT) and provide penalties therefor;

WHEREAS, the United Nation Convention on the Rights of the Child, which the Philippines is a signatory, also mandates that "*States Parties undertake to protect the*

child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent: (a) The inducement or coercion of a child to engage in any unlawful sexual activity; (b) The exploitative use of children in prostitution or other unlawful sexual practices; (c) The exploitative use of children in pornographic performances and materials”;

WHEREAS, on 24 August 2022, the government declared a “war” against online sexual exploitation of children, which officials believe was exacerbated by the lockdowns imposed during the height of the pandemic. Department of Justice (DOJ) Secretary Crispin Remulla said the Philippines remains on top among countries with cases involving internet-based child sexual exploitation;

WHEREAS, Secretary Remulla said the government and its partners would adapt a “comprehensive approach” to stop sexual exploitation of children on the internet. Remulla stated that, “*I think the new thing about this is the comprehensive approach. AMLC (Anti-Money Laundering Council) is here. The DICT (Department of Information and Communications) is here. We are asking the telcos to put filters into their systems. We are not leaving any stone unturned”;*

WHEREAS, Nikki Prieto-Teodoro, Special Envoy to the United Nations Children’s Fund (Unicef), said that incidents of online sexual child exploitation (OSEC) in the country rose by 280% in 2022;

WHEREAS, Department of Social Welfare and Development (DSWD) Secretary Erwin Tulfo expressed belief that poverty is behind the proliferation of child pornography, “*it has been there and it’s a big problem, but it was never given much attention. Right now, this administration is keen and is very serious in stopping this”;*

WHEREAS, as early as 04 January 2021, the DOJ, through a Department Order, asked the National Bureau of Investigation (NBI) to investigate and look into the alleged online sexual exploitation of children particularly the reported sale and offering for sale of sensual photographs, videos, or pornography of students online;

WHEREAS, various news revealed that some students, in order to raise money, held online “*Christmas bundles*” of sensual photos and videos to buy gadgets and pay internet bills in support of the child’s distance learning. According to the report, some students even sold their obscene photos for as low as P150 which can be paid through online platforms such as GCash or PayPal;

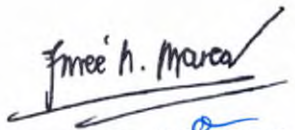
WHEREAS, the Philippine National Police (PNP) also ordered its Anti-Cybercrime Group (ACG) to monitor such activities in social media and called on parents and the DSWD to intervene;

WHEREAS, in a public bulletin entitled "*Child pornography in the Philippines*," the AMLC showed the volume of suspicious transaction reports (STRs) reaching 27,217 from January to June 2020 or more than 2.5 times the 10,627 reported for the entire 2019. Also, such increased by 1,654 percent from 2018 to 2019 and 156 percent from 2019 to the first semester of 2020;

WHEREAS, various sectors have also expressed concerns that the practice makes students vulnerable to sexual exploitation and unlawful acts;

NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, directing the appropriate Senate committee to conduct an inquiry, in aid of legislation, into the continuing reports of child online sexual exploitation despite numerous laws safeguarding and affecting rights of children.

Adopted,


IMEE R. MARCOS