



ONLINE SEXUAL ABUSE AND EXPLOITATION OF CHILDREN

SITUATION OF CHILDREN IN THE PHILIPPINES REPORT



SITUATION
OF
CHILDREN
IN THE PHILIPPINES

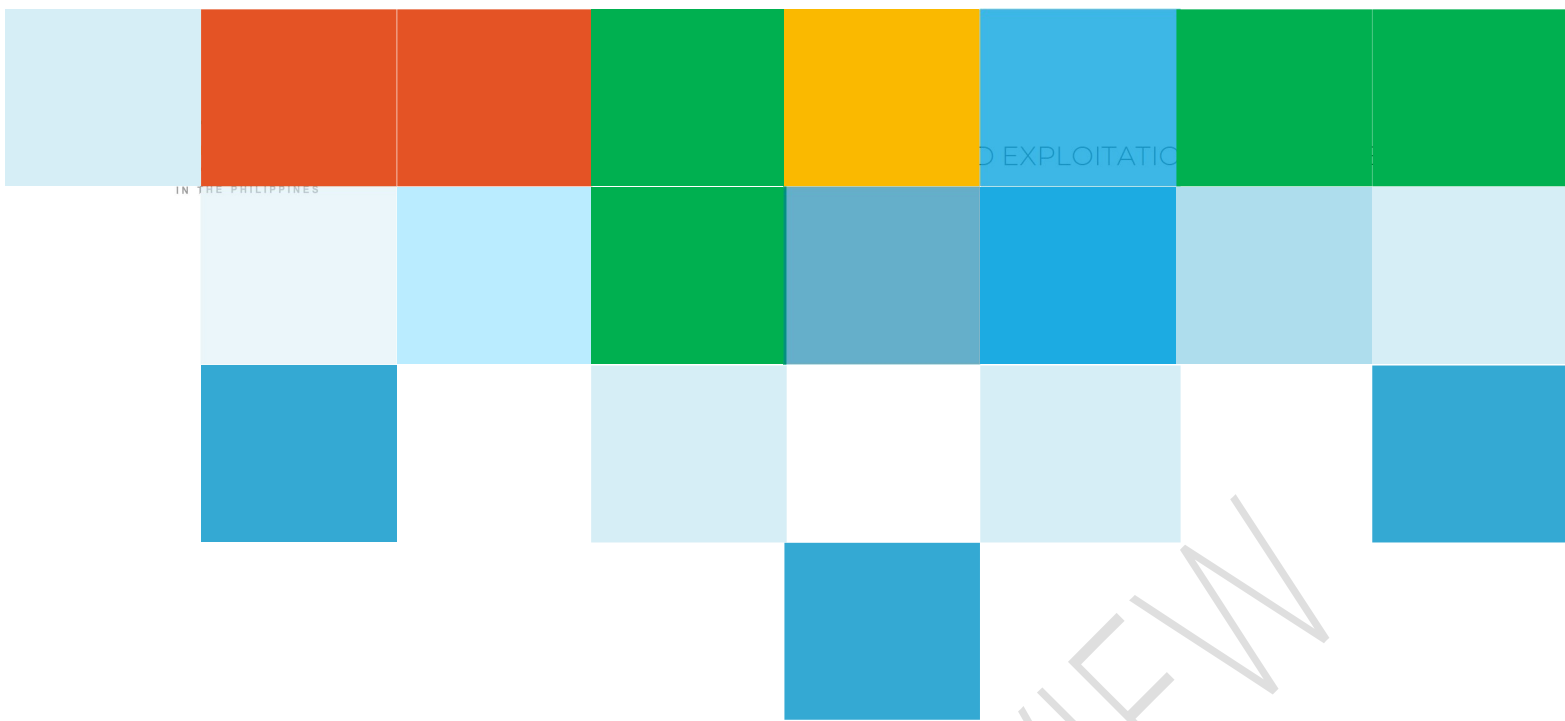


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Sexual exploitation of children is considered one of the most heinous crimes everywhere. In cyberspace, predators have found an easier and wider platform to access vulnerable children.

Online sexual abuse and exploitation of children (OSAEC) has since become a profitable industry involving the production, possession, distribution, and use of materials and content on child sexual abuse and exploitation and an extremely difficult challenge to address.

The COVID pandemic may have facilitated a dramatic rise in OSEC cases. The longest and most restrictive lockdown imposed by a government may have contributed to a threefold increase in OSAEC cases since the quarantine restrictions were enforced.

OSAEC is now one of the most prevalent child protection issues in the Philippines earning the country an unenviable reputation as global epicenter of online sexual abuse according to a 2016 study. While it has been difficult to ascertain the full extent of prevalence, a 2020 UNICEF study highlighted that “The Philippines has emerged as the center of child sex abuse materials production in the world, with 80 per cent of Filipino children vulnerable to online sexual abuse, some facilitated even by their own parents.”

OSAEC rates are increasing rapidly in the country with the latest available data estimating a higher by 264.6 per cent increase between March-May 2020 and the same period in 2019. There are significant health and well-being consequences for those affected.

It was also found that 2.5% of children in the country have had their nude bodies or sexual activities shown on the Internet or on a cellphone.

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Sexual predators, locked in their homes due to quarantine, have increasingly turned to cyberspace in order to victimize children. Likewise, the economic hardship brought about by the pandemic is compelling many Filipino families to participate in this online sexual trafficking just to survive.

Child Rights Situation Analysis

There is currently very limited data generated on OSAEC in the country. As with other forms of violence against children, there is a lack of comprehensive if not exhaustive or systematic if not scientifically sound methodology and source to collect data on OSAEC.

The PNP Women and Children Protection Center (PNP-WCPC) collects data based only

on reported cases and number of rescued victims of OSAEC. A few studies have provided

general estimates but which may not really indicate the true extent of the problem.

Currently, national authorities make use of data based on reported incidents and cyber tip line reports on the Philippines from the US-based private nonprofit, the National Center for Missing and Exploited Children (NCMEC).

From 1 March to 24 May in 2020, there were 279,166 reported incidents of OSAEC in the Philippines made through the NCMEC and as cited by the Office of Cybercrime of the. The figure was found to be higher by 264.6 per cent (or 202,605 more reports) than the reported cases in the same period in 2019 which numbered 76,561. Data needs to be taken with caution though as reports of this nature tend to be fraught with duplicates, inaccuracies, and other issues.

In terms of cyber tip line reports, some 3,188,793 were captured by NCMEC in 2021, higher by 138 per cent than the 1,339,597 reports in 2020. This information was shared with the launch of the country's first and state-of-the-art Digital Forensics Platform and Laboratory (DFPAL) of the Cybercrime Investigation and Coordinating Center (CICC), created under Republic Act 10175 or the Cybercrime Prevention Act of 2012, as an attached agency to the DICT. The DFPAL is said to be used mostly to investigate and solve OSAEC cases.

Nearly half a million children in the Philippines were estimated to have been trafficked to produce new child sexual exploitation materials in 2022. This one of the key findings of a Scale of Harm study, "Estimating the Prevalence of Trafficking to Produce Child Sexual Exploitation Material in the Philippines" designed and conducted by the International

Justice Mission and University of Nottingham Rights Lab in 2022 but published in 2023.

The number of rescued victims of OSAEC dropped by 27 per cent in 2023. The PNP-WCPC reported 119 rescued OSAEC victims in 2023, down from 163 victims in 2022.

The high concentration of online sexual abuse in the Philippines has been attributed to poverty as well as to the increased availability and ease of access to technology, easy and secure financial transaction avenues, and English language literacy. Research also indicates that social norms significantly contribute to the perpetuation of OSAEC. Although both parents and children recognize these acts as "inhumane" and "repugnant," they paradoxically view them as "ordinary." This normalization happens because community peers engaged in online sexual exploitation, particularly those perceived as economically advantaged, exert influence on the perception of what is considered normal.

Past reports and studies have found that most reported OSAEC cases are facilitated by children's parents, relatives or community members who know the child personally. Similarly, a 2018 study of online news and articles on OSAEC in the Philippines found that most facilitators of OSAEC are family members, and mothers in particular. In terms of the location of abuse, the UNICEF report highlights that, "contrary to the common notion that OSAEC cases happen in Internet cafés or on PisoNet, most reported cases happen privately, usually in the perpetrators' houses."

The more recent 2022 Scale of Harm study similarly indicated that traffickers are often relatives of the children, including parents, family members, or close friends.

Equity & Risk

EQUITY

Gender	There is insufficient data to conduct equity analysis under this subdimension.
Disability	There is insufficient data to conduct equity analysis under this subdimension.
Subnational	There is insufficient data to conduct equity analysis under this subdimension.
Others	<p>Poverty is the primary motivation for getting into OSAEC (UNICEF). For older children, the promise of education and money was a method of luring them into OSAEC, and this was often facilitated by their parents. For instance, one study participant stated that parents were paid Php 500 to Php 5,000 for each show involving their children. For younger children, the main reasons found for engagement in OSAEC were a lack of awareness of the consequences of what they were doing, having to obey their parents' instructions, and in some cases, accepting gifts such as candies and chocolates.</p> <p>One study indicates that vulnerabilities arising from poverty are a key risk factor for OSAEC, indicating that children from poorer families may be more at risk of inequities - including significant harm to their social integration, health and well-being - under this subdimension.</p>

RISKS

Natural hazards	No natural hazard-related risks were identified as yet under this subdimension.
Conflict	No conflict-related risks were identified as yet under this subdimension.
Health Crisis/Pandemic	<p>OSAEC has increased significantly during and following the COVID-19 pandemic. This is likely due to more children and young people spending more time online, although the reasons are as yet unclear. However, this highlights clear risks that future such major health events or pandemics could have regarding increasing rates of OSAEC.</p>

Legislation & Policy Analysis

On July 30, 2022, Republic Act 11930, also known as the Anti-Online Sexual Abuse or Exploitation of Children and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act, was passed.

This built on the provisions laid out in the Republic Act No. 9160 (Anti-Money-Laundering Act) of 2001 and Republic Act No. 9775 (Anti-Child Pornography Act) of 2009, both of which were repealed.

Republic Act 11930, also known as the Anti-Online Sexual Abuse and Exploitation of Children (OSAEC) Act, represents the Philippines' legislative response to combat the growing issue of online sexual abuse targeting children. Enacted to address the complexities of digital exploitation, this law enhances protective measures against OSAEC, aligning with modern technological advancements. This legislation signifies a crucial step towards safeguarding children's online safety and well-being, reinforcing the nation's commitment to fighting digital forms of child abuse and exploitation.

According to UNICEF 2022 'Disrupting Harm in the Philippines' study, 20 per cent of internet using children aged 12-17 in the Philippines were victims of online sexual abuse and exploitation in 2021. This highlighted the need for a new approach in tackling online abuse and exploitation of children. The law has strengthened "protection measures to match the technological and digital advancements since the passage of the Anti-Child Pornography Act in 2009." It allows the government to work hand in hand with the private sector, especially internet providers, to block child exploitation materials and ensure that technological safeguards are put in place to ensure the safety of children online. In May of 2023, the Implementation Rules and Regulations for the law was signed.

Bottleneck Analysis

Demand	<p>Prevalence of online sexual abuse and exploitation is often attributed to determinants and vulnerabilities relating to poverty. This means poverty is a risk factor affecting the likelihood of individuals to be at risk of this phenomenon and could equally be a bottleneck preventing those being exploited from seeking help.</p>
Supply	<p>No supply-side bottlenecks could be identified for this subdimension</p>
Enabling environment	<ul style="list-style-type: none"> • OSAEC is a new and growing phenomenon, which key stakeholders may be lacking the approaches and strategies to address. There are a wide range of actors involved in the production, distribution, collection and viewing of online sexual abuse of children, as well as a wide range of methods for content's dissemination and sharing. This can make it a challenging issue to deal with, as actors and mechanisms are constantly changing and require significant resources to manage.

- **Social norms significantly contribute to the perpetuation of OSAEC.** Although both parents and children recognize these acts as "inhumane" and "repugnant," they paradoxically view them as "ordinary." This normalization happens because community peers engaged in online sexual exploitation, particularly those perceived as economically advantaged, exert influence on the perception of what is considered normal.

DRAFT FOR REVIEW

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