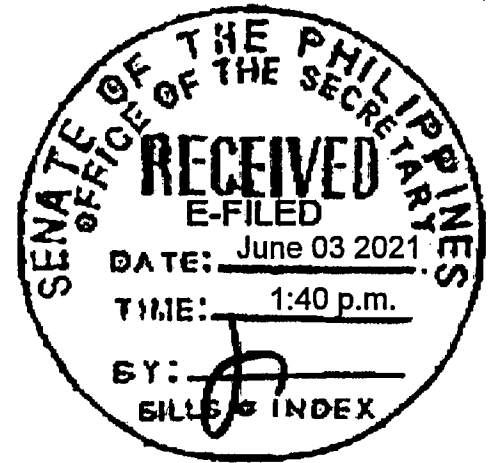


EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
Second Regular Session )



SENATE

P.S. Res. No. 745

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Introduced by SENATOR LEILA M. DE LIMA

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**RESOLUTION**

**DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE REPORTED SURGE OF ONLINE SEXUAL EXPLOITATION OF CHILDREN DURING THE COVID-19 PANDEMIC WITH THE END VIEW OF HOLDING PERPETRATORS ACCOUNTABLE, IMPROVING GOVERNMENT RESPONSE AND ADDRESSING THE AGGRAVATING FACTORS AND ROOT CAUSES OF CHILD ABUSE IN THE PHILIPPINES**

1           WHEREAS, Article II, Section 13 of the 1987 Constitution provides that, “[t]he  
2 State recognizes the vital role of the youth in nation-building and shall promote and  
3 protect their physical, moral, spiritual, intellectual and social well-being”;

4           WHEREAS, Article XV, Section 3 of the same posits that, “[t]he State shall  
5 defend the right of children to assistance, including proper care and nutrition, and  
6 special protection from all forms of neglect, abuse, cruelty, exploitation and other  
7 conditions prejudicial to their development”;

8           WHEREAS, Presidential Decree No. 603, otherwise known as the “The Child  
9 and Youth Welfare Code”, declares that “[t]he Child is one of the most important  
10 assets of the nation. Every effort should be exerted to promote his welfare and  
11 enhance his opportunities for a useful and happy life”;

12           WHEREAS, the Philippines has been tagged as the global epicenter of  
13 livestream sexual trafficking of children, based on data from the US-based National

1 Center for Missing and Exploited Children (NCMEC) and the Philippine Internet  
2 Crimes Against Children Center (PICACC);<sup>1</sup>

3 WHEREAS, cases surged during the pandemic as many Filipinos lost their  
4 jobs. Tech companies reported that more than 1.29 million images and videos of  
5 child pornography came from the Philippines in 2020. This was more than triple the  
6 number in 2019 or before the pandemic hit;<sup>2</sup>

7 WHEREAS, from March 1 to May 24, 2020 – in the early weeks of the  
8 lockdown – the Department of Justice (DOJ) reported 202,605 cases of online sexual  
9 exploitation of children (OSEC) or a 265% increase compared with the same period  
10 the previous year;<sup>3</sup>

11 WHEREAS, according to a study by the Washington-based International  
12 Justice Mission (IJM), the children’s own mother or another female relative is often  
13 the trafficker in many cases in the Philippines;<sup>4</sup>

14 WHEREAS, in September 2020, the United Nations Children’s Fund  
15 (UNICEF) cautioned that the online sexual abuse and exploitation in the Philippines  
16 is “worsening” amid the COVID-19 pandemic. According to UNICEF Philippines  
17 Representative Oyunsaikhan Dendevnorov, the fact that children are forced to stay at  
18 home due to quarantine restrictions, make them at risk of falling victim to online  
19 abuse and exploitation which are “harmful to their development and well-being”;<sup>5</sup>

20 WHEREAS, on 2 March 2021, the Human Rights Council held an interactive  
21 dialogue with Mama Fatima Singhateh, Special Rapporteur on the sale and sexual  
22 exploitation of children, who said the COVID-19 pandemic had caused a socio-  
23 economic crisis that had so far worsened the existing stark inequalities of vulnerable

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<sup>1</sup> Servallos, N. J. & Philippine Center for Investigative Journalism. (30 May 2021). *The Filipino mothers selling their children for online sexual abuse*. Retrieved 31 May 2021, from <https://news.abs-cbn.com/amp/spotlight/05/30/21/the-filipino-mothers-selling-their-children-for-online-sexual-abuse>

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*

<sup>4</sup> *Ibid.*

<sup>5</sup> Hallare, K. (17 September 2020) *UNICEF: Pandemic ‘worsening’ child online sexual abuse, exploitation in PH*. Retrieved 31 May 2021, from <https://globalnation.inquirer.net/190923/unicef-pandemic-worsening-child-online-sexual-abuse-exploitation-in-ph>

1 children and this had resulted in the amplification of their risks to sale, trafficking,  
2 sexual exploitation and abuse;<sup>6</sup>

3 WHEREAS, Ms. Singhateh, in presenting her report on the impact of the  
4 coronavirus disease on different manifestations of the sale and sexual exploitation of  
5 children, noted that the COVID-19 pandemic had “changed the pattern of sexual  
6 exploitation in which perpetrators were operating to produce, disseminate or  
7 consume child sexual abuse materials online.” Due to increased time spent indoors,  
8 there arose also an increase in online activity by those seeking child abuse material  
9 which evidently exacerbated the already existing patterns of online sexual  
10 exploitation of children;<sup>7</sup>

11 WHEREAS, one way the crime is being tracked is through the remittance  
12 centers as both locals and foreigners abusing Filipino children use these channels to  
13 pay the facilitators;<sup>8</sup>

14 WHEREAS, criminals have been fast to adapt to increased monitoring from  
15 law enforcement agencies as there is mounting evidence that perpetrators have  
16 dispersed into provinces and have decentralized their operations;<sup>9</sup>

17 WHEREAS, once run by organized criminal syndicates, OSEC has since  
18 turned into a cottage industry in the past decade, with perpetrators driven by poverty  
19 and aided by technological advancements that allow for easy connection to paying  
20 customers;<sup>10</sup>

21 WHEREAS, the United Nations Office on Drugs and Crime has already  
22 recommended that COVID-19 responses must be continuously monitored. “Where  
23 such measures unintentionally negatively impact vulnerable groups, such as

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<sup>6</sup> United Nations Human Rights Council. (02 March 2021) *COVID-19 pandemic has amplified the risks of vulnerable children to trafficking and sexual exploitation, Special Rapporteur on the sale of children tells Human Rights Council*. Retrieved 31 May 2021, from <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=26825>

<sup>7</sup> *Ibid.*

<sup>8</sup> *Supra* Note 4.

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

1 trafficking victims, adjustments must be made to minimize harm and to ensure the  
2 needs of such groups are adequately addressed”;<sup>11</sup>

3 WHEREAS, the challenge to protect the most vulnerable individuals in our  
4 society demands from the State a heightened response. The State must therefore take  
5 the most serious steps in eradicating these crimes by holding accountable the  
6 perpetrators;

7 WHEREAS, these sexual predators have thrived in this pandemic for far too  
8 long at the expense of the innocence and purity of our children. A full investigation  
9 must thus be carried out where all those who contribute to the growing trend  
10 including online platforms that allow them to proliferate or condone their  
11 proliferation by acquiescence, are prosecuted;

12 WHEREAS, both facilitators and clients of such illegal acts should be swiftly  
13 brought to justice and be punished to the full extent of the law;

14 WHEREAS, there is a need to tighten and enhance the government’s online  
15 monitoring systems and allocate more resources to combat the proliferation of such  
16 illegal activities;

17 WHEREAS, poverty and desperation seem to have fueled the surge in OSEC  
18 cases as it has coincided with the government failing to provide sufficient aid to poor  
19 families for the duration of this pandemic. While individuals who engage and  
20 facilitate such illegal acts should rightly be punished, structural issues of poverty,  
21 inequality and inadequate government support should also be considered in the  
22 bigger picture that needs to be addressed;

23 WHEREAS, gaps in domestic legislation must be inquired into and addressed  
24 so that they may adapt fully to the complexities of the situation, and to make our  
25 laws truly in compliance with our international obligations involving the youth;

26 WHEREAS, it is necessary to determine whether institutions responsible for  
27 the design, implementation and monitoring of action plans and strategies relating to  
28 OSEC are fully equipped and capacitated. There is also a need to determine whether  
29 allocations of budgetary and qualified human resources are adequate, whether there

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<sup>11</sup> United Nations Office on Drugs and Crime. *Impact OF THE COVID-19 PANDEMIC ON TRAFFICKING IN PERSONS. Preliminary findings and messaging based on rapid stocktaking*. Retrieved 31 May 2021, from: [https://www.unodc.org/documents/Advocacy-Section/HTMSS\\_Thematic\\_Brief\\_on\\_COVID-19.pdf](https://www.unodc.org/documents/Advocacy-Section/HTMSS_Thematic_Brief_on_COVID-19.pdf)

1 is proper coordination among stakeholders to avoid duplication of work and misuse  
2 of resources, and to address shortages in monitoring and assessment mechanisms;

3 WHEREAS, should inadequate regulation of internet companies such as social  
4 media platforms be determined, the State must implement measures that would  
5 guarantee that these companies would work hand in hand with it in cleansing the  
6 online environment so that such risks are mitigated;

7 WHEREAS, research and statistical information collection must be  
8 strengthened to give authorities a full grasp of the matter so that they may respond  
9 aptly and efficiently;

10 WHEREAS, the State must recognize that while health measures are truly  
11 necessary, protective measures that will provide for essential services for the  
12 upholding of the rights of the youth must not be sidelined;

13 WHEREAS, now is the time for us to step up and be the defenders that the  
14 children of this nation desperately need. We are bound by our duty to create an  
15 environment for them that is safe, where their innocence is protected and their rights  
16 are upheld;

17 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE, to direct the  
18 appropriate Senate Committee to conduct an inquiry, in aid of legislation, on the  
19 reported surge of online sexual exploitation of children during the COVID-19  
20 pandemic with the end view of holding perpetrators accountable, improving  
21 government response and addressing the aggravating factors and root causes of child  
22 abuse in the Philippines.

*Adopted,*

  
DEILA M. DE LIMA