DISRUPTING HARM IN THE PHILIPPINES

Evidence on online child sexual exploitation and abuse

Warning:
Disrupting Harm addresses the complex and sensitive topic of online child sexual exploitation and abuse. At times in the report, some distressing details are recounted, including using the direct words of survivors themselves. Some readers, especially those with lived experiences of sexual violence, may find parts of the report difficult to read. You are encouraged to monitor your responses and engage with the report in ways that are comfortable. Please seek psychological support for acute distress.

CONTENTS

FOREWORD

Our online lives are advancing constantly. The internet and rapidly evolving digital communication tools are bringing people everywhere closer together. Children are increasingly conversant with and dependent on these technologies, and the COVID-19 pandemic has accelerated the shift online of many aspects of children's lives.

The internet can be a powerful tool for children to connect, explore, learn, and engage in creative and empowering ways. The importance of the digital environment to children's lives and rights has been emphasised by the United Nations' Committee on the Rights of the Child in General Comment No. 25 adopted in 2021. The General Comment also stresses the fact that spending time online inevitably brings unacceptable risks and threats of harm, some of which children also encounter in other settings and some of which are unique to the online context.

One of the risks is the misuse of the internet and digital technologies for the purpose of child sexual exploitation and abuse. Online grooming, sharing of child sexual abuse material and live-streaming of child abuse are crimes against children that need an urgent, multi-sectoral and global response. These crimes are usually captured in permanent records in the form of digital images or videos, and are perpetually reshared online, victimising children over and over again. As risks of harm continue to evolve and grow exponentially, prevention and protection have become more difficult for governments, public officials, and providers of public services to children, but also for parents and caregivers trying to keep-up with their children's use of technology.

With progress being made towards universal internet connectivity worldwide, it is ever more pressing to invest in children's safety and protection online. Governments around the world are increasingly acknowledging the threat of online child sexual exploitation and abuse, and some countries have taken steps to introduce the necessary legislation and put preventive measures in place. At the same time, the pressure is mounting on the technology industry to put the safety of children at the heart of design and development processes, rather than treating it as an afterthought. Such safety by design must be informed by evidence on the occurrence of online child sexual exploitation and abuse; *Disrupting Harm* makes a significant contribution to that evidence.

The Global Partnership to End Violence against Children, through its Safe Online initiative, invested US$ seven million in the *Disrupting Harm* project. *Disrupting Harm* uses a holistic and innovative methodology and approach to conducting comprehensive assessments of the context, threats and children's perspectives on online child sexual exploitation and abuse. This unprecedented project draws on the research expertise of ECPAT, INTERPOL, UNICEF Office of Research – Innocenti, and their networks. The three global partners were supported by ECPAT member organisations, the INTERPOL National Central Bureaus and the UNICEF Country and Regional Offices. It is intended that the now developed and tested methodology is applied to additional countries around the world.

Disrupting Harm represents the most comprehensive and large-scale research project ever undertaken on online child sexual exploitation and abuse at a national level and has resulted in 13 country reports and two regional reports. It provides the comprehensive evidence of the risks children face online, how they develop, how they interlink with other forms of violence and what we can do to prevent them.

The findings will serve governments, industry, policy makers, and communities to take the right measures to ensure the internet is safe for children. This includes informing national prevention and response strategies, expanding the reach of *Disrupting Harm* to other countries and regions, and building new data and knowledge partnerships around it.

Disrupting harm to children is everyone's responsibility.

Dr Howard Taylor
Executive Director
End Violence Partnership

MESSAGE FROM THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT

Over the years, the use of the internet, computers, mobile phones, tablets, and other information and communications technology (ICT) gadgets has been an integral part of society. These technologies have helped us connect and engage with other people, including children.

According to the United Nations' Committee on the Rights of the Child in General Comment No. 25 adopted in 2021, "the digital environment is becoming increasingly important across most aspects of children's lives, including during times of crisis, as societal functions, including education, government services and commerce, progressively come to rely upon digital technologies. It affords new opportunities for the realisation of children's rights, but also poses risks of their violation or abuse." The General Comment also stresses that "crises, such as pandemics, may lead to an increased risk of harm online, given that children spend more time on virtual platforms in those circumstances."

Studies showed a proliferation of Child Sexual Abuse Material and Child Sexual Exploitation Material during the COVID-19 pandemic, revealing approximately 2,000,000 children subjected to Online Sexual Abuse and Exploitation of Children (OSAEC).

These cases of online sexual abuse and exploitation of children, perpetrated by either friends, peers, family members, romantic partners, or anyone on the internet, happen via social media platforms where the majority opt not to tell anyone about their endeavours. At the same time, only a few report their experiences to proper authorities and other feedback mechanisms.

With these increasing cases of OSAEC, it is our responsibility to consistently educate the public of the nature and dynamics of the issue and make our reporting helplines, hotlines, and all community-based mechanisms more accessible, especially to the children.

Disrupting Harm, a research project on online child sexual exploitation and abuse, was conducted in six Southeast Asian countries, including the Philippines, and seven countries in Eastern and Southern Africa. Data were triangulated from up to nine different research activities to generate each national report which tells the story of the threat and presents clear recommendations for action.

The Philippines, through the Department of Social Welfare and Development (DSWD), along with the 13 countries across Eastern and Southern Africa and Southeast Asia, took part in this evidence-based undertaking to provide comprehensive evidence of the risks and threats that the children may face online and the ways that can prevent these.

As the Chair and Co-Chair of the Inter-Agency Council Against Child Pornography (IACACP) and Inter Agency Council Against Trafficking (IACAT), the DSWD will continuously observe, protect, and safeguard the best interest and welfare of all Filipino children against OSAEC.

The DSWD extends its gratitude to all Council members and partners for their unwavering commitment and support to the initiatives in this study.

Rolando Joselito D. Bautista
DSWD Secretary and IACACP Chair

EXECUTIVE SUMMARY

Funded by the Global Partnership to End Violence against Children through its Safe Online initiative, ECPAT, INTERPOL and UNICEF Office of Research – Innocenti worked in partnership to design and implement *Disrupting Harm* – a research project on online child sexual exploitation and abuse (OCSEA). This unique partnership brings a multidisciplinary approach to a complex issue to examine multiple facets of the problem. The research was conducted in seven Eastern and Southern African countries and six Southeast Asian countries including the Philippines. Data is synthesised from nine different research activities to generate each national report which tells the story of the threat and presents clear recommendations for action.

Internet use, access, activities and skills

Almost all 12–17-year-olds in the Philippines (95%) are internet users – meaning that they have used the internet within the past three months. According to the *Disrupting Harm* representative household survey of 950 internet-using children in this age group, most internet-using children (79%) go online at least once a day, despite barriers to access which mostly stemmed from slow connections. Children mainly access the internet from their homes, followed by schools, internet cafes and malls. Almost all the children surveyed used smartphones to access the internet, and 63% – particularly the younger children – share their smartphones with someone else.

The most popular online activities among children were using social media (94%), doing schoolwork (94%) and watching videos (88%). Children's digital skills varied. While 82% of respondents said they could determine which images of them and their friends to share online, only 55% knew how to report harmful content on social media, and 57% how to change their privacy settings. Younger children aged 12–13, boys, and children in rural areas reported weaker digital skills than 16–17-year-olds, girls and children in urban areas, respectively.

Most of the caregivers of internet-using children (72%), who were also surveyed, used the internet themselves. They used the internet more frequently and reported better digital skills than caregivers in other *Disrupting Harm* study countries. This suggests that caregivers in the Philippines have the potential to support their children in using the internet safely. On the other hand, a considerable proportion of caregivers have never used the internet which raises concerns about their capacity to guide and support their internet-using children. Older caregivers were less experienced than younger ones in terms of both online skills and ability to identify potential risks online.

Risky online activities

Most children were aware of various online risks. Nevertheless, some of them engaged in risky online behaviours. For example, 13% had, within the past year, met someone in person whom they had first met online. According to those children, many of these encounters did not result in immediate harm and most respondents described being pleased about the experience of meeting someone face-to-face they had first got to know on the internet. In addition, 10% of the children had shared naked pictures or videos of themselves online in the past year – most children said they did this for fun, because they were in love or flirting, but in some cases following threats or pressure.

Children also encountered *content risks* online, with close to half of children seeing sexual content by accident in the past year alone (48%). These children were most likely to come across sexual images and videos in a social media post. On the other hand, 36% of children actively looked for sexual content online. The oldest children in the sample, aged 16–17, were most likely to do this. Caregivers of the children surveyed were mostly concerned that their children will encounter sexual images or talk to strangers online.

EXECUTIVE SUMMARY

Children's experiences of online sexual exploitation and abuse

There is a growing body of literature around online child sexual exploitation and abuse[1] in the Philippines, including several landmark studies, such as the 2021 National Study on Online Sexual Abuse and Exploitation of Children in the Philippines (National Study on OSAEC) conducted by the Department of Social Welfare and Development (DSWD) – Inter-Agency Council Against Child Pornography with support from UNICEF Philippines.[2] These studies provide an important baseline for the state of OCSEA in the country and are enriched further by findings in this report.

In the *Disrupting Harm* household survey, children were also asked whether they have been subjected to different forms of OCSEA in the past year prior to data collection. Under the *Disrupting Harm* study, OCSEA is defined as situations that involve digital or communication technologies at some point during the continuum of the sexual exploitation or abuse of a child.

According to *Disrupting Harm* household survey data, in the past year alone, 20% of internet-using children aged 12‑17 in the Philippines were victims of grave instances of online sexual exploitation and abuse. This includes being blackmailed to engage in sexual activities, someone sharing their sexual images without permission, or being coerced to engage in sexual activities through promises of money or gifts. Children were most commonly subjected to OCSEA via social media. Considering the large population of internet-using children in the Philippines, the results from this nationally-representative survey reveal the extent of this threat for children. According to *Disrupting Harm* estimates, when scaled to the size of the population, this represents an estimated two million children who were subjected to any of these harms in just one year. Moreover, it is plausible that some children preferred not to mention some of their experiences of abuse because they are sensitive and difficult to discuss; non-response rates to questions about OCSEA were high, which could imply that the proportion of children who experience OCSEA in the Philippines may be even higher than the estimates in this report.

Disclosure and reporting of online sexual exploitation and abuse

In the Philippines, a considerable proportion of children did not disclose or report their abuse. Between 30% and 40% of the children subjected to the various forms of OCSEA captured in the household survey did not tell anyone the last time this happened. Those who did disclose were most likely to confide in a friend, followed by a family member.

There are several reporting channels available in the Philippines, such as community-based non-governmental organisations, the *Bantay Bata 163* helpline, law enforcement, and other official bodies. Yet, formal reporting of OCSEA remains low among children. According to the household survey, very few children (0–4%) who were subjected to OCSEA reported the incident to the police, a social worker or a helpline. This suggests that factors other than the availability of services might influence the reporting of OCSEA cases.

A range of social norms may contribute to the non-disclosure and non-reporting of OCSEA cases, from discomfort in talking about sex to lack of awareness of online risks and a belief in "no touch, no harm", whereby, in the absence of physical contact, online abuse is considered less harmful. Additionally, it could be particularly difficult for children, family members or other adults to report OCSEA cases in which the child's caregiver or another family member is the offender or facilitates their abuse.

Among the children surveyed who were subjected to OCSEA but did not disclose what happened to them, the main barriers included: a lack of awareness of where to report or who to talk to; feelings of shame or embarrassment; thinking what happened was not serious enough to report; concerns about getting into trouble; and fear of not being believed.

Asked what they would do if their child was sexually harassed or abused, 49% of caregivers surveyed said they would – in theory – tell the police, and 41% a social worker. However, findings suggest that caregivers and adults in general are not often informed about children's experiences of OCSEA, which means they are not always in a position to report these instances of abuse.

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1. Commonly referred to as Online Sexual Abuse and Exploitation of Children or 'OSEAC' in the Philippines.
2. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography & UNICEF Philippines. (2021). National Study on Online Sexual Abuse and Exploitation of Children in the Philippines Final Report.

Disrupting Harm in the Philippines – Evidence on online child sexual exploitation and abuse

OCSEA data, patterns, offenders and vulnerabilities

Available law enforcement data on all recorded offences involving violence against children shared by INTERPOL National Central Bureau in Manila indicate a high number of offences recorded under the Special Protection of Children against Child Abuse, Exploitation and Discrimination Act during the period 2017 to 2019.

Previous research and the information obtained from law enforcement authorities and frontline workers highlight the involvement of foreign nationals in the online sexual exploitation and abuse of children in the Philippines.[3,4] The majority of the OCSEA cases recorded and investigated by law enforcement in the Philippines are, in fact, initially reported by foreign law enforcement agencies and non-governmental organisations. This however might be influenced by factors such as a reactive rather than proactive nature of investigations in the country and should not be read as indicating that foreigners constitute the majority of OCSEA offenders.

In particular, attention has been drawn to the live-streaming and/or recording of the abuse of children in the Philippines requested by foreigners, and organised through abusers and other facilitating offenders in the country – sometimes including the caregivers or other relatives of the children concerned.

The number of reports of suspected OCSEA (known as CyberTips) in the Philippines submitted by electronic service providers – such as social media platforms – to the United States National Center for Missing and Exploited Children (NCMEC) increased by 479% between 2017 and 2019. The Philippines accounted for a large number of the global total in 2019, totalling up to 4.7%. Almost all of the CyberTips for the Philippines concerned the possession, manufacture and distribution of child sexual abuse material (CSAM).

Law enforcement data and a survey of frontline workers indicated that girls are more commonly victims of OCSEA in recorded cases than boys, whereas the *Disrupting Harm* household survey with internet-using children did not reveal notable differences by gender. This might suggest that, while boys and girls experience OCSEA at similar rates, it might be more common for girls to formally report their abuse than boys.

Household survey data from internet-using children in other *Disrupting Harm* countries indicated that people known to the child were most likely to perpetrate online sexual exploitation and abuse. On the other hand, in the Philippines the survey results suggested that offenders were most likely to be persons *unknown* to the child. This has implications for prevention and awareness-raising efforts.

Identification and investigation of OCSEA cases

The Philippines has substantial legislation on OCSEA-related offences. However, live-streaming of child sexual abuse and online sexual harassment and sexual extortion are yet to be explicitly criminalised, and the definition of CSAM is incomplete, since it does not explicitly cover depictions of the sexual parts of a child's body for primarily sexual purposes. Additionally, *Disrupting Harm* evidence on OCSEA in the Philippines shows that while many promising practices exist, some challenges remain. For example, in the conduct of investigations, interviews with law enforcement representatives indicated that the units face challenges due to limited human resources, high staff turnover, the lack of critical databases, and unmet needs for training and specialised equipment. The Office of Cybercrime has limited capacity to handle the number of international referrals received. The reliance on external referrals and lack of pro-active investigations is of great concern. Despite the obligations imposed by the Anti-Child Pornography Act, effective and timely cooperation with Internet service providers and telecommunication companies can also be a challenge for OCSEA investigators and prosecutors.

3. Brown, R.; Napier, S.; Smith, R. (2020). Australians who view live streaming of child sexual abuse: An analysis of financial transactions. *Trends and Issues in Crime and Criminal Justice.*
4. International Justice Mission. (2020). Online Sexual Exploitation of Children in the Philippines: Analysis and Recommendations for Governments, Industry, and Civil Society.

Children's experiences with law enforcement mechanisms, the justice process and social services

The Anti-Child Pornography Act makes certain child-friendly procedures obligatory during investigations and judicial processes. Good practices include the use of online interviews and remote participation in court to avoid further traumatisation of the child. However, not all police officers, prosecutors and judges are adequately trained. In addition, some trials can last for years. According to interviews with three children who had their sexual abuse live-streamed, their experiences with the judicial process was lengthy and confusing. They did not fully understand the procedures and felt they had limited agency. *Disrupting Harm* findings also suggest that child-friendly practices are not always implemented, for example victims having to give their testimonies multiple times. This may result in non-reporting of cases, withdrawal of complaints, or retraction of statements.

In the Philippines, emphasis is placed on using a multi-disciplinary approach to address OCSEA. The 2013 *Protocol for Case Management of Child Victims of Abuse, Neglect and Exploitation*[5] specifies the roles and responsibilities of various government agencies and their partners from reporting to case termination. The *Disrupting Harm* survey of 37 frontline service providers suggested that medical and legal aid available to children subjected to OCSEA were excellent, but psychological support and reintegration services were rated less positively. According to *Disrupting Harm* interviews with government actors, access to support and services is unequal, partly due to the decentralisation of government services. National and regional entities do not have direct or regular access to local communities, nor do they have the ability to enforce child protection legislation or provide services within those communities. This has also been cited as a major challenge for child protection systems in the Philippines by other studies.[6]

Disrupting Harm findings show that children may be targeted by rescue operations and then be placed in shelter facilities for their own safety pending the outcome of the court case. *Disrupting Harm* interviews with three OCSEA survivors reveal that alternatives to institutionalised care are not always adequately considered. In the experiences of those survivors, their rescue operations were not conducted in a child-friendly way; they found the rescue operations frightening and experienced boredom and homesickness while staying in the shelters.

Current initiatives for children

The National Response Plan to Address Online Sexual Abuse and Exploitation of Children (2017–2020) adopted a comprehensive approach to OCSEA and contributed to evidence generation. The National Plan of Action to End Violence against Children (2017–2022) also recognises violence against children online including OCSEA. While the Philippines is to be commended for action plans which integrate OCSEA, the evidence of OCSEA in the country presented in this report makes it clear that there is a need to devote further effort, resources and attention to the mechanisms required to implement these frameworks.

There are a number of promising awareness raising initiatives in the Philippines that touch on OCSEA, such as *#BeCyberSafe by* the Department of Education; the *Child Protection Seminar* initiative with internet café and computer shop owners, or the annual *Safer Internet Day,* among others. These initiatives reflect a commitment by the Philippines Government and other stakeholders to improve the visibility of these crimes against children. However, comprehensive evaluations of these campaigns are needed to measure their effectiveness.

International cooperation has been further enhanced through the Philippines Internet Crimes Against Children Center, established in 2019 with the involvement of the Australian Federal Police, the UK National Crime Agency and International Justice Mission (IJM). The Philippine law enforcement agencies are receiving training through *Advanced Investigative Workshop* organised and coordinated by IJM, and are cooperating increasingly with financial service providers to investigate OCSEA cases.

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5. Department of Justice. (2013). Protocol for Case Management of Child Victims of Abuse, Neglect, and Exploitation.
6. PLCPD Foundation and UNICEF. (2017). Improving National and Local Systems and Capacities Towards Better Child Protection in the Philippines.

Non-governmental organisations contribute to the response to OCSEA through cooperation with law enforcement and justice actors (many OCSEA cases are brought to non-governmental organisations first), the provision of victim support services, and awareness-raising and training.

Telecommunications companies are supporting training programmes for young people and teachers on digital literacy and online safety. A code of conduct on child protection is being developed for Internet service providers in line with the *Children's Rights and Business Principles*.

Key insights

The report concludes by highlighting six key insights from the research:

1. In the past year alone, 20% of internet-users aged 12–17 in the Philippines were victims of grave instances of online sexual exploitation and abuse. This includes being blackmailed to engage in sexual activities, someone sharing their sexual images without permission, or being coerced to engage in sexual activities through promises of money or gifts. Scaled to the size of the population, this represents an estimated two million children who were subjected to any of these harms in just one year.

2. According to the household survey, OCSEA is most often committed by individuals unknown to the child – between 46% and 61% depending on the type of OCSEA in question. However, it can also be facilitated and committed by people the child already knows. These can be friends or acquaintances of the child (both peers and adults) but also romantic partners and family members.

3. Among children who experienced OCSEA on social media, Facebook or Facebook Messenger were the most common platforms where this occurred, accounting for over 90% of cases. Other platforms cited, to a much lesser degree, were TikTok, Twitter, Instagram, and Snapchat.

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> ## An estimated two million children were subjected to grave instances of online sexual exploitation and abuse in just one year.
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4. Many children in the Philippines did not tell anyone the last time they were subjected to OCSEA. Very few turn to formal reporting mechanisms like helplines or the police. Children who disclose their abuse often rely on their friends for support;

5. A range of promising initiatives driven by both government and civil society are already underway in the Philippines, however challenges still exist. These challenges include varying levels of capacity among responders across the country, inadequate infrastructure, and a lack of tools for operational activities including early detection, child-friendly investigations and the resolution of cases.

6. While important OCSEA-related legislation, policies and standards are enacted in the Philippines, implementing these frameworks requires more attention, prioritisation, and investment.

The report ends with a detailed road map that is actionable and relevant for stakeholders with a duty to protect children from OCSEA: government; law enforcement; justice and social service sectors; communities, teachers and caregivers; and digital platforms and service providers. Many of the recommended actions align with the *Regional Plan of Action for the Protection of Children from All Forms of Online Exploitation and Abuse in ASEAN*.[7] These are too detailed to be recounted in the Executive Summary but can be found on of this report.

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7. ASEAN. (2021). Regional Plan of Action for the Protection of Children from All Forms of Online Exploitation and Abuse in ASEAN: Supplement to the ASEAN Regional Plan of Action on the Elimination of Violence Against Children.

DISRUPTING HARM METHODS

As with all the settings in which children live and grow, the online environment may expose them to risks of sexual exploitation and abuse. Yet the scarcity of the available evidence makes it difficult to grasp the nature of the harm caused or to make constructive recommendations on public policies for prevention and response. Informed by the 2018 WeProtect Global Alliance Threat Assessment[8] and a desire to understand and deepen the impact of its existing investments, the Global Partnership to End Violence against Children, through its Safe Online initiative, decided to invest in research to strengthen the evidence base – with a particular focus on 13 countries across Eastern and Southern Africa and Southeast Asia.

Figure 1: *Disrupting Harm* methods in the Philippines.
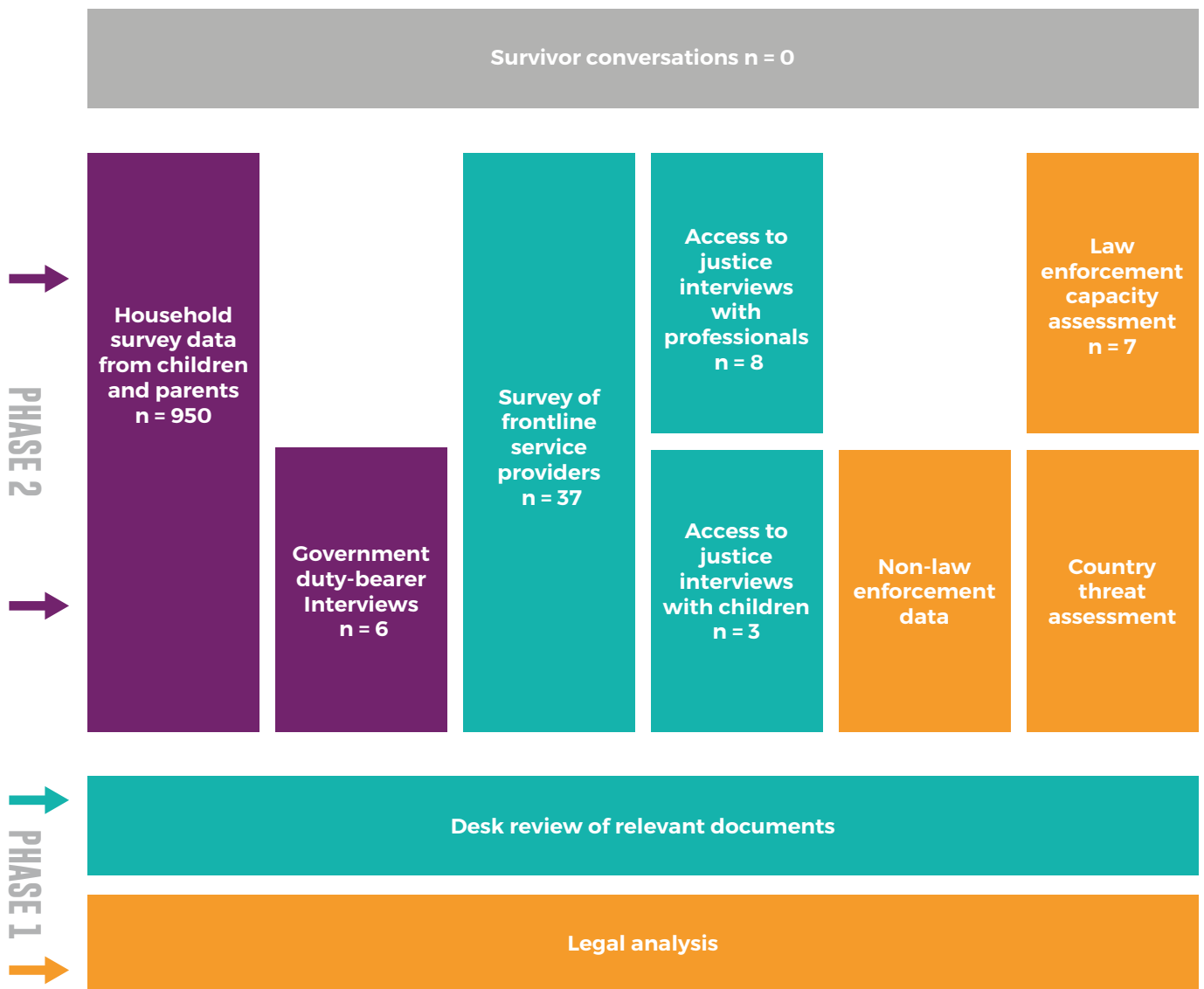
8. WeProtect Global Alliance. (2018). Global Threat Assessment 2018: Working together to end the sexual exploitation of children online. London: WeProtect Global Alliance.

The countries of focus in the Eastern and Southern Africa region are: Ethiopia, Kenya, Mozambique, Namibia, South Africa, Tanzania and Uganda. The countries of focus in the Southeast Asian region are: Cambodia, Indonesia, Malaysia, the Philippines, Thailand and Vietnam.

ECPAT, INTERPOL and UNICEF Office of Research – Innocenti worked in collaboration to design and implement the *Disrupting Harm* project. In total, the three organisations collected data for nine unique research activities. Extensive data collection took place in the Philippines from early 2020 through to early 2021. This was followed by intensive triangulation that resulted in a series of 13 country reports. Data analysis for the Philippines was finalised in May 2021. Using the same methodology in all participating countries also allows for inter-country comparisons. In addition, the findings and advised next steps are expected to have relevance for a broader global audience. The desired outcome of this report is to provide a baseline and evidence for policy makers in the Philippines to tackle and prevent online child sexual exploitation and abuse (OCSEA) and strengthen support to children. Recommended actions made in the report are aligned with the Model National Response[9] and contribute to the 2030 Agenda for Sustainable Development.[10]

Summary of methods used by ECPAT in the Philippines

Government duty-bearer[11] interviews

Six interviews were conducted between September 2020 and January 2021 with six senior national government representatives[12] whose mandates include OCSEA. Due to the COVID-19 pandemic, these interviews were conducted virtually while other intended interviews could not go ahead. Some participants were hesitant to speak on the topic as they felt other agencies were better placed. More information on the methodology can be found here, while the preliminary report of this data can be found here. Attributions to data from these respondents have ID numbers beginning with RA1 throughout the report.[13]

Analysis of non-law enforcement data and consultations

A range of non-law enforcement entities have data and insight on the nature and scale of OCSEA. Data were obtained from the International Association of Internet Hotlines (INHOPE), the Internet Watch Foundation and Child Helpline International. Qualitative insight was provided by a number of global technology platforms. Where relevant, this information supplements the analysis contributed by INTERPOL (see below).

Survey of frontline social service providers

A convenience sample of 37 client-facing frontline workers such as youth outreach workers, social workers, case managers, psychologists, and health and legal professionals working directly on children's cases participated in a survey administered online from August to December 2020. This research activity aimed to explore the scope and context of OCSEA as observed by those working on the social support front line. More information on the methodology can be found here, while the preliminary summary report of this data can be found here. Attributions to data from these respondents have ID numbers beginning with RA3 throughout the report.

Access to justice interviews with OCSEA victims and their caregivers

Interviews were conducted in April 2021 with three girls aged between 13 and 19 who had accessed the justice system for OCSEA cases. The children's caregivers were also interviewed. This research activity aimed to provide a better understanding of how and to what extent child subjected to OCSEA can access justice and remedies in the Philippines. The participants came from three regions – namely Southern Luzon, Central Luzon and Calabarzon. Although the local research team spent several months establishing a list of children, only three children and three of their caregivers were able to participate. Factors impeding the participation of more children included domestic travel restrictions due to COVID-19, the fact that there were other research projects seeking to interview children around

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9. WeProtect Global Alliance. (2016). Preventing and Tackling Child Sexual Exploitation and Abuse: A model national response. London: WeProtect Global Alliance.
10. United Nations. (n.d.) Sustainable Development Goals. See: Goals 5.2, 8.7 and 16.2.
11. In this instance, duty-bearers are defined as those who hold specific responsibilities for responding to the risks of OCSEA at a national level.
12.Participants represented: the Commission on Human Rights, Department of Interior and Local Government, Department of Information and Communication Technology, Council for the Welfare of Children, Department of Justice, Department of Social Welfare and Development and the Inter Agency Council Against Child Pornography.
13. The format RA1-PH-01-A is used for IDs. 'RA1' indicates the research activity, 'PH' denotes Philippines, '01' is the participant number and 'A' indicates the participant when interviews included more than one person.

the same time, and there being unable to obtain permission from the relevant agencies to interview children in government shelters due to confidentiality issues and pandemic restrictions. More information on the methodology can be found here, while the preliminary summary report of this data can be found here. Attributions to data from these respondents have ID numbers beginning with RA4 throughout the report; the word 'child' or 'caregiver' is also included in the ID numbers to indicate which interviews were with children, and which were with caregivers.

Access to Justice interviews with justice professionals

Interviews were conducted with eight criminal justice professionals between November 2020 and February 2021. The sample included government and non-government respondents who had experience with OCSEA criminal cases.[14] More information on the methodology can be found here, while the preliminary summary report of the data can be found here. Attributions to data from these respondents have ID numbers beginning with RA4 throughout the report. The suffix 'justice' is also included in the ID numbers to indicate the interviews with justice professionals.

Literature review and legal analysis

A literature review was undertaken to inform the research teams prior to primary data collection. A comprehensive analysis was conducted of the legislation, policy and systems addressing OCSEA in the Philippines. This was finalised in July 2020. More information on the methodology can be found here, while the full report on the legal analysis can be found here.

Conversations with OCSEA survivors

Unstructured, one-on-one conversations led by trauma-informed expert practitioners were arranged with 33 young survivors of OCSEA in five selected *Disrupting Harm* countries (nine girls in Kenya, five boys and seven girls in Cambodia, seven girls in Namibia, four girls in Malaysia and one boy in South Africa). The participants were aged between 16 and 24 at the time of the interviews, but had all been subjected to OCSEA as children. Although not conducted in all countries covered by the project, these conversations are meant to underline

common themes and issues in all 13 *Disrupting Harm* countries. For this reason, the survivor conversations were analysed collectively for all countries. More information on the methodology can be found here.

Summary of methods used in the Philippines by INTERPOL

Quantitative case data analysis

Data were sought on cases related to OCSEA from law enforcement authorities via the INTERPOL National Central Bureau in each country. Data were also obtained from the mandated reports of U.S.-based technology companies to the National Center for Missing and Exploited Children and from a number of other partner organisations with a view to deepening the understanding of relevant offences committed in the country, offender and victim behaviour, crime enablers and vulnerabilities. Crime data was analysed for the three years from 2017 to 2019.

Qualitative capacity assessments

In addition to seeking data on OCSEA cases, INTERPOL requested data on the capacity of the national law enforcement authorities to respond to this type of crime and interviewed serving officers. Particular emphasis was placed on human resources, access to specialist equipment and training, investigative procedures, the use of tools for international cooperation, achievements and challenges. Attributions to data from this activity have ID numbers beginning with RA8 throughout the report. More information on INTERPOL's methodologies can be found here.

Summary of methods used in the Philippines by UNICEF Office of Research – Innocenti

Household survey of internet-using children and their caregivers

In order to understand children's use of the internet and the risks and opportunities they face online, particularly OCSEA, a nationally representative household survey was conducted face-to-face with 950 internet-using children while adhering to COVID 19-related restrictions and procedures in force in the country at the time. The term 'household survey' is used throughout the report to indicate findings that come from this specific research activity. The target

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14. Two legal officers from the Children's Legal Bureau; a judge from the Pasig City Supreme Court; a judge from the Supreme Court of the Philippines; the Senior Assistant Provincial Prosecutor of Cebu from the Department of Justice; a police major from the Philippines National Police Women and Children Protection Center/Philippine Internet Crimes against Children Center; the Chief of the Trafficking in Persons Division from the Philippines National Police Women and Children Protection Center, a police officer from the Philippines National Police Women and Children Protection Center.

population for the survey was children aged 12–17 in the Philippines who had accessed the internet in the three months prior to the interview. Additionally, one parent or caregiver of each child was interviewed. The sample characteristics are as follows:

Figure 2: Household survey sample characteristics.

Girls	56%
Boys	44%
12–13-year-olds	33%
14–15-year-olds	34%
16–17-year-olds	34%
Rural	55%
Urban	45%
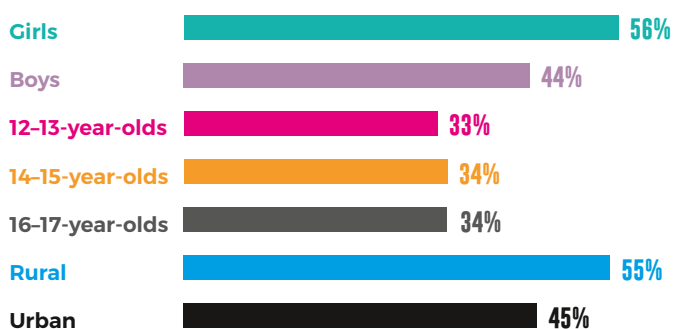
To achieve a nationally representative sample, the survey used random probability sampling with national coverage. In the Philippines, fieldwork coverage was 96%. The Autonomous Region in Muslim Mindanao was not covered due to security and safety issues. Coverage is defined as the proportion of the total population that had a chance of being included in the survey sample – meaning that the fieldwork would cover the area where they live, if sampled.

The sampling followed a three-stage random probability clustered sample design. At the first stage, 100 primary sampling units were selected. The list of primary sampling units was provided by the Philippine Statistics Authority. At the second stage, interviewers selected addresses in the field using random walk procedures and attempted contact at the selected addresses to screen for members of the survey population using a screening question developed for this purpose. At the third stage, individuals (children and caregivers) were selected within each eligible household using random methods.

In every household visited, an attempt was made to collect data on the number of 12–17-year-old children in the household, their gender, and whether they had used the internet in the past three months. This allowed the researchers to estimate internet penetration rates for all 12–17-year-old children in the Philippines.

The fieldwork took place between 11 January 2021 and 15 April 2021. Data collection was coordinated by Ipsos MORI and carried out by Ipsos Philippines on behalf of UNICEF Office of Research – Innocenti.

To enhance the precision of the estimates presented, the household survey data used throughout this report was weighted following best practice approaches for the weighting of random probability samples. The weighting included the following stages:

- Design weight adjustments to reflect the probabilities of selection (inverse probability weights);
- Non-response weights to reduce non-response bias; and
- Post-stratification weights to adjust for differences between the sample and population distributions.

A more detailed explanation of the methodological approach and the specific methods used for analysis of the household survey data can be found here.

Ethical Approval

UNICEF Innocenti's research component was reviewed and approved by the Philippine Social Science Council Ethical Review Board (SSERB). ECPAT's components were reviewed and approved by the Philippine Council for Health Research and Development, Department of Science and Technology. The protocols of both ECPAT and UNICEF were also reviewed and approved by the Health Media Lab (HML) Institutional Review Board.

The INTERPOL research activities entailed interviews with law enforcement officials in units dealing with the area of crime in question, and with relevant police units and national agencies that handle police data. INTERPOL did not have contact with children or victims. Nevertheless, to ensure proper ethical conduct and research standards, the INTERPOL team completed an online course on Responsible Conduct of Research from the Collaborative Institutional Training Initiative. Furthermore, all research activities were implemented in accordance with INTERPOL's Code of Conduct.

National Consultation

In a national consultation that took place on December 7, 2021, representatives from government, law enforcement, civil society and other sectors were asked to provide input on the *Disrupting Harm* findings and recommendations to enhance their relevance for the national context.

ABOUT ONLINE CHILD SEXUAL EXPLOITATION AND ABUSE

Child sexual abuse refers to various sexual activities perpetrated on children (persons under 18), regardless of whether or not the children are aware that what is happening to them is neither normal nor acceptable. It can be committed by adults or peers and usually involves an individual or group taking advantage of an imbalance of power. It can be committed without explicit force, with offenders frequently using authority, power, manipulation or deception.[15]

Child sexual exploitation involves the same abusive actions. However, an additional element of a threat or of exchange for something (e.g., money, shelter, material goods, or non-material components such as protection, a relationship, or even the mere promise of such) must also be present[16]

> **_Online child sexual exploitation and abuse_ (OCSEA)** refers to situations involving _digital, internet_ and _communication technologies_ at some point during the continuum of abuse or exploitation. OCSEA can occur fully online or through a mix of online and in-person interactions between offenders and children.

Disrupting Harm focuses on how technology can be mis-used to facilitate child sexual exploitation and abuse. Its use of the term OCSEA does not refer to abuse or exploitation that occurs exclusively online, nor is it the intention of _Disrupting Harm_ to create an artificial divide between online and offline child sexual exploitation and abuse. Children can be abused or exploited while they spend time in the digital environment, but equally, offenders can use digital technology to facilitate their actions, e.g., to document and share images of in-person abuse and exploitation, or to groom children to meet them in person.

Disrupting Harm focuses on how technology _facilitates_ child sexual exploitation and abuse and

contributes evidence needed to understand the role digital technology plays in perpetrating sexual violence against children.

Any characterisation of OCSEA must recognise that the boundaries between online and offline behaviour and actions are increasingly blurred[17] and that responses need to consider the whole spectrum of activities in which digital technologies may play a part. This characterisation is particularly important to keep in mind as children increasingly see their online and offline worlds as entwined and simultaneous.[18,19]

For _Disrupting Harm_, OCSEA was defined specifically to include child sexual exploitation and abuse that involves:

- Production, possession or sharing of **child sexual abuse material (CSAM)**: Photos, videos, audios or other recordings, or any other representation of real or digitally generated child sexual abuse or sexual parts of a child for primarily sexual purposes.[20]
- **Live-streaming of child sexual abuse:** Child sexual abuse that is perpetrated and viewed simultaneously in real-time via communication tools, video conferencing tools and/or chat applications. In most cases, the offender requesting the abuse in exchange for payment or other material benefits is physically in a different location from the child(ren) and the facilitators of the abuse.
- **Online grooming of children for sexual purposes:** Engagement with a child via technology with the intent of sexually abusing or exploiting the child.

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15. Interagency Working Group on Sexual Exploitation of Children. (2016). Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse. Bangkok: ECPAT International. 18.

16. Interagency Working Group on Sexual Exploitation of Children. (2016). Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse. Bangkok: ECPAT International. 24.

17. May-Chahal, C., & Palmer, C. (2018). Rapid Evidence Assessment: Characteristics and vulnerabilities of victims of online-facilitated child sexual abuse and exploitation. Independent Inquiry into Child Sexual Abuse. UK: Lancaster University.

18. Stoilova, M., Livingstone, S., Khazbak, R. (2021). Investigating Risks and Opportunities for Children in a Digital World: A rapid review of the evidence on children's internet use and outcomes. Innocenti Discussion Papers no. 2021-01, Florence: UNICEF Office of Research – Innocenti.

19. Third, A, Bellerose, D, Dawkins, U, Keltie, E & Pihl, K. (2014). Children's Rights in the Digital Age: A Download from Children Around the World. _Young and Well Cooperative Research Centre_, Melbourne.

20. Interagency Working Group on Sexual Exploitation of Children. (2016). Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse. Bangkok: ECPAT International. 40.
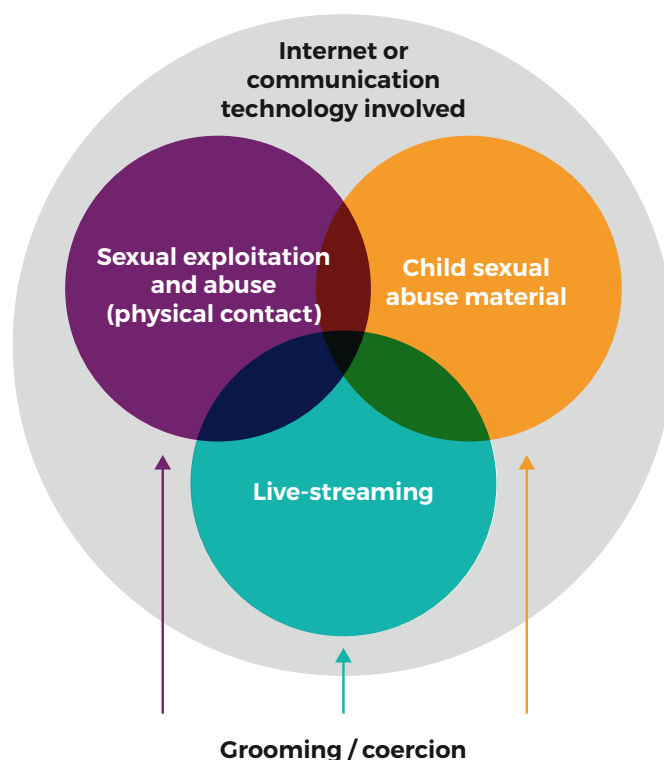
Figure 3: Framing the main forms of online child sexual exploitation and abuse explored by *Disrupting Harm*.

While international legal instruments[21] criminalising grooming indicate that this must take place with intent to meet the child in person, it has become increasingly common for offenders to sexually abuse children online by, for example, manipulating them into self-generating and sharing CSAM through digital technologies, without necessarily having the intention of meeting them and abusing them in person.

Besides these main categories, the *Disrupting Harm* reports also address other phenomena that contribute to understanding the contexts and socio-cultural environments in which OCSEA occurs.

- **The sharing of self-generated sexual content involving children**[22] can lead to or be part of OCSEA, even if this content is initially produced and shared voluntarily between peers, as it can be passed on without permission or obtained by deception or coercion.

- **Sexual extortion of children**[23] refers to the use of blackmail or threats to extract sexual content or other benefits (e.g., money) from the child, often using sexual content of the child that has previously been obtained as leverage.

- **Sexual harassment of a child**[24] and unwanted exposure of a child to sexual content[25] are other phenomena which *can* constitute or enable OCSEA in some instances. For example, offenders can deliberately expose children to sexual content as part of grooming to desensitise them to sexual acts. However, for the purposes of evidence-based policy and programme development, it is important to acknowledge that there are differences between voluntary viewing of sexual content by children and viewing that is forced or coerced. The former is not included in the definition of OCSEA used in the *Disrupting Harm* study.

21. The only two legally binding international instruments containing an obligation to criminalise the grooming of children for sexual purposes are: Council of Europe. (2007). Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. Council of Europe Treaty Series – No. 201. Article 23; and European Parliament and Council. (2011). Directive 2011/92/EU on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA. Article 6.
22. Cooper, K., Quayle, E., Jonsson, L. & Svedin, C.G. (2016). Adolescents and self-taken sexual images: A review of the literature. Computers in Human Behavior, vol. 55, 706-716.
23. Interagency Working Group on Sexual Exploitation of Children. (2016). Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse. Bangkok: ECPAT International. 52.
24. Interagency Working Group on Sexual Exploitation of Children. (2016). Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse. Bangkok: ECPAT International. 21.
25.Interagency Working Group on Sexual Exploitation of Children. (2016). Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse. Bangkok: ECPAT International. 44.

ABOUT THE PHILIPPINES – DEMOGRAPHICS AND INTERNET USAGE

Despite increasing connectivity around the world, few countries regularly update their formal internet use statistics or disaggregate them for their child populations. This presents a challenge in understanding how young people's lives are impacted by digital technologies, particularly in low- and middle-income countries. The infographic below summarises the latest data on internet access and social media use in the Philippines, some of which was gathered directly through the *Disrupting Harm* nationally representative household survey of internet-using 12–17-year-olds.

The data presented here provide an important backdrop for understanding the various facets of children's internet use. However, methodological limitations may affect the quality of data from some secondary sources. Reliance on purposive or other non-probability sampling techniques means that the data cannot be considered representative of the population in question. In addition, variations in data collection methods and definitions of internet use pose a challenge for comparing different countries.

POPULATION TOTAL 2020
Census data:
109,035,343[26,27]

FEMALE POPULATION 2020
UN data:
54,552,000[28]

MALE POPULATION 2020
UN data:
55,029,000[29]

POPULATION UNDER 18 2018
UN data:
39,242,000[30]

Under 18

36%
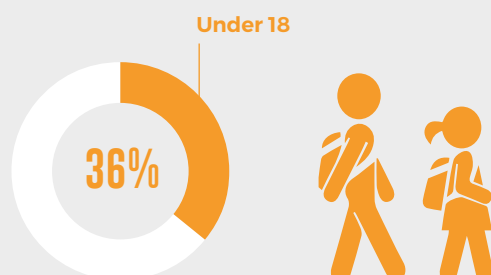
URBAN POPULATION 2018: 47%[31]
2030 prospective: 51%[32]

Urban

47%
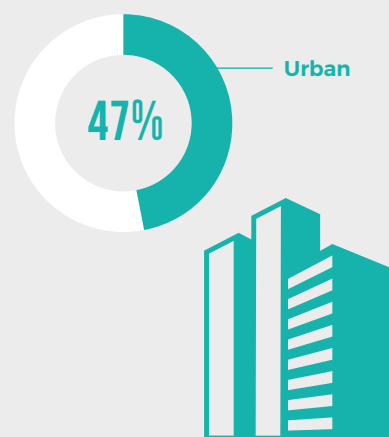
MEDIAN AGE 2020[33]
25.7
Estimate

GDP PER CAPITA 2019 (US$)
$3,299[34]

26. Includes 2,098 Filipinos in Philippine embassies, consulates, and missions abroad.
27. Philippine Statistics Authority (July 7, 2021). 2020 Census of Population and Housing (2020 CPH) Population Counts Declared Official by the President.
28. United Nations Population Division. (2020). World Population Prospects 2019.
29. United Nations Population Division. (2020). World Population Prospects 2019.
30. UNICEF. (2021). The State of the World's Children 2021. UNICEF, New York.
31. United Nations Population Division. (2020). World Urbanization Prospects: The 2018 Revision.
32. United Nations Population Division. (2020). World Population Prospects 2019.
33. United Nations Population Division. (2020). World Population Prospects 2019.
34. World Bank. (2020). GDP per capita (current US$) – Philippines.

ABOUT THE PHILIPPINES – DEMOGRAPHICS AND INTERNET USAGE

POVERTY RATES

AS OF 2018, 17% OF FILIPINOS (18 MILLION INDIVIDUALS) AND 12% OF FAMILIES (3 MILLION FAMILIES) LIVED BELOW THE POVERTY LINE, ESTIMATED AT PHP10,727 PER MONTH, ON AVERAGE[35]

17%
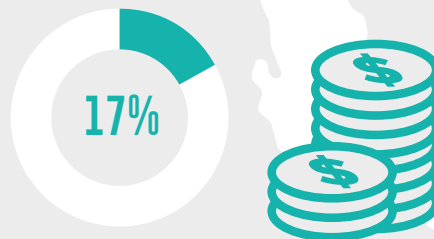
LANGUAGE

FILIPINO ENGLISH

FILIPINO (TAGALOG) AND UNTIL OTHERWISE PROVIDED BY LAW, ENGLISH[36]

INTERNET SUBSCRIPTION/PENETRATION RATES
2019: 43%[37]

43%

2020 INTERNET PENETRATION RATES AMONG 12–17-YEAR-OLDS
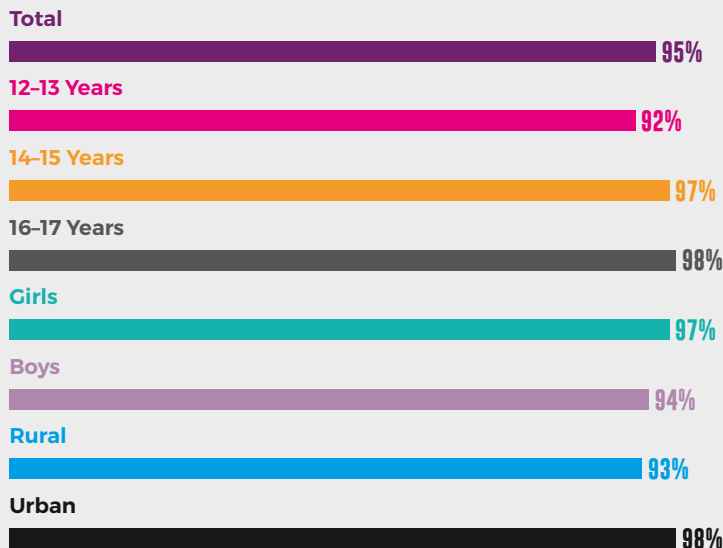
Source: Disrupting Harm data

Total	95%
12–13 Years	92%
14–15 Years	97%
16–17 Years	98%
Girls	97%
Boys	94%
Rural	93%
Urban	98%

n = 1,589 households.

INTERNET USE AMONG CAREGIVERS OF INTERNET-USING CHILDREN

Source: Disrupting Harm data

72%

n = 950 caregivers of internet-using children.

MOST POPULAR DEVICE TO ACCESS THE INTERNET AMONG 12–17-YEAR-OLDS*

Source: Disrupting Harm data

7% Tablet

20% Computer

Mobile 95%
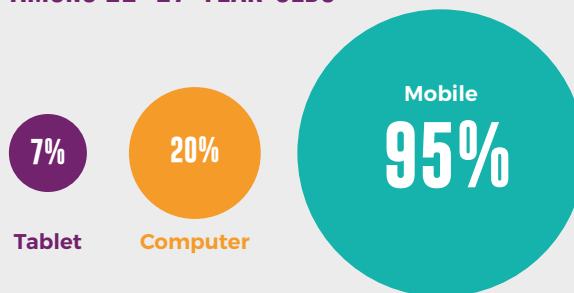
n = 950 internet-using children.   *Multiple choice question

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35. Republic of Philippines Philippine Statistics Authority. (2019). PSA Press Briefing Full Year 2019 Official Poverty Statistics.
36. Republic of the Philippines. (1987). The Constitution of the Republic of Philippines (1987), Article XIV, Section 7.
37. Department of Information and Communications Technology. (2019). National ICT Household Survey 2019.

ABOUT THE PHILIPPINES – DEMOGRAPHICS AND INTERNET USAGE

MOST POPULAR PLACE TO ACCESS THE INTERNET AMONG 12–17-YEAR-OLDS*
PERCENTAGE OF RESPONDENTS WHO HAVE <u>EVER</u> GONE ONLINE FROM THE FOLLOWING PLACES.

Source: Disrupting Harm data

Mall
30%

Internet café
42%

School
59%

Home
96%
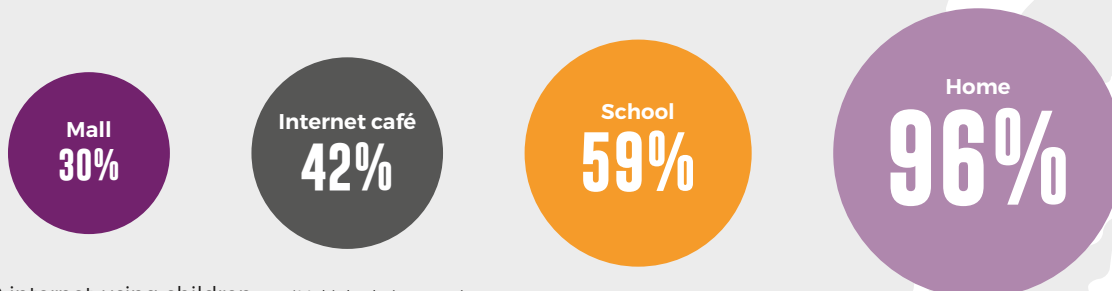
n = 950 internet-using children.   *Multiple choice question

FREQUENCY OF INTERNET USE AMONG 12–17-YEAR-OLDS

Source: Disrupting Harm data

Legend:
- Less than once a month
- At least monthly
- At least weekly
- Once a day or more
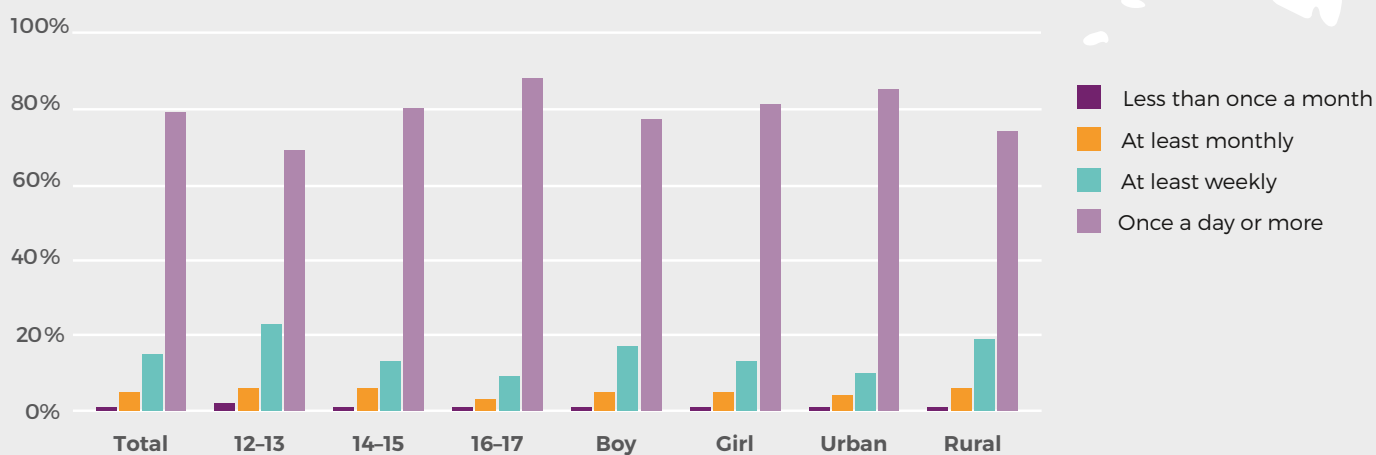
Base: Internet-using children aged 12–17 in the Philippines from the Disrupting Harm study. n = 950

FREQUENCY OF INTERNET USE AMONG CAREGIVERS OF INTERNET-USING CHILDREN

Source: Disrupting Harm data

- At least weekly — 18%
- At least monthly — 5%
- Less than once a month — 6%
- Never — 26%
- At least once a day — 43%
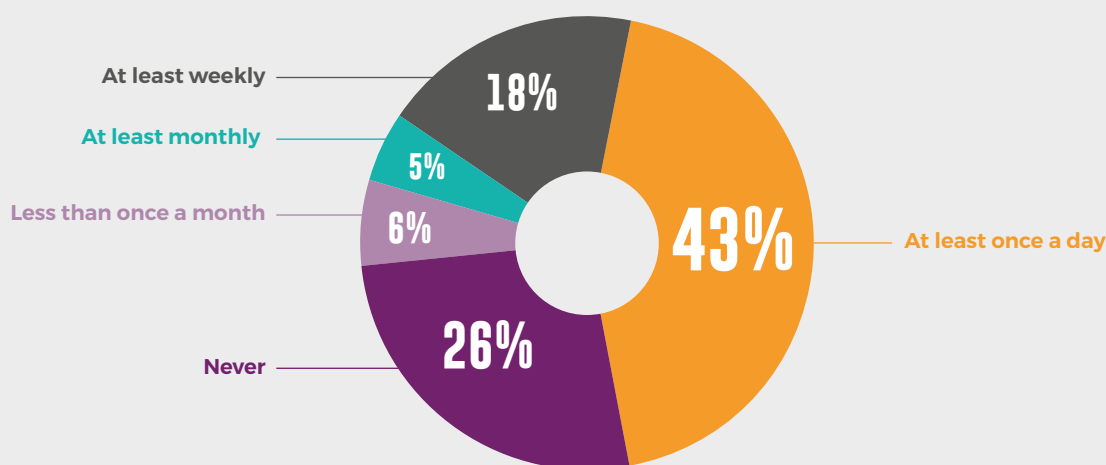
n = 950 caregivers of internet-using children.

ABOUT THE PHILIPPINES – DEMOGRAPHICS AND INTERNET USAGE

MARKET SHARES IN MOBILE SUBSCRIPTIONS (AS OF THE THIRD QUARTER OF 2019)

Globe Telecom [38,39]
58%

Philippine Long Distance Telephone Company
42%
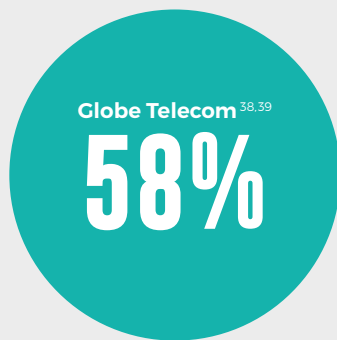
CHILDREN WHO USE SOCIAL MEDIA ON A WEEKLY BASIS

Total	12-13	14-15	16-17	Boys	Girls	Rural	Urban
94%	92%	92%	97%	91%	96%	93%	94%
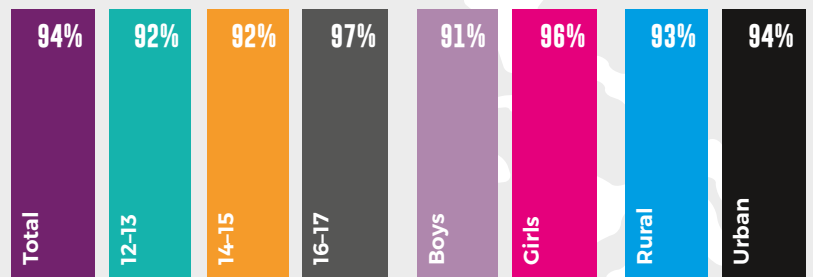
n = 950 internet-using children aged 12–17.

CHILDREN WHO USE INSTANT MESSAGING APPS ON A WEEKLY BASIS

Total	12-13	14-15	16-17	Boys	Girls	Rural	Urban
86%	82%	86%	91%	84%	88%	83%	89%
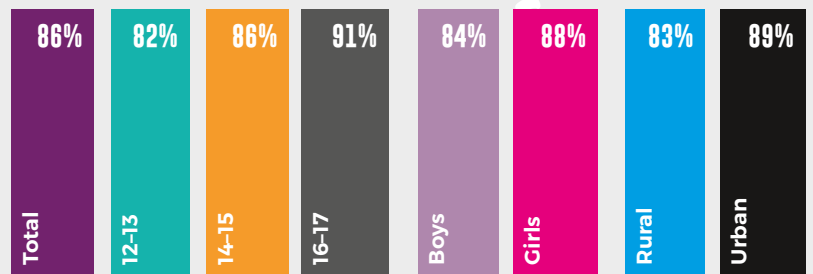
n = 950 internet-using children aged 12–17.

ICT DEVELOPMENT INDEX RANKING (ITU) 2017

Asia & Pacific: 15/34 [40]
World: 101/176
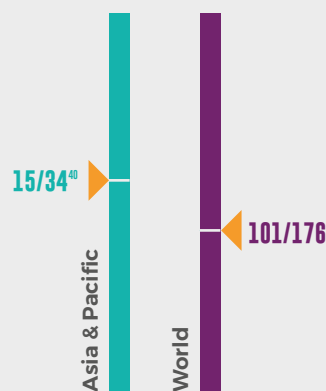
GLOBAL CYBERSECURITY INDEX RANKING 2018 [41]

Asia & Pacific: 12/38 [42]
World: 58/175

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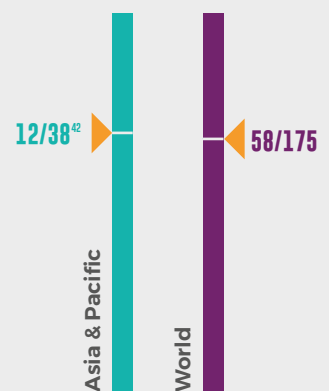
38. The size of the total mobile service market is calculated based on the combined total subscribers of the indicated service providers.
39. The World Bank. (2020). Philippines Digital Economy Report 2020. A better normal under COVID-19: digitalizing the Philippine Economy now.
40. International Telecommunication Union. (2017). ICT Development Index 2017.
41. The Global Cybersecurity Index measures the commitment of countries to cybersecurity based on the implementation of legal instruments and the level of technical and organisational measures taken to reinforce international cooperation and cybersecurity.
42. International Telecommunication Union. (2019). Global Cybersecurity Index (GCI) 2018.

OVERVIEW OF LEGISLATION AND POLICY

Offences relating to OCSEA have been addressed mostly through the Anti-Child Pornography Act adopted in 2009.[43] Additionally, the Cybercrime Prevention Act[44] and the Special Protection of Children Against Abuse, Exploitation and Discrimination Act[45] criminalise certain OCSEA-related offences. The Anti-Trafficking in Persons Act of 2003, as amended in 2012, further criminalises acts of trafficking of persons – including children – for the purpose of pornography.[46]

The Anti-Child Pornography Act comprehensively defines child sexual abuse material (CSAM)[47] and criminalises forms of conduct associated with such material.[48] Besides these CSAM-specific provisions, the Revised Penal Code also bans the publication, selling, showing and acting in obscene materials and shows, explicitly including pornography (including materials and shows depicting adults).[49]

Pursuant to the provisions of the Anti-Child Pornography Act, the acts of "luring" and "grooming" a child constitute offences in the Philippines.[50] The offence of "grooming" is quite narrow in scope, as it only covers grooming carried out by sharing CSAM with a child.[51] However, the offence of "luring" is defined much more broadly[52] – as described in detail in the relevant chapter of this report – and could therefore be used to cover acts that fall short of the offence of "grooming".

Although not specific to children, the Cybercrime Prevention Act establishes an offence of "cybersex" which involves "the wilful engagement, maintenance, control, or operation, directly or indirectly, of any lascivious exhibition of sexual organs or sexual activity, with the aid of a computer system, for favour or consideration".[53] In addition, the Special Protection of Children Against Abuse, Exploitation and Discrimination Act criminalises engaging a child in obscene exhibitions and indecent shows, whether live or in video, including pornographic materials.[54] Although it is not explicitly mentioned, these provisions could cover the live-streaming of child sexual abuse, as also indicated in reference to the Cybercrime Prevention Act by the Supreme Court of the Philippines in a 2014 ruling.[55]

The Cybercrime Prevention Act also provides that if offences included in the Revised Penal Code and other special laws (such as the Anti-Child Pornography Act) are committed using information and communication technologies, the penalty imposed will be increased by one degree.[56] Commenting on the rationale behind this provision, the Supreme Court of the Philippines noted that "The potential for uncontrolled proliferation of a particular piece of child pornography when uploaded in the cyberspace is incalculable".[57]

43. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775).
44. Republic of the Philippines. (2012). The Cybercrime Prevention Act of 2012 (Republic Act No. 10175).
45. Republic of the Philippines. (1992). Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act (Republic Act No. 7610 of 1992).
46. Republic of the Philippines. (2003). Anti-Trafficking in Persons Act of 2003 (as amended by the Expanded Anti-Trafficking in Persons Act of 2012).
47. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 3(a) & (b).
48. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 4.
49. Republic of the Philippines. (1997). The Revised Penal Code of 1930, Article 201.
50. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 4(h).
51. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 3(h).
52. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 3(i).
53. Republic of the Philippines. (2012). The Cybercrime Prevention Act of 2012 (Republic Act No. 10175), Section 4(c)(1).
54. Republic of the Philippines. (1992). Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act (Republic Act No. 7610 of 1992), Section 9.
55. Supreme Court of the Republic of the Philippines. (2014). Disini v. The Secretary of Justice, G.R. No. 203335.
56. Republic of the Philippines. (2012). The Cybercrime Prevention Act of 2012 (Republic Act No. 10175), Section 6.
57. Supreme Court of the Republic of the Philippines. (2014). Disini v. The Secretary of Justice, G.R. No. 203335.

All these provisions of law theoretically apply to all children below the age of 18. In practice, however, children between 12 and 18 may be less well protected than children below 12. This is because the age of sexual consent has been set at 12.[58] Consequently, children older than this might be asked to prove that they had not consented to the sexual abuse.[59] Moreover, the wording of the provision which establishes the age of sexual consent is explicit only in reference to female children[60] and is rather ambiguous when it comes to boys.[61] A new bill, popularly known as the "End Child Rape Bill" and endorsed by local and international child rights organisations, proposes to: increase the age of sexual consent to 16; ensure that boys and girls are equally protected from rape; establish a close-in-age exemption to allow consensual sexual relationship between peers, and remove the exemption[62] which frees offenders convicted of rape of legal responsibility if they marry their victim.[63] The bill was approved by the Senate at the end of September 2021 and is pending finalisation by an ad-hoc bicameral conference committee and final signature by the President.[64]

Worth noting are two bills approved by the House of Representatives on the 31st of January 2022 and pending revision and approval by the Senate.

The Anti-Online or Offline Child Sexual Abuse or Exploitation Act of 2022 aims at comprehensively criminalising all forms of OCSEA and detailing responsibilities for internet intermediaries and service providers and associated penalties.[65] The second bill aims to strengthen policies on anti-trafficking in persons, including for the production of CSAM.[66]

The Philippines has three Plans of Action that touch on OCSEA:

- The **National Response Plan to Address Online Sexual Abuse and Exploitation of Children** (2017–2020) was designed to support the Government's response to the increasingly prevalent issue of online child sexual exploitation and abuse. It aims to ensure that legislation to protect children, including the Anti-Child Pornography Act, is implemented in practice. The key result areas of the plan focus on: advocacy and prevention; protection; recovery and reintegration; law enforcement and prosecution; research, monitoring and management information systems, and networking and partnerships. The increased focus on OCSEA and The Response Plan led to increased evidence generation, including the Philippine Kids Online Survey[67] and the National Study on Online Sexual Abuse and Exploitation of Children in the Philippines.[68]

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58. Republic of the Philippines. (1997). The Revised Penal Code of 1930 (as amended by Republic Act No. 8353), Article 266-A 1(d) & 2.
59. See for example: UN Committee on the Rights of the Child. (2013). Concluding Observations on the Initial Report of Philippines, para 9-10; Child Rights Network (2021, 4 August). Senate urged: Leave a lasting legacy, pass the End Child Rape Bill. UNICEF Philippines.
60. Republic of the Philippines. (1997). The Revised Penal Code of 1930 (as amended by Republic Act No. 8353), Article 266-A 1(d).
61. Republic of the Philippines. (1997). The Revised Penal Code of 1930 (as amended by Republic Act No. 8353), Article 266-A 2.
62. Republic of the Philippines. (1997). The Revised Penal Code of 1930 (as amended by Republic Act No. 8353), Article 266-C.
63. Committees on Justice and Human Rights; and Women, Children, Family Relations and Gender Equality. Republic of the Philippines. (2021, 26 July). Senate Bill 2332.
64. Child Rights Network. (2021, 28 September).'One for the books': Child Rights Network lauds Senate for passing 'End Child Rape' Bill on 3rd & final reading. UNICEF Philippines.
65. House of Representatives, Congress of the Philippines. (2022). House Bill no. 10703. Anti-Online or Offline 2 Child Sexual Abuse or Exploitation Act of 2022.
66. House of Representatives, Congress of the Philippines. (2022). House Bill no. 10658. Section 4 (a).
67. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography & UNICEF Philippines. (2021). Philippines Kids Online: The Online Experiences of Children in the Philippines: Opportunities, Risks and Barriers UNICEF Philippines.
68. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography & UNICEF Philippines. (2021) National Study on Online Sexual Abuse and Exploitation of Children in the Philippines Final Report.

- **The Philippine Plan of Action to End Violence against Children (2017–2022)** recognises violence against children online including OCSEA as a fast-growing element of exploitation in the Philippines. Online sexual abuse, though not clearly defined, is embedded throughout the Plan of Action. The Plan identifies key strategies, key performance indicators and responsible agencies as well as the estimated budgets needed to achieve goals under each strategy. However, it is not clear where and how these budgets have been allocated.[69]

- **The National Strategic Action Plan Against Trafficking in Persons (2017–2022)** recognises online sexual exploitation of children as a dimension of human trafficking. Some of the activities related to OCSEA under the plan include: creating an online sexual exploitation of children case management and referral system, continued advocacy and national media campaigns on online sexual exploitation of children, and including case management for trafficking and online child sexual exploitation of children in the Social Work Curriculum.[70]

The Philippines is a signatory to the Council of Europe's Convention on Cybercrime,[71] *"giving another venue for collaboration among law enforcement agencies"* as noted by a representative from the Department of Information and Communication Technology. (RA1-PH-03-A) Commitment to this convention is a positive step towards addressing threats posed by crimes with a technology element, including OCSEA.

While the Philippines is to be commended for its legislative reforms in this area, the evidence of OCSEA in the country presented in this report makes clear that there is a need to devote further effort, resources and attention to the mechanisms required to implement these frameworks. A good legislative framework is essential, but facilitating its application in the real world requires time, resources and the widespread dissemination of information. A representative from the Children's Legal Bureau commented: *"I would say it's more on the process because we have laws already in place [...] I think it's more on how we make use of the law."* (RA4-PH-06-A)

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69. See The Philippine Plan of Action to End Violence against Children (PPAEVAC).
70. Republic of the Philippines, Inter-Agency Council Against Trafficking. National Strategic Action Plan Against Trafficking in Persons 2017–2022.
71. Council of Europe. (2001). Convention on Cybercrime.

Figure 4 below presents the key agencies regarded by *Disrupting Harm* interviewees as those driving the collaboration on OCSEA response and prevention in the Philippines as well as agencies described as having supporting roles. The below is based on responses from interviews with various government representatives conducted between September 2020 and January 2021.

Figure 4: Government agencies and inter-agency councils working on OCSEA prevention and response in the Philippines.

Department of Social Welfare and Development *DSWD*	Inter-Agency Council Against Child Pornography *IACACP*	Inter-Agency Council Against Trafficking *IACAT*
	Members:	*Members:*
	• **Department of Social Welfare and Development** – chair	• **Department of Justice** – chair
	• **Department of Justice** – co-chair	• **Department of Social Welfare and Development** – co-chair
	• **Commission of Human Rights**	• **Department of Foreign Affairs**
	• **Council for the Welfare of Children**	• **Department of Labor and Employment**
	• **Department of Labor and Employment**	• **Department of the Interior and Local Government**
	• **Department of Science and Technology**	• **Philippine Overseas Employment Administration**
	• **DOST Information and Communications Technology Office**	• **Bureau of Immigration**
	• **ECPAT Philippines**	• **Philippine National Police**
	• **Internet Child Protection Special Task Force**	• **Philippine Commission on Women**
	• **National Bureau of Investigation**	• **Commission on Filipinos Overseas**
	• **National Telecommunications Commission**	• **Philippine Center for Transnational Crimes**
	• **Optical Media Board**	• **Coalition Against Trafficking in Women** – Asia Pacific
	• **Philippine Center for Transnational Crimes**	• **Blas F. Ople Policy Center and Training Institute**
	• **Philippine National Police**	• **International Justice Mission**
	• **Stairway Foundation**	

| | **Philippine National Police (see chapter 3.2)** | **National Bureau of Investigation** | **Commission on Human Rights** | |

| **Council for the Welfare of Children** | **Department of Justice** | **Department of Information and Communication Technology** | **Department of the Interior and Local Government** |

1. CHILDREN ONLINE IN THE PHILIPPINES

The main focus of the *Disrupting Harm* report series is to present the perspectives of young people, government representatives, service providers and other key stakeholders around the sexual exploitation and abuse of children that is facilitated or committed through digital technologies. However, it is important to situate these offences within the wider context of children's internet use in the Philippines. This first chapter therefore presents a brief overview of children's internet access and the activities enjoyed by the majority of children online, before going on to describe the occurrence of riskier online activities and the ways in which they are perceived by internet-using children and their caregivers.

1.1 INTERNET ACCESS AND BARRIERS

Children's access: the government of the Philippines recognises that internet access is essential. Under the "Free Public Access Program", 8,000 access points were made operational in 2019 and 2020 to bridge the digital divide.[72,73] Data from the Department of Information and Communication Technology show that in 2019, 43% of the general population in the Philippines aged 10–74 were internet users.[74]
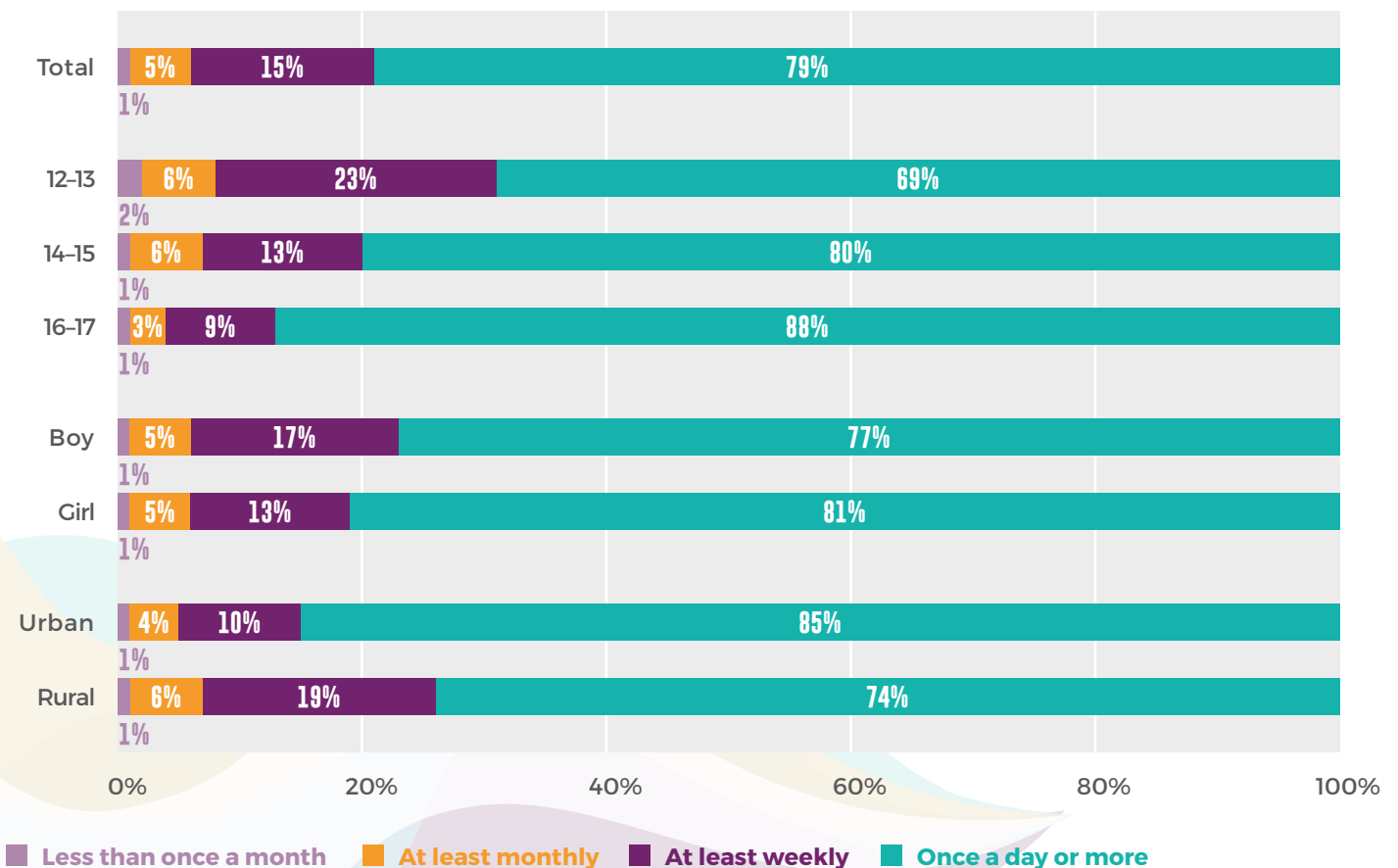
Sampling data from the *Disrupting Harm* household survey show that 95% of 12–17-year-olds in the Philippines are internet users – i.e., they have used the internet within the past three months.[75,76] The noticeably high internet penetration rate for children could be a result of initiatives such as the Free Public Access Program. As shown in Figure 5, among the survey's primary sample of 950 internet-using children aged 12–17, the majority go online at least once a day.

Internet penetration rates are high even among younger age groups, with 92% of children aged 12–13 reporting they had used the internet in the past three months. .

Figure 5: Frequency of children's internet use.

Legend: Less than once a month | At least monthly | At least weekly | Once a day or more

	Less than once a month	At least monthly	At least weekly	Once a day or more
Total	1%	5%	15%	79%
12–13	2%	6%	23%	69%
14–15	1%	6%	13%	80%
16–17	1%	3%	9%	88%
Boy	1%	5%	17%	77%
Girl	1%	5%	13%	81%
Urban	1%	4%	10%	85%
Rural	1%	6%	19%	74%

Base: Internet-using children aged 12–17 in the Philippines. n = 950.

72. Government of the Philippines. (n.d). Free Public Wifi.
73. UNDP. (2019).Human Development Report 2019 – Beyond income, beyond average, beyond today: Inequalities in Human Development in the 21st century. 233.
74. Department of Information and Communications Technology. (2019). National ICT Household Survey 2019.
75. While conducting the random walk to identify eligible children to partake in the main survey we also collected data from every household visited about the number of 12—17-year-old children living there, their gender, age, and whether they had used the internet in the past three months. This allowed us to estimate internet penetration rates for all 12—17-year-old children in the Philippines. n = 1,589 households.
76. The question used to determine whether a 12—17 year-old was an internet user: Has [PERSON] used the internet in the last three months? This could include using a mobile phone, tablet or computer to send or receive messages, use apps like Facebook, WhatsApp, Instagram, send emails, browse, chat with friends and family, upload or download files, or anything else that you usually do on the internet.

1.1 INTERNET ACCESS AND BARRIERS

Caregivers' access: One caregiver of each child interviewed also took part in the survey. Most (72%) were internet users themselves. As shown in Figure 6, many caregivers used the internet daily. However, 26% of the caregivers surveyed – 49% among those aged 50 and above – never used the internet. In the Philippines, child-rearing and childcare often involve support from extended family members, particularly grandparents,[77] which means that older caregivers may require extra support and knowledge on how to keep children safe online.

Place of access: Almost all 12–17-year-old internet users in the Philippines (93%) accessed the internet at home *at least once a month*, according to the household survey results. This marks an increase since 2017, when 52% of 9–17-year-olds went online at home at least monthly.[78] Given the data collection took place in 2020–2021, this rise in internet use at home could be a result of the COVID-19 pandemic.

Schools were the next most common place for internet access. However, only 24% of children went online at school every day, possibly due to COVID-19-related school closures. It was somewhat more common for girls (64%) to report that they accessed the internet at school compared to boys (55%). Half of children aged 12 and 13 have *ever* accessed the internet at school compared to 71% of 16–17-year-olds.

Figure 6: Frequency of caregivers' internet use.
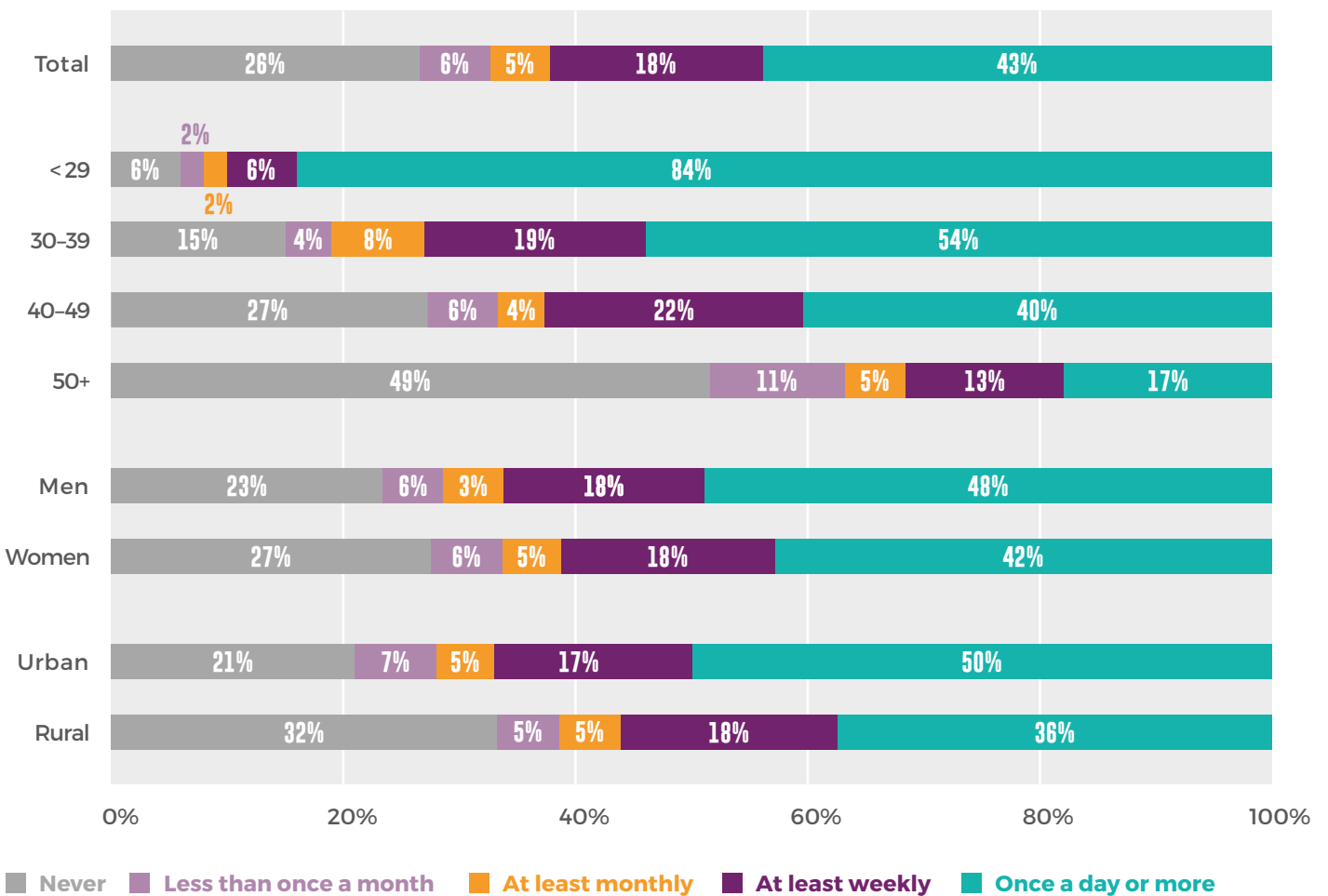
Base: Caregivers of Internet-using children aged 12–17 in the Philippines. n = 950.

77. Uy, H. O., & Sadang, J. M. (2020). Kinship Care: A Cross-Case Analysis of Grandparents Raising Grandchildren in the Filipino's Cultural Context. Asian Community Health Nursing Research. 2(3), 44-51.
78. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography & UNICEF Philippines. (2021). Philippines Kids Online The Online Experiences of Children in the Philippines: Opportunities, Risks and Barriers.

Many of the children surveyed also accessed the internet via public networks at internet cafes (42%) and malls (30%) – although only 8% and 4% respectively did so every day. Previous research has shown that children in the Philippines, particularly those living in urban areas, access the internet via Pisonet[79,80] shops, where just one peso (two U.S. cents) buys four minutes of a full PC platform for internet access, online gaming and other entertainment. Additionally, more boys than girls were found to be connecting via Pisonets.[81]

Pisonets are an important avenue for children to go online and access the opportunities of digital technology at a relatively low cost. In 2017, over one third of 9–17-year-olds in the Philippines went online through Pisonet shops at least once a month.[82] Mechanisms to ensure that these popular access points are properly equipped to keep children safe online, and to hold them accountable, would therefore be useful. Regulation could be introduced at the national level to oblige Pisonet operators to ensure that protective measures are in place while children are using these access points, for example, by installing pop-up blockers, maintaining up to date anti-virus software, providing children with evidence-informed resources on how to use the internet safely, and informing children about help-seeking resources.

Some ongoing efforts to protect children do exist in the Philippines. For example, in October 2019, a draft bill targeting operators of internet cafes, and video and computer shops within areas and establishments usually frequented by children, was presented to the Senate. Among other provisions, the bill mandates operators of such businesses to disable websites deemed inappropriate for children and have in place safety policies and technologies. As of February 2022, the bill appears to still be pending before the Senate's Committee. Further, the Senate Bill 2209 on Special Protections against Online Sexual Abuse and Exploitation of Children, sets forth a series of duties for owners and operators of internet cafes and other businesses. These duties include reporting any incident of CSEA or OCSEA happening in their premises, blocking and filtering CSAM, and promoting awareness on OCSEA and available hotlines through signage in English and local languages.[83]

Devices used: As in most other countries, smartphones are by far the most common device used by 12–17-year-old internet users to go online, probably due to their relatively low cost and portability.[84] As many as 95% of the children surveyed used smartphones, while 20% used computers and 7% tablets. Use of computers was higher among boys (24%) than girls (16%). There were no notable differences by age or by urban/rural location. The use of smartphones has seen a notable increase compared to 2017, when 51% of children went online using smartphones.[85]

Of children in the *Disrupting Harm* sample who used a smartphone to go online, 63% shared it with someone else. The proportion of internet-using children who shared their smartphones with others ranged from 58% among children aged 16–17 to 69% among 12–13-year-olds. More girls said they share their smartphone with others (65%) than boys (60%). In urban areas, 60% of children shared their smartphones compared to 66% in rural areas.

79. Pisonet is a "mini-type" internet café or computer shop mainly found in areas of Metro Manila. Pisonet comes from the words "piso" or one peso, and "internet", "pisong internet" meaning one peso internet (rent).

80. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography & UNICEF Philippines. (2021). Philippines Kids Online: The Online Experiences of Children in the Philippines: Opportunities, Risks and Barriers UNICEF Philippines.

81. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography & UNICEF Philippines. (2021). Philippines Kids Online: The Online Experiences of Children in the Philippines: Opportunities, Risks and Barriers UNICEF Philippines.

82. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography & UNICEF Philippines. (2021). Philippines Kids Online The Online Experiences of Children in the Philippines: Opportunities, Risks and Barriers.

83. Republic of the Philippines. (2021). Senate Bill No. 2209. Special Protections 2 against Online Sexual Abuse and Exploitation of Children (OSAEC) Law. Section 21.

84. Livingstone, S., Kardefelt Winther, D., & Saeed, M. (2019). Global Kids Online Comparative Report. Innocenti Research Report. Florence: UNICEF Office of Research – Innocenti.

85. Livingstone, S., Kardefelt Winther, D., & Saeed, M. (2019). Global Kids Online Comparative Report. Innocenti Research Report. Florence: UNICEF Office of Research – Innocenti.

1.1 INTERNET ACCESS AND BARRIERS

Barriers to access: The vast majority (88%) of internet-using 12–17-year-olds in the Philippines face barriers in accessing the internet when they want or need it. As shown in Figure 7, a slow connection or poor signal was the most cited reason for limited access, affecting 53% of children, particularly older children (12–13: 48%; 14–15: 52%; 16–17: 59%) and children in rural areas (rural: 58%; urban: 49%). High data and internet costs limited access for 22% of children.

Caregivers' restrictions also constituted an obstacle to internet access, particularly for 12–13-year-olds and boys. For example, 24% of 12–13-year-olds listed parental restrictions as a barrier to internet access compared to 14% of 16–17-year-olds. Among boys, 24% were unable to go online because their caregivers did not allow them, compared to 17% of girls. Caregivers' restrictions were cited by 23% of internet-using children in urban areas and 17% in rural areas (see <u>page 39</u> for more on parental mediation).

Figure 7: Barriers to access for internet-using children.
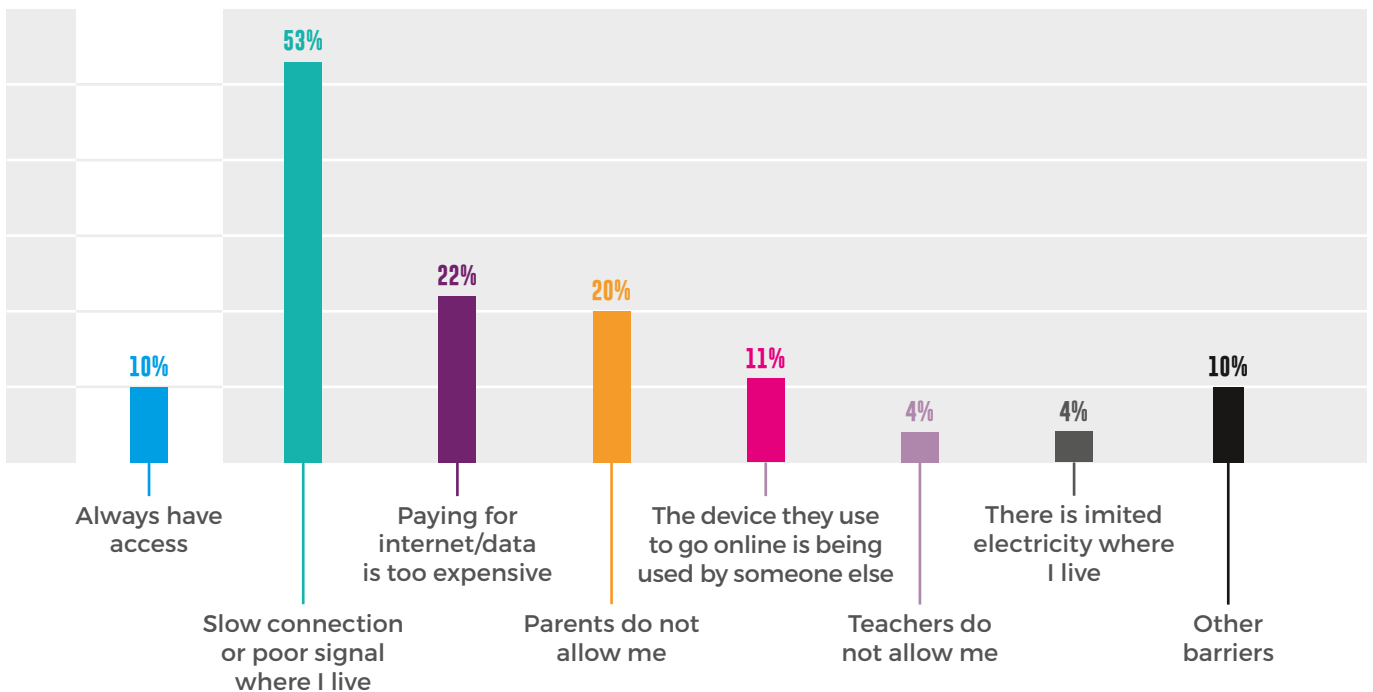
Base: Internet-using children aged 12–17 in the Philippines. n = 950.

1.2 CHILDREN'S ACTIVITIES ONLINE

Children engage in a wide range of online activities on a weekly basis. Over nine in ten children surveyed used the internet for schoolwork and to go on social media at least once every week. The proportion of children engaging in these and other online activities was far higher than in 2017, when the same data were collected.[86,87] This increase could be attributed to a variety of factors some of which might include higher internet use rates and/or stronger reliance on the internet due to school closures and national lockdowns during the COVID-19 pandemic. Other popular activities included watching videos (88%), instant messaging (86%) and talking to family or friends who live further away (80%).

As shown in Figure 8, a higher proportion of older children aged 16–17 engaged in almost all of the online activities below, compared to the youngest respondents aged 12–13. Some exceptions include going online for schoolwork and using the internet for creative activities such as playing online games, creating blog posts, music or videos. There were no notable age differences for these online activities.

Figure 8: Activities children engage in online at least once a week.

Children's online activities	Total	12–13	14–15	16–17	Boy	Girl	Urban	Rural
School work	94%	91%	97%	94%	91%	96%	95%	93%
Used social media	94%	92%	92%	97%	91%	96%	94%	93%
Watched videos	88%	84%	89%	90%	87%	88%	90%	85%
Used instant messaging	86%	82%	86%	91%	84%	88%	89%	83%
Talked to family or friends who live far away	80%	76%	82%	83%	76%	84%	81%	79%
Searched for new information	78%	74%	79%	81%	76%	80%	84%	71%
Watched a live-stream	71%	70%	68%	76%	71%	72%	75%	68%
Looked for information about work or study opportunities	63%	60%	61%	67%	57%	68%	64%	61%
Played online games	56%	56%	53%	58%	75%	41%	61%	50%
Looked for health information	54%	52%	53%	58%	47%	60%	57%	52%
Looked for news	51%	44%	53%	57%	47%	54%	55%	47%
Followed celebrities and public figures on social media	49%	44%	51%	53%	38%	58%	54%	45%
Looked for information or events in local neighbourhood	47%	37%	52%	52%	39%	53%	52%	42%
Sought emotional support	31%	23%	35%	35%	26%	35%	33%	29%
Participated in a site where people share their interests	28%	24%	27%	32%	29%	27%	30%	25%
Discussed political or social problems	19%	17%	18%	21%	16%	20%	24%	13%
Created their own video or music	15%	16%	15%	15%	13%	17%	18%	13%
Created a blog or website	8%	7%	8%	9%	8%	8%	10%	6%

Internet-using children aged 12–17 in the Philippines. n = 950.

86. Livingstone, S., Kardefelt Winther, D., & Saeed, M. (2019). Global Kids Online Comparative Report. Innocenti Research Report. Florence: UNICEF Office of Research – Innocenti.
87. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography & UNICEF Philippines. (2021). National Study on Online Sexual Abuse and Exploitation of Children in the Philippines Final Report.

Gender differences in online activities were relatively minor, as has been observed in other countries.[88] As an exception, 75% of boys played online games compared to only 41% of girls. In addition, a higher proportion of girls than boys used the internet to talk to family or friends who live far away, to look for information about work or study opportunities or for events in the local neighbourhood, to look for health information, and to follow celebrities and public figures on social media.

It is worth considering that the categories in Figure 8 are not intended to be mutually exclusive – for example, a child could go online to watch a video as part of their schoolwork. Nonetheless, the data below provide a greater understanding of how 12–17-year-olds in the Philippines use the internet and the activities they enjoy.

88. Livingstone, S., Kardefelt Winther, D., & Saeed, M. (2019). Global Kids Online Comparative Report. Innocenti Research Report. Florence: UNICEF Office of Research – Innocenti.

1.3 PERCEPTIONS AND EXPERIENCES OF RISKY ONLINE ACTIVITIES

Discussions of online risks for children often hinge upon adult-centric perceptions. To ensure children's perceptions are understood, they and their caregivers were asked about their engagement in, and perceptions of, various online risky activities. Children and caregivers were asked whether the online activities presented below were 'very risky', 'a little risky', or 'not risky at all' for children.

1.3.1 Contact with strangers online and in person

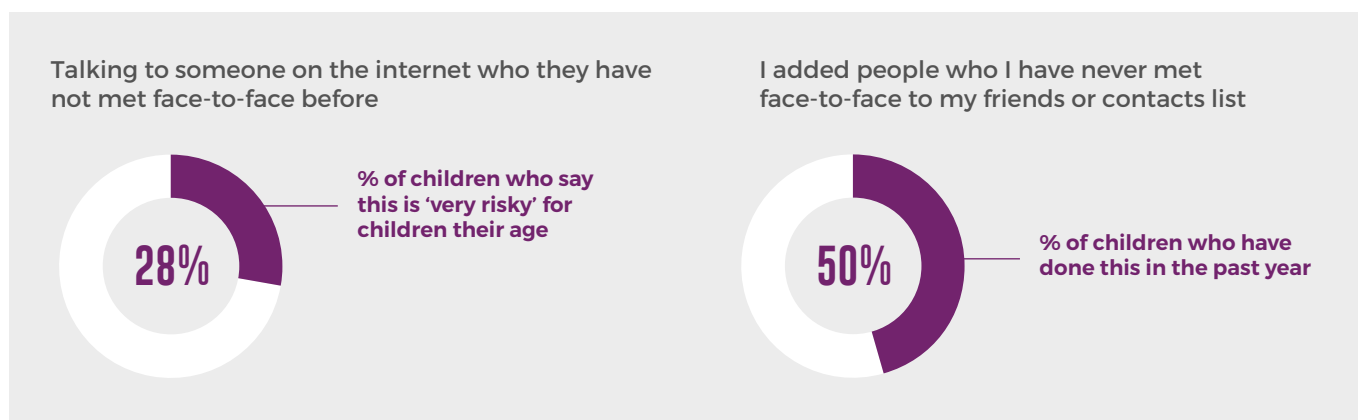**Communicating with strangers online**

A common concern around children's online use is that children will meet unknown people online and then go on to meet them in person, which is risky and could lead to harm. When asked to evaluate the risk of 'talking to someone on the internet who they have not met face-to-face before', 38% of caregivers in the household survey said that talking to 'online strangers' was 'very risky' for children. Among the adult respondents, it was most common for the youngest caregivers surveyed to view talking to a stranger online as 'very risky' for children (aged 29 or less: 49%; aged 50 or more: 33%). A larger proportion of women compared to men described this as being 'very risky' (40% and 30% respectively).

However, children themselves were slightly less concerned. Just 28% of internet-using children considered this activity 'very risky' for children their age, although more girls rated this as 'very risky' compared to boys (36% and 19% respectively).

While most children recognised that talking with strangers online carries *some* level of risk, a notable proportion felt that there was no risk at all (21%) or were unsure about it (19%). This suggests a lack of awareness by some children about how speaking to online strangers might lead to harmful outcomes. A higher proportion of 12–13-year-olds (32%) said that there was no risk associated with this behaviour compared to only 14% of 16–17-year-olds.

Respondents were also asked to rate the risk involved in 'sending their personal information to someone they have never met face-to-face'. Among children surveyed, 44% –particularly girls – thought it 'very risky' for children to share such information. In comparison, 54% of caregivers – mainly the younger caregivers – also found this behaviour 'very risky' for children. As with other activities, risk perception was lowest among older caregivers aged 50 and above (aged 29 or less: 75%; aged 50 or more: 46%).

Figure 9: Speaking with online strangers – children's risk perceptions and behaviour.

Talking to someone on the internet who they have not met face-to-face before

28%

% of children who say this is 'very risky' for children their age

I added people who I have never met face-to-face to my friends or contacts list

50%

% of children who have done this in the past year

Base: Internet-using children aged 12–17 in the Philippines. n = 950

Figure 10: Sharing personal information with online strangers – children's risk perceptions and behaviour.

Sending personal information (e.g., their full name, address or phone number) to someone they have never met face-to-face

44%

% of children who say this is 'very risky' for children their age

I sent my personal information (e.g., my full name, address or phone number) to someone I have never met face-to-face

33%

% of children who have done this in the past year

Base: Internet-using children aged 12–17 in the Philippines. n = 950

Figure 11: Meeting online strangers in person – children's risk perceptions and behaviour.

Going to meet someone face-to-face that they first got to know online

33%

% of children who say this is 'very risky' for children their age

In the past year, have you ever met anyone face-to-face that you first got to know on the internet?

13%

% of children who have done this in the past year
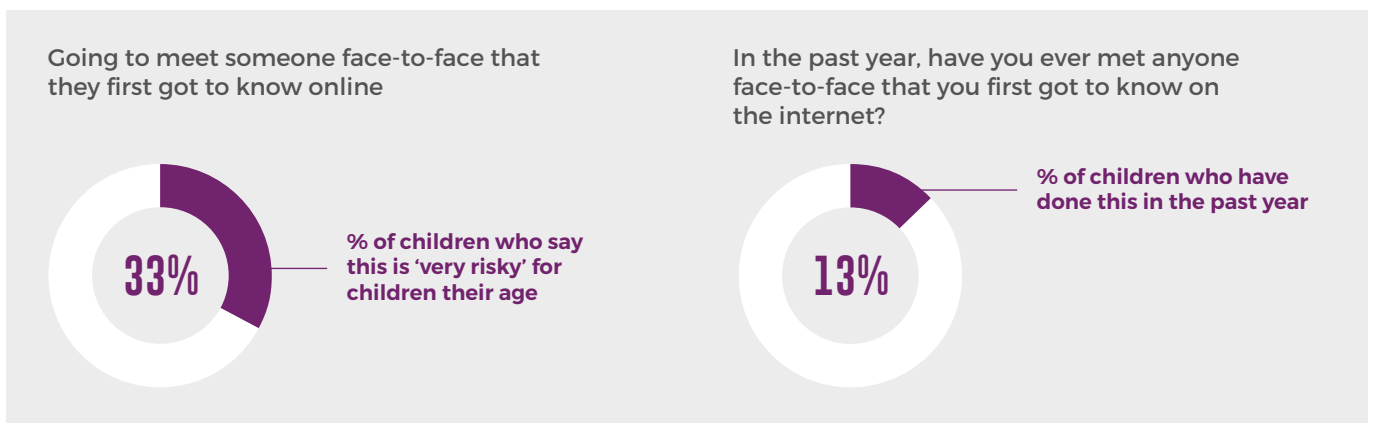
Base: Internet-using children aged 12–17 in the Philippines. n = 950

Disrupting Harm evidence shows that children do, in fact, engage with new people online and that some children go on to meet these people in person. For example, half of the children surveyed said they *added people* they had never met face-to-face to their contact lists in the past year. This figure ranged from 41% for 12–13-year-olds to 61% for 16–17-year-olds. There were no notable differences by gender or level of urbanity.

Thirty-three percent of the children had *shared their personal information* (including their full name, address, or phone number) with someone they had never met face-to-face in the past year. Data

from the Philippines Kids Online Survey in 2017 conducted with a representative sample of 2,250 children aged 9–17 years showed that 10% of children communicated with strangers who have no other connection to them outside of the internet.[89]

Meeting online acquaintances in person
In the household survey, 33% of children and 52% of their caregivers thought that 'going to meet someone face-to-face that they first got to know online' is 'very risky' for children. Girls were twice as likely as boys to regard this as a high-risk behaviour (42% versus 21%). Over half of the caregivers aged 29 and younger (58%) considered this behaviour 'very risky', whereas 42% of caregivers over 50 said the same.

89. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography & UNICEF Philippines. (2021). Philippines Kids Online: The Online Experiences of Children in the Philippines: Opportunities, Risks and Barriers UNICEF Philippines.

Figure 12: How children felt the last time they met someone face-to-face who they had first got to know online.
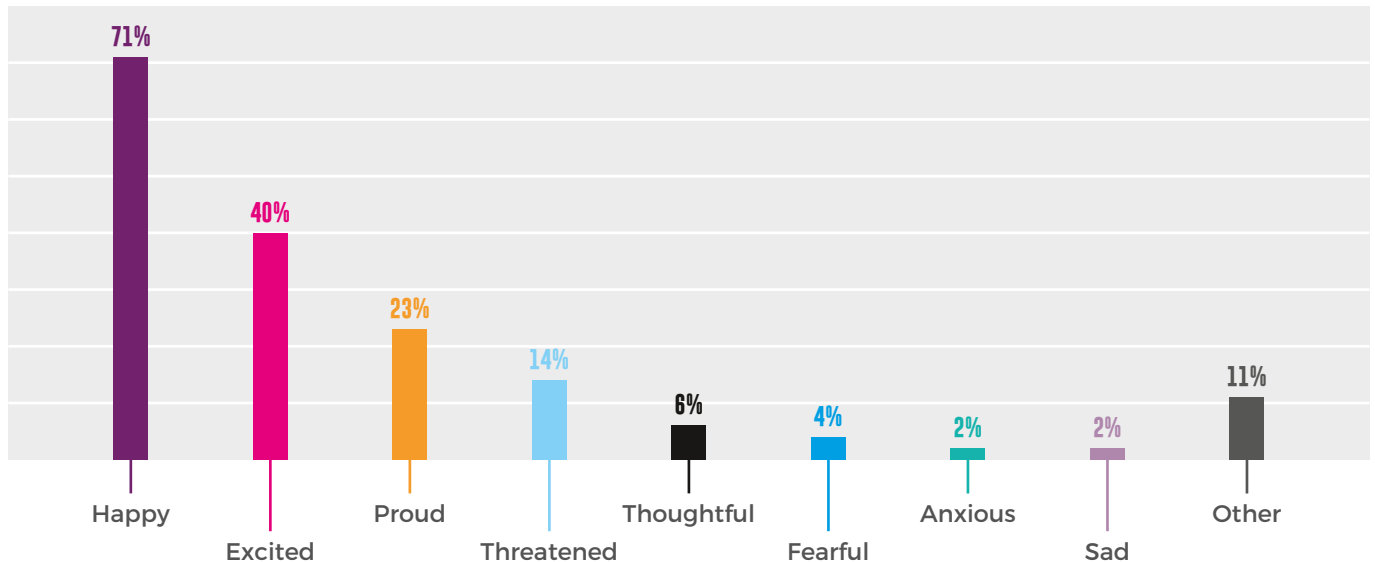
Base: Children who, within the past year, have met someone face-to-face whom they first got to know on the internet. n = 119.

In actual fact, 13% of the children surveyed had met someone in person whom they had first met online in the past year. The experiences of most internet-using children in the Philippines and other countries around the world seem to indicate that the risk of harm is relatively low for children in general,[90,91] although the harm might be severe if it occurs. While many children in the Philippines are aware that engaging with online strangers carries a level of risk, all children should be informed about the possible risks and taught how to engage responsibly and take safety precautions.

Among the children who had had face-to-face encounters with persons they first met online, the great majority (71%) were happy about the experience (see Figure 12). Research done across more than 30 countries around the world has produced similar findings.[92,93]

Talking about sex online

Talking about sex or sexual acts with someone online was considered 'very risky' by 53% of children. This figure was 60% for girls and 44% for boys. Among caregivers, 66% considered it 'very risky' for children to talk about sex with someone online. Higher

proportions of caregivers aged 29 and below rated this behaviour as 'very risky' for children compared to caregivers aged 50 and above (82% and 59% respectively).

1.3.2 Seeing sexual images online

When caregivers were asked about their top three concerns for their child in general, seeing sexual images was the third most common response, following worries about their child's health and exposure to crime (see Figure 13). Among female caregivers, 33% cited seeing sexual images as one of their top concerns, compared to 25% for their male counterparts.

Sixty-six percent of caregivers, as well as 48% of the children surveyed, considered seeing sexual images or videos online 'very risky' for children. This finding means that both children and caregivers thought seeing sexual images was riskier than meeting an online acquaintance face to face. This concern around children seeing sexual images or videos might be related to a more general discomfort around discussing sex or sexuality.

90. Livingstone, S., Kardefelt Winther, D., & Saeed, M. (2019). Global Kids Online Comparative Report. Innocenti Research Report. Florence: UNICEF Office of Research – Innocenti.
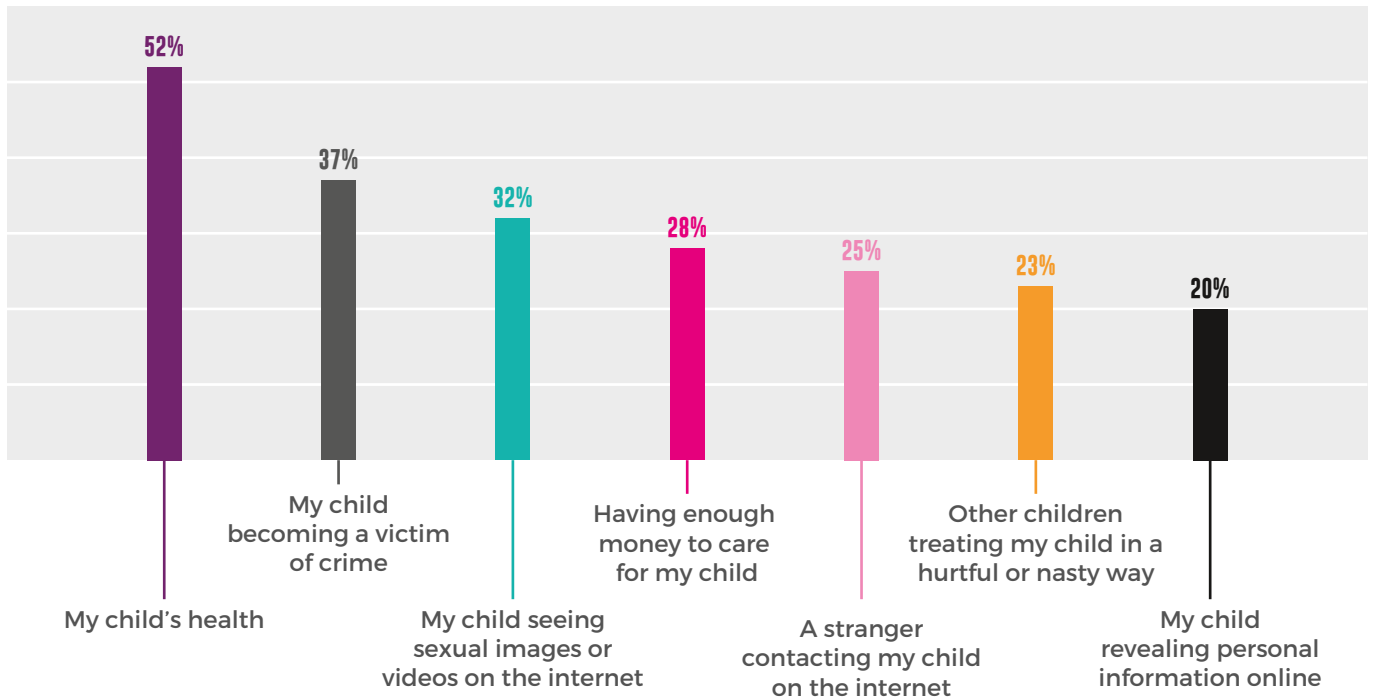91. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography & UNICEF Philippines. (2021). Philippines Kids Online The Online Experiences of Children in the Philippines: Opportunities, Risks and Barriers UNICEF Philippines.
92. Livingstone, S., Kardefelt Winther, D., & Saeed, M. (2019). Global Kids Online Comparative Report. Innocenti Research Report. Florence: UNICEF Office of Research – Innocenti.
93. Smahel, D., Machackova, H., et al. (2020). EU Kids Online 2020: Survey results from 19 countries. Florence: UNICEF Office of Research – Innocenti.

Figure 13: Caregivers' top concerns regarding their children.

52% My child's health

37% My child becoming a victim of crime

32% My child seeing sexual images or videos on the internet

28% Having enough money to care for my child

25% A stranger contacting my child on the internet

23% Other children treating my child in a hurtful or nasty way

20% My child revealing personal information online

Base: Caregivers of internet-using children aged 12–17in the Philippines. n = 950.

The contexts within which children access sexual content online can result in different consequences, and may require diverse interventions for prevention and response. For instance, accidental or intentional glimpses of sexual content cannot be equated with children's exposure to sexual images as part of a grooming process with intent to harm (see chapter 2). While viewing violent or degrading sexual content can serve to normalise harmful gender norms and sexual behaviour, seeing some pornography appears to be an increasingly present experience for young people.[94] Addressing both phenomena is needed.[95]

In practice, 54% of internet-using children in the Philippines said they had seen sexual images or videos online (on purpose or by accident) at least once in the past year. This figure has more than doubled since 2017, when one in four children encountered sexual images online.[96] Thirty-five percent of children in the *Disrupting Harm* household survey reported actively looking for such material online and 48% were exposed to sexual images or videos when they did not expect it.

Viewing sexual content online on purpose was almost twice as common amongst older children aged 16–17, compared to the youngest in our sample aged 12 and 13. Forty-eight percent of 16–17-year-olds had seen sexual content online on purpose, compared to 32% of 14–15-year-olds and 27% of 12–13-year-olds. There was a steady increase in the proportion of children who saw sexual images online accidentally by age group (12–13: 33%; 14–15: 48%; 16–17: 63%). There were no major differences in intentional viewing of sexual content by gender. However, a slightly higher proportion of girls saw sexual content online by accident compared to boys (52% and 44% respectively).

Fifty-one percent of the children who had seen sexual images or videos online by accident said they had seen the content on their social media feeds, 20% were sent the content via direct messaging apps, and 18% encountered them through advertisements (e.g., pop-ups). Twelve percent of children came across sexual content by accident while conducting a web search.

94. See for example: Crabbe, M. & Flood, M. (2021). Schoolbased Education to Address Pornography's Influence in Young People: A proposed practice framework. American Journal of Sexuality Education 16(1).
95. Bell, C. (2017). An Overview of Research on the Impact that Viewing Pornography has on Children, Pre-Teens and Teenagers. Bravehearts.
96. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography and UNICEF Philippines. (2021). Philippines Kids Online: The Online Experiences of Children in the Philippines: Opportunities, Risks and Barriers UNICEF Philippines.

1.3.3 Making and sharing self-generated sexual content

Seeing or sharing sexual images or videos were most often perceived as 'very risky' by both children and caregivers surveyed compared to the other activities presented above. Sending a sexual image or video to someone online was considered 'very risky' by as many as 59% of children and 69% of caregivers.

In practice, 10% of the children in the household survey said they had shared naked pictures or videos of themselves online in the past year. The children who said they sent naked pictures or videos of themselves to others were asked why they did this. Children cited reasons such as being in love, flirting or having fun, or finding nothing wrong with sharing such content (see Figure 14). Five percent of children in this subsample had shared self-generated sexual content because they were threatened.

These figures could be under-reported due to common discomfort around discussing sex or because children did not want anyone to know about it. For example, this question had a high non-response rate of 59%.

Among the 99 children who acknowledged having shared naked images or video of themselves, 13% shared them with a friend or someone else they knew before this happened. Twelve percent said they shared these images with a current/former romantic partner, and 10% had shared naked images or videos of themselves with an online friend who was a mutual friend of someone they already knew. Four percent said they shared this kind of content with a complete stranger.[97] Once again, this question had a high non-response rate (65%), which could be because respondents felt uncomfortable discussing this topic.

Figure 14: Reasons given by children for sharing naked images or videos of themselves.
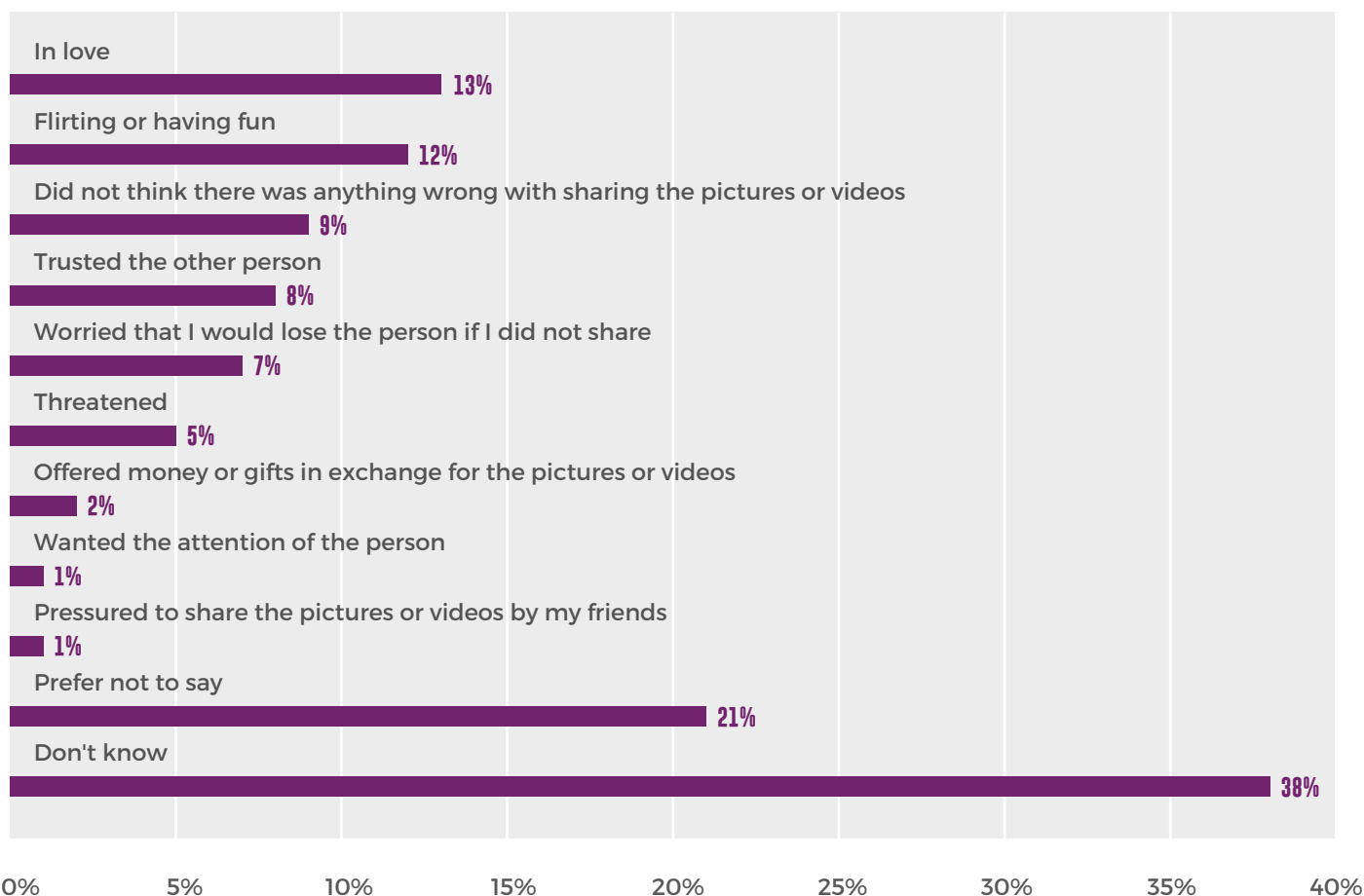
Base: Children who have shared naked images or videos of themselves in the past year. n = 99.

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97. The response item selected by these children was: "someone you met online who had no other connection with your life."

The Rise in Self-Generated Sexual Content Involving Young People

The increasing use of technology is leading to shifts in notions of privacy and sexuality among children in some parts of the world, particularly among adolescents as they grow up.[98] Forms of behaviour that are increasingly normal to young people can be bewildering for adults who grew up in a different time. For example, chatting and video live-streaming is frequent, whether among small private groups of friends or large, anonymous public audiences. While much of this is harmless, producing and sharing self-generated sexual content using these tools is also increasing, and bringing about significant risks.[99]

The sharing of self-generated sexual content by children is complex and includes a range of different experiences, risks and harms. As the *Disrupting Harm* data show, among the small minority of children who have shared this kind of content in the past year, the most common reasons for doing so were because the child was in love and/or flirting. Globally, such exchanges are increasingly becoming part of young people's sexual experiences.[100] However, as the *Disrupting Harm in the Philippines* data illustrate, the creation and sharing of self-generated sexual content can also be *coerced*, for example through grooming, threats or peer pressure (see chapter 2 for more).

There can be negative consequences for children sharing *any* sexual content, including in cases where sharing is not coerced. Material shared voluntarily may not cause harm at first, but there remains a risk if it is later shared beyond the control of the person who created it. Once it exists, such content can also be obtained deceptively or using coercion and be circulated by offenders perpetually.[101,102] (see Figure 15).

In the Philippines, a substantial proportion of 12–17-year-olds appear to be aware that producing and sharing sexual content carries risks for children. This is reflected in the fact that a minority of children –

one in ten – have shared naked pictures or videos of themselves with someone else online in the past year. Discussions about the possible risks that sharing sexual content entails should be central to discussions with children about their internet use – at home, at school, and in the community.

It can be difficult for children to seek help if their sexual images or videos are shared with others without permission, partly owing to the fear of victim-blaming. In the Philippines, the household survey showed that a large majority of children (63%) and caregivers (79%) believe that if someone takes naked images or videos of themselves, it is their fault if the content is shared with other people. When self-generated content is shared without permission, reluctance or inability to seek help may lead to further harm for children.

Figure 15: Mapping the consequences of sharing self-generated sexual content involving children.
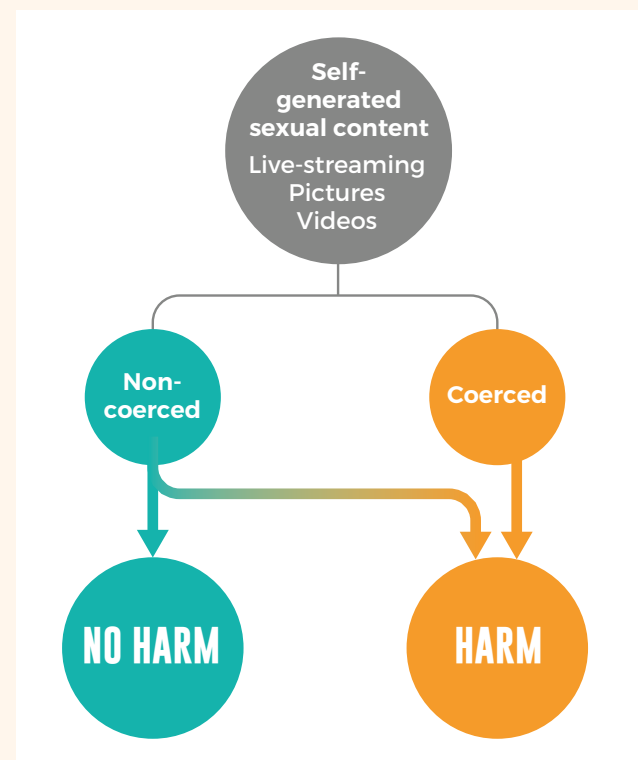
98. Livingstone, S. & Mason, J. (2015). Sexual Rights and Sexual Risks among Youth Online: A review of existing knowledge regarding children and young people's developing sexuality in relation to new media environments. London: European NGO Alliance for Child Safety Online..

99. Thorn & Benson Strategy Group. (2020). Self-Generated Child Sexual Abuse Material: Attitudes and experiences. United States: Thorn.

100. Internet Watch Foundation. (2021). The Annual Report 2020.

101. Bracket Foundation. (2019). Artificial Intelligence: Combating Online Sexual Abuse of Children. 10.

102. EUROPOL. (2019). Internet Organised Crime Threat Assessment 2019. Netherlands: EUROPOL.

1.3.4 Knowledge and skills for online safety

A quarter of internet-using children who took part in the household survey in the Philippines had never received any information on how to stay safe online, while 46% said that they had. The question has a high non-response rate (30%), perhaps indicating that children do not have a good idea of what online safety information is or what it might look like. It was more common for girls in the sample to have received this kind of information compared to boys (52% and 38% respectively). Younger children aged 12–13 and children living in rural areas were the least likely to have received information on online safety.

When it comes to digital skills that children can use to stay safe online, children seemed to be more confident in their ability to judge situations than in their technical skills. For example, high proportions of the children surveyed expressed confidence in their ability to judge which images of themselves or their friends to share online (82%) and when to remove people from their contact lists (69%). However, without operational skills such as the ability to change privacy settings or reporting negative experiences online, children are not as well equipped as they could be to stay safe online. In the household survey sample, the proportions of children who said they knew how to change privacy settings, report harmful content on social media and check whether a website can be trusted were distinctly lower, at 57%, 55% and 47% respectively. A lower proportion of children between the ages of 12 and 13 said they know

how to operate such security features compared to 16–17-year-olds, and boys appear to be somewhat less digitally skilled than girls. For example, a higher proportion of girls said they know how to change their privacy settings compared to boys (62% and 50% respectively), or how to report harmful content on social media (58% girls; 51% boys).

As detailed above, there are also marked differences in the level of caregivers' knowledge of the digital environment particularly across age groups. This is reflected in the fact that older caregivers use the internet less frequently than younger caregivers, have weaker digital skills, and are less likely to identify online activities that can be risky for children.

These patterns in caregivers' digital skills and knowledge imply that older caregivers might not be as aware of the possible risks that exist online and might therefore find it more challenging to support and guide their children's internet use. A representative of the Department of Information and Communications Technology observed that, "*the main thing that we see when we engage the parents is that they do not really see the range of threats that children are exposed to once they turn on the internet, it's really a lack of understanding on the threats. It's the lack of knowledge on what is really going on when a child goes online... There's a myriad of threats that they have to face and be able to responsibly address. So that's what we're trying to get across the parents.*" (RA1-PH-03-A)

Empowering Caregivers to Guide their Children's Internet use

Caregivers can help protect children from certain online harms – but they are more likely to be able to do so if they have a grasp of basic digital skills, are aware of online risks, and can have open and honest conversations with their children about these issues.

With respect to digital skills and awareness of online risks, older caregivers in the Philippines seem to be at a disadvantage. In the *Disrupting Harm* household survey of 950 caregivers of internet-using children, caregivers aged 50 or above were consistently less likely than younger caregivers to identify the possible risks associated with certain online activities.

They also had the weakest digital skills and were least likely to engage in online activities. For example, only 23% of caregivers aged 50 or above said they knew how to report harmful content on social media, compared to 71% of caregivers aged 29 or younger. Similarly, more caregivers aged 29 and below said they know how to change their privacy settings in comparison to caregivers aged 50 and over (78% and 19%, respectively).

When faced with constant messaging that greater access to technology and the internet increases children's vulnerability to OCSEA – a view shared by 92% of service providers surveyed for *Disrupting Harm* – caregivers might instinctively react by restricting their children's internet use in a bid to protect them.

In the household survey, 30% of the caregivers said they would restrict their child's internet access if their child was bothered by something online. It was more slightly more common for caregivers aged 29 or younger to say that they would take this approach compared to caregivers aged 50 and above (34% and 26% respectively).

While a restrictive approach might reduce children's exposure to online risks in the short term, it can also reduce their digital skills and familiarity with the online environment, making them more vulnerable in the long term.[103] It is also plausible that if these restrictions are seen as a punishment, they could make children less likely to inform their caregivers of any risks, harms or other unwanted experiences they encounter online.

On the other hand, *supportive engagement* by adults has been associated with positive skills development for children in other countries.[104] Supportive engagement could include engaging in activities together, talking to children about their internet use in a positive way, and teaching them about the risks that exist online and how best to avoid them. Engaging with children in this way can help them reap the benefits of the many useful activities that exist online, while also providing helpful guidance and support in case they encounter harm.

It is therefore encouraging that a majority of children in the Philippines say that their parents support their internet use. For example, 88% of the children surveyed said their caregivers suggest ways for them to stay safe online and 78% said their caregivers help them if they are bothered by something on the internet.

On average, only 28% of caregivers said they knew more about the internet than their child, with stark differences between older and younger caregivers (Figure 16).[105] Previous survey research in

the Philippines indicates that a third of caregivers felt confident they could help their children when faced with online harms. Yet another third revealed they would not be able to help their children in such situations.[106] According to *Disrupting Harm* data, 36% of caregivers said they can 'definitely' help their child cope with things online that bother or upset him/her, and 45% said they could do this a 'fair amount'.

Figure 16: Caregivers who say they know more about the internet than their child, by age.
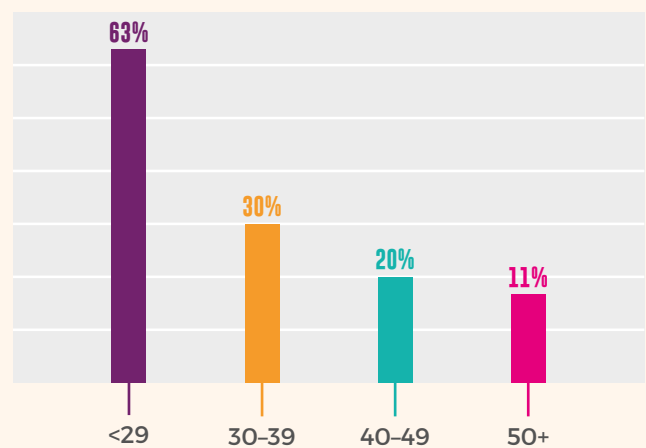
Base: Caregivers of internet-using children aged 12–17 in the Philippines. n = 950.

Caregivers who are not internet users or who go online less frequently than their children might worry that they do not have enough knowledge to guide them. But caregivers can always talk to their children about what they do online and provide an open and supportive home environment, where children feel comfortable disclosing all kinds of experiences, including negative ones. It is important to provide caregivers, particularly those who do not use the internet, with the knowledge and support they need to do this. Schools and parental education programmes can therefore play an important role as highlighted in the recommendations of this report.

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103. Livingstone, S., Kardefelt Winther, D., & Saeed, M. (2019). Global Kids Online Comparative Report. Innocenti Research Report. Florence: UNICEF Office of Research – Innocenti.

104. Livingstone, S., Kardefelt Winther, D., & Saeed, M. (2019). Global Kids Online Comparative Report. Innocenti Research Report. Florence: UNICEF Office of Research – Innocenti.

105. The average age of caregivers who participated in the household survey was 42 years old.

106. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography & UNICEF Philippines. (2021). Philippines Kids Online The Online Experiences of Children in the Philippines: Opportunities, Risks and Barriers.

According to an Information Technology Officer from the Department of Information and Communication Technology, the Department has received several requests from government agencies and other stakeholders concerning efforts to prevent OCSEA through digital parenting programmes. *"It's something that I believe we had not been looking into before, engaging the parents and the family themselves... because really right now it's in the home that children get access via devices. And it's really the parents who would give the device... So, we see a great need to empower parents in this area."* (RA1-PH-03-A).

The respondent also highlighted the need to cater these programmes to their audience: *"The challenge that we encounter is more when we try to talk about the technical measures that parents can employ... because you have to really understand the different levels of knowledge that your audience have. So that's why we try to get the audience*

profile first so that we can adjust our materials and ensure that the participants will really understand and will really be able to benefit from the programme. It's more on changing the mindset on the responsibility of parents." (RA1-PH-03-A)

Asked about the channels from which they received guidance on how to support their children's internet use and keep them safe, family and friends were the most common source of information (54%). This was followed by television and the child's school, which were each mentioned by 34% of caregivers. These were also the channels through which the caregivers said they would *prefer* to receive guidance. These sources of information could therefore be leveraged as one way to disseminate awareness messages or educational programmes about how caregivers can empower children to use the internet safely and effectively.

PROMISING PRACTICE: Integration of Digital Safety into School Curricula

The Department of Education has issued a memorandum[107] encouraging the use of Cyber Safe Lesson Plans[108] by all public and private elementary and secondary schools in the country. The #BeCyberSafe project,[109,110] through which those cyber safe lesson plans were developed was launched in cooperation with the Stairway Foundation and the Internet and Mobile Marketers Association of the Philippines in 2018. The project is ongoing and aims to develop children's capacities to protect themselves online, respond to risks and engage in positive online behaviour. The Department of Education together

with the Stairway Foundation also developed supplementary E-learning courses on Online Sharing, Cyberbullying, and 'Online Friend-ing'.[111]

The *Digital Thumbprint Programme*, which aims to promote positive engagement with digital technologies, has also been integrated into the Basic Education curriculum by the Department of Education and Globe Telecom.[112]

Disrupting Harm however, has been unable to establish if schools in the country are in fact teaching children about digital safety. While the integration of digital safety into school curricula is a promising step, consistent monitoring and evaluation are needed to determine the effectiveness of these programmes.

107. Republic of Philippines Department of Education. (2016). Memorandum No. 94.
108. Stairway Foundation & the Department of Education. (2016). CyberSafe Online Safety Lesson plans for teachers Junior High.
109. Philippines Department of Education. (n.d.). #BeCyberSafe Project.
110. Stairway Foundation. (n.d.) Cybersafe.
111. Council for the Welfare of Children. (2021). Quick Data on Children's Situation During the Pandemic. January 2020-April 2021.
112. Globe Telecom. (n.d.) Digital Thumbprint Program.

2. ONLINE CHILD SEXUAL EXPLOITATION AND ABUSE IN THE PHILIPPINES

Following on from children's perceptions of, and participation in, various risky online practices, this chapter will turn to the threat of online child sexual exploitation and abuse (OCSEA) in the Philippines. There is a growing body of literature and evidence showing that the Philippines is one of the countries in the world most affected by OCSEA. In particular, the production and distribution of CSAM in the Philippines is a serious issue, with production occurring on an industrial scale: an estimated 600,000 sexualised photos of Filipino children were traded in 2018 alone.[113]

The Philippines has unusually strong evidence on OCSEA already, compared to most other countries in the world. Multiple key studies have been conducted that have informed this chapter and our analysis, including: Department of Social Welfare and Development and UNICEF's *National Study on Online Sexual Abuse and Exploitation of Children in the Philippines;*[114] IJM's *Online Sexual Exploitation of Children in the Philippines: Analysis and Recommendations for Governments, Industry, and Civil Society;*[115] Council for the Welfare of Children *National Baseline Study on Violence against Children;*[116] and Department of Social Welfare and Development and UNICEF's *Philippines Kids Online.*[117]

In addition to existing research, this chapter aims to further add to the evidence around OCSEA in the Philippines by triangulating data from a variety of sources – including law enforcement data, mandated reports from US-based technology companies to NCMEC, surveys of frontline workers and surveys, interviews and conversations with children themselves – to create a well-rounded presentation of the nature of these crimes against children. The chapter estimates the occurrence of certain instances of OCSEA based on data from law enforcement units (chapter 2.1) and children's self-reported experiences (chapter 2.2 and 2.3) and ends with insights concerning victim and offender profiles (chapter 2.4) and reasons for non-disclosure (chapter 2.5 and 2.6).

For several reasons, the estimates included in this chapter are not intended to provide a conclusive picture of the prevalence of OCSEA. Firstly, the existing administrative data that has been accessed, such as that kept by law enforcement authorities, rarely delineates or classifies OCSEA elements.

Secondly, with respect to the household survey, one would expect a degree of under-reporting due to privacy concerns, discomfort when talking about sex, and the stigma around sexual exploitation and abuse. Furthermore, in households where sexual abuse occurs, researchers would be less likely to be given permission to talk to the children eligible for the survey. Finally, many estimates are based on analysis of sub-samples of the survey data which are small because OCSEA is still a rarely reported phenomenon, which results in a larger margin of error.

While *Disrupting Harm* has full confidence in the data and the quality of the sample obtained, the challenges of researching specific and sensitive phenomena mean the loss of some precision in the final estimate. For these reasons, it is suggested that the reader interprets the findings in this chapter as *a good approximation* of the occurrence of certain crimes against children related to OCSEA in the Philippines and the extent to which internet-using children in the Philippines are subjected to OCSEA.

113. UNICEF Philippines. (2020). SaferKidsPH advocates to stop online sexual abuse and exploitation of children.
114. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography and UNICEF Philippines. (2021). National Study on Online Sexual Abuse and Exploitation of Children in the Philippines. UNICEF Philippines.
115. International Justice Mission. (2020). Online Sexual Exploitation of Children in the Philippines: Analysis and Recommendations for Governments, Industry, and Civil Society.
116. Council for the Welfare of the Child. (2016). National Baseline Study on Violence against Children: Philippines.
117. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography & UNICEF Philippines. (2021). Philippines Kids Online The Online Experiences of Children in the Philippines: Opportunities, Risks and Barriers.

2.1 LAW ENFORCEMENT DATA

The analysis in this chapter draws on qualitative and quantitative data from law enforcement authorities and a number of partner organisations with a view to understanding the offences relevant to OCSEA that have been recorded in the country, offender and victim behaviour, and crime enablers and vulnerabilities.

2.1.1 Recorded OCSEA-related offences

Number of offences

The Women and Children Protection Center (WCPC) under the Philippine National Police have shared data on recorded cases with the INTERPOL National Central Bureau in Manila. These are the reported numbers from two law enforcement units and do not provide a complete picture of OCSEA prevalence in the Philippines.

The data presented in Figure 17 were provided by the WCPC and include all offences involving violence against children that were recorded by the unit between 2017 and 2019.

Figure 17: Number of CSEA (online and offline) offences recorded by the WCPC, by year.

Special Protection of Children against Child Abuse, Exploitation and Discrimination Act	2017	2018	2019
Child sexual exploitation and abuse cases	16,092	12,940	12,044

Source: National Central Bureau, Manila

Figure 17 indicates a high number of offences charged under Special Protection of Children against Child Abuse, Exploitation and Discrimination Act during the period 2017 to 2019. According to national law enforcement, all OCSEA cases would have been recorded under this Act. It was recorded at its highest in 2017 and subsequently dipped by 4000 in the following years 2018 and 2019 respectively. The number of offences being charged under this Act decreased along the years during the *Disrupting Harm* research time frame.

The crime statistics above has been received from the respective departments of national law enforcement agency that report and investigate OCSEA. However, this does not present the prevalence of the complete picture of OCSEA in the country. There is a dynamic relationship between online and offline offending in the Philippines. This demonstrates the difficulty of distinguishing between "online" and "offline" CSEA in a country where CSAM distribution and offline CSEA value chains are often interdependent, and where there is an established international market for both.

However, it may be important to establish a common definition and understanding of OCSEA and recognise how online elements of CSEA manifest. Interviews with law enforcement in the Philippines indicated a need for standardised recognition and categorisation of online elements of CSEA.

> **CHALLENGE: Lack of an Effective OCSEA Database Management System**
>
> Data on OCSEA cases are not systematically stored or managed, detracting from the effectiveness of OCSEA-related law and policy. Several departments work in this crime area, including the Women and Child Protection Centre (WCPC), National Bureau of Investigation, and Anti Human Trafficking Division (AHTRAD). Each of these agencies has its own recording and reporting methods which may not only confuse the general public but also unnecessarily increase the workload of officials if the same case is reported to more than one agency. This issue was highlighted by a number of government interviewees. An Information Technology Officer from the Department of Information and Communications Technology explained that "*The database on child crimes and crimes involving children online is a challenge [...] Only when the Department of Information and Communications Technology came into place that the need for a national database on this particular crime against children online really surfaced.*" (RA1-PH-03-A)
> The participant from the Department of Social Welfare and Development (DSWD) noted that each database contains different sets of information, posing another challenge for practitioners: "*The problem here is that we have different data because not all survivors are being interviewed under the DSWD. [...] So, if you would have a comparative matrix, probably the Philippine National Police and National Bureau of Investigation have different data to the DSWD data.*" (RA1-PH-06-A)

As mentioned in the methodology section, data in this section was requested directly from Philippine law enforcement via the INTERPOL National Central Bureau in Manila. There may be discrepancies in the data given the multiple units active in this area in the Philippines, the number of actors involved in the data request and collection, and while taking into account that the units may consider OCSEA elements differently on a case-by-case basis. Since law enforcement success is frequently measured by prosecution success, charging statistics may be the first numbers that are considered or convenient (as seen in Figure 17), or may in fact be the only data practically available considering record keeping practices and infrastructure limitations.

Another methodological point worth noting for the Philippines was the self-identifying nature of the data contribution. While COVID-19 affected the data collection for all *Disrupting Harm* countries, the effect was felt particularly hard in the Philippines, where levels of various types of OCSEA are anecdotally known to be quite significant. As mentioned above, Philippine law enforcement was asked to identify and contribute data, and all following conversations and discussions involving the data were carried out remotely. Unfortunately, the global health concerns at the time did not allow for on-site queries for further clarification or supplemental categorisation. Given the operational importance that Philippine law enforcement places on this crime type, and the overwhelming amount of international interest and investment placed on the Philippines by international law enforcement, it is felt that the data presented does not reflect the true operational reality of OCSEA as experience on the ground by Philippine law enforcement. Indeed, operational workload may itself contribute to a perceived lack of data.

Other related reports and studies produced outside the partnership and specific prescribed methodological scope of *Disrupting Harm* may be contextually helpful in establishing data on OCSEA prevalence and law enforcement activity in the Philippines. These reports and studies are often produced in partnership with organisations who have embedded themselves on-site in operational partnerships with Philippine law enforcement, and thus may benefit from supplementary records and staffing to provide case statistics. While external studies cannot be validated by Philippine law enforcement in the same way as internally approved statistics are, the information contained in them might be helpful in interpreting the data found by the *Disrupting Harm* project; likewise, any discrepancies identified between *Disrupting Harm* and external studies might illustrate the challenges faced by law enforcement in identifying and addressing OCSEA, and serve as motivation for further capacity building and operational support.

2.1.2 International OCSEA detections and referrals

Reports to the United States National Center for Missing and Exploited Children (NCMEC)

On behalf of Philippines law enforcement, data was requested for *Disrupting Harm* from NCMEC on CyberTips concerning suspected child sexual exploitation in the Philippines.

United States federal law requires that 'electronic service providers' (i.e., technology companies) based in the United States report instances of suspected child exploitation to NCMEC's CyberTipline. However, for providers not based in the United States, reporting is voluntary, and not all platforms report suspected child exploitation to NCMEC. There is therefore a data gap for several platforms that are popular in the *Disrupting Harm* focus countries.

Furthermore, it must be considered that this CyberTip data only represents cases reported to NCMEC, and not a full picture of the extent of OCSEA in the Philippines. CyberTipline reports under this category may reference more than one file of CSAM. For example, some reporting electronic service providers include more files per report as opposed to one image per report and multiple reports per suspect.

Numbers of CyberTip reports: As shown in Figure 18, the reporting period (2017–2019) saw a considerable increase in reports for the Philippines, far exceeding the percentage increase in total global reports.[118]

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118. Note that a CyberTipline report may cover more than one incidence of OCSEA. Some reporting service providers include several files in each report, rather than just one image per report. Conversely, multiple reports may be submitted per suspect.

Figure 18: NCMEC CyberTips concerning suspected child sexual exploitation in Philippines.

	2017	2018	2019	% Change 2017 to 2019	% Change 2018 to 2019
The Philippines	138,361	680,255	801,273	479%	18%
Global Total	10,214,753	18,462,424	16,987,361	66%	-8%
The Philippines % of Global Total	1%	4%	5%		

Base: CyberTip data provided by NCMEC.

Figure 19: CyberTips concerning suspected child sexual exploitation in the Philippines, by incident type.

Incident Type	2017	2018	2019
CSAM, including possession, manufacture, and distribution (NCMEC classification: child pornography)[119,120]	137,992	680,082	801,142
Travelling child sex offences (NCMEC classification: child sex tourism)[121]	47	57	23
Child sex trafficking	14	18	16
Child sexual molestation	14	16	11
Misleading domain name	1	4	1
Misleading words or digital images on the internet	5	6	3
Online enticement of children for sexual acts	286	68	73
Unsolicited obscene material sent to a child	2	4	4
The Philippines Total	**138,361**	**680,255**	**801,273**

Base: CyberTip data provided by NCMEC.

Possession, manufacture and distribution of CSAM (referred to in United States legislation as "child pornography") accounted for almost all of the reports concerning the Philippines in the reporting period and increased by 481% between 2017 and 2019 (Figure 19).

While the numbers for other incident types were comparatively small and not subject to the same level of increase, multiple CyberTips concerning suspected offline child exploitation may reflect the Philippines' status as a tourist destination of particular interest to traveling sex offenders. To this end, NCMEC's additional internal classification

(Incident Type 2[122]) tagged an additional 385 CyberTips in the reporting period as related to online enticement of children pre-travel. In the three years between 2017 to 2019, 40 NCMEC CyberTips concerning the Philippines were classed as Priority 1, indicating a child in imminent danger.

While a large number of reports are received from NCMEC each month, the Office of Cybercrime reports that not every referral is actionable due to a lack of training or resources. The Cybercrime investigation and coordination centre is mandated by the Cybercrime Prevention Act of 2012 to lead the government's efforts in safeguarding the country and users from

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119. The terminology used in this column reflects classification by the National Center for Missing and Exploited Children in line with United States legislation. D*isrupting Harm* advocates use of the term Child Sexual Abuse Material, in line with the Luxembourg Guidelines.
120. CyberTips under this category may reference more than one file of CSAM. For example, some reporting electronic service providers include more files per report, as opposed to one image per report and multiple reports per suspect.
121. The terminology used in this column reflects classification by the National Center for Missing and Exploited Children in line with United States legislation. Disrupting Harm advocates use of the term Travelling Child Sex Offences, in line with the Luxembourg Guidelines.
122. Incident Type 2 (IT2) is an additional classification by NCMEC, including additional disaggregated data. IT2 classifications may include auto-referred international, unconfirmed files (files not reviewed by NCMEC), online enticement blackmail, child images (clothed), not enough information (dummy record), animation drawing or virtual, images appearing adult. IT2 does not indicate imminent threat and is not necessarily associated with Priority levels.

cyber threats including transnational crime. NCMEC CyberTip reports require a level of triage and analysis that may be time consuming and resource intensive. Many CyberTip reports may relate to viral internet videos that are widely circulated, making it difficult to identify the smaller number of actionable reports.

Sources of CyberTip reports: Nearly 100% of NCMEC's CyberTips for the Philippines in the period 2017 to 2019 came from electronic service providers. A total of 59 electronic service providers submitted at least one report of suspected child exploitation in the Philippines during this period, indicating some diversity in the platforms used by OCSEA offenders. Figure 20 presents data for the 21 platforms submitting the largest number of reports in 2019.

Facebook was responsible for 99% of the CyberTip reports submitted in 2019. The 491% increase in Facebook reports concerning the Philippines between 2017 and 2019 broadly mirrors the trend observed in the Philippines' total NCMEC CyberTips. There were also notable increases in reports from Google, Instagram and Snapchat over this period. The number of reports submitted from Twitter remained relatively consistent.

The variety of platforms among the reporting electronic service providers may also reflect the nature of suspected OCSEA offending. In particular, the data for the Philippines are notable for the number of different image hosting and video sharing providers reporting, including randomised video chat platforms. The presence of OCSEA offenders in the

Figure 20: Top 21 Electronic Service Providers submitting the largest number of NCMEC CyberTips concerning suspected child sexual exploitation in the Philippines, (sorted by 2019 counts, null results removed).

Reporting Electronic Service Provider	2017	2018	2019
Facebook	134,696	675,588	795,913
Google	756	1,568	2,627
Twitter.Inc/Vine.co	1188	1251	1064
Instagram.Inc	75	781	648
Tagged.com	158	91	148
Yahoo! Inc	38	50	132
Microsoft Online Operations	108	287	108
MeetMe.com(fka my Yearbook.com)	146	95	93
Snapchat Inc.	8	21	81
Imgur LLC	62	44	69
Omegle.com LLC	27	9	51
Discord, Inc	1		46
Roblox	29	17	32
Dropbox Inc.	63	47	26
Photobucket.com	2	3	24
Pinterest Inc.	48	22	24
sendvid	3	4	22
WhatsApp Inc.	55	18	10
4chan community support LLC	16	11	8
Reddit Inc.		1	8
Tumblr	36	17	8

Source: NCMEC

Figure 21: NCMEC CyberTips concerning suspected child sexual exploitation in the Philippines, number of unique upload IP addresses by year.

	2017	2018	2019	% Change 2017 to 2019	% Change 2018 to 2019
Philippines Unique Upload IP Addresses	41,319	155,383	187,432	354%	21%
Total Philippines Reports	138,361	680,255	801,273	479%	18%
Reports per Unique IP Address	3	4	4	28%	0%

Base: CyberTip data provided by NCMEC.

Philippines with a level of technical sophistication and specialist interest is demonstrated by the appearance in the data of self-avowed "moral free file host" Motherless.com, anonymous image-based bulletin board 4chan, digital forensics research company Hacker Factor, and dark web and peer-to-peer monitoring firm Tiversa (the last of these with 187 reports in 2017). The emergence in the data of platforms such as Discord, often used to facilitate gaming chat, may reflect the popularity of online gaming in the Philippines, particularly among boys and children living in urban areas (see chapter 1)

Multiple reports from Skout.com (269 reports in total), Tagged.com (397 reports), Tinder, Match and Initech/Growlr speak to the misuse of over-18 dating sites for suspected distribution of CSAM. The reports from Chaturbate, a platform specialising in the provision of adult live-streamed sexual activity that is often paid for in tokens, and payment provider PayPal, raise the possibility of OCSEA with a commercial element.

Number of IP addresses reported
An Internet Protocol (IP) address is assigned to each individual device on a specific network at a specific time. NCMEC data for the Philippines permits analysis of the number of unique IP addresses engaged in suspected child exploitation.

The number of unique IPs for the Philippines did not increase as rapidly over the reporting period as the total number of CyberTip reports. This could indicate that offenders are, on average, uploading more items

of CSAM per session. However, scrutiny of the content of NCMEC CyberTips for the Philippines would be required to test this hypothesis. Changes in the way addresses are assigned, for example, may also have a bearing.

Foreign law enforcement agency data
One foreign law enforcement agency informed Disrupting Harm, on condition of anonymity, that they had investigated one case of OCSEA related to the Philippines in 2017, five cases in 2018 and 13 cases in 2019. Another foreign law enforcement agency noted that they had received 115 reports on live-streaming of child sexual abuse worldwide between May 2017 and June 2020, and that the majority related to the Philippines.

2.1.3 Evidence of CSAM from other sources
CSAM distribution on peer-to-peer networks
Although CSAM is usually shared via social media, traditional peer-to-peer sharing persists. Data from the Child Rescue Coalition,[123] which detects distribution of CSAM on peer-to-peer file-sharing networks, concerning peer-to-peer distribution of CSAM between 9 June 2019 and 8 June 2020 is given in Figure 22. Since the system does not monitor all file-sharing networks, this figure should be treated with caution. The high number of Global Unique Identifiers[124] compared to IP addresses in the Philippines may indicate that offenders delete the software frequently and reinstall it when they want to share material.

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123. Child Rescue Coalition (CRC) is a non-profit organisation that assists in the rescue of children from sexual abuse by building technology for the use of law enforcement, free of charge, to track, arrest and prosecute child predators.
124. A Globally Unique Identifier (GUID) is a 128-bit number created by the Windows operating system or another Windows application to uniquely identify specific components, hardware, software, files, user accounts, database entries and other items.

Figure 22: CSAM distribution and downloading of CSAM on peer-to-peer file-sharing networks in Disrupting Harm focus countries in Southeast Asia.

	IP Addresses	Globally Unique Identifiers
Cambodia	1,319	95
Indonesia	1,124	202
Malaysia	2,754	558
Philippines	**1,971**	**1,446**
Thailand	3,049	609
Viet Nam	925	141

Source: Data supplied by *Child Rescue Coalition* for the period 9 June 2019 to 8 June 2020

CSAM Hosting

The Philippines has been identified as a hosting country for images and videos assessed as illegal by INHOPE[125] member hotlines contributing to the ICCAM (I C 'see' Child Abuse Material) platform[126] as follows:

Figure 23: CSAM hosting in the Philippines, as identified by INHOPE members hotlines using ICCAM.

	2017	2018	2019
Illegal Items (confirmed CSAM)	0	2	0
Percentage of Global Total	0%	0%	0%

Source: INHOPE

In the calendar years 2017, 2018 and 2019, the Internet Watch Foundation did not action any reports concerning confirmed CSAM hosting in the Philippines. Since the Internet Watch Foundation operates primarily as the United Kingdom's CSAM hotline, this should not be taken as evidence of an absence of CSAM hosting in the country.

CSAM Distribution via Twitter

Twitter has analysed three million URLs shared by accounts suspended *globally* in the period 2017–2019 for violation of the platform's CSEA policy. The analysis, which was conducted for *Disrupting Harm*, found that users in the Philippines were among those suspended for suspected CSEA-related activity. Although absolute numbers were not provided, the Philippines, Thailand and Indonesia accounted for 97% of all suspensions reviewed for *Disrupting Harm* focus countries. The top five domain links shared by Twitter users suspended for CSAM-related activity in the Philippines (generic shorteners and social media excluded) were curiouscat.me., 8ch.net, ask.fm, dz4link.com and socialcam.com. In terms of the behaviour of these suspended profiles, there was a desire to move to more private channels such as direct messaging, or more private platforms (for example, Line in Thailand and Indonesia) in order to conceal activities. For activities related to live-streaming that took place on private channels, Skype was the dominant platform.

Web searches for CSAM

Research was conducted on Google Trends, with a view to identifying levels of search interest in CSAM in the Philippines.[127] A sample of twenty specialised terms[128] selected by the INTERPOL Crimes Against Children team served as keywords and phrases for measuring search interest for CSAM. Queries for the period 1 January 2017 to 31 December 2019 on searches in the Philippines returned a result of 'not enough data' for each of these 20 terms.

Returns of 'not enough data' equate to a zero relative popularity score, indicating a comparatively low level of interest in that term (as opposed to absolute zero search volume) within the geographical and time limits set. When compared to global searches for the same terms and those from other countries in the same time frame, this suggests that specialist CSAM search terms may be used less in Philippines than in some other countries. While it may also be argued that more sophisticated CSAM searchers are

125. The International Association of Internet Hotlines (INHOPE) is a network of 47 hotlines worldwide that aims to remove CSAM from the internet.
126. For more information on the ICCAM project, see: INHOPE. (n.d.). What is ICCAM & Why is it important?
127. Google Trends is a publicly available tool that returns results on the popularity of search terms and strings relative to others within set parameters. Rather than displaying total search volumes, the tool calculates a score (on a range of 1 to 100) based on a search term or string's proportion to all searches on all terms/strings. Data points are divided by total searches in the geographical and time parameters set, to achieve relative popularity. While Google Trends draws on only a sample of Google searches, the dataset is deemed by the company to be representative given the billions of searches processed per day. For more information on data and scoring, see "FAQ about Google Trends data".
128. English language terms were selected because local dialects rendered sporadic results. These universal specialist terms were identified by INTERPOL Crimes Against Children team. In order to maintain uniformity in all DH reports, vernacular terms were not used unless otherwise some terms were provided by law enforcement.

less likely to search on the open web, the relative popularity in other countries of some of the terms in the Interpol sample would suggest that open web search is still used for CSAM discovery.

Acknowledging that individuals in the Philippines looking for CSAM may search in languages other than English, use of local language and slang search terms present a key knowledge gap. With this in mind, there exists an opportunity for law enforcement to review OCSEA investigations in the Philippines, with a view to identifying additional terms and search strings used by offenders.

2.1.4 Links to travel and tourism

The Philippines is a preferred destination for travelling child sex offenders. A 2020 report by International Justice Mission (IJM) found that OCSEA offenders from Western countries travel to the Philippines frequently. The study reviewed 90 investigations with 381 victims that had occurred between 2010 and 2017 and identified the National Capital Region as the location with the highest presence of facilitating offenders or OCSEA traffickers.[129] Taguig City, Iligan City, Cebu, Pampanga and Tarlac were identified as hotspots where the highest number of potential facilitating offenders reside and receive payment from overseas clients.

As noted from the foreign law enforcement data a substantial number of child sex offenders who had travelled from the United States to the Philippines were denied entry at the border. Referrals made to the Philippines by the United States Homeland Security Investigations Angel Watch Centre, which provides notifications to foreign countries regarding the anticipated travel of convicted and registered child sex offenders, resulted in 85% of the travellers in question being denied entry in 2017, 82% in 2018

and 86% in 2019. This suggests that there is effective cooperation between American and Philippines law enforcement authorities in preventing CSEA involving travelling sex offenders. Detailed information regarding the country Immigration Bureau allowing certain individuals to cross international borders to enter the Philippines was not collected as part of *Disrupting Harm* report.

A foreign law enforcement agency has reported that travelling child sex offenders tend to invest in local areas, often through intermediaries who safeguard their interests when they travel home (for example, for continued live-streaming), and that they often use orphanages, and schools to gain access to children. These offenders will commit crimes locally by producing CSAM but are unlikely to share the material immediately. They are often connected with other offenders in real life and will share material in person rather than online. Offenders are well versed in law enforcement agency investigation techniques, including attempts to identify victims, and the inadequate capacity of the local law enforcement authorities to investigate these crimes attracts them to the destination. There is often a connection between travelling child sex offenders and online offences.

Data supplied by the National Bureau of Investigation's Anti-Human Trafficking Department (AHTRAD) indicated that the travelling child sex offenders in cases handled by AHTRAD in 2017–2019 came predominantly from Western countries, including the Netherlands, France, Norway, and Canada. There is a growing body of evidence confirming that offenders from Western countries are often implicated in these crimes against children in the Philippines, particularly in live-streaming cases.[130,131] Further data about offender and victim profiles can be found in chapter 2.5.

129. International Justice Mission. (2020). Online Sexual Exploitation of Children in the Philippines: Analysis and Recommendations for Governments, Industry, and Civil Society.

130. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography & UNICEF Philippines. (2021). National Study on Online Sexual Abuse and Exploitation of Children in the Philippines. UNICEF Philippines.

131. International Justice Mission. (2020). Online Sexual Exploitation of Children in the Philippines: Analysis and Recommendations for Governments, Industry, and Civil Society.

Case Study: *From Travelling Child Sex Offender to Live-Streaming Offender*

The National Bureau of Investigation's Anti-Human Trafficking Department (AHTRAD) received a referral from a foreign law enforcement agency about a male citizen of the foreign country in question who had been convicted and had resided in the Philippines between 2008 and 2012. During this time, the offender had sexually abused an infant girl in the company of a Filipina offender. Evidence of the abuse was uncovered: 107 videos totalling 102 hours of abuse. After returning to his home country the foreign citizen had continued to commit OCSEA and live-streamed the abuse of more than 40 children aged between 5 and 15 years.

In February 2018, a search warrant was executed in the Visayas region and multiple devices, receipts of financial transactions and CSAM were discovered.

The Filipina offender was apprehended in Tacloban City, together with one of her relatives who had been the subject of another AHTRAD operation and had offered her younger sister for CSAM offences. Six female children were rescued, aged between 4 and 17. The Filipina offender was related to all the victims and had also exploited other children in the neighbourhood for the foreign offender and other OCSEA offenders. The abuse had continued for almost 10 years: i.e., four years of contact abuse and CSAM production, and six years of live-streaming.

The foreign offender had paid a total of $45,205 for the abuse to 15 different individuals in the Philippines. Of this amount, $14,874 had been paid to the Filipina offender. The Filipina offender was charged with Simple Trafficking in Persons, Qualified Trafficking in Persons[132] and Using a Child to Perform in the Creation or Production of Child Pornography.

All victims received physical and mental health care and social integration services in Department of Social Welfare and Development's shelters.

> **There is a dynamic relationship between online and offline offending in the Philippines. This demonstrates the difficulty of distinguishing between "online" and "offline" CSEA in a country where CSAM distribution and offline CSEA value chains are often interdependent, and where there is an established international market for both.**

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132. Republic of the Philippines. (2003). Anti-Trafficking in Persons Act of 2003, as amended by Expanded Anti-Trafficking in Persons Act of 2012. Section 6. Trafficking is qualified when: the 1) victim is a child, 2) trafficking is done through inter-country adoption for sexual purposes; 3) committed by a large syndicate; 4) offence committed by relative/parent/guardian or public official 5) trafficked person recruited for prostitution with military/law enforcement; 6) offender member of military or law enforcement; 7) if the victim dies, gets mutilated or infected with HIV or AIDS; 8) repeated offences in a timeframe of 60 days; and 9) when the offender directs or manages others in carrying out the exploitative purpose of trafficking.

2.2 CHILDREN'S EXPERIENCES OF CHILD SEXUAL EXPLOITATION AND ABUSE IN THE PHILIPPINES

Under the *Disrupting Harm* project, OCSEA was defined specifically to include CSAM, live-streaming of child sexual abuse, and online grooming of children for sexual purposes. These concepts are used here to organise and present the results of the research. At the same time, it is recognised that the ways in which children are subjected to OCSEA are far more complex and nuanced, and that the experiences or offences in question can occur in combination or in sequence. Moreover, as explored in "the continuum of online and offline violence" section on <u>page 70</u>, OCSEA does not only occur in the digital environment; digital technology can also be used as a tool to facilitate or record *in-person* sexual exploitation and abuse.

The *Disrupting Harm* household survey of 12–17-year-old internet users measured children's exposure to various manifestations of OCSEA, which will be presented individually below. When taken together, the data reveal that in the past year alone, an estimated 20% of internet-using children aged 12–17 in the Philippines were victims of grave instances of online sexual exploitation and abuse. This aggregate statistic encompasses four indicators of OCSEA that children were subjected to in the past year:

1. Someone offered you money or gifts in return for sexual images or videos
2. Someone offered you money or gifts online to meet them in person to do something sexual

3. Someone shared sexual images of you without your consent
4. Someone threatened or blackmailed you online to engage in sexual activities

According to *Disrupting Harm* estimates, when scaled to the population of internet-using children in this age group this represents an estimated two million children in the Philippines who were subjected to at least one of these harms in the span of just one year. It is worth considering that the survey only included internet users and those who live at home, meaning that more vulnerable child populations – such as children engaged in migration or children in street situations – may not be represented in these figures.

2.2.1 Online grooming

Disrupting Harm defines online grooming as engaging a child via technology with the intent of sexually abusing or exploiting the child. This may happen either completely online or through a combination of online and in-person contact.

Online grooming is a complex process which is often fluid and difficult to detect, especially where it involves a slow build of trust between the offender and the child over an extended period of time. The child is often 'prepared' for sexual abuse and made to engage in sexual acts online or in person by means of deceit, coercion or threats. However, online grooming can also be abrupt, with an offender suddenly requesting or pressuring a child to share sexual content of themselves or to engage in sexual acts, including via extortion.

Grooming of children – also referred to in the Philippines as "enticement" – can be the starting point for further online and/or in-person CSEA activities. The Office of Cybercrime, Department of Justice, which is the agency responsible for assessing NCMEC CyberTips and initiating investigations, confirmed that other than the production and dissemination of CSAM, the enticement of children via social media is the next most commonly reported offence – although they added that other units or organisations with different mandates might focus on other OCSEA-related offences. A multinational study of national helplines, including the Philippines, conducted by Child Helpline International confirmed that the priority areas identified by the Philippine Child Helpline (Bantay Bata 163) were: children being involved in the creation of CSAM; cyberbullying;

online trolling; online sexual harassment; sexual extortion; and online grooming.[133] Relative to data on CSAM production and distribution, evidence on grooming of children in the Philippines remains scant. However, data from 2017 indicate potential instances of grooming, for example that 7% of children aged 9–17 in the Philippines were asked to share sexual information about themselves online and 8% have been asked by someone on the internet to do something sexual when they did not want to.[134]

In the household survey of internet-using children in the Philippines, children were asked if they had been subjected to certain forms of behaviour in the past year that could constitute an indication of grooming. Those children who had experienced possible instances of grooming were then asked follow-up questions about *the last time* this happened to them: how they felt, whether it occurred online or offline (or both), who was the offender, and whether they told anyone about it. Because relatively few children said they were subjected to possible grooming attempts, many of these follow-up questions involve small subsamples. In such cases, when the sample is smaller than 50, absolute numbers are presented instead of percentages to avoid misrepresentation of the data. Recognising that sexual exploitation and abuse of children can happen in many different ways and places, most data points below allow for multiple responses and thus may add up to over 100%. Finally, differences between age groups, boys and girls, or urban and rural areas are only reported when there is a difference of five percentage points or more.

Legislation on grooming
The Anti-Child Pornography Act criminalises the acts of "luring" and "grooming" a child.[135] Grooming means "the act of preparing a child or someone who the offender believes to be a child for sexual activity or sexual relationship by communicating any form of child pornography".[136] The offence of grooming includes online enticement.[137] The provision seems to criminalise the mere act of a proposal, irrespective of whether or not it is followed by any material acts leading to the sexual abuse in person or online.

Nevertheless, the offence of "grooming" is quite narrow in scope, since it only covers grooming carried out by means of sending CSAM to the child.

The offence of "luring" involves "communicating, by means of a computer system, with a child – or someone who the offender believes to be a child – for the purpose of facilitating the commission of sexual activity or production of any form of child pornography".[138] This definition is wider than the definition of "grooming" and could hence be used to cover acts that fall short of the offence of "grooming".

Potential grooming – children asked to talk about sex
According to data from the household survey with 950 internet-using children, 17% of respondents said they had been asked to talk about sex or sexual acts with someone when they did not want to. There were no major differences by age, gender, or whether the child lived in an urban or rural area. This figure has increased slightly since 2017; according to the Philippines Kids Online study, 12% of children using the internet (aged 9 – 17) were asked to talk about sexual acts online with someone when they did not want to over a one-year period.

Depending on the context, these experiences could imply varying levels of harm for a child. For example, a child being asked to talk about sex by a boyfriend or girlfriend but not wanting to engage at that moment might not face serious harm from this interaction. On the other hand, these experiences could also point to malicious instances of attempted grooming; therefore, the figure above is described in this report as an instance of *potential* (versus actual) grooming.

Online or offline? The children who received unwanted requests to talk about sex in the past year were asked if this most recently happened in person, on social media, in an online game, or in some other way. As shown in the infographic on page 55, around half of the children in this subsample were approached on social media. Receiving these requests in person (16%) and through an online game (8%) was relatively less common among this group of children.

133. UNICEF & Child Helpline International. (2017). A New Reality: Child Helplines Report on Online Child Sexual Exploitation and Abuse from Around the World.
134. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography & UNICEF Philippines. (2021). Philippines Kids Online The Online Experiences of Children in the Philippines: Opportunities, Risks and Barriers UNICEF Philippines.
135. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 4(h).
136. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 3(h).
137. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 3(h).
138. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 3(i).

More girls than boys received unwanted requests to talk about sex both in person and via social media. While rare, the data indicates that a higher proportion of boys than girls received these requests in an online game. That boys received more requests in an online game was a consistent pattern for all instances of potential grooming and could be due in part to the fact that more boys than girls played games online, while slightly more girls than boys used social media (see chapter 1).

The children who said they most recently received unwanted requests to talk about sex via social media were mostly targeted on Facebook or Facebook Messenger. The next most commonly mentioned platforms included TikTok, YouTube, Twitter and Instagram.

In order to ensure the data below capture CSEA with a digital element only, the following analysis only includes children who were targeted online visa social media or online games (n = 89), as these would represent instances of OCSEA under the Disrupting Harm definition.

How children felt: Of the 89 children in this subsample, 17% said they were not affected at all the last time they received such an unwanted request. A higher proportion of boys said they were unaffected in comparison to girls (27% and 8% respectively). The majority of children however, had negative feelings about the incident, often feeling scared, annoyed, or angry as shown in the accompanying infographic.

How children respond: Over half of the children who received unwanted requests to talk about sex refused to comply (57%). This was followed by 20% of the children blocking the person sending the request, and 18% ignoring the request and hoping the person would go away. A smaller proportion of the children asked to be left alone or deleted the messages. Only 5% of the children reported these messages online. Another 5% of the respondents complied with the request.

Who makes the requests? 57% of the children who were asked to talk about sex online said the offender was someone unknown to them[139]. Eighteen percent of the children said the offender was a friend or acquaintance under 18 years old, and 15% received the request from an adult friend or acquaintance.

Relatively fewer children said they received these kinds of messages from a former or current romantic partner (7%) and only 2% had received these requests from family members.

Who children tell about it – if anyone: Referring to the last time they received an unwanted request to talk about sex online, most of the children either did not disclose what happened to them to anyone (32%) or told a friend (32%). More 16–17-year-olds did not disclose what happened to them than younger respondents (12–13: 22%; 14–15: 33%; 16–17: 38%). The remaining children turned to a sibling, followed by an adult such as a caregiver or teacher. It was more common for children to disclose these instances to someone in their interpersonal networks rather than report it through a formal mechanism. For example, as shown in the infographic on page 55, only 3% of children reported the incident to the police and none reported through a helpline or social worker.

For the 28 children who did not disclose, the main barrier was not knowing where to go or whom to tell. Other barriers to disclosure or reporting included feelings of embarrassment and shame, fear that no one would believe them or not considering the incident serious enough to report.

Potential grooming – children asked to share sexual images or videos

Some offenders have the intention of manipulating children into self-generating and sharing sexual images or videos through digital technologies, whether or not they also intend to meet the child in person. In 2015, amid concern about this issue, the Lanzarote Committee in charge of overseeing implementation of the Council of Europe's Convention on the Protection of Children against Sexual Exploitation and Abuse (also known as the 'Lanzarote Convention') issued an opinion regarding this. The Committee recommended that states extend the crime of grooming for sexual purposes to include "cases when the sexual abuse is not the result of a meeting in person but is committed online."[140]

The children who took part in the household survey were asked whether, in the past year, they had received a request "for a photo or video showing their private parts when they did not want to." While these data could capture requests from partners or peers,

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139. This category combines the response items: "someone I didn't know before this happened" and "I do not know who the person was".
140. Council of Europe's Lanzarote Committee. (2015). Opinion on Article 23 of the Lanzarote Convention and its explanatory note. Paragraph 20.

IN THE PAST YEAR
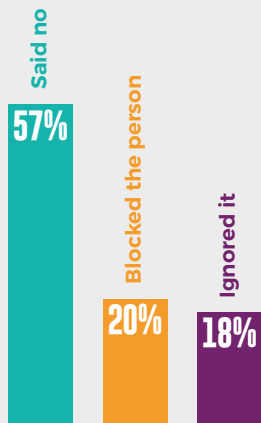# I HAVE BEEN ASKED TO TALK ABOUT SEX WHEN I DID NOT WANT TO

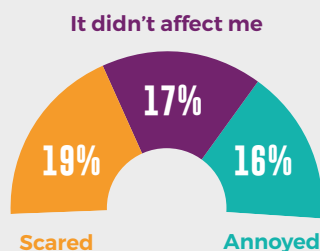**YES 17%**

Base: Internet using children 12–17
n = 950 children

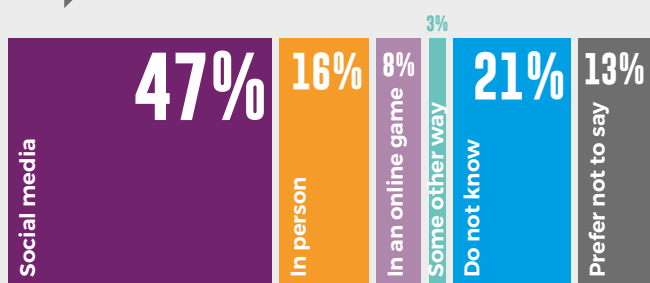## THE LAST TIME THIS HAPPENED ONLINE...

What did you do?*†

Said no **57%**
Blocked the person **20%**
Ignored it **18%**

How did you feel?*

It didn't affect me **17%**
Scared **19%**
Annoyed **16%**

Who did it?*†

A friend/acquaintance (under 18) **18%**
A friend/acquaintance (18+) **15%**
A romantic partner (or ex-) **7%**
A family member **2%**
Someone else **2%**
Prefer not to say **9%**
Someone unknown to the child **57%**

n = 89 internet-using children aged 12–17 who received unwanted requests *online* to talk about sex in the past year.

Where did it happen?*†

Social media **47%**
In person **16%**
In an online game **8%**
Some other way **3%**
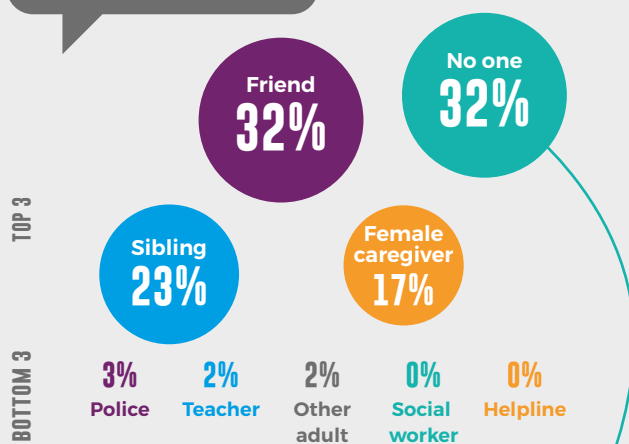Do not know **21%**
Prefer not to say **13%**

n = 164 internet-using children aged 12–17 who received unwanted requests to talk about sex in the past year.

On which platform did this happen?*†

Facebook or Facebook Messenger
85%

TikTok **12%**
YouTube **8%**
Twitter **8%**
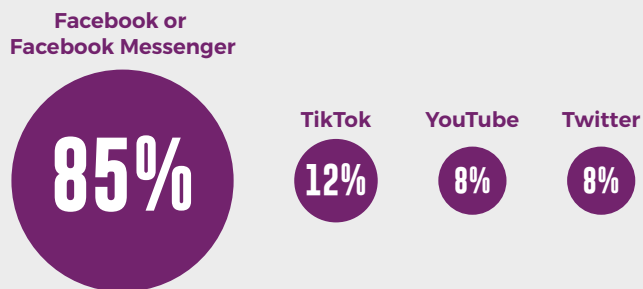
n = 77 internet-using children aged 12–17 who *most recently* received unwanted requests *via social media* to talk about sex.

Whom did you tell?**†

TOP 3

Friend **32%**
No one **32%**
Sibling **23%**
Female caregiver **17%**

BOTTOM 3

Police **3%**
Teacher **2%**
Other adult **2%**
Social worker **0%**
Helpline **0%**

n = 89 internet-using children aged 12–17 who received unwanted requests *online* to talk about sex in the past year.

Why did you not tell anyone?*†

I did not know whom to tell **39%**
I felt embarassed **18%**
I did not think it was serious **11%**
I did not think anyone would believe me **11%**

n = 28 internet-using children aged 12–17 who *did not tell anyone* the last time they received unwanted requests *online* to talk about sex.

*These figures represent the most common responses selected by children.
**These figures represent the most and least common responses selected by children.
†Multiple choice question

Source: Disrupting Harm data

IN THE PAST YEAR
I WAS ASKED FOR A PHOTO OR VIDEO SHOWING MY PRIVATE PARTS WHEN I DID NOT WANT TO
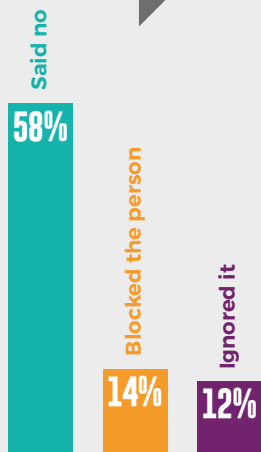
YES 15%

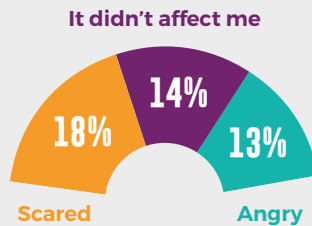Base: Internet using children 12–17
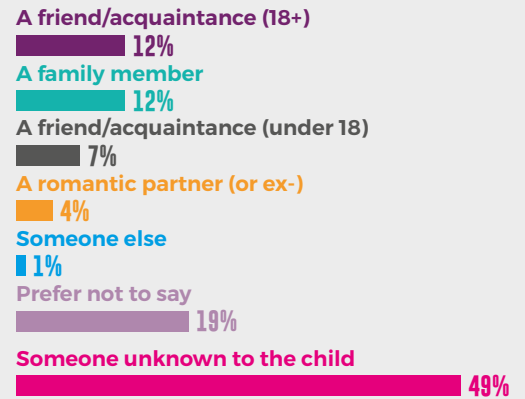**n = 950 children**

THE LAST TIME THIS HAPPENED

What did you do?*†

Said no **58%**
Blocked the person **14%**
Ignored it **12%**

How did you feel?*

It didn't affect me **14%**
Scared **18%**
Angry **13%**

Who did it?*†

A friend/acquaintance (18+) **12%**
A family member **12%**
A friend/acquaintance (under 18) **7%**
A romantic partner (or ex-) **4%**
Someone else **1%**
Prefer not to say **19%**
Someone unknown to the child **49%**

n = 145 internet-using children aged 12–17 who received unwanted requests for sexual images in the past year.

Where did it happen?*†

Social media **39%**
In person **10%**
In an online game **11%**
Some other way **6%**
Do not know **19%**
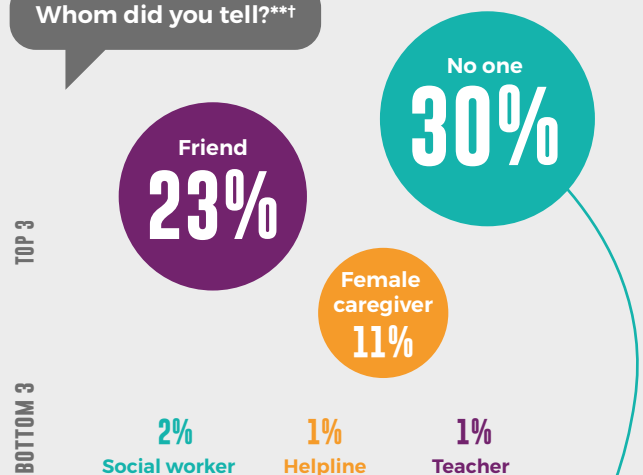Prefer not to say **18%**

n = 145 internet-using children aged 12–17 who received unwanted requests for sexual images in the past year.

On which platform did this happen?*†

Facebook or Facebook Messenger **97%**
Instagram **11%**
TikTok **9%**
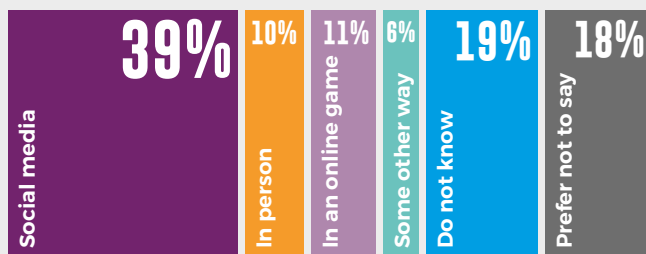
n = 57 internet-using children who most recently received unwanted requests for sexual images *via social media*.

Whom did you tell?**†

TOP 3
Friend **23%**
No one **30%**
Female caregiver **11%**

BOTTOM 3
Social worker **2%**
Helpline **1%**
Teacher **1%**

n = 145 internet-using children aged 12–17 who received unwanted requests for sexual images in the past year.

Why did you not tell anyone?*†

I did not know whom to tell **43%**
I felt embarrassed **30%**
I did not think it was serious **11%**

n = 44 internet-using children aged 12–17 *who did not tell anyone* the last time they received unwanted requests for sexual images.

*These figures represent the most common responses selected by children.
**These figures represent the most and least common responses selected by children.
†Multiple choice question

Source: Disrupting Harm data

they could also point to attempts to manipulate children into self-generating and sharing sexual images or videos through digital technologies. Within the past year, 15% of the internet-using children surveyed in the Philippines had received unwanted requests for a photo or video showing their private parts, with no observable differences between girls and boys, age groups, or rural and urban areas.

How children felt: A majority (65%) of the children who received these requests felt negatively about what happened. These children typically reported feeling scared, angry or embarrassed. A small minority of children said they were not affected the last time they received such a request (see infographic on page 56).

How children respond: Over half of the children (58%) said they refused to comply with the request. This was by far the most common response by children, followed by 14% of children who blocked the person sending the request, and 12% who ignored the request. Other less common responses included asking the person to leave them alone and deleting the messages, while a few children (4%) stopped using the internet for a while. A minority of children (5%) who received these requests said they complied and shared sexual images or videos of themselves.

Who makes the requests? Almost half of the children in this subsample (49%) said that the most recent request came from someone unknown to them[141]. The next most commonly cited groups of offenders were family members and adult friends or acquaintances. Only 7% of the children reported that the request came from a friend or acquaintance aged under 18 and only 4% from a romantic partner.

Online or offline? The most common place where children were targeted with these requests was social media (39%). This was followed by online games, and in-person requests (11% and 10%, respectively). More boys than girls received these requests in person and through online games. On the other hand, girls were most likely to receive requests via social media compared to other mediums like in person or in an online game.

Almost all the children who most recently received the requests on social media said they were targeted on Facebook or Facebook Messenger (97%).

A relatively much smaller proportion of requests were received on platforms like Instagram (11%) or TikTok (9%).

Who children tell about it – if anyone: One in three children who received requests to send images of themselves when they did not want to did not tell anyone or seek support. Children who did disclose the incident were most likely to turn to a friend, followed by a female caregiver, and/or a sibling. Very few children in this subsample reported what happened to them formally through the police, helplines, or social workers.

Offering children money or gifts for sexual images or videos

The offer of money or gifts to a child in return for sexual images or videos constitutes evidence of grooming with the aim of obtaining CSAM. Among the internet-using children surveyed, 11% said that someone had offered them money or gifts in return for their sexual images or videos within the past year. There were no clear differences by age group, gender, or the level of urbanity.

Who makes the offers? Among children who received such an offer in the past year, more than half said they were approached by someone unknown to them (53%). As shown in the infographic on page 58, children were equally likely to receive the offers from a current or former romantic partner and a family member. The least likely category to make these offers, according to children, were friends or acquaintances (both peers and adults).

Online or offline? The highest proportion of children (38%) said they were approached on social media the last time they received offers of money or gifts to share sexual content. This was followed by online games (13%). More children aged 12–13 were targeted through online games compared to older age groups in the sample. However, it was more common for children between the ages of 16 and 17 to receive these offers through social media. Eight percent said the offers had been made in person. The other children said the offers had been made in some other way (11%). Children might not want to delve into the details of these incidents, which would explain the high non-response rate to this question (34%).

Children who were targeted on social media overwhelmingly named Facebook or Facebook

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141. This category includes both someone they didn't know before the incident occurred, and someone whose identity they still don't know.

OCSEA

I WAS OFFERED MONEY OR GIFTS IN RETURN FOR SEXUAL IMAGES OR VIDEOS

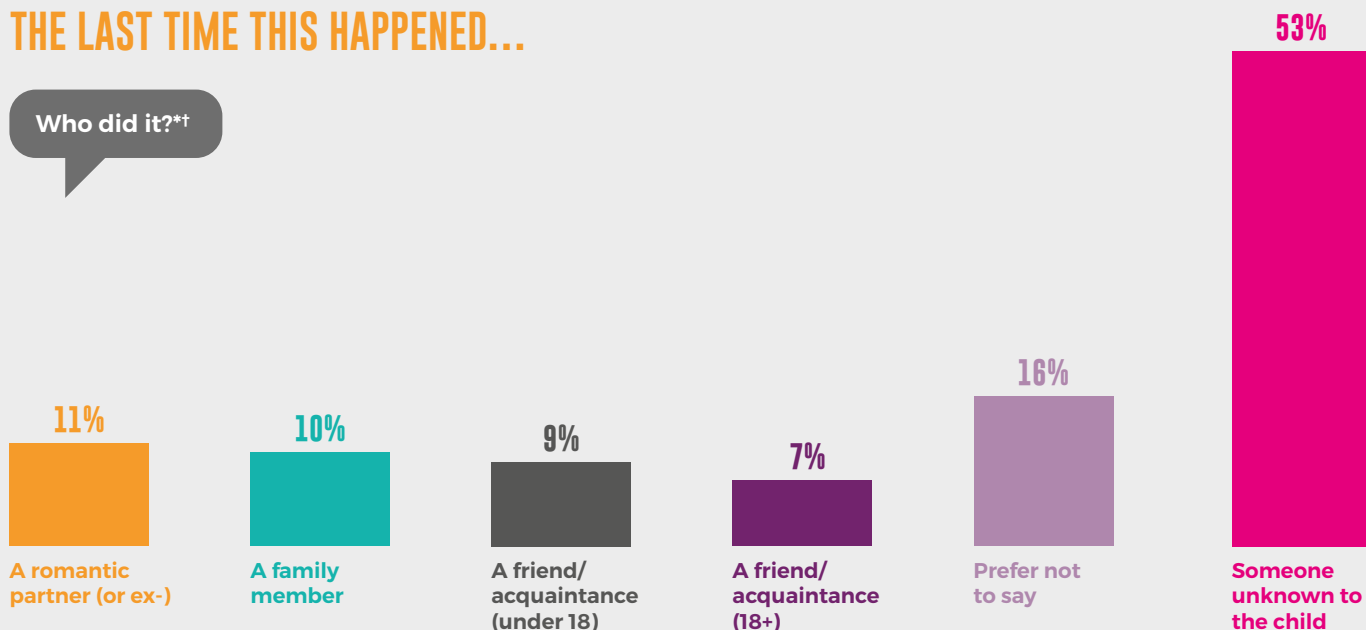## YES 11%

Base: Internet using children 12–17
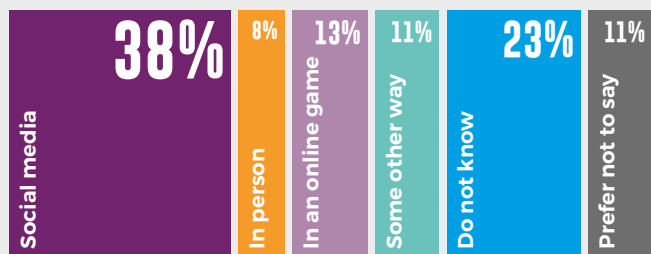**n = 950 children**


THE LAST TIME THIS HAPPENED...

Who did it?*†

11%	10%	9%	7%	16%	53%
A romantic partner (or ex-)	A family member	A friend/ acquaintance (under 18)	A friend/ acquaintance (18+)	Prefer not to say	Someone unknown to the child

n = 101 internet-using children aged 12–17 who were offered money or gifts for sexual images or videos.

Where did it happen?*†

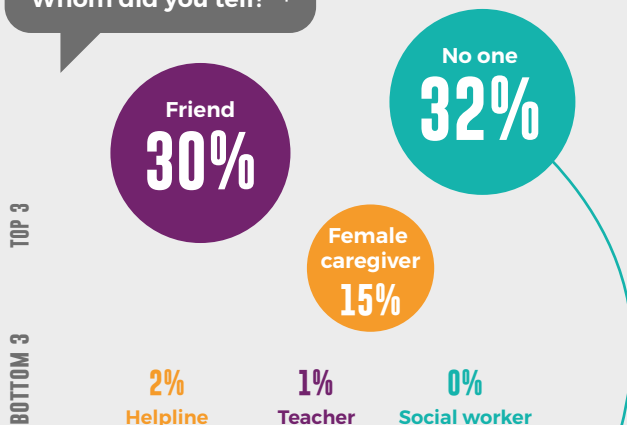| 38%	8%	13%	11%	23%	11%
Social media	In person	In an online game	Some other way	Do not know	Prefer not to say

n = 101 internet-using children aged 12–17 who were offered money or gifts for sexual images or videos.

On which platform did this happen?*†

Facebook or Facebook Messenger
95%

Snapchat 8%

TikTok 5%

Twitter 5%
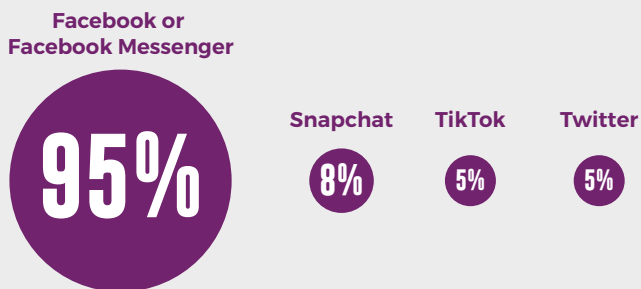
n = 38 internet-using children aged 12–17 who *most recently* were offered money or gifts *via social media* in exchange for sexual images or videos.

Whom did you tell?**†

TOP 3

Friend 30%

No one 32%

Female caregiver 15%

BOTTOM 3

2% Helpline   **1% Teacher**   **0% Social worker**

n = 70 internet-using children aged 12–17 who were offered money or gifts for sexual images or videos.

Why did you not tell anyone?*†

I did not know whom to tell 38%

I felt I did something wrong 22%

I felt embarrassed 19%

I was worried I would get into trouble 19%

n = 32 internet-using children aged 12–17 who *did not tell anyone* the last time they were offered money or gifts for sexual images or videos.

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*These figures represent the most common responses selected by children.
**These figures represent the most and least common responses selected by children.
†Multiple choice question

Messenger as the platform where they most recently received an offer of money or gifts in return for sexual content (see infographic). Other platforms like Snapchat were only mentioned by 3 children, while TikTok and Twitter were mentioned by two children each.

Who children tell about it – if anyone: Children's patterns of disclosure are consistent with other forms of OCSEA already presented. A similar proportion of children said they told a friend as those who did not to tell anyone at all (30% and 32%, respectively). Family members were the next most common confidants, particularly female caregivers (15%). In comparison, a very small minority chose to make formal reports – for example, to the police or a helpline as shown in the infographic on .

Offering children money or gifts for sexual acts in person

It is clear from the conversations with survivors of OCSEA conducted as part of the research for *Disrupting Harm* that the grooming of children online for the purpose of meeting in person to engage in sexual activities is a real threat. Data provided by NCMEC on CyberTipline reports concerning suspected child sexual exploitation in the Philippines revealed that, between 2017 – 2019, 427 reports were related to online enticement of children for sexual acts.

In the household survey, 11% of the children said that in the past year someone offered them money or gifts to meet in person to do something sexual. There were no clear differences by gender, age group or level of urbanity.

Online or offline? Children received these kinds of offers both online and offline, highlighting once again how digital technology can be used to facilitate in-person violence against children. Within the subsample of 105 children who received offers of money or gift for sexual acts in person, 36% were contacted via social media, while in-person requests and via online games were less common. Five percent of children said this happened to them in some other way. Like other findings, these numbers may be under-reported (there was a 42% non-response rate) as children may not feel comfortable or safe enough to disclose their experiences of abuse and exploitation.

As shown on , among the children who said they were most recently targeted through social

media, the vast majority of offers came through Facebook or Facebook Messenger. Other platforms mentioned – but much less frequently – included TikTok, Instagram, Twitter, Snapchat and the live-streaming app Periscope, which was selected by 3 out of 38 children.

That Facebook is consistently the most common platforms where children are targeted with unwanted requests or offers of money or gifts in return for sex or sexual content, could be due in part to patterns observed by law enforcement in chapter 2.1, where children were targeted on more open platforms and then conversation moved to platforms where it is easier to hide grooming attempts.

The following data are derived from a subsample of children who received these offers online in the past year. Because offering children money or gifts for sexual acts in person can happen entirely 'offline' (without the involvement of technology), only the 44 children who confirmed that they had received offers of money or gifts via an online channel – i.e., on social media and/or in an online game – to meet in person for sexual acts are included in the following analysis.

Who makes the offers? When the 44 children who received offers of money or gifts online to later engage in sexual activities in person were asked who made the most recent offer they received, over half said it came from someone unknown to them, with no difference being observed between boys and girls (see infographic on). Seven children, all of whom were girls, said the request came from a family member. Friends or acquaintances (both adults and peers) and romantic partners were the common offenders.

Who children tell – if anyone: Out of the 44 children, 17 said that they did not tell anyone about the most recent offer for money or gifts that they received. For children who did disclose, the same pattern is evident as in other types of OCSEA: friends were the most common confidants, followed by a family member such as a female caregiver or sibling. Some children told another trusted adult such as a neighbour, doctor or coach. Consistent with the data for other forms of OCSEA, these children avoided formal reporting mechanisms, relying instead on their interpersonal support networks. In fact, none of them called a helpline or reported the incident to the police.

IN THE PAST YEAR
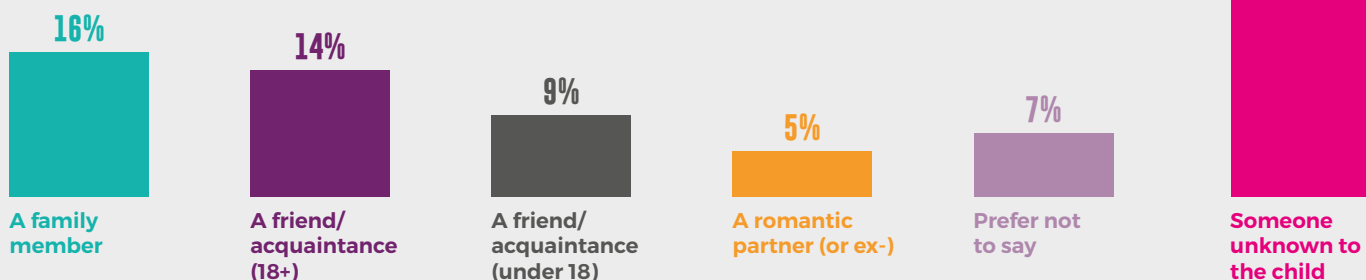# I WAS OFFERED MONEY OR GIFTS TO MEET IN PERSON TO DO SOMETHING SEXUAL

YES 11%

Base: Internet using children 12–17
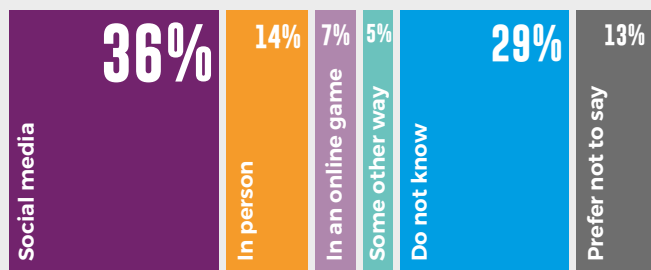**n = 950 children**

THE LAST TIME THIS HAPPENED ONLINE...

Who did it?*†

16%	14%	9%	5%	7%	55%
A family member	A friend/ acquaintance (18+)	A friend/ acquaintance (under 18)	A romantic partner (or ex-)	Prefer not to say	Someone unknown to the child

n = 44 internet-using children aged 12–17 who were offered money or gifts *online* for in-person sexual acts in the past year.

Where did it happen?*†

36%	14%	7%	5%	29%	13%
Social media	In person	In an online game	Some other way	Do not know	Prefer not to say

n = 105 internet-using children aged 12–17 who were offered money or gifts for in-person sexual acts in the past year.

On which platform did this happen?*†

Facebook or Facebook Messenger	TikTok	Instagram
87%	14%	13%
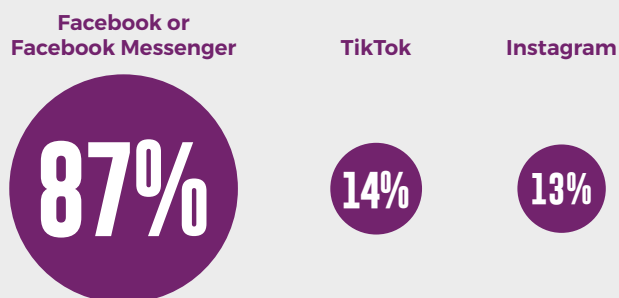
n = 38 internet-using children aged 12–17 who *most recently* received offers of money or gifts for in-person sexual acts *via social media.*
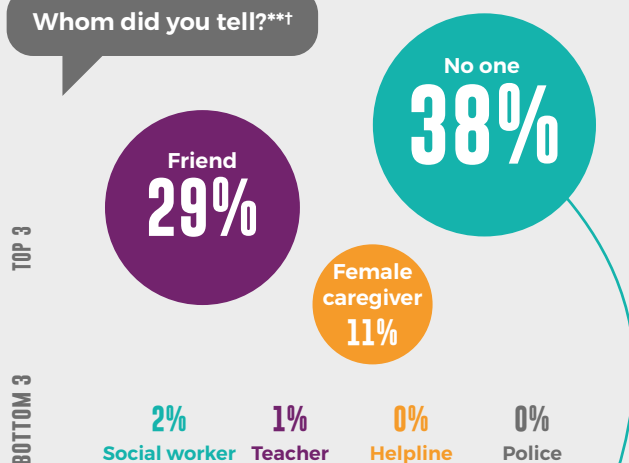
Whom did you tell?†**

TOP 3

Friend **29%**

No one **38%**

Female caregiver **11%**

BOTTOM 3

2%	1%	0%	0%
Social worker	Teacher	Helpline	Police

n = 44 internet-using children aged 12–17 who were offered money or gifts *online* for in-person sexual acts in the past year.

Why did you not tell anyone?*†

I did not know whom to tell	I felt embarrassed	I did not think it was serious	I did not think anyone would believe me
41%	24%	18%	18%

n = 17 internet-using children aged 12–17 who *did not tell anyone* the last time they were offered money or gifts *online* for in-person sexual acts.

*These figures represent the most common responses selected by children.
**These figures represent the most and least common responses selected by children.
†Multiple choice question

Source: Disrupting Harm data

OCSEA

IN THE PAST YEAR
SOMEONE THREATENED OR BLACKMAILED ME TO ENGAGE IN SEXUAL ACTIVITIES

YES 13%
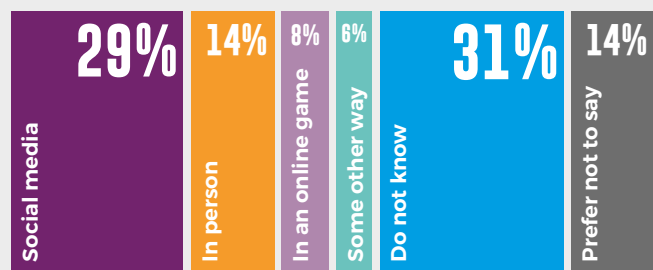
Base: Internet using children 12–17
n = 950 children


THE LAST TIME THIS HAPPENED ONLINE...

Who did it?*†

14%	10%	7%	7%	10%	61%
A romantic partner (or ex-)	A friend/ acquaintance (under 18)	A friend/ acquaintance (18+)	A family member	Prefer not to say	Someone unknown to the child

n = 43 internet-using children aged 12–17 who were threatened or blackmailed *online* to engage in sexual acts in the past year.

Where did it happen?*†

29%	14%	8%	6%	31%	14%
Social media	In person	In an online game	Some other way	Do not know	Prefer not to say

n = 119 internet-using children aged 12–17 who were threatened or blackmailed to engage in sexual acts in the past year.

On which platform did this happen?*†

Facebook or Facebook Messenger
89%

Snapchat 11%
TikTok 11%
YouTube 11%
Instagram 8%
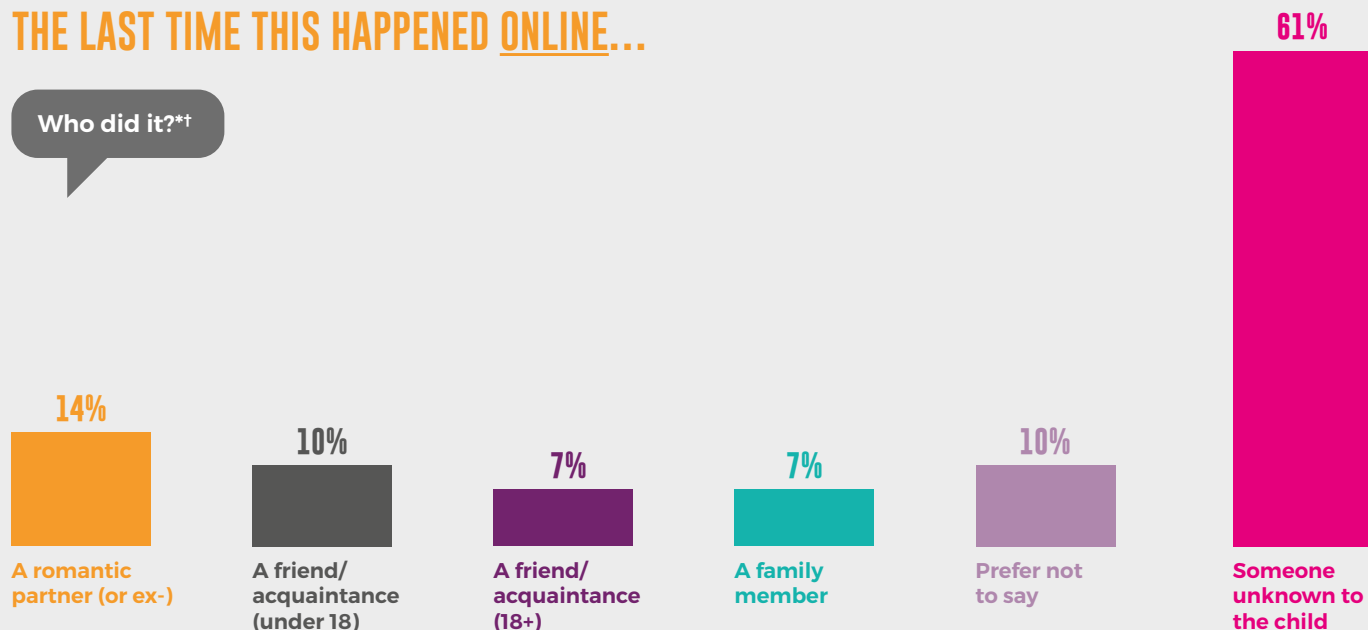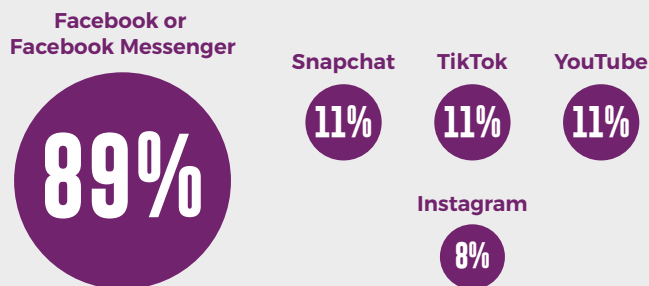
n = 35 internet-using children aged 12–17 who *most recently* received threats or were blackmailed *via social media*.
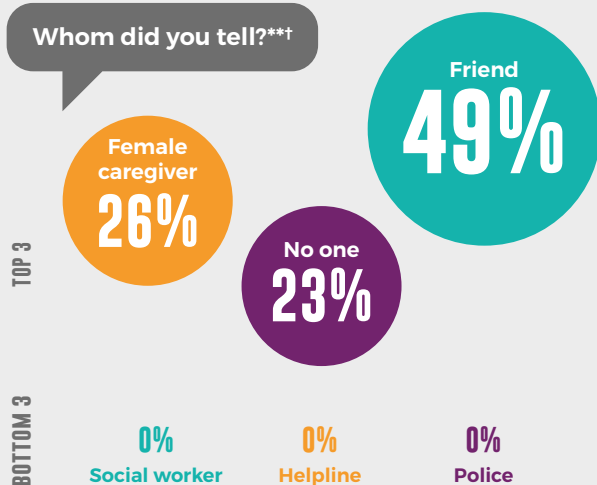
Whom did you tell?†**

TOP 3

Friend 49%
Female caregiver 26%
No one 23%

BOTTOM 3

0% Social worker
0% Helpline
0% Police

n = 43 internet-using children aged 12–17 who were threatened or blackmailed *online* to engage in sexual acts in the past year.

Why did you not tell anyone?*†

I did not think anyone would believe me	I did not know whom to tell	I felt I did something wrong	I feared it would cause trouble
40%	33%	11%	11%

n = 10 internet-using children aged 12–17 who *did not tell anyone* the last time they were threatened or blackmailed *online* to engage in sexual activities.

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*These figures represent the most common responses selected by children.
**These figures represent the most and least common responses selected by children.
†Multiple choice question

Source: Disrupting Harm data

Sexual extortion

Sexual extortion is sometimes used in the grooming process. Once offenders have obtained sexual images or videos of a child, they can threaten to make those images public or share them with the child's friends or members of their families as a way to pressure children into sharing more images or engaging in other sexual activities. Such threats can also be used to extort money. Although the Philippines legislation does not specifically criminalise the sexual extortion of children committed or facilitated in the online environment, existing provisions on threats and coercion[142] could be used to prosecute offenders of these crime.

In the household survey, internet-using children in the Philippines were asked if anybody had threatened or blackmailed them to engage in sexual activities. Thirteen percent said this happened to them in the past year. The children were not asked what kinds of threats were used, so it is not clear, for example, whether previously obtained sexual images were used to extort money or to engage in further sexual activities.

Online or offline? Among the children who had been threatened or blackmailed to engage in sexual activities in the past year, most had received these threats on social media. Consistent with the data already presented, the next most likely channels were face-to-face interactions and online games. The non-response rate for this question was high (45%).

For children who were blackmailed or threatened to engage in sexual activities *on social media*, the majority said that the most recent threats they received came through Facebook or Facebook Messenger (see infographic). Snapchat, TikTok and YouTube were cited as the platforms used by four children each.

Again, because children can be blackmailed or threatened to engage in sexual activities entirely in-person (without the involvement of technology), only the 43 children who said they were threatened or blackmailed to engage in sexual activities online *– i.e., via social media or an online game – are included in the following analysis.*

Who makes the threats? Once again, children were most likely to be victimised by someone unknown to them. Only six children cited a former or current romantic partner and five children a friend or acquaintance younger than 18. Family members and adult friends or acquaintances older than 18 years were the least likely groups to be named by children as the offenders, accounting for three cases each. As with the other forms of OCSEA explored in this chapter, online sexual extortion appears to be more commonly – but not exclusively – committed by individuals unknown to the child.

Who children tell about it – if anyone: Ten out of the 43 children did not tell anyone the last time they were being blackmailed online to engage in sexual activities. The other children disclosed what happened to a friend or a female caregiver. None of the respondents reported what happened through any formal mechanisms such as helplines or the police.

2.2.2 CSAM and live-streaming of child sexual abuse

There is a growing body of literature that highlights the scale of CSAM production in the Philippines. As presented in chapter 2.1, the possession, manufacture and distribution of CSAM account for almost all CyberTips submitted to NCMEC between 2017 and 2019.

The Anti-Child Pornography Act defines CSAM as "any representation, whether visual, audio, or written, or combination thereof, by electronic, mechanical, digital, optical, magnetic or any other means, of a child engaged or involved in real or simulated explicit sexual activities".[143] For the purposes of this definition, the term "child" also includes "computer-generated, digitally or manually crafted images or graphics of a person who is represented or who is made to appear to be a child",[144] thereby including digitally-generated CSAM. In addition, "child" also refers to "a person regardless of age who is presented, depicted or portrayed as a child".[145] Although very detailed, the legal definition of CSAM does not explicitly cover depictions of the sexual parts of a child's body for primarily sexual purposes.

The Anti-Child Pornography Act comprehensively criminalises acts associated with CSAM, including producing, publishing, offering, transmitting,

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142. Republic of the Philippines. (1997). The Revised Penal Code of 1930, Articles 282 and 293 read in conjunction with Republic of the Philippines. (2012). The Cybercrime Prevention Act of 2012 (Republic Act No. 10175), Section 6.

143. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 3(a) & (b).

144. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 3 (a) (2).

145. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 3(a) (1).

selling, distributing, broadcasting, advertising, promoting, exporting or importing any form of CSAM.[146] Possessing any form of CSAM in order to sell, distribute, publish or broadcast it is also an offence.[147] Moreover, if a person possesses more than three items of CSAM of the same type, they are presumed to possess these materials for the purposes of selling, distributing, publishing or broadcasting.[148] In addition, merely possessing (with no intent to distribute) and wilfully accessing any form of CSAM are offences under the Anti-Child Pornography Act.[149]

Under the Cybercrime Prevention Act, the provisions of the Anti-Child Pornography Act are explicitly applicable to unlawful acts associated with CSAM committed through a computer system.[150]

The acts of hiring, employing, using, persuading, inducing or coercing a child to perform in the creation or production of CSAM constitute an offence under the Anti-Child Pornography Act.[151] The Act further provides that if parents, guardians or other persons having control or custody of a child knowingly allow that child to engage, participate or assist in any form of CSAM, they are liable to be punished.[152] In addition, the Act prohibits persons from knowingly, wilfully and intentionally providing a place including a den, private room, cubicle, cinema, house, etc., for the commission of any offence relating to CSAM.[153]

The Cybercrime Prevention Act establishes the offence of "cybersex", which involves "the wilful engagement, maintenance, control, or operation, directly or indirectly, of any lascivious exhibition of sexual organs or sexual activity, with the aid of a computer system, for favour or consideration".[154] In the words of the Supreme Court of the Philippines, "The Act actually seeks to punish cyber prostitution, white slave trade, and pornography for favour and consideration. This includes interactive prostitution and pornography, i.e., by webcam."[155] According to the Implementing Rules and Regulations of the

Cybercrime Prevention Act, the offence of cybersex involving a child would be punished as per the provisions relating to CSAM under the Cybercrime Prevention Act.[156] Consequently, the live-streaming of child sexual abuse has been criminalised under this Act, albeit implicitly.

In addition, the Special Protection of Children Against Abuse, Exploitation and Discrimination Act criminalises engaging a child in obscene exhibitions and indecent shows, whether live or on video, including pornographic materials.[157] Accordingly, offenders of live streaming of child sexual abuse could also be charged under this offence.

The live-streaming of CSEA is particularly hard to detect. Any application with a live-streaming function, such as Facebook, Viber or Skype, may be used for live-streaming. In the household survey, children who had experienced OCSEA often reported being targeted on applications offering live-streaming functions, with Facebook being the most frequently cited platform.

Children's experiences of non-consensual sharing of sexual images

Thirteen percent of the internet-using children aged 12–17in the Philippines who took part in the *Disrupting Harm* household survey stated that someone had shared sexual images of them without their permission, with no notable variations by gender or age group. This is an alarming proportion considering the severity of this crime.

Sexual images of children, particularly those shared online, can be circulated widely and viewed repeatedly all over the world, resulting in a continuous sense of shame and fear of being recognised for the victims. When these images or videos are recordings of severe sexual abuse, the trauma associated with those in-person experiences can be repeatedly reactivated by the sharing of the content.

146. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 4(b) & (c).
147. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 4 (d).
148. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 4(d).
149. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 4(l) & (j).
150. Republic of the Philippines. (2012). The Cybercrime Prevention Act of 2012 (Republic Act No. 10175), Section 4(c)(2).
151. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 4 (a).
152. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 4(e).
153. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section
154. Republic of the Philippines. (2012). The Cybercrime Prevention Act of 2012 (Republic Act No. 10175), Section 4(c)(1).
155. Supreme Court of the Republic of the Philippines. (2014). Disini v. The Secretary of Justice, G.R. No. 203335.
156. Republic of the Philippines. (2012). Implementing Rules and Regulations of Cybercrime Prevention Act of 2012, Rule 2, Section 5(2).
157. Republic of the Philippines. (1992). Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act (Republic Act No. 7610 of 1992), Section 9.

IN THE PAST YEAR
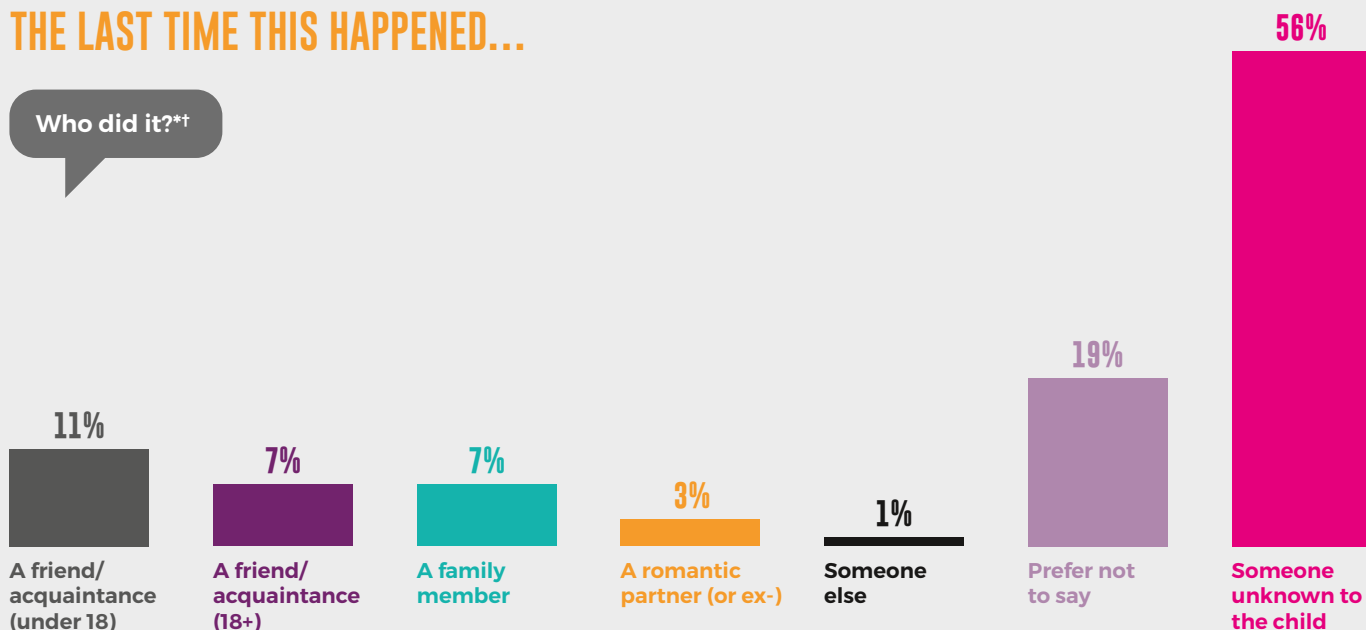# SOMEONE SHARED SEXUAL IMAGES OF ME WITHOUT MY CONSENT

**YES 13%**

Base: Internet using children 12–17
n = 950 children

THE LAST TIME THIS HAPPENED...

Who did it?*†

11%	7%	7%	3%	1%	19%	56%
A friend/ acquaintance (under 18)	A friend/ acquaintance (18+)	A family member	A romantic partner (or ex-)	Someone else	Prefer not to say	Someone unknown to the child

n = 123 internet-using children aged 12–17 whose sexual images were shared non-consensually in the past year.

Where did it happen?*†

33%	10%	9%	11%	27%	14%
Social media	In person	In an online game	Some other way	Do not know	Prefer not to say

n = 123 internet-using children aged 12–17 whose sexual images were shared non-consensually in the past year.

On which platform did this happen?*†

Facebook or Facebook Messenger
85%

YouTube
10%

TikTok
8%
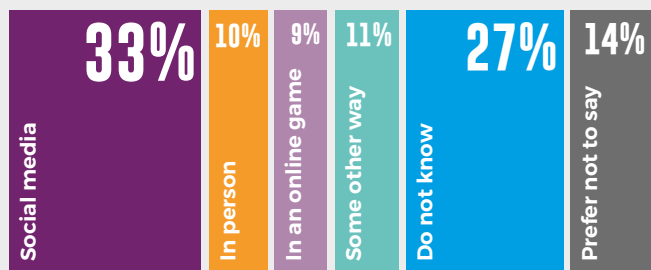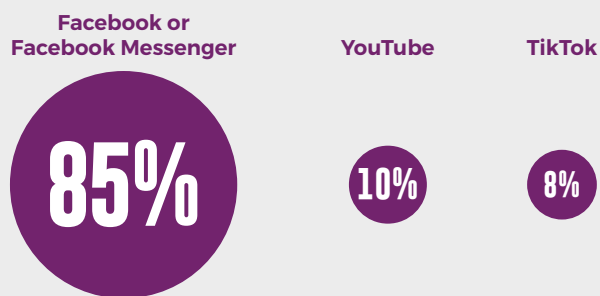
n = 40 internet-using children aged 12–17 whose sexual images were *most recently* shared *via social media*.
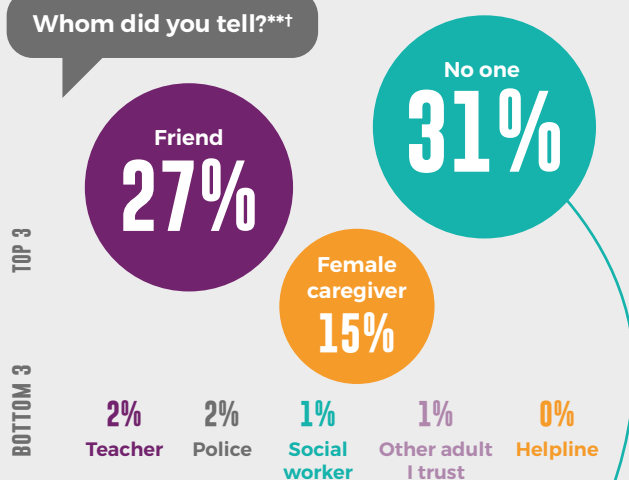
Whom did you tell?†**

TOP 3

Friend 27%

No one 31%

Female caregiver 15%

BOTTOM 3

2% Teacher	2% Police	1% Social worker	1% Other adult I trust	0% Helpline

n = 123 internet-using children aged 12–7 whose sexual images were shared non-consensually in the past year.

Why did you not tell anyone?*†

I did not know whom to tell	I felt embarrassed	I felt I did something wrong	I feared it would cause trouble
47%	**13%**	**8%**	**8%**

n = 38 internet-using children aged 12–17 who *did not tell anyone* the last time their sexual images were shared non-consensually.

*These figures represent the most common responses selected by children.
**These figures represent the most and least common responses selected by children.
†Multiple choice question

Source: Disrupting Harm data

In the household survey, 49% of children and 64% of caregivers stated that sharing naked images or videos of other people should be illegal. Among children whose sexual images were shared without their permission in the past year, 40% also responded that it should be illegal to share someone else's sexual images or videos with others. A smaller, but still considerable proportion of those children said it should *not* be illegal to share someone else's sexual content (30%), while over a fifth of those children (23%) were unsure if this should be outlawed.

> **A smaller, but still considerable proportion of those children said it should not be illegal to share someone else's sexual content (30%), while over a fifth of those children (23%) were unsure if this should be outlawed.**

Who shares the images? Of the children who had their sexual images shared without permission, 56% said it was shared by someone unknown to them. Peers aged under 18 accounted for 11% of cases while adult friends or acquaintances and family members each accounted for 7%. Three percent of children cited romantic partners. Nineteen percent of children preferred not to say who had shared the image.

Online or offline? Once again, it was most common for children to be affected via social media (33%). Ten percent said it happened in person and 9% through an online game. Eleven percent of the children said it happened some other way, particularly in younger age groups. Finally, 27% of the children – especially the younger children – said they did not know how these images were shared.

Of the 40 children whose images were shared without their permission using social media, 34 named Facebook or Facebook Messenger as the platform on which this most recently happened to them. YouTube, TikTok and Twitter were also mentioned.

Who children tell about it – if anyone: Thirty-one percent of the children who had their sexual images shared without permission did not tell anyone what happened. For children who did disclose what happened to them, female caregivers and friends were the most common confidants.

Accepting money or gifts in exchange for sexual images or videos

As explored in the context of grooming, children are sometimes offered money or gifts in return for sexual content. The following section considers the *acceptance* of money or gifts by children in return for sexual content, regardless of how the process was initiated.

While the practice of accepting money or gifts in exchange for sexual activities is not new,[158] the use of digital technologies – including by children and young people – to self-produce and send images or videos of oneself in return for money or other material incentives is an emerging trend. This practice could increase the risk of others sharing a child's private images without permission: 90% of the 'youth-generated' sexual images and videos assessed in a study by the Internet Watch Foundation and Microsoft were 'harvested' and later redistributed on third party websites.[159] There is a growing body of literature around children in the Philippines being coerced to engage in these activities. The National Study on OSAEC revealed that one in ten children said they 'knew someone who had been asked to strip naked online' in exchange for money or phone credit.[160] Meanwhile, a financial analysis published by the Institute of Criminology showed that in 2016, 256 individuals in Australia sent a total of 2,714 financial payments to known live-streaming facilitators in the Philippines.[161]

158. ECPAT International. (2017). Online Child Sexual Exploitation: An Analysis of Emerging and Selected Issues.
159. Internet Watch Foundation & Microsoft. (2015). Emerging Patterns and Trends Report #1 Online-Produced Sexual Content.
160. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography & UNICEF Philippines. (2021). National Study on Online Sexual Abuse and Exploitation of Children in the Philippines.
161. Brown, R., Napier, S. S., & Smith, R. (2020). Australians who view live streaming of child sexual abuse: An analysis of financial transactions. *Trends & Issues in Crime and Criminal Justice*, 9.

Studies in the Philippines also show poverty as one of the main risk factors for these crimes. For example, the *National Study on Sexual Abuse and Exploitation of Children* in the Philippines revealed that among interviewed offenders, all had argued that they committed child sexual exploitation and abuse in order to make ends meet and to provide for their families; "some even pointed out that they themselves were "victims" because their impoverished economic circumstances pushed them to engage in such activities."[162] (see more on risk factor).

Disrupting Harm data also point to the presence of a commercial element in the sexual exploitation and abuse of children in the Philippines. As discussed in chapter 2.1, the presence of platforms like Chaturbate, which is a platform specialising in adult live-streamed sexual activity, and payment provider PayPal, raises the possibility of OCSEA with a commercial element in the Philippines. Children were also asked if they had accepted money or gifts in exchange for sexual images or videos of themselves.

Given the sensitivity of this topic, only the 15–17-year-old respondents in the household survey were asked this question. Among the 482 respondents, 10% confirmed that they had done so in the past year. This suggests that at least one out of every ten internet users in this age group in the Philippines receives money or gifts for sexual images or videos at least once a year.

> **Among the 482 respondents, 10% confirmed that they had done so in the past year. This suggests that at least one out of every ten internet users in this age group in the Philippines receives money or gifts for sexual images or videos at least once a year.**

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162. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography & UNICEF Philippines. (2021). National Study on Online Sexual Abuse and Exploitation of Children in the Philippines, 65.

2.3 OTHER EXPERIENCES OF CHILDREN THAT MAY BE LINKED TO OCSEA

Additional to the examples of OCSEA already presented, children may be subject to other experiences online which can be harmful, such as sexual harassment or unwanted exposure to sexualised content. Moreover, these experiences could, in some instances, contribute to the desensitisation of children so that they become more likely to engage in sexual talk or sexual acts – for example, during a grooming process.

2.3.1 Sexual Harassment

Online sexual harassment of children is currently not criminalised by the legislation of the Philippines.

The household survey showed that 28% of internet-using children in the Philippines had, within the past year, been exposed to sexual comments (both online and/or offline) about them that made them feel uncomfortable, such as jokes, stories or comments about their bodies, appearance or sexual activities. Children aged 16–17 were most likely to be targeted with these remarks. There was no difference by gender or level of urbanity.

How children felt: 19% of children said they were not affected, but the remainder reported feeling negatively about what happened. For example, 22% said they felt embarrassed, 14% felt scared and 10% were angered by the exchange.

Online or offline? Many children who were sexually harassed said it had most recently taken place online – either via social media (43%) or in an online game (11%). Seventeen percent were harassed in person (see infographic).

Among the children who said they received these comments on social media, 89% said it happened on Facebook or Facebook Messenger. Other platforms mentioned included TikTok, Twitter, Snapchat and YouTube.

Who harasses children? Children were most commonly sexually harassed by a person unknown to them Among individuals known to them, 17% of the children said that they were harassed by adult friends or acquaintances, and peers under 18 (16%). Children aged 16–17 were twice as likely to be harassed by peers under 18 compared to children aged 12–13. Fewer children said the sexual comments were made by a family member and/or a current or former romantic partner. Twenty-one percent preferred not to say who did this.

Who children tell – if anyone: Most children either told a friend (32%) or did not tell anyone at all (27%) the last time they were sexually harassed. Twelve percent of the children told a female caregiver, 11% a sibling and 7% a male caregiver. Once again reporting through helplines, social workers or the police was not common.

Of the children who did not disclose that they had been sexually harassed, a third said that they did not know where to go or who to tell, a fourth reported being embarrassed or ashamed or felt that it would be too emotionally difficult to tell, and one in five did not think anyone would believe them.

2.3.2 Receiving unwanted sexual images

Data from NCMEC shows that a small number of CyberTips concerning suspected child sexual exploitation in the Philippines related to unsolicited obscene material sent to a child (10 CyberTips in the reporting period 2017–2019).

In the household survey, however, as many as 29% of the children said that someone had sent them unwanted sexual images in the past year online and/or in person. While there were no differences by gender or level of urbanity, 16–17-year-olds were twice as likely to receive unwanted sexual images compared to 12–13-year-old. Of the children in this subsample, 55% said they felt negatively about receiving these kinds of images, while 21% were not affected at all and 13% did not want to answer the question.

Online of offline? Asked about the last time they received unwanted sexual images, perhaps unsurprisingly, 46% of children said they received these images on social media, 10% through an online game and 9% in person. Over one third of children (34%) did not respond to this question.

Facebook or Facebook Messenger (92%) was the most cited platform among children who were sent unwanted sexual images. This was followed by Twitter (6%), Snapchat (5%) and Instagram (4%).

IN THE PAST YEAR
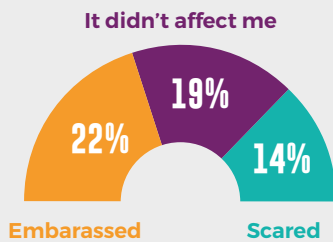# SOMEONE MADE SEXUAL COMMENTS ABOUT ME THAT MADE ME FEEL UNCOMFORTABLE

YES 28%

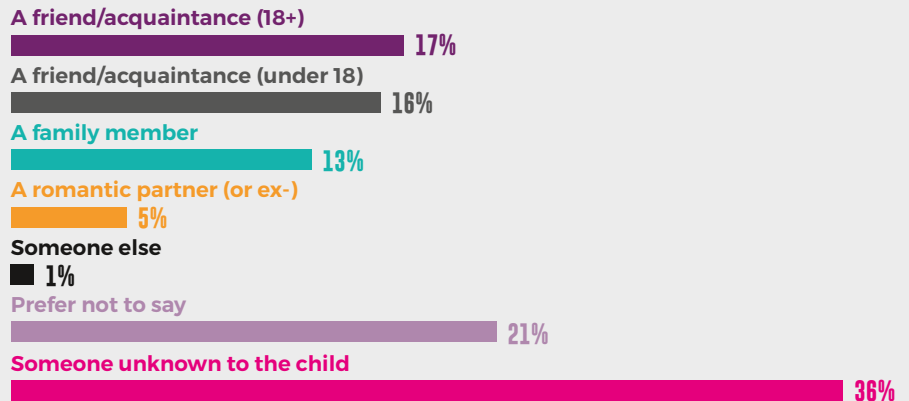Base: Internet using children 12–17
n = 950 children

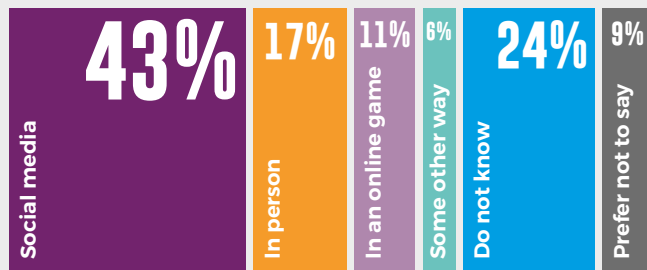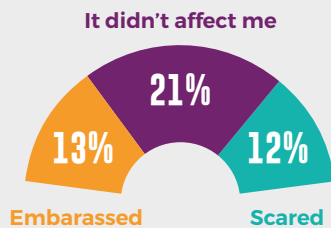## THE LAST TIME THIS HAPPENED...

How did you feel?*

It didn't affect me
19%

22%
Embarassed

14%
Scared

Who did it?*†

A friend/acquaintance (18+)   **17%**

A friend/acquaintance (under 18)   **16%**

A family member   **13%**

A romantic partner (or ex-)   **5%**

Someone else   **1%**

Prefer not to say   **21%**

Someone unknown to the child   **36%**

n = 266 internet-using children aged 12–17 who were subjected to verbal sexual harassment in the past year.

Where did it happen?*†

Social media	In person	In an online game	Some other way	Do not know	Prefer not to say
43%	**17%**	**11%**	**6%**	**24%**	**9%**

n = 266 internet-using children aged 12–17 who were subjected to verbal sexual harassment in the past year.

On which platform did this happen?*†

Facebook or Facebook Messenger

89%

TikTok
15%

Twitter
8%

n = 113 internet-using children aged 12–17 who were *most recently* subjected to verbal sexual harassment *via social media*.

Whom did you tell?**†
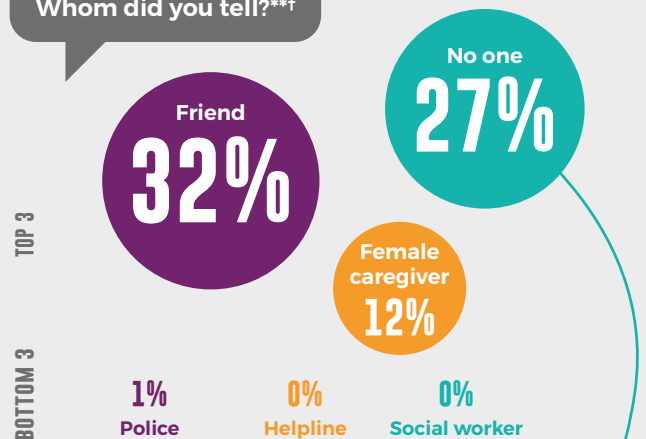
TOP 3

Friend
32%

No one
27%

Female caregiver
12%

BOTTOM 3

1%
Police

0%
Helpline

0%
Social worker

n = 266 internet-using children aged 12–17 who were subjected to verbal sexual harassment in the past year.

Why did you not tell anyone?*†

I did not know whom to tell
32%

I felt embarrassed
24%

I did not think anyone would believe me
18%

n = 72 internet-using children aged 12–17 who *did not tell anyone* the last time they were subjected to verbal sexual harassment.

*These figures represent the most common responses selected by children.
**These figures represent the most and least common responses selected by children.
†Multiple choice question

Source: Disrupting Harm data

IN THE PAST YEAR
SOMEONE SENT ME SEXUAL IMAGES I DID NOT WANT

YES 29%
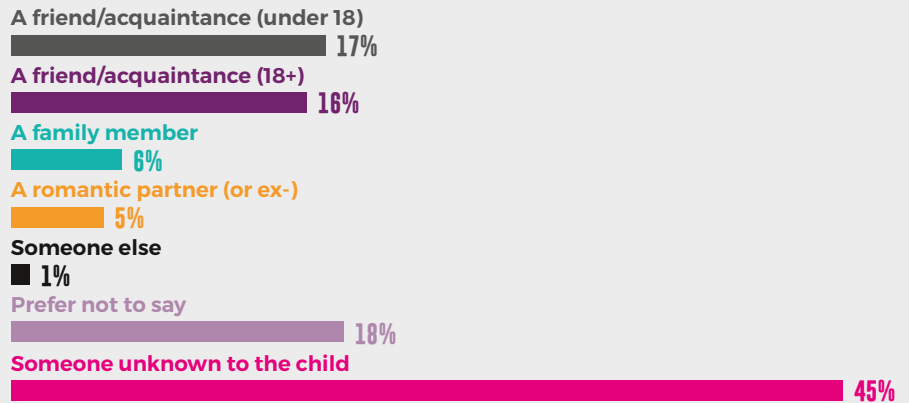
Base: Internet using children 12–17
n = 950 children

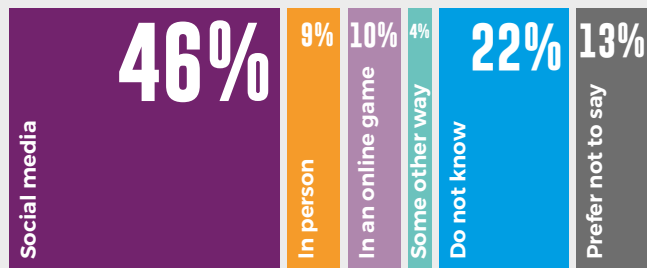## THE LAST TIME THIS HAPPENED...

How did you feel?*

It didn't affect me
21%

13%
Embarrassed

12%
Scared

Who did it?*†

A friend/acquaintance (under 18)
17%

A friend/acquaintance (18+)
16%

A family member
6%

A romantic partner (or ex-)
5%

Someone else
1%

Prefer not to say
18%

Someone unknown to the child
45%

n = 278 internet-using children aged 12–17 who received unwanted sexual images in the past year.

Where did it happen?*†

Social media **46%**

In person **9%**

In an online game **10%**

Some other way **4%**

Do not know **22%**

Prefer not to say **13%**

n = 278 internet-using children aged 12–17 who received unwanted sexual images in the past year.

On which platform did this happen?*†

Facebook or Facebook Messenger
92%

Twitter
6%

Snapchat
5%

n = 128 internet-using children aged 12–17 who *most recently* received unwanted sexual images *via social media.*

Whom did you tell?**†

TOP 3

Female caregiver
13%

Friend
29%

No one
31%

BOTTOM 3

Teacher **1%**

Social worker **1%**

Police **1%**

Other adult I trust **1%**

Helpline **0%**

n = 278 internet-using children aged 12–17 who received unwanted sexual images in the past year.

Why did you not tell anyone?*†

I did not know whom to tell
39%

I felt embarrassed
20%

I did not think it was serious
14%

n = 85 internet-using children aged 12–17 who *did not tell anyone* the last time they received unwanted sexual images.

*These figures represent the most common responses selected by children.
**These figures represent the most and least common responses selected by children.
†Multiple choice question

Source: Disrupting Harm data

Who sends unwanted sexual content? Children were most likely to receive unwanted sexual images from someone unknown to them (45%), followed by a peer younger than 18 and an adult friend or acquaintance. Less than 10% of the children received the sexual content from either a family member or a romantic partner.

Who children tell – if anyone: About a third of children who received unwanted sexual images did not tell anyone the last time they received such content. As seen throughout this chapter, friends were the most likely confidant (29%), ahead of family members. Very few children turned to a helpline, the police or a social worker.

The most common barrier to disclosure was a lack of awareness of where to report or who to tell, which was cited by 39% of children – particularly boys. Feelings of embarrassment or shame were cited by 20%, particularly girls. Finally, 14% of children felt the issue was not serious enough to report, with boys twice as likely as girls to take this view.

The Continuum of Online and Offline Child Sexual Exploitation and Abuse

The types of sexual exploitation and abuse of children presented throughout this chapter illustrate some of the ways that digital technologies can be used to harm children. However, the research findings also reveal that creating a distinction between online and offline violence does not always reflect the reality of children's experiences. For example, children can be asked or coerced to share self-generated sexual images, and this can happen entirely online, or in person but with the involvement of digital technology. In addition, digital technologies can be used as a facilitator of sexual exploitation and abuse. For example, social media or instant messaging can be used to convince or coerce children to meet offenders in person, leading to 'offline' child sexual exploitation and abuse. The data in this report include OCSEA that takes place in the online environment, OCSEA that takes place offline but is facilitated by digital technology, and OCSEA that is committed 'offline' and then repeated by sharing it online.

In line with this, the data from the household survey shows that only a small proportion of children experience OCSEA exclusively, while a much larger proportion experienced both online and in-person sexual abuse in the past year.

Interviews with various stakeholders show that systems are not fully adjusted to this reality, and that OCSEA is sometimes perceived as a 'new kind of abuse' that requires an entirely different response. However, some frontline workers did recognise the blurring lines between online and offline abuse: *"OCSEA […] is just the online and 'easier' version of sexual exploitation: perpetrators find an easy way to do their exploitation without being traced and their target victims are mostly children with these same vulnerabilities. It both exploits and ruins a child's life."* (RA3-PH-24-A) Additionally, when asked to select risk factors for online and offline CSEA, frontline workers pointed to similar factors for both forms of abuse including: increased access to technology and internet, extreme poverty, or dropping out of school. One frontline worker elaborated: *"The factors which make the children vulnerable to become victims are the same and the only difference is the platform used"* (RA3-PH-45-A)

2.4 INSIGHTS ABOUT VICTIMS, VULNERABILITY, OFFENDERS AND ENABLERS OF OCSEA AND CSEA

The available law enforcement data does not allow for a detailed description of OCSEA and CSEA victims and offenders. However, this section is informed by findings from the household survey, the survey of frontline social support workers, interviews with government officials, children and their caregivers.

2.4.1 Victims

Age and gender of victims

All the victims recorded by AHTRAD were Filipino nationals, and all resided at home rather than in institutions such as orphanages or on the streets. The youngest victim was only 6 months old – a case in which the baby's parents facilitated the abuse. The cases they handled and recorded in the past three years included proportionally more female victims than male.

The Office of Cybercrime representative reported that girls aged 10–18 were the most vulnerable group, based on an assessment of NCMEC CyberTips in the Philippines. This is further corroborated by a 2019 IJM study which found that of the 381 victims in the 90 cases it investigated, 86% were female, and the average age of the child at the time of rescue was 11. The study nevertheless highlighted that the number of boys experiencing OCSEA is in fact, higher than those who experience child sexual abuse not facilitated by technology.[163]

The household survey, on the other hand, showed that the same proportions of girls and boys were exposed to most forms of OCSEA captured in the survey. This discrepancy in findings may be due, at least in part, to the scope of the available data or to lower reporting of offences against boys. It could also be explained by the fact that the forms of OCSEA captured in the household survey and those recorded by law enforcement are not always the same.

The 2016 National Baseline Study on Violence Against Children found boys to be more vulnerable to all forms of violence including to sexual exploitation.[164] One NGO worker who has worked with victims of sexual exploitation and abuse shared: "*Most of the clients are female but there is an increasing number of boys. Most are children – only a few of my clients were adults. Like less than 10.*" (RA3-PH-33-A)

Rigid gender norms about masculinity can make it challenging for boys to discuss their experience of sexual violence and minimise its harms, sometimes leading providers of care to dismiss this form of abuse.[165] The dynamics and understanding of sexual abuse of boys in the Philippines (and globally) are still limited, but previous research in the country has highlighted the need for better identification and responses to male survivors of child sexual exploitation and abuse.[166]

Factors affecting vulnerability to OCSEA

Each child might be vulnerable to OCSEA, experience it and be affected by it differently depending on several factors. These can include age, the type of online sexual abuse experienced, or the relationship to the offender or the perception of the online sexual abuse and exploitation activities. While each case should be analysed separately, frontline workers and justice actors in their interviews spoke of similar factors influencing the vulnerability of children to OCSEA in the Philippines. It should be noted that the perspectives of the interviewees presented here are based on their subjective interpretations and do not necessarily reflect the views of the *Disrupting Harm* research teams.

The frontline workers surveyed for *Disrupting Harm* were asked whether certain factors increased children's risk of being subjected to OCSEA. The most common factors selected by respondents included exposure to pornography, extreme poverty, and increased access to technology and the internet (see Figure 24). One issue of concern is that the common inference of causality between watching pornography and becoming a victim of OCSEA may lead to victim blaming and keep providers of care from supporting children if they perceive them as complicit in their own abuse.

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163. International Justice Mission. (2020). Online Sexual Exploitation of Children in the Philippines: Analysis and Recommendations for Governments, Industry, and Civil Society.
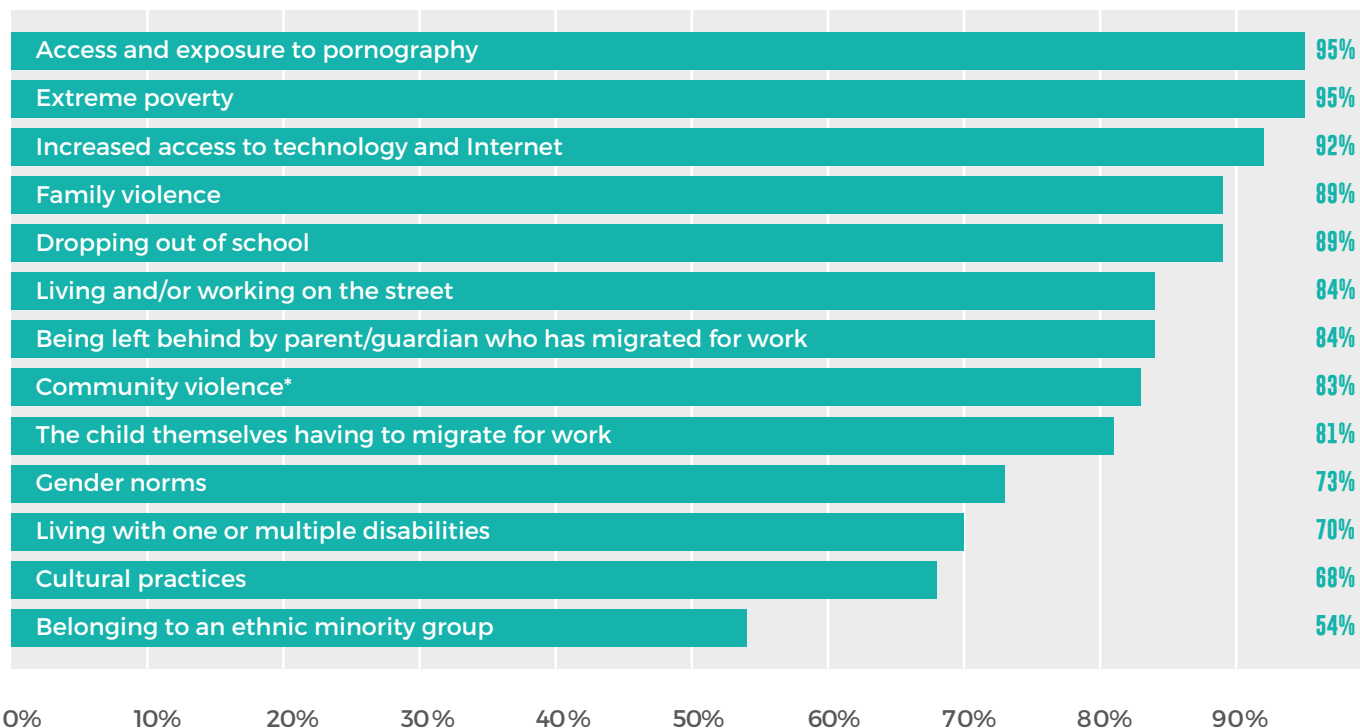
164. Council for the Welfare of the Child. (2016). National Baseline Study on Violence against Children: Philippines.

165. ECPAT International. (2021). Global Boys Initiative: A global review of existing literature on the sexual exploitation of boys.

166. Davis, J. & Miles, G. (2015). They Didn't Help Me; They Shamed Me: A Baseline Study on the Vulnerabilities of Street-Involved Boys in Manila, Philippines.

Figure 24: Frontline workers' perceptions of factors affecting children's vulnerability to OCSEA.

Access and exposure to pornography	95%
Extreme poverty	95%
Increased access to technology and Internet	92%
Family violence	89%
Dropping out of school	89%
Living and/or working on the street	84%
Being left behind by parent/guardian who has migrated for work	84%
Community violence*	83%
The child themselves having to migrate for work	81%
Gender norms	73%
Living with one or multiple disabilities	70%
Cultural practices	68%
Belonging to an ethnic minority group	54%

Base: Frontline social support workers. n = 37
*The community violence factor score is based on 36 responses

The use of English as the second main language in the Philippines was also a common factor cited by frontline workers. This finding also echoes previous research.[167,168] Children, facilitators and viewers are able to communicate via email, videoconferencing and instant messages before, during and after the perpetration of the crime. This is corroborated by existing evidence which shows that most offenders who were caught committing OCSEA in the Philippines were communicating with their victims in English.[169] Offenders can remotely dictate and control the actions of the children and abusers with few language barriers.[170]

Additionally, poverty was mentioned as a challenge in combating OCSEA by frontline workers. As of 2018, 17% of Filipinos lived below the poverty line.[171] Previous research, including from the Philippines, has also found that poverty is one of the primary factors driving up the rates of OCSEA.[172,173,174] A recent study by DSWD and UNICEF Philippines found that informants working on OCSEA cases often mentioned that children subjected to OCSEA came from impoverished, often indebted families, whose parents have low levels of skills and education, and earn low incomes.[175] Families may coerce their children to engage in sexual activities as a way to escape poverty, and this can influence children's

167. University of the Philippines Manila, The University of Edinburgh, Child Protection Network Foundation, & UNICEF Philippines. (2016). A Systematic Review of the Drivers of Violence Affecting Children in the Philippines. UNICEF Philippines: Manila
168. Terre des Hommes. (2016). Children of the Webcam. Updated Report on Webcam Child Sex Tourism.
169. International Justice Mission. (2020). Online Sexual Exploitation of Children in the Philippines: Analysis and Recommendations for Governments, Industry, and Civil Society.
170. ECPAT International. (2017). Online Child Sexual Exploitation: An Analysis of Emerging and Selected Issues.
171. Republic of Philippines Philippine Statistics Authority. (2019). PSA Press Briefing Full Year 2019 Official Poverty Statistics.
172. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography and UNICEF Philippines (2021) National Study on Online Sexual Abuse and Exploitation of Children in the Philippines Final Report.
173. University of the Philippines Manila, The University of Edinburgh, Child Protection Network Foundation, & UNICEF Philippines. (2016). A Systematic Review of the Drivers of Violence Affecting Children in the Philippines. UNICEF Philippines: Manila.
174. Ramiro, L. et al. (2019). Online child sexual exploitation and abuse: A community diagnosis using the social norms theory. Child Abuse and Neglect, 96.
175. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography & UNICEF Philippines. (2021). National Study on Online Sexual Abuse and Exploitation of Children in the Philippines Final Report.

perception of the abuse they are experiencing."[176] Other research studies showed that families who perpetrate this kind of abuse may earn up to PHP300,000 a year from OCSEA operations.[177]

"We need to come up with solutions such as providing for livelihood for the families, because that is really the primary reason children go to this kind of endeavour, because they think that they can help their family. The money that they receive will be given to the family for food. So, I think our government must intensify and strengthen their mechanisms in helping these children who are really the most vulnerable, especially the most vulnerable members of the family," commented a representative from the Children's Legal Bureau. (RA4-PH-06-A)

Materialism or consumerism, negative peer pressure and a lack of education and awareness about OCSEA were also mentioned as potential vulnerability factors by frontline workers surveyed.

> **We need to come up with solutions such as providing for livelihood for the families, because that is really the primary reason children go to this kind of endeavour, because they think that they can help their family. The money that they receive will be given to the family for food.**
>
> RA4-PH-06-A

2.4.2 Facilitating offenders and hands-on abusers

This section examines offender profiles based on a range of data sources. Offenders here include both facilitators (referred to as facilitating offenders) and hands-on abusers who commit the sexual abuse against children. As in the case of victims, no comprehensive law enforcement data was available on the profiles of OCSEA offenders.

The cases recorded by AHTRAD reveal that offenders were most likely to be nationals between 30–39 years across the reporting period. In 2017, the cases handled by AHTRAD included more female offenders compared to males, while in 2018 it was more common for males to be the offenders. In 2019, the proportion of male and female offenders was equal.

Facilitating offenders

In addition to abusers who commit sexual offences against children directly, OCSEA offenders also include individuals who *facilitate* the commission of sexual crimes against children. It is also possible for an offender to move across these categories or be operating simultaneously as both an abuser and a facilitating offender.

The specific criminal responsibility of an offender may depend on their role in the crime committed. However, it is important to underline that the facilitator also sexually victimises the child and could do as much harm as the abuser by putting the child in that situation.

Facilitating offenders can be parents, neighbours, or anyone else from within the circle of trust of the child (see case study). A study from IJM highlighted that facilitating offenders were more likely to be Filipina women and from the victim's family.[178]

Case Study: *Parallel Investigation and International Joint Operation*

In 2015 a foreign offender engaged with a Filipina mother via Facebook. The mother introduced her daughter to the offender, and they also communicated via Facebook. The offender enticed the child to transmit explicit images of herself in exchange for money. The offender sent the child's mother ten financial payments via Western Union. NCMEC generated a report and the Office of Cybercrime was notified, ultimately referring the investigation to AHTRAD and the DSWD. The subsequent international joint operation resulted in the arrest of the offender in a foreign country and the arrest of the Filipina mother for human trafficking. The child was rescued and placed under the custody of the DSWD.

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176. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography & UNICEF Philippines. (2021). National Study on Online Sexual Abuse and Exploitation of Children in the Philippines Final Report, 32.
177. Terre des Hommes. (2016). Children of the Webcam. Updated Report on Webcam Child Sex Tourism.
178. International Justice Mission. (2020). Online Sexual Exploitation of Children in the Philippines: Analysis and Recommendations for Governments, Industry, and Civil Society.

The research for *Disrupting Harm* generated some insights about facilitating offenders.[179] A frontline worker recalled that in most OCSEA cases she knew of where family members had facilitated the abuse, "*the survivors will say that they came from a loving family. [...] The thing about OCSEA that I observed is that the bond between the victim and the perpetrator [facilitating offender] is stronger and more important than the exploitation that happened.*" (RA3-PH-29-A) Data from the Department of Social Welfare and Development reiterates this whereby caregivers who were involved in their own child's abuse expressed remorse, not for the abuse they committed or facilitated, but rather for being separated from their children.[180] One field unit, which requested anonymity, reported instances where children were themselves operating as facilitating offenders with the aim of receiving the full financial payment from the child sex offenders.

While CSEA offenders may be driven by sexual gratification, facilitating offenders may be acting under threats or coercion, and/or are motivated by financial gain. During the research in the Philippines, law enforcement agencies identified poverty as a key factor as a person becoming a facilitating offender. Local law enforcement data indicate that the average daily income for a facilitating offender was PHP5,000–PHP10,000 (approximately US$100–US$200) per day.

Offenders

Compared to facilitating offenders, the end-users who pay and drive demand for CSAM and live-streaming of child sexual abuse are much harder to identify, investigate and prosecute. There is a risk that the attention paid to the facilitation process could distract attention from the detection of the actual buyer/end-user/offender.

The responses of frontline workers when they were asked about the most common relationships between victims and offenders in the cases they had been involved in, suggest that abusers are often foreigners, while facilitating offenders are most commonly parents or step-parents, followed by community members over 18 or family friends.

According to research by IJM, offenders tended to be older males who are nationals of Western countries.[181]

The *Disrupting Harm* household survey with internet-using children found that offenders were most commonly from the category of individuals unknown to the child, and this was the case across all type of OCSEA measured in the survey. This is different from other *Disrupting Harm* study countries, where friends or acquaintances were the most common offender. However, more than 55% of offenders were still people known to the child – for example, friends (both children and adults), caregivers, and romantic partners were also implicated. It should also be noted that the types of OCSEA captured in the household survey (see chapter 2.2) may vary from those captured by law enforcement data, particularly because, based on the children's responses, rates of reporting to the police are very low.

2.4.3 Use of multiple platforms

As with other spaces children inhabit, social media platforms can also be misused to target children. As presented in chapter 2.1, 99% of NCMEC CyberTips related to the Philippines were from Facebook. This was further supported by children's own experiences; A large majority of children in the household survey who had experienced OCSEA also reported that the last time this happened, it was on Facebook or Facebook Messenger (see section 2.2)

A law enforcement field unit noted that offenders use Facebook as an entry point and then move victims onto encrypted platforms. The Office of Cybercrime also had experience with offenders using Facebook for "advertising purposes" and then moving victims to other platforms, preventing Facebook from detecting and reporting possible OCSEA cases.

The live-streaming of CSEA is particularly hard to detect. Any application with a live-streaming function, such as Facebook, Viber or Skype, may be used. Yahoo Mail, Skype, followed by Facebook Messenger were the most commonly used platforms of abuse as recorded by AHTRAD.

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179. 'Facilitator' was explicitly defined for the survey participants to answer this question as: "individuals or entities whose conduct (behaviour) facilitates or aids and abets the commission of sexual offence against the child (sometimes referred to as 'intermediaries')".
180. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography & UNICEF Philippines. (2021). National Study on Online Sexual Abuse and Exploitation of Children in the Philippines.
181. International Justice Mission. (2020). Online Sexual Exploitation of Children in the Philippines: Analysis and Recommendations for Governments, Industry, and Civil Society.

2.4.4 Role of electronic payments

The growing use of digital and mobile payments assists OCSEA offenders by making it possible to pay and receive payments, often instantly and/or anonymously. The frontline workers surveyed for *Disrupting Harm* identified well-established transaction systems as an enabler of OCSEA in the Philippines. The dense network of money transfer outlets developed to support remittances by migrant Filipino workers (including more than 600 Western Union agents in Manila alone) simplifies payments for sexual images or videos and the live-streaming of child sexual abuse.

While transactions are often made through Western Union, increased controls have led offenders and facilitators of OCSEA to start using alternative remittance systems.[182]

Among incidents recorded by AHTRAD in 2017 to 2018, Western Union was the most commonly used service with 12 incidents, followed by Smart Money Padala with two incidents, and PayPal and Cebuana Lhuiller with one incident each.

Research has shown that facilitating offenders usually use another person to collect the money transferred and give it directly to the child's family, making it more difficult for the law enforcement authorities to trace the payment.[183]

Prepaid online payment apps, such as Smart Padala, which require only a mobile phone (SIM cards can be bought anywhere, with no need to show identification) and a Padala number (no identification required), as well as digital currencies (decentralised and anonymous) are also reportedly being used to make payments for OCSEA in the Philippines.[184] Offenders may pay children for sexual images or videos by means of microtransactions to mobile phone accounts.

Case Study: *Incest Live-Streaming for Payment*

In May 2018, the WCPC received a referral from a foreign police liaison department involving the recent arrest of a Filipino citizen in a foreign country for child rape. CSAM had been discovered on the offender's phone that depicted a Filipina woman engaged in sexual activity with a prepubescent boy.

The WCPC commenced undercover activity, interacting with the woman on social media. The woman offered to live-stream the sexual abuse of a two-year-old girl, a six-year-old boy, a 16-year-old girl or an 18-year-old woman in exchange for payment. The identity of the six-year-old boy was confirmed to be that of the boy depicted in the media discovered by foreign police. The boy was believed to be the woman's son.

In June 2018, the WCPC arrested the woman as she offered the children for online sexual exploitation to undercover police. She was charged with multiple counts of Qualified Human Trafficking, Production of Child Pornography, and Child Abuse. All the children were rescued and placed in shelter care.

182. Terre des Hommes (2016). Children of the Webcam. Updated Report on Webcam Child Sex Tourism.
183. Terre des Hommes (2016). Children of the Webcam. Updated Report on Webcam Child Sex Tourism.
184. Terre des Hommes (2016). Children of the Webcam. Updated Report on Webcam Child Sex Tourism.

2.5 BARRIERS TO DISCLOSURE OF OCSEA BY CHILDREN

The children who took part in the household survey were confident that they could depend on their interpersonal networks for help if needed. As many as 85% of children 'agreed' or 'strongly agreed' that a member of their families would help them if they had a problem, and 60% said that they could talk to their friends about their problems.

In practice, as shown in chapters 2.2 and 2.3, depending on the type of OCSEA, between 23% and 38% of children subjected to various forms of OCSEA or other unwanted experiences on the internet did not disclose it to anyone. It was more common for those children to confide in a friend than a family member. Meanwhile, children who experience OCSEA very rarely turn to a formal reporting mechanism like a helpline or the police.

Data from the *Disrupting Harm* household survey, access to justice interviews with children, the survey of frontline workers and interviews with government officials all indicate that children in the Philippines might not disclose or report OCSEA due to:

Lack of knowledge of reporting mechanisms: Across the various instances of abuse captured in the household survey, the most common barrier that discouraged children from disclosing their most recent abuse was that they did not know where to go or whom to tell. This was one of the barriers affecting between 33–50% of children who did not disclose (depending on the type of OCSEA in question). This may indicate both hesitation about whom to tell and insufficient familiarity with reporting mechanisms including helplines, the police and the social media platforms they use.

Of the full sample of 950 children, only half of children (55%) knew how to report harmful content on social media, while 44% said they did not know where to get help if they or a friend were subjected to sexual harassment or sexual assault. Only 5% of children who received unwanted requests to talk about sex or sexual acts reported what had happened through an online reporting function. That children lack the knowledge and/or sufficient support networks to seek help highlights the need to encourage help-seeking behaviours and ensure children, caregivers and communities are aware of the various avenues available for reporting and disclosure.

Lack of knowledge of OCSEA: Across the different examples of OCSEA measured in the survey, between 3% – 18% of children did not to tell anyone about their abuse because they did not think the incident was serious enough. This could reflect a lack of awareness by children about the kinds of behaviours that constitute sexual exploitation and abuse, a pattern that has been highlighted in several studies in the Philippines.[185,186] One frontline worker surveyed suggested that in the Philippines, messaging from adults may not sufficiently convey that sexual abuse is not only limited to in-person abuse, but extends to non-contact abuse and grooming: *"Children believe in the adults saying that there is no physical harm happening on the online transaction, unlike with the sexual exploitation that has body contact involved"*[187]

Shame, stigma and fear of victim-blaming: The fact that a considerable proportion of children subjected to OCSEA do not tell anyone may also be attributed in part to stigma around sexual experiences. As discussed in chapter 2.2, around one third of children who were subjected to OCSEA did not disclose their most recent experience of abuse to anyone. Among those children who did not disclose, the most common reason was a sense of embarrassment or shame, or that it was too emotionally difficult to confide in someone. Smaller numbers of children were silent because they felt they had done something wrong or might get into trouble. Among the children surveyed, 69% agreed that it is wrong for a person to take naked images or videos of themselves and 63% believe that, should a self-generated image or video be shared further, it is the victim's fault. Caregivers were in even stronger agreement with these statements.

185. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography and UNICEF Philippines. (2021). National Study on Online Sexual Abuse and Exploitation of Children in the Philippines. UNICEF Philippines.
186. Ramiro, L. et al. (2019). Online child sexual exploitation and abuse: A community diagnosis using the social norms theory. *Child Abuse and Neglect, 96.*
187. Ramiro, L. et al. (2019). Online child sexual exploitation and abuse: A community diagnosis using the social norms theory. *Child Abuse and Neglect, 96.*

A legal officer commented: *"Out of the many victims, like at least five child victims, only one would report that [crime]. And she would say that 'My parents are unaware of this and I'm afraid to tell them. I did not tell them because I'm afraid of what would happen to me and my family. I'm afraid that the videos of me would be circulated.'"* (RA4-PH-06-A)

Offenders being family members: Interviewees from the law enforcement and justice sectors noted that OCSEA offenders are sometimes parents or relatives of the victims. *"According to the National Baseline Study on Violence Against Children[188],"* said an interviewee from the Council for the Welfare of Children, *"There are also family members who perpetrate sexual violence. This also includes online sexual exploitation and abuse. The Philippines, being a really family-centric society, it's really difficult for children to report their parents, to report their family members who are perpetrating violence against them. So, there is really a culture of silence among the victims. And it's really hard to penetrate families when the violence happens inside the home."* (RA1-PH-04-B)

In this situation, children are particularly reluctant to tell police officers, legal professionals or other experts about their experiences of abuse and exploitation. Doing so could result in the imprisonment of parents or relatives, and further feelings of guilt or repercussions, or separation anxiety. In the words of one justice professional, *"They love their parents, and then they feel guilty about being part of the criminal justice process... I have experienced that almost all of the children don't testify, especially if the ones involved are parents."* (RA4-PH-03-A) *"They're hesitant, especially if the perpetrator is his or her parents,"* a judge confirmed. (RA4-PH-01-A)

Children may be unlikely to report OCSEA if it brings financial benefits to them or their families. A legal officer from the Children's Legal Bureau commented that *"[The children] see themselves as persons who have benefited from the perpetrator...he gave us cell phones; he gave us money"* (RA4-PH-04-A). *"Some of the children who are victims of OCSEA for longer periods of time were made to believe by the facilitator (usually their mother or aunts) that they need to be naked in pictures/videos so that they can have money to pay for their needs,"* explained a frontline worker, *"Children are unconsciously obligated to do what the facilitators say because it would mean helping out their family. It is also an open secret to some communities that 'foreigners' would actually be the answer to the financial difficulty of the Filipino family."* (RA3-PH-20-A)

> **The Philippines, being a really family-centric society, it's really difficult for children to report their parents, to report their family members who are perpetrating violence against them. So, there is really a culture of silence among the victims. And it's really hard to penetrate families when the violence happens inside the home.**
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> RA1-PH-04-B

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188. Council for the Welfare of the Child. (2016). National Baseline Study on Violence against Children: Philippines.
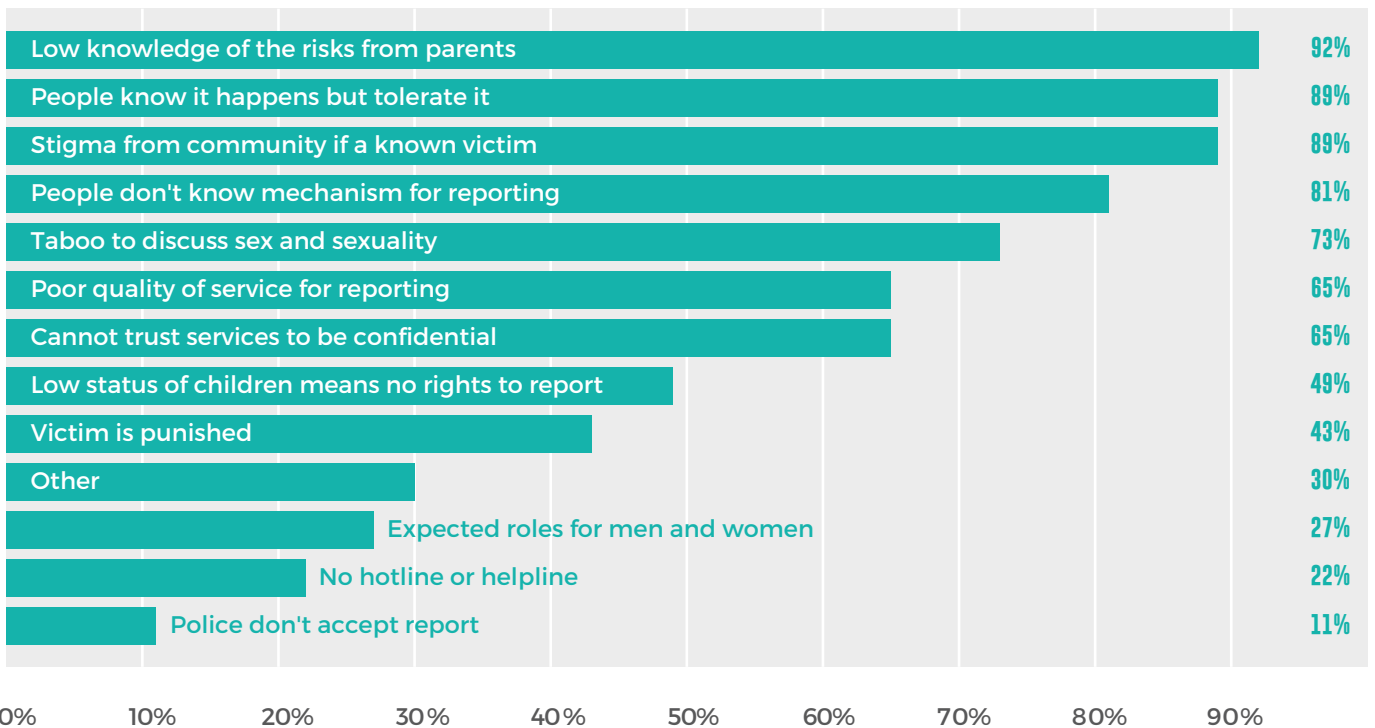
2.6 SOCIAL AND CULTURAL ENVIRONMENT

Some of the reasons why children do not disclose unwanted online experiences, including the difficulty of talking about sex, and insufficient knowledge of OCSEA, reflect broader social and cultural realities that are also likely to affect adults' willingness to report cases of OCSEA. Some studies suggest that the belief in "no touch, no harm" might be attributed – at least in part – to caregivers' poor understanding of the internet and that once children's sexual photos or videos are shared online, they can be circulated broadly.[189,190]

In fact, parents' low knowledge of the online risks was rated by frontline workers as the main social and cultural factor that discouraged reporting of OCSEA cases in the Philippines (Figure 25). Based on their experiences handling OCSEA cases in the past year, some frontline service providers described why some families might not be report abuse, especially in the context of poverty: *"OCSEA is a way of living for some hence the activity is kept secret within the family and children are groomed to engage and everything becomes normal for them."* (RA3-PH-32-A)

In other cases, it may prevent them from recognising OCSEA, responding and reporting: *"Most of the people don't mind what is happening to children and the focus is on how to earn a living. On the other hand, some are not aware of OCSEA."* (RA3-PH-06-A) While parents involved in the sexual abuse or exploitation of their children are in the minority, the above quotes reveal how in some cases socioeconomic factors can contribute to the exploitation of children in the Philippines.

Figure 25: Social and cultural influences on reporting OCSEA reported by frontline workers.

Low knowledge of the risks from parents	92%
People know it happens but tolerate it	89%
Stigma from community if a known victim	89%
People don't know mechanism for reporting	81%
Taboo to discuss sex and sexuality	73%
Poor quality of service for reporting	65%
Cannot trust services to be confidential	65%
Low status of children means no rights to report	49%
Victim is punished	43%
Other	30%
Expected roles for men and women	27%
No hotline or helpline	22%
Police don't accept report	11%

Base: Frontline social welfare workers. n = 37.

189. Department of Social Welfare and Development. (unpublished). National Response Plan to Prevent and Address Online Sexual Exploitation and Abuse of Children.
190. Terre des Hommes – Netherlands & ECPAT Philippines. (2013). The Scope and Magnitude of Online Sexual Abuse of Children in Highly Affected Areas in the Philippines.

Caregivers' Knowledge about OCSEA

According to the household survey of internet-using children and their caregivers, caregivers in the Philippines are most likely to obtain information on how to keep their children safe online from family or friends, schools, television and social media (see Figure 26). When asked where they would prefer to receive this kind of information, it appears caregivers already access information through their preferred sources.

Figure 26: Caregivers' actual vs. preferred sources of information on how to support their children's internet use and keep them safe online.

	% who say this is a current source of information	% who say this is a preferred source of information
Family or friends	54%	58%
Child's school	34%	38%
Television	34%	23%
Social media	29%	22%
Radio	10%	9%
Online safety course	9%	11%
Newspapers or brochures	9%	3%
Other sources	5%	4%
Religious leaders	3%	10%
Don't get any information about this	2%	

Base: Caregivers of internet-using children aged 12–17 in the Philippines. n = 950.

CHALLENGE: Lack of Awareness

Several education and awareness-raising initiatives on child online safety have been conducted in the Philippines in the past few years (see chapter 2.2). Most of the frontline workers surveyed rated the government as 'good' or 'excellent' in terms of "awareness raising on OCSEA" and "speaking publicly about sexual exploitation". Nevertheless, the frontline workers still consider awareness of OCSEA to be insufficient, especially among caregivers. The awareness of caregivers was rated 'poor" by 16 of the 37 respondents and 'fair' by 11.

"Much *of the population in the country belong to the poor sector of the society." Commented one frontline worker, "As they work to make ends meet, sometimes they fail to participate and be concerned on other issues."* (RA3-PH-33-A) The issue of awareness raising among the general public was also raised by some of the justice professionals interviewed. In the words of one judge, *"There must be a promotion of public awareness about this problem, because I believe not all, not only the Philippines knew the problem, the magnanimity of this problem, so they just heard it, but they have not really seen it often."* (RA4-PH-01-A)

In addition to lack of awareness, there is a growing body of evidence, including data from *Disrupting Harm,* which point to intangible and cultural factors that can increase children's vulnerability to both on- and offline sexual exploitation and abuse in the Philippines. One frontline worker noted that *"Societal factors have an impact on vulnerability to OCSEA because it somewhat allows the abuse by not discussing it or by even stigmatising the victims which discourages a victim to report."* (RA3-PH-16-A)

Some of these societal factors include abiding by a culture of silence or not interfering in the affairs of other families [**'Hindi naman tayo napeperwisyo'** – We are not disturbed anyway]. According to one ethnographic study of two 'hotspots' of child sexual abuse in the Philippines, community members may be aware of the abuse taking place and even harass or bully the families involved. However, "despite these reactions, community members refuse to report to the barangay or the police. They believed that they are not in a position to judge the person or the family."[191]

Additional factors include stigma of reporting OCSEA cases especially when they involve a family member and the belief that technology is just for the younger generation.[192,193]

Social norms for children that may contribute to non-reporting or and/or acquiescence in OCSEA include strong obligations to help their families (**'Kapwa'**), regardless of their own well-being, the notion of respect for elders [**'Pag-galang sa matatanda'**], which makes it difficult for children to say 'No' to their caregivers or other adults, and the strong sense of social obligation [**'Utang na loob' – Debt of gratitude**] towards those who – inter alia – provide assistance in time of need. Under Utang na loob, once a 'benefactor' has provided assistance to a family, the family cannot refuse to provide something in return, such as CSAM. According to a judge, *"Utang na loob is really happening, especially in poor sectors of our society, where they have no opportunity, they have no choice. So, they succumb to that, although it's against their will, but they have no choice. So, they just have to give in to the perpetrator."* (RA4-PH-01-A)

PROMISING PRACTICE: Awareness Raising Initiatives in the Philippines

As the Chief of the Anti-Trafficking in Persons Division of the Philippine National Police said, *"We need to raise awareness to the community, to the children as well so that we can empower them to have the courage to report abuses because this type of crime is unlike any other crime. This is a heated crime. It's literally in one corner of their house where the neighbours might or might not, but most of them might not be aware of the existence or the occurrence of crime."* (RA4-PH-05-A) All the government officials interviewed however shared that awareness-raising efforts are hampered by shortages in funding and the lack of skilled and trained staff capable of implementing activities. It was also pointed out that information on OCSEA varied from agency to agency, and that there was no clear and reliable messaging available at national level.

There are a number of promising awareness-raising initiatives in the Philippines that touch on OCSEA, showing commitment by the Philippines government and other stakeholders to improve the visibility of these crimes against children. At the time of writing, these initiatives are yet to be comprehensively evaluated for their effectiveness. However, if these initiatives are to have meaningful effects, it is crucial that they are created based on evidence, and that their efficacy is monitored and evaluated.

191. Ramiro, L. et al. (2019). Online child sexual exploitation and abuse: A community diagnosis. using the social norms theory. *Child Abuse and Neglect, 96.*
192. Terre des Hommes. (2016). Children of the Webcam. Updated Report on Webcam Child Sex Tourism.
193. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography & UNICEF Philippines. (2021). National Study on Online Sexual Abuse and Exploitation of Children in the Philippines Final Report.

SaferKidsPH – a public-private Australian government initiative delivered through a consortium of Save the Children Philippines, the Asia Foundation and UNICEF.[194] The Human Rights Commissioner told *Disrupting Harm* that SaferKidsPH was developed as a six-year initiative (2019–25) to tackle OCSEA. SaferKidsPH aims to create a safer environment for children: "*We call on the Government, NGOs, communities, parents, caregivers and young people to play an active role in: (1) adopting positive behaviour towards the protection of children from online abuse and exploitation; (2) strengthening investigation, prosecution and adjudication of OCSEA cases consistent with national legislation, and (3) improving service delivery for prevention and protection of children against online sexual abuse and exploitation in OCSEA hotspots.*" (RA1-PH-01-A)

Child Protection Seminar – In 2018, the Department of Information and Communication Technology worked with the Quezon City government, Plan International[195] and Microsoft Philippines on a Child Protection Seminar with internet café and computer shop owners. This led to a series of events and campaigns for a safer cyberspace for children, including safety from OCSEA.[196]

Safer Internet Day – The Department of Social Welfare and Development has declared the second Tuesday of February every year "Safer Internet Day" in order to advocate for safe use of the internet. In 2019, the Stairway Foundation led the Safer Internet Day as a national celebration for the first time.[197]

Break the Silence – project developed by the Stairway Foundation equipped approximately 135,000 adults and children with basic prevention skills against child sexual abuse and exploitation (including OCSEA).[198] On their website, they created an e-learning centre where they host a series of free courses on issues such as preventing and responding to online child sexual abuse and child trafficking, which are recommended for parents, social workers, teachers and children.[199]

194. SaferKidsPH. (n.d) https://www.saferkidsph.org/know-about-saferkidsph/.
195. Plan International has contributed to the seminar as part of the "Cyber-safe spaces for children and youth in Manila and Quezon City" project funded by End Violence Against Children.
196. Philippine News Agency. (May 30th, 2018). Quezon City advocates safer cyberspace for tots.
197. ASEAN Secretariat. (2019). Ending violence against children in ASEAN Member States: Midterm review of priority areas under the ASEAN Regional Plan of Action on the Elimination of Violence against Children 2016-2025, ASEAN.
198. Stairway Foundation. (n.d.). Break the Silence Program.
199. Stairway Foundation. (n.d.). E-learning center.

3. RESPONDING TO ONLINE CHILD SEXUAL EXPLOITATION AND ABUSE IN THE PHILIPPINES

This chapter presents evidence about the current response mechanisms to combat OCSEA in the Philippines. This includes formal reporting options, and responses by police and the court system. It considers the contributions which government, civil society and the internet and technology industry make to combating OCSEA in the Philippines. This chapter also draws on the testimonies of three children who had sought justice through the justice system (referenced as RA4-PH-XX-child) and their caregivers.

Much of the data in this chapter is drawn from qualitative interviews. The quotes and responses presented are individual opinions and testimonies that may not reflect the full range of experiences of those accessing the response mechanisms to OCSEA in the Philippines.

3.1 FORMAL REPORTING MECHANISMS

The main channels for reporting in the Philippines include a CSAM hotline, websites and phone and text lines, some of which are presented in Figure 27. Interviews with law enforcers have indicated that the majority of OCSEA cases recorded and investigated by law enforcement in the Philippines are, however, initially reported by foreign law enforcement agencies and non-government organisations.

Figure 27: Reporting channels in the Philippines.

HOTLINE	WEBSITES	CALL	TEXT
Philippines CSAM hotline – eProtectKids ecpat.org.ph/report	**Philippine National Police Anti CyberCrime** website	**National Bureau of Investigation:** (02) 523-8231 to 38 local 3454 to 3455	**blockchildporn** \<space\> URL Address and send to 0918-9122813
	Actionline Against Human Trafficking 1343 or website	**Bantay Bata** – 163 helpline	**DSWD** \<space\> URL Address and send to 2327
	The Inter-Agency Council Against Child Pornography website	**Department of Justice – Office of Cybercrime:** (02) 526-2747[200]	
		The Women and Children Protection Centre – Aleng Pulis (+63) 919 777 7377	

As seen in the previous chapter, few children report cases of OCSEA to formal reporting mechanisms such as to the police, social workers, or helplines. Similarly, none of the three children interviewed for *Disrupting Harm* whose abuse was live-streamed chose to go to the police voluntarily. Nor did they actively seek help at all. As one child recalled: *"Ah, no, I did not go to the police. I was just notified by my best friend (who was in jail at the time). She told me that I have a case and that I was the person responsible for filing that case. I was preparing myself for work, in a place that is close to our home. When all of a sudden, they just told me that the barangay (a local village government unit) wants to talk with me and that both the National Bureau of Investigations from Manila and the DSWD persons are also there."* (RA4-PH-1-A-Child)

In contrast, data from the household survey showed that caregivers might be more willing to make formal reports. When asked what actions – in theory – they would take *if* their child was subjected to sexual abuse or exploitation, 49% said they would report to the police and 14% to a social welfare officer. Only one out of 950 caregivers said they would not do anything.

3.1.1 Hotlines and Civil Society

Child Helplines and CSAM Hotlines: What is the Difference?

The channels through which children and adults can report cases of OCSEA include CSAM hotlines and child helplines. CSAM hotlines focus on working with industry and law enforcement agencies to take down content, and they are now more often accessible by web than by phone. The child helplines provide immediate crisis support, referrals and ongoing counselling and case management services; they generally tend to respond to a broader range of child protection concerns, though some focus specifically on OCSEA.

Philippines CSAM hotline – eProtectKids
eProtectKids is the Philippines' internet hotline against CSAM. It was launched in February 2021 by ECPAT Philippines in partnership with the Cybercrime Investigation and Coordinating Center.

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200. Department of Justice. (n.d.). Reporting Cybercrime Incidents.

eProtectKids is a member of INHOPE.[201] Once the internet user files a report, an analyst from ECPAT verifies if the reported content is CSAM based on the national legislation. The verified reports are then shared with INHOPE and the law enforcement authorities. If the CSAM is hosted in another country, INHOPE notifies its member hotline in the host country and the member hotline requires the Internet service provider to take down the content in accordance with the legislation of the country concerned. If the CSAM is hosted in the Philippines, the Cybercrime Investigation and Coordinating Center or another law enforcement body orders the local Internet service provider to remove the content and conducts further investigations, if needed.

Between January 2021 and August 2021, eProtectKids received 23 reports of OCSEA. Eleven of the reports were on CSAM, all of which were taken down. Another 11 reports were of social media accounts distributing CSAM or selling and trafficking of children for sexual purposes. Of these, eight accounts had already been taken down at the time of writing.

NGO-led helpline – Bantay Bata 163

Bantay Bata 163 is a toll-free 24/7 helpline service for children (also accessible online and via text messages) which receives reports of child abuse. Bantay Bata is a member of Child Helpline International and works closely with the Philippine National Police Anti-Cybercrimes Group and the DSWD. Once the helpline receives a report on CSAM, it is referred to the Anti-Cybercrimes Group or the DSWD for report verification and victim identification. The victims are offered services such as counselling, legal support and referral to follow up on the case.[202]

Bantay Bata has referred a number of OCSEA cases to the Philippine National Police.[203] In 2019, the helpline received 899 cases, 60 of which related to sexual abuse of children.[204] In 2020, out of 828 cases, 92 related to sexual abuse.[205] It is not clear how many of those cases of child sexual abuse were facilitated by digital technology.

Civil Society

Civil society organisations play a part in responding to OCSEA – they cooperate with the law enforcement and justice actors in the provision of services like shelters, counselling and legal aid. They are also involved in awareness-raising activities and in training the child protection workforce.

One study found that many OCSEA cases are brought to NGOs, (rather than to DSWD) because of a perception that non-governmental organisations in the Philippines may be better able to provide a quicker and more developed response strategy than the government.[206] Similar views were expressed about referrals between organisations. Organisations preferred to work with other organisations who often have dedicated staff to receive and monitor cases. Concerns were raised that DSWD's protocol for "processing and rehabilitating" children did not always consider the needs and situation of the child and could potentially place them at risk.[207]

CHALLENGE: Insufficient Staff to Handle the Volume of OCSEA Cases.

Government representatives interviewed mentioned insufficient staff and lack of training as the two main hurdles in the response to OCSEA. "*We really lack manpower, so much so that one social worker is equivalent to around three hundred cases of child survivors. I don't think that's really humanly possible for one social worker to handle this kind of loaded cases. We have already sought the assistance of the Department of Budget and Management for the hiring of additional social workers,*" stated a representative from the Department of Social Welfare and Development. (RA1-PH-06-A)

201. ECPAT Philippines. (February 10, 2021). ECPAT Philippines launches global internet hotline vs child sexual abuse material.
202. UNICEF & Child Helpline International. (2017). A New Reality: Child Helplines Report on Online Child Sexual Exploitation and Abuse from Around the World.
203. Terre des Hommes (2016). Children of the Webcam. Updated Report on Webcam Child Sex Tourism.
204. ABS CBN Foundation (2019). 2019 Annual Report.
205. ABS CBN Foundation. (2020). 2020 Annual Report.
206. UNICEF Philippines & Terre des Hommes (unpublished). Live-streaming Online Child Sexual Exploitation in the Philippines (Regions III and IV).
207. UNICEF Philippines & Terre des Hommes (unpublished). Live-streaming Online Child Sexual Exploitation in the Philippines (Regions III and IV).

Frontline workers also spoke of unmanageable workloads as a reason affecting the availability of support services for children who had been subjected to OCSEA: "*Service providers are most likely not able to give the services that is due for the children because they are overworked. Lack of enough manpower from the social welfare services units is one of the issues in the field. The workers in the social services basically caters all clients from all walks of life from womb to tomb*" (RA3-PH-20-A) According to another frontline worker, these high workloads can hinder efforts to provide services that are tailored to each individual child: "*There is no service tailor-fit to the needs of children who are victims of OCSEA and the available services are for trafficked children. In our experience, the case build-up is problematic.*" (RA3-PH-45-A) Government interviewees shared that due to the fact that some of the departments mandated to respond to OCSEA are relatively new and still need to hire staff, non-governmental organisations play a role in responding to cases of OCSEA in the Philippines. (RA1-PH-03-A)

Twenty-five of the 37 frontline service providers surveyed rated the availability, and 21 the quality of legal aid services provided to OCSEA victims, as either 'good' or 'excellent'. Medical services were perceived by 21 respondents as good or excellent in terms of their availability, and by 20 as good or excellent in terms of their quality. The availability and quality of psychological and reintegration services were rated less positively – often as 'poor' or 'fair'. The factors which the frontline workers most frequently selected as affecting the availability of support services for children were the cost of the services, their location and low service quality. The service providers signalled that the numbers of frontline social service providers were insufficient, and that there was a lack of services tailored to the needs of OCSEA victims.

CHALLENGE: Decentralisation of Services

The decentralisation of government services in the Philippines has led to the fiscal and legislative separation of local communities (cities and barangays) from the national government. This means that the DSWD, as a national and regional entity, does not have direct or regular access to local communities, the ability to enforce child protection legislation, or to provide services at the community level, resulting in gaps and inconsistencies in case data and social services.[208] In order to take action in local communities, the DSWD must rely upon local social welfare officers, who may or may not have the same training or the same level of adherence to national standards for child protection. In the context of fiscal decentralisations, the Mandanas Ruling will provide additional revenue allotment to local governments[209] and consequent increased of their capability which could positively impact on the provision of services for victims of OCSEA.

When the 37 frontline service providers surveyed were asked to assess the collaboration on OCSEA among NGOs, 32 rated the collaboration as 'good' or 'excellent'. According to a representative from the Council for the Welfare of Children, the partnership between civil society and the Government has become stronger over the years: "*It used to be the relationship long time ago, it wasn't so good. There would always be distrust between the government and the civil society organisations. But today, the relationship is very strong. I don't think I can identify anything that can be improved in terms of the relationship. But so far, we enjoy the support of the civil society organisations in pushing for the concerns of children, whether it is in legislation, whether it is in the programme implementation in advocacy. I think they have always been there.*" (RA1-PH-04-A)

208. UNICEF Philippines & Terre des Hommes (unpublished). Live-streaming Online Child Sexual Exploitation in the Philippines (Regions III and IV).
209. Republic of the Philippines. (2021). Executive Order No.138.

3.1.2 International reporting

The Philippines receives international referrals from various foreign law enforcement agencies including: the United States Federal Bureau of Investigation, Homeland Security Investigations, the Royal Canadian Police, the New Zealand Police, the Royal Malaysia Police, INTERPOL and the National Coordination Bureau of the Netherlands[210] and from non-governmental organisations such as NCMEC. Cases involving Filipino children are referred by these agencies to IJM, the Office of Cybercrime, the National Bureau of Investigation or the WCPC, which then continue the investigation. Data from IJM indicate that the majority of OCSEA cases handled by the police in the Philippines are external referrals (64%) rather than pro-active investigations or in-person reports.[211] This finding was echoed by a representative from the Department of Justice who explained that, *"in most of our cases, children's critical situation of being abused are brought to our attention only because of referrals from foreign law enforcers and many of them [the children] have been abused for an average period of two years already. In the first online and sexual exploitation case I worked on, the children had been abused for more than two years on the day that they were rescued".* (RA4-PH-03-A)

The Office of Cybercrime, under the Department of Justice, is the primary institution designated to receive reports from NCMEC and is notified and provided with access to NCMEC's virtual private network every time it receives a report with a Philippines nexus. While a large number of reports are received from NCMEC each month, the Office of Cybercrime reported that not every referral is actionable. Often the referral relates to a widely circulated internet viral video, leaving an average of 5 actionable referrals per month.

> **In most of our cases, children's critical situation of being abused are brought to our attention only because of referrals from foreign law enforcers and many of them [the children] have been abused for an average period of two years already. In the first online and sexual exploitation case I worked on, the children had been abused for more than two years on the day that they were rescued.**
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> RA4-PH-03-A

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210. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography & UNICEF Philippines. (2021). National Study on Online Sexual Abuse and Exploitation of Children in the Philippines Final Report.
211. International Justice Mission. (2020). Online Sexual Exploitation of Children in the Philippines: Analysis and Recommendations for Governments, Industry, and Civil Society.

3.2 LAW ENFORCEMENT RESPONSE

This chapter focuses on local law enforcement capabilities to prevent and respond to OCSEA cases in the Philippines and is primarily based on the interviews conducted by INTERPOL with law enforcement units. The findings in this chapter are complemented by data from interviews with government representatives, frontline social support workers and children and caregivers who sought justice through the formal justice system.

The primary law enforcement actors at the national level in the Philippines are the Women and Children Protection Center under the Philippine National Police and the Anti-Human Trafficking Division of the National Bureau of Investigation, assisted by the Office of Cybercrime under the Department of Justice. (PH-RA8) The Philippine Internet Crimes Against Children Center helps to consolidate and prioritise case referrals from different international law enforcement agencies and other sources. (PH-RA8) (Figure 28).

Promising developments and initiatives
Multi-disciplinary approach: A multi-disciplinary way of working recognises that "agencies and professionals need to work together with mutual responsibilities and joint accountability for managing different aspects of helping a child within the context of the family, community, and society."[212] The approach, which was mentioned by government representatives, is embedded in the 2013 Department's of Justice *Protocol for Case Management of Child Victims of Abuse, Neglect and Exploitation.*[213] The Protocol defines the roles and responsibilities of the various government agencies and their partners from when a case of child abuse is referred or reported, up to its termination and intends to ensure that child abuse cases are prioritised and attended to with utmost sensitivity and confidentiality.[214] The WCPC uses a multi-disciplinary approach for gathering information from child who were subjected to OCSEA and from child witnesses. In this context, one judge interviewed for *Disrupting Harm* explained: *"When the child is in the child protection centre, there will be only one questioning [in the presence of] the police, the social service worker, the doctor and the psychologist.*

So, they will be there observing the child while the police are asking questions...when upon observation of the psychologist, she feels that the child is traumatised, she will immediately conduct the psychological evaluation of the child.

And then she finds that the child has to be referred to an expert. Then the psychologist will bring the child to the Philippine General Hospital for psychiatric evaluation and to give also services there." (RA4-PH-01-A)

Establishment of the Philippine Internet Crimes Against Children Center: this centre was established as a partnership between the Philippines National Police, the Australian Federal Police, the National Crime Agency of the United Kingdom, and IJM to strengthen efforts to address and prevent OCSEA in the Philippines. Under the Directorate of Investigation and Detective Management, the Philippine Internet Crimes Against Children Center in collaboration with the National Bureau of Investigation and Women and Children Protection Centre of the Philippines National Police among other areas of gender-based violence and children in conflict with law is mandated to investigate cases pertaining to OCSEA. (PH-RA8) The Center provides support to law enforcement agencies in terms of digital evidence gathering which is a significant challenge for local police officers and law enforcement units. It also provides a forum for all potential stakeholder constituencies working on OCSEA to brainstorm, assess the crime situation, prioritise, and to work collaboratively on an operational level.

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212. Department of Justice. (2013). Protocol for Case Management of Child Victims of Abuse, Neglect, and Exploitation.
213. Department of Justice. (2013). Protocol for Case Management of Child Victims of Abuse, Neglect, and Exploitation.
214. Department of Justice. (2013). The Protocol for Case Management of Child Victims of Abuse, Neglect and Exploitation.

Figure 28: Law enforcement agencies in the Philippines involved in OCSEA investigations.

Philippine Internet Crimes Against Children Center	Philippine National Police
WCPC, AHTRAD, Australian Federal Police, United Kingdom National Crime Agency	**Women and Children Protection Center (WCPC) – Manila** · Focal agency responsible for cases of violence, exploitation, and abuse against women and children, addressing both CSEA and OCSEA. · Conducts investigations in coordination with the Philippines National Police Anti-Cybercrime Group and other law enforcement agencies to identify suspects who coerce children and youth into OCSEA. · Has field offices in Luzon, Visayas and Mindanao.[215] There are 20–30 personnel at each station. While the Luzon Field Unit's main focus is on CSEA, the Visayas and Mindanao field units handle both OCSEA and CSEA cases. · In 2016, an Internet Crimes Against Children office was established at the Center in response to the rise in OCSEA cases[216]. It is tasked with intelligence gathering and following referrals from foreign law enforcement agencies.[217]
	Anti-Cybercrime Group · Has the duties of investigating all crimes committed using information and communication technologies. · Conducts data recovery and forensic analysis on devices seized by law enforcement agencies, providing technical investigative support, maintaining an intelligence database, establishing and maintaining a digital forensic lab, and providing training on anti-cybercrime operations.
	National Bureau of Investigation
	Anti-human Trafficking Division (AHTRAD) · Conducts special investigations into OCSEA and other serious crimes across the country in areas with limited human resources. · Only manages cases of major public interest or cases assigned by the President or the Secretary of Justice. · It has 12 agents. Nine of these lead investigations. Eight of the investigators work on OCSEA, but they may be assigned to other investigations when required.
Department of Justice *Policy and coordinating body*	**Office of Cybercrime** · Focuses on international cooperation, including international mutual legal assistance and extradition, cybercrime, and electronic evidence. · Acts as the point of contact for receiving NCMEC CyberTips, initiates investigations when needed and consolidates data before handling over to law enforcement units Contributes to preventive actions and coordinates with internet service providers to obtain data and install filtering software. · Provides technical assistance to the Philippine Internet Crimes Against Children Center, for instance, for warrants involving ISPs. · Has only 20 personnel, including five intelligence agents and three lawyers. The number of intelligence agents is disproportionate to the scale, depth and diversity of the cases.

215. Women and Children Protection Center.
216. Aritao, B.L.P, Pangilinan, H.S.B. (2018). Online Sexual Exploitation of Children: Applicable Laws, Casework Perspectives, and Recommendations. Ateneo Law Journal, Vol. 63(185).
217. Philippines National Police. (n.d). Women and Children Protection Center.

Cooperation with financial institutions: According to one police major interviewed for *Disrupting Harm*, open data sharing and cooperation with the financial sector – including the Anti-Money Laundering Council and global services like PayPal and European transfer companies – allows for more effective investigation of OCSEA. (RA4-PH-08-A) This is particularly valuable in cases involving international money transactions between foreign offenders/primary offenders and facilitating offenders based in the Philippines. Offenders based in other countries will transfer money to facilitating offenders in the Philippines using several providers. The same interviewee explained, *"we have also investigated PayPal accounts, MoneyGram, there are a few bank accounts. And just lately, we are engaging with the other facilitators who are utilising Bitcoin. So, it's getting hard for us, but still, we are doing our best to get them."* (RA4-PH-08-A)

Case Study: Global Networks of OCSEA Offenders

In February 2017, a foreign OCSEA offender was arrested in his native country and found to be using open source software for enabling anonymous communication to purchase CSAM. He was identified as a customer of on-demand live-streaming of child sexual abuse. The offender used various email and social media accounts to communicate with the facilitators, who were mostly based in the Philippines. One of these facilitators came under surveillance of AHTRAD. In October 2017, the foreign law enforcement agency sent a referral to the Women and Children Protection Centre. The first joint operation was launched with support from international law enforcement agencies and non-governmental organisations. The facilitator offered live-streaming abuse of a nine-year-old girl to an undercover police officer. The offender was arrested, and five children were rescued from the residence, all of whom had their sexual abuse facilitated by their own relatives. Further investigations revealed that the facilitator had been operating in this space for six years and received a substantial amount of money per live-stream. The offender subsequently pleaded guilty to offences under the Anti-Child Pornography Act and attempting to commit exploitation of children in prostitution and was sentenced to 15 years of imprisonment. All the victims were placed in shelter care and received medical and psychosocial treatment and support for their social integration and education.

Cooperation with non-governmental organisations: The national law enforcement units investigating OCSEA cases indicated having an ongoing cooperation with non-governmental organisations. Support pertaining to counselling, rehabilitation and shelters were the areas where non-governmental organisations complemented the work of law enforcement and provided victim support during the investigation. The Women and Child Protection Center reported ongoing communication with partners from these organisations in need of support, especially in relation to shelter issues, however, they indicated that support needs to be increased in terms of prioritisation and allocation of resources.

Law enforcement coordinates with non-governmental organisations to provide services ranging from medical examination to psychosocial counselling and correctional administration such as education and social integration services. AHTRAD also reported that DSWD social workers take part in every operation. IJM is the main source of legal support for law enforcement agencies apart from the Office of Cybercrime, which has its own specialist legal section.

Plans to connect law enforcement units to INTERPOL's International Child Sexual Exploitation (ICSE) database: INTERPOL's ICSE database connects specialised units of trained investigation officers to other law enforcement officials across the ICSE network from 67 countries.[218] These officials work

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218. As of January 2022.

on image and video databases, upload material, and share intelligence thereby allowing specialised investigators to share data on cases of child sexual abuse with law enforcement agencies across the world. This facilitates collaborations and international operations. Using image and video comparison software, investigators are instantly able to make connections between victims, abusers and places. The database avoids duplication of effort and saves time by letting investigators know whether a series of images has already been discovered or identified in another country, or whether it has similar features to other images. According to interviews with national law enforcement, INTERPOL is involved in ongoing discussions with the national law enforcement for connecting relevant units to INTERPOL's database in order to reduce duplication of effort and enhance international police cooperation for investigation and victim identification.

Challenges

High rotation and turnover of staff: Frequent rotations of police officers and the inability to offer regular, continuous, and specialised training to incoming law enforcement officers hamper the effectiveness of OCSEA training programmes and may result in undertrained or underprepared police officers engaging with OCSEA victims. According to a Supreme Court judge, the high staff turnover results in constant re-training: *"we really work hard to train prosecutors, police officers, but we get the news that they are transferred. And then we have to train new ones again and also with the judges."* (RA4-PH-02-A) An Assistant State Prosecutor from the Department of Justice added: "*In most organisations, just like the police here in the Philippines, the turnover of personnel from one organisation to the other is fast.*" (RA1-PH-05-A) One of the lawyers interviewed noted the impact this has on the knowledge and skills of police officers: *"that's a big problem that we have, the shifting of the police officers. Instead of having them already trained, they would be assigned to another department, a new police officer would be there with no experience handling children."* (RA4-PH-04-A)

Differing investigative capabilities: Interviewees from law enforcement agencies indicated that the knowledge and skills of investigation officers at the WCPC for specialised victim identification in OCSEA cases appear to be limited, as there are no dedicated personnel assigned to victim identification. However, one of the field units has five or six personnel conducting some aspect of victim identification enquiries. Lack of sufficient infrastructure – including a reliable internet connection, office workspace, and secure virtual workspaces – also poses a challenge to the introduction of technologies needed for surveillance, proactive investigation and the monitoring of anonymised network spaces.

PROMISING DEVELOPMENT: Inter-Agency Council Against Child Pornography (IACACP) as a Coordinating Body

The council was created in 2010 with the overall goal of eradicating OCSEA by coordinating, monitoring, and overseeing the implementation of the Anti-Child Pornography Act of 2009. It is tasked with formulating comprehensive and integrated plans and programmes to prevent and suppress OCSEA, and with coordinating the projects of its member agencies. It has the power to direct other agencies to respond immediately to cases brought to their attention and to report to the Council on the actions taken.[219] *"I think one of the good implications of having the IACACP is really providing that coordination platform so that agencies can really talk about the issues and how they can formulate plans and policies on online sexual abuse and exploitation of children. Aside from that, actually, the IACACP trains multidisciplinary teams, composed of the of the stakeholder translations of the members of the IACACP"* (RA1-PH-04-B) shared a Planning Officer from the Council for the Welfare of Children. The IACACP also engages in evidence generation on OCSEA; in 2021, together with DWSD and UNICEF Philippines the Council published the National Study on Online Sexual Abuse and Exploitation of Children.[220]

219. Department of Social Welfare and Development. (unpublished). National Response Plan to Prevent and Address Online Sexual Exploitation and Abuse of Children.

220. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography & UNICEF Philippines. (2021). National Study on Online Sexual Abuse and Exploitation of Children in the Philippines Final Report.

Outstanding training needs: Twenty-four of the 37 frontline workers surveyed for *Disrupting Harm* rated the awareness of the law enforcement authorities about OCSEA and their response to it as 'good' or 'excellent', while about a third assessed them as 'poor' or 'fair' (13 out of 37). While several training initiatives do exist, including a 10-day Advanced Investigative Workshop, police officers interviewed for *Disrupting Harm* expressed that there is still an unmet need for capacity building to strengthen the knowledge base and operational capacity of all law enforcement units on OCSEA, some of which are highlighted below:

- The WCPC has been given a brief introduction to the dark web by French law enforcement officers and were trained in examination and analysis of forensic evidence using Celebrite and OS Triage[221] but needs a deeper understanding of Bitcoin and financial investigations. One interviewee from the WCPC stressed the need for more technical support and training for officers who do not have experience working on OCSEA cases, to help the Center to address its workload. The respondents specifically recommended *"conduct[ing] a video in-depth interview training for the social workers and the Philippines National Police. Trainings on OCSEA as well. And, of course, laptops are very vital in conducting engagement for this[…]. We really need this."* (RA4-PH-07-A)

- The Australian Federal Police and the National Crime Agency of the United Kingdom have delivered OCSEA investigation trainings to the WCPC and AHTRAD and their corresponding regional officers, however AHTRAD called for forensic capacity training but highlighted that the training needed to be delivered at the same time as the required equipment was made available.

- In June 2019, a training on prosecuting online sexual exploitation was attended by prosecutors from the Mindanao and Visayas regions along with staff from of the Anti-Cybercrimes Group and the WCPC. The Office of Cybercrime has identified an unmet need on specialised training on how to access and leverage social media data and victim identification.

- The intelligence agents at the Office of Cybercrime have an information technology background but no law enforcement experience.

There appears to be a mismatch between expectations of the WCPC and the training, advanced technological know-how, and skillsets available to them to carry out their investigation function. Officials at the Anti-trafficking in Persons Division of the WCPC Manila office commented that personnel were at times overwhelmed by the different training requirements. In contrast, the Visayas Field Unit requested further specialised training as they had not received training on forensic interviewing, online investigation techniques for identifying offenders and victims, covert internet investigations, and surveillance. In general, training is offered by foreign law enforcement, and it appears that Philippine law enforcement officers respond to these training opportunities as they come.

The Inter-Agency Council Against Trafficking representative, who acts as the State prosecutor, acknowledged that police, prosecutors and judges have insufficient knowledge of technology. In particular, the representative highlighted that prosecutors need to receive training on how to communicate the digital evidence they present in court.

One judge also mentioned a lack of sufficient training for law enforcement at the local level and how this might affect victims and disclosure: *"most of the online cases are being handled by police officers at the national level. So, the police officers at the local level are not trained to handle this kind of cases…Just imagine the stress of going to a faraway place when she [the victim] can just report in the place where she is residing."* (RA4-PH-01-A) The same interviewee recommended that: *"The local police officers in the locality where the child is located or is a resident must also be trained so that the child will not have to go to the national office to report the incident."* (RA4-PH-01-A) A representative of the Department of the Interior and Local Government added: *"On the part of the Department of the Interior and Local Government determining cases of OCSEA, of course, you have to monitor them all the time, 24 hours is quite difficult at the local level…hopefully soon the Interagency Council Against Trafficking, […] as well as the Inter-Agency Council on Anti-Child Pornography […], will be able to develop a training manual in determining or identifying cases of OCSEA for the barangay level because OCSEA has happened mostly inside the household."* (RA1-PH-02-A)

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221. Artificial intelligence driven tools for sorting, filtering and analysing child abuse material. Often used to enhance efficiency of investigations at the same time protecting mental health and well-being on the investigating team.

Lack of critical databases to support law enforcement investigations: There is no personal and digital forensic identification system in place to monitor suspects, assess risks, assist investigations, and streamline referrals. The criminal records of the WCPC are based on arrested offenders, but do not distinguish different nationalities or travelling child sex offenders. The AHTRAD database only records the arrests of sex offenders in general. There is no national system of registration, notification or monitoring of sex offenders or travelling child sex offenders. Offenders are simply deported after completing their prison sentences. In general, each law enforcement unit records its data in a different format. (PH-RA8)

Insufficient specialised hardware and software: Each office possesses basic equipment and software for triage and analysis of CSAM. However, specialised tools for audio video analysis, image comparisons and detecting relations for analytics of image or video are not available with the unit, either due to resource constraints or licence charges being prohibitively expensive. This continues to persist as a challenge while tools for open source intelligence training and analysis have been identified by the national law enforcement as areas for future training.

THE "SWEETIE PROJECT"

In 2013, Terre des Hommes undertook the "Sweetie Project", in which four researchers spent 10 weeks posing as prepubertal Filipino girls on 19 public English-speaking chat rooms.[222] During that time, a total of 20,172 predators from 71 countries, of whom 1,000 were identified, tried to solicit the supposed minors for paid webcam sex performances. At that time, the United Sates Federal Bureau of Investigation estimated that there were 40,000 online chat rooms on which predators operate and, given that OCSEA is also taking place on social networking apps and other websites, it was estimated that a child is asked to perform sexual acts online tens of thousands of times each day. Terre des Hommes called on the law enforcement agencies to take immediate action to fight sexual exploitation of children in travel and tourism using proactive investigation techniques.[223] Follow-up initiatives such as Save Sweetie Now and software developments Sweetie 2.0 and Sweetie 3.0 have been introduced, which aim to deter potential child abusers from illegal activity, provide them with sources on where to seek help, identify potential offenders of OCSEA who use new technologies, such as live-streaming, and equip specialised investigation units of local law enforcement with the software.

NCMEC connections: The Office of Cybercrime is the only unit directly connected to NCMEC, although other local units can obtain details after receiving actionable investigation packages initiated by the Office of Cybercrime. (PH-RA8)

Lack of psychological support systems for law enforcers: Investigation staff in the police units who were interviewed were not aware of mental health and wellbeing support available for those investigating OCSEA in their units. As an explanation for why psychosocial counselling services were not needed, it was shared that in the majority of cases the team is not exposed to sensitive material. However, this does not take into account the toll that all elements of working with these complex and difficult crimes may take on staff. However, respondents shared that staff could access mental health support from government or non-government helpline services. (PH-RA8)

222. Terre des Hommes. (2013). Webcam Child Sex Tourism. Becoming Sweetie: a novel approach to stopping the global rise of Webcam Child Sex Tourism.
223. Terre des Hommes. (2013). Webcam Child Sex Tourism. Becoming Sweetie: a novel approach to stopping the global rise of Webcam Child Sex Tourism.

Internet Service Providers and Global Platforms

Collaboration with internet and mobile service providers and platforms is essential to investigate crimes and prevent the dissemination of CSAM. The legal requirements and practical procedures differ depending on whether the operators are Filipino or global.

Domestic Internet Service Providers

Evidence gathering:

According to the Anti-Child Pornography Act, all Internet service providers must notify the Philippines National Police or the National Bureau of Investigation within seven days of obtaining information that any CSAM-related crimes are being committed using their servers or facilities.[224] The Internet service providers are also obliged to preserve such evidence for purposes of investigation and prosecution.[225] Upon the request of the proper authorities, internet service providers have to share information on users who have accessed or attempted to access Internet domains containing CSAM.[226] Internet service providers that do not comply with these duties face a monetary penalty, and the revocation of their license in the case of repeated offences.[227] Similar duties and penalties apply to internet content hosts.[228,229]

Interviews with law enforcement representatives showed that cooperation with Internet service providers and telecommunications companies appeared to be a challenge for the relevant law enforcement units investigating OCSEA. The existing legislation regarding Internet service providers has yet to be implemented and there are challenges when it comes to filtering CSAM and providing the needed information for prosecution.

According to respondents, telephone companies are at times slow to cooperate, which may delay investigations and prosecutions. Interviewees stated that Internet service providers were capable of sorting and eliminating CSAM from adult pornography sites but only did so upon requests from law enforcement authorities. Officials from AHTRAD noted that the value of having specialised software – such as the Internet Crimes Against Children Child On-line Protection System – to identify IP addresses is hindered if subscriber details are not then provided by the Internet service provider. (PH-RA8)

Removing/reporting CSAM:

The Anti-Child Pornography Act provides for the National Telecommunications Commission to issue rules and regulations which provide – *inter alia* – for the installation by Internet service providers of software filtering the access to or transmittal of any form of CSAM.[230] Accordingly, in January 2014, the Commission issued a memorandum instructing all Internet service providers to install such software by June 2014.[231] Internet service providers were also instructed to submit to the Inter-Agency Council Against Child Pornography a list of all websites containing CSAM that people tried to access, but to which access was blocked by these technologies, within five days from the end of each month.[232] Internet content hosts are also obligated to remove any form of CSAM within 48 hours of receiving notice of the existence of such material on their servers.[233]

An Information Technology Officer from the Department of Information and Communications Technology remarked that, despite existing laws, *"There is a gap between compliance to that particular law, specifically on the side of the service*

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224. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 9.
225. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775),Section 9.
226. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 9.
227. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 15(k).
228. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 3(f): "internet content host" refers to a person who hosts or proposes to host internet content in Philippines.
229. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 11 and Section 15(j).
230. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 9.
231. Inter-Agency Council Against. (2014). Block Child Porn Websites, NTC orders Internet Providers.
232. Inter-Agency Council Against. (2014). Block Child Porn Websites, NTC orders Internet Providers.
233. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 11.

providers. And so, there are current government efforts to improve compliance, led by a technical working group – which the Department of Information and Communications Technology leads – on cybercrime prevention, specifically on the implementation of Republic Act 9775. This working group is tasked with identifying technologies that could help enable providers to comply." (RA1-PH-03-A) The working group includes representatives of the National Telecommunications Commission, the DSWD, the Department of Justice and IJM.

According to the Police Major from the Philippines National Police, *"Under the law, there is a mandate there that telephone companies and Internet providers shall provide periodic reports to law enforcement of all child [sexual abuse] material transmitted through the network…we did not receive that stuff [periodic report] from the very beginning."* (RA4-PH-08-A) Similarly, a representative from the Council for the Welfare of Children explained: *"that is actually one of the main features of the law to really compel these telecommunication companies to hinder the access of internet users to these sites that promote child pornography and with them not being very cooperative and supportive. I think it's really a barrier for the Philippine government and the rest of the stakeholders working on child sexual abuse and exploitation to really protect children online."* (RA1-PH-04-B)

Beyond the provision on Internet service providers and content hosts, the Anti-Child Pornography Act also imposes a duty on mall owners/operators, owners or lessors of business establishments, photograph developers, credit card companies, banks, technology professionals or any other person with direct knowledge to notify the Philippine National Police or the National Bureau of Investigation within seven days if they become aware of any CSAM-related crimes committed on their premises or in the context of their work.[234] Finally, in order to prevent violation of the provisions criminalising CSAM, local government units have the authority to monitor and regulate the establishment and operations of internet cafes or kiosks.[235]

Global platforms

Although it does not contain any explicit provisions relating to extraterritoriality, the Anti-Child Pornography Act recognises the transnational nature of CSAM-related crimes[236] and allows the Department of Justice to execute the request of assistance – and seek the assistance – of a foreign State in the investigation or prosecution of any CSAM offence.[237] With respect to removing/reporting CSAM, there are rarely any formal agreements between national law enforcement agencies and global platforms. The platforms would prefer to view requests from government partners as notifications of potential violations of their own terms of service. Since CSAM is contrary to the platforms' terms of service and United States law, it would be in the companies' interests to remove such content.

Promising practices

A research study by UNICEF Philippines suggests that major telecommunications companies and online platforms in the Philippines are expressing a willingness to work towards legal and other solutions that will better protect children[238], and that the industry has become more engaged in addressing OCSEA in recent years.[239]

• Globe Telecom is partnering with content providers such as YouTube for Kids to offer a thematic service centred on educating younger children and preventing them from 'exploring all videos on the platform.[240] The company was also responsible for developing the *Digital Thumbprint Programme* (see Empowering caregivers to guide their children's internet use').[241]

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234. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 10.
235. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 12.
236. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 22.
237. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 22.
238. UNICEF Philippines. (2016). Protection of Children from Online Abuse and Exploitation Capacity Gap Analysis of Stakeholders: A summary.
239. ASEAN Secretariat. (2019). Ending violence against children in ASEAN Member States: Midterm review of priority areas under the ASEAN Regional Plan of Action on the Elimination of Violence against Children 2016-2025, ASEAN.
240. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography & UNICEF Philippines. (2021). National Study on Online Sexual Abuse and Exploitation of Children in the Philippines Final Report.
241. Globe Telecom (n.d.) Digital Thumbprint Program.

- After gaining access to the Internet Watch Foundation database,[242] as of May 2021, The Philippine Long Distance Telephone Company has blocked access to more than 8,000 links hosting sexually explicit materials featuring children.[243] The company has also contributed to the Child Rights Impact Self-Assessment Tool for Mobile Operators,[244] which lists, among others, the measures that companies should put in place to restrict access, sharing and storing of CSAM. Additionally, the Philippine Long Distance Telephone Company has developed *InfoTech*, in partnership with the University of the Philippines Open University, a programme which is offered to high school teachers and students to educate them on the use of computers, software and the internet, social media usage, and cybersecurity.

- According to the mid-term review of the priority areas under the Regional Plan of Action on the Elimination of Violence against Children in ASEAN[245] a code of conduct on child protection is being developed for internet service providers in line with the *Children's Rights and Business Principles*[246].

- The Philippines Department of Education, together with Facebook, developed a digital literacy programme – *Digital Tayo*.[247] At the end of 2021, two webinars on digital engagement and digital empowerment were organised.[248]

Transparency data

In 2017, 2018 and 2019, the transparency reports of major social media platforms showed that authorities in the Philippines made:

- 6 requests to Facebook for content restriction,
  174 requests for Facebook user data;
- 27 requests to Google for content removal,
  35 requests for Google user data;
- 4 requests to Apple;
- 2 requests to Twitter for user data, and 8 for content removal;
- 8 data requests to Verizon Media.

While the available data do not indicate the crimes in connection with which the majority of these requests were made, the diversity of platforms addressed would indicate a certain level of engagement with United States technology companies.[249]

242. Smart. (May 3, 2021). PLDT, Smart rachet up global fight against online child abuse, links up with IWF.
243. Smart. (June 5, 2021). International Justice Mission lauds PLDT, Smart in global fight vs online child abuse.
244. UNICEF. (2021). MO-CRIA: Child Rights Impact Self-Assessment Tool for Mobile Operators.
245. ASEAN Secretariat. (2019). Ending violence against children in ASEAN Member States: Midterm review of priority areas under the ASEAN Regional Plan of Action on the Elimination of Violence against Children 2016-2025, ASEAN.
246. UNICEF, Global Compact, & Save the Children. (2013). Children's rights and business principles.
247. Facebook. (n.d). Digital Tayo Program.
248. Department of Science and Technology. (November 18, 2021). DOST XI launches Digital Tayo Webinar Series.
249. Platforms were selected on the bases of high volumes of reports to NCMEC (10,000+), availability of transparency reporting, and known popularity in Disrupting Harm focus countries. In addition to US based companies, transparency reports for Line and TikTok have also been reviewed. Data was extracted from corporate websites on 13/08/2020, 18/08/2020, and 04/12/2020. Companies publish their reporting in a number of different formats. This has required a certain amount of manual data cleaning and review. Every effort has been made to check the accuracy of the data sets subject to manual manipulation.

3.3 CASES OF THREE VICTIMS OF LIVE-STREAMING: CHILDREN'S ENCOUNTERS WITH LAW ENFORCEMENT OFFICERS THE JUSTICE SYSTEM AND ACCESS TO REMEDIES

In the Philippines, Disrupting Harm was able to interview three OCSEA victims who had sought redress through the justice system. This section tells their stories. The three children were all girls whose abuse had been live-streamed. Their testimonies are not intended to be representative of all OCSEA victims' experiences in the Philippines and may well differ from the experiences of children subjected to the other forms of OCSEA. Nevertheless, this chapter provides some insights into how these three victims of sexual abuse and live-streaming of abuse experienced the law enforcement and justice systems. Further qualitative research that highlights the unique experiences of OCSEA survivors is needed to enrich our understanding of how the child protection and response systems handle these crimes.

Encounters with law enforcement

All three girls were involved in official rescue operations (sometimes referred to as 'entrapments' by the justice officials interviewed). These operations are coordinated and usually involve: the Philippine National Police and/or the National Bureau of Investigation; a social welfare officer from the local government unit or, in some instances, a DSWD social worker; and a prosecutor. Personnel from the Department of Labor and Employment may also take part to check for labour law violations, if relevant. Following the operation, the child is referred to the DSWD.[250] A Chief of the Anti-Trafficking in Persons Division explained the procedures involved: *"We actually have the protocols firstly, whenever we engage or work on an operation involving children, there must be a social worker presence. And then before we conduct the operation, we already identify to which shelter we are going to put them after filing of the case"* (RA4-PH-05-A).

The three respondents interviewed all said that 4–6 officers (either in uniform or plain clothes) were involved in the rescue operation and that there were accompanied by a social worker – either a social worker from a non-governmental organisation (involved in the case) or a local government (*barangay*) social welfare officer. When children were approached by law enforcement one was eating a meal in a shopping mall with her caregiver, one was attending school, and the third was at home with her older sister. All three children interviewed recalled a significant amount of trauma and chaos during the rescue operation. One child said she was scared to see the officers, although many of them were in civilian clothing. She was separated from her mother and taken to a non-governmental orgsanisation. *"I was so afraid, and my heart began to beat so fast"* she recalled. (RA4-PH-3-A-Child).

One respondent recounted being taken from her home by uniformed officers and being afraid because she did not know who they were, or where she was being taken or why. *"When they came, they did not say anything. They just took us...They brought me to the police station. They brought me to an office where a lady took my testimony... I told my story to a woman... I told them I don't know anything – I had no idea what was going on. Sometime after that, they asked me if I knew what was happening, or why they were taking me...I began to think, to wonder the reason why they are doing [this]. But mostly, I was so scared"* (RA4-PH-1-A-Child).

All the interviewees said that they were taken away with only the clothes they were wearing. They also mentioned that that their personal electronic devices were confiscated and that they were held for some time (even overnight) before being interviewed by the police. Two out of the three children initially feared that they were being arrested for their exploitation.

Despite the initial feelings of fear and uncertainty, children described the police officers they met as being kind or neutral actors. Nevertheless, the rescue process itself, and the subsequent process of detention while the case was being processed (which can last for years), left the children with feelings of confusion, fear, guilt, shame, frustration

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250. UNICEF Philippines & Terre des Hommes. (unpublished). Live-streaming Online Child Sexual Exploitation in the Philippines (Regions III and IV).

and anger, particularly because they were taken with an explanation of what was happening. One of the girls interviewed – who was 18 at the time but had been exploited while she was an adolescent – had the following to say about being detained while in a public place, interviewed by police and then taken into government custody:

"Of course, I was very scared. That was the number one feeling that I experienced. And I was worried because I still needed to work and they just took me to that place. I was scared not knowing where they were taking me. I was so upset, angry, at them because they just took me without proper explanation...I was not able to tell [my employers] that I will be absent from work. I was also not able to say goodbye to my family. My family was angry at me. They said that everything is my fault. I was so down at that particular time" (RA4-PH-1-A-Child)

The 18-year-old was frustrated at the officer's unwillingness to communicate with her clearly about why she was being detained: *"They talked with me while we were on the way. They told me that they will take me to a "safe place." In my mind, I was asking 'Why the rush? Why is there no explanation?' I was hoping that they could have asked me properly if that was OK with me. While they were talking, I was so upset at them...At the time, because they just took me immediately, I was not able to prepare anything [...] The process was not very clear and not properly done."* (RA4-PH-1-A-Child) Once at the police station, no one informed her what would happen next: *"They just told me that they will come back the next day so they can get my statement,"* she said. *"I did not realise that they had to confiscate my cell phone. My employer was also angry because they are afraid that they might be involved in my case. What was painful for me was when they just took me without proper procedures. Everything was in a rush."* (RA4-PH-1-A-Child)

Rights of 'Rescued' Children

While children are best protected in a home environment, rescue or temporary shelter services are needed if the situation at home is unsafe or alternative family-based care is not immediately available. The decision whether a child should be removed from their family and community should however be based on an assessment of their individual case and guided by the best interest of the child. The decision should respect children's right to be consulted and have their views taken into account. If rescue operations and shelters are utilised, their operation must comply with appropriate national and international standards such the Child Protection Policy of the Philippine National Police[251] and the United Nations Guidelines for the Alternative Care of Children.[252]

The findings of *Disrupting Harm* presented throughout this section suggest that alternatives to institutionalised care are not always properly considered in the Philippines. In addition, rescue operations were not conducted in a child-friendly manner, leading to concerns regarding the training

offered to those responsible for implementing this policy. The children interviewed found the rescue operations frightening and experienced boredom and homesickness while staying in the shelters.

All three OCSEA victims interviewed by *Disrupting Harm* were placed in residential shelters following identification of their victimisation. Due to the decentralisation processes for child protection services, children may be removed from their communities (or even from their province) and taken to a regional or national centre where children and staff may not speak their native dialects (although Bisaya and Tagalog are widely spoken).[253] Additionally, one legal officer from the Children's Legal Bureau noted that "*if the victims are girls, the problem is they would be mixed with girls who have violated the law or are in conflict with the law because there is no separate facility for [girls] in conflict with the law. In the case of boys, there are separate facilities for children in conflict with the law and boys who are victims.*" (RA4-PH-04-A). While temporary shelter may be unavoidable, the needs of girls who are victims

251. Republic of the Philippines, National Police Commission (13 June 2021). Child Protection Policy of the Philippine National Police.
252. Resolution adopted by the UN General Assembly [on the report of the Third Committee (A/64/434)] 64/142. Guidelines for the Alternative Care of Children.
253. UNICEF Philippines & Terre des Hommes (unpublished). Live-streaming Online Child Sexual Exploitation in the Philippines (Regions III and IV).

or crimes are certainly different to those of girls in conflict with the law. While logistically difficult, ensuring the needs of girl victims of child sexual abuse and exploitation are appropriately met is vital.

Separating children subjected to OCSEA from their families can be unhelpful. The National Study on Online Sexual Exploitation and Abuse found that in fact, "in many cases, the negative impacts of the rescue and separation from their family are worse than the impact of the actual online exploitation and abuse, especially for those who did not feel harm from online exploitation".[254] According to the study, a high quality of aftercare services is a crucial step in ensuring children rescued begin the healing process, understand that what occurred to them was abusive, and be successfully reintegrated.[255]

Yet supported reintegration services for OCSEA victims seem "not yet well established in the Philippines."[256] Children largely remain in government care until the end of their case.[257]

Another issue is what reintegration might look like, when the offenders are family members and prosecution or other steps have not resulted in the offender being removed from the environment. *"Reintegration is always a question since in most cases the perpetrators are family members or they are socio-economically incapacitated, thus, [victims] express their disinterest for reintegration."* (RA3-PH-29-A)

As the United Nations Guidelines for the Alternative Care of Children recommend, "removal of a child from the care of the family should be seen as a measure of last resort and should, whenever possible, be temporary and for the shortest possible duration. Removal decisions should be regularly reviewed and the child's return to parental care, once the original causes of removal have been resolved or have disappeared, should be in the best interests of the child."[258] Decisions concerning alternative care should aim to place the child as close as possible to their habitual place of residence, in order to facilitate contact and potential reintegration with their caregivers.[259]

The children interviewed spoke of wanting officials to communicate with them clearly and honestly. As the quote above shows, there is a desire to be consulted about decisions affecting them and, as far as possible, allowing them to ask questions and communicate with their families, which would help to reduce some of the trauma and fear that children may experience. Reflecting again on the community intervention and her time in custody, one child stated: *"I wished they did it in a proper way… I think, the thing that I want to change was the way they came and took me without proper explanation. I was hoping that they could have asked me properly and asked for my opinion."* (RA4-PH-1-A-Child)

Following their interactions with the police, the children were placed in shelter facilities, on the grounds that there were no viable living alternatives available to them. All three children were transferred to long-term shelters where they stayed for some few years before their cases were heard and resolved. None of the children were allowed to stay in the community or with members of their immediate or extended families, even though they had relatives who could have cared for them – including, in one case, the biological mother of the girl, who was unaware that she was being exploited and was actively searching for her. Moreover, one of the girls was over the age of 18 at the time she was approached by the police.

254. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography & UNICEF Philippines. (2021). National Study on Online Sexual Abuse and Exploitation of Children in the Philippines Final Report.

255. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography & UNICEF Philippines. (2021). National Study on Online Sexual Abuse and Exploitation of Children in the Philippines Final Report.

256. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography & UNICEF Philippines. (2021). National Study on Online Sexual Abuse and Exploitation of Children in the Philippines Final Report.

257. Department of Social Welfare and Development – Inter-Agency Council Against Child Pornography & UNICEF Philippines. (2021). National Study on Online Sexual Abuse and Exploitation of Children in the Philippines Final Report.

258. Resolution adopted by the General Assembly [on the report of the Third Committee (A/64/434)] 64/142. Guidelines for the Alternative Care of Children.

259. Resolution adopted by the General Assembly [on the report of the Third Committee (A/64/434)] 64/142. Guidelines for the Alternative Care of Children.

During their years in government custody, as their cases were slowly advancing through the justice system, the three girls reported that they experienced feelings of depression and boredom. According to the children interviewed, the shelter facilities where they stayed had little or no creative programming. One of the girls was repeatedly transferred from one shelter to another: *"While I was there, we were just doing all kinds of things just to keep us from getting bored. We were all homesick...and then later, I felt so confused because in every place, it meant that I would need to adjust again to new people."* (RA4-PH-1-A-Child).

Department of Social Welfare Development
The *Protocol for Case Management of Child Victims of Abuse, Neglect and Exploitation,* acknowledges that children need an array of services to meet their needs.[260] The Anti-Child Pornography Act entrusts the DSWD with the responsibility of ensuring that children subjected to OCSEA-related offences receive appropriate care, custody and support for their recovery and reintegration.[261] The services to be provided include emergency shelter or appropriate housing, livelihood and skills training, and educational assistance.[262] The Act requires the Government to adopt mechanisms to monitor the recovery, rehabilitation and reintegration of these children.[263]

Most victims of OCSEA receive support through the DSWD, including accommodation (rehabilitation centres) and psychosocial support, for an average of six months. After this period, an assessment is done to determine what further support a victim needs. From there, victims either stay at the DSWD centres, are transferred to longer-term shelters, or are moved back into their communities. Civil society organisations, such as the Children's Legal Bureau, also play a role in providing children with services including legal aid, shelter, vocational training and psychosocial support, or referring them to such services.

Court proceedings
The defendants in all three cases were charged under the Anti-Trafficking in Persons Act of 2003. Live-streaming of child sexual abuse is most commonly identified and addressed throughout the Philippine child protection sector,[264] and it has been a major focus of the partner non-governmental organisation that was involved in the cases of the three OCSEA survivors whose experiences are described in this chapter.

The justice-seeking process was broadly similar in all three cases, marked by shared social, economic and emotional challenges which lasted for years. Throughout the interviews, justice was described as something that was done to children, not something that they actively understood, sought, or were a part of with any degree of agency. Interviewees described their time in the justice system as a compulsory process, which required them to be detained and separated from their families and loved ones. Throughout, all three children recalled giving a sworn statement, having procedures explained to them as they were happening and signing documents prior to being taken into custody. One child recalled *"...they told me to fill out something, but I cannot remember what it was. The only thing I remember is that I filled something out, about three pages, and after that [the social worker] explained [what was happening] to me."* (RA4-PH-2-A-Child) However, no children or caretakers seemed to recall understanding their rights, their legal options (if any), or whether they had a choice about participating in the process. Because of this disconnect, respondents seemed to have little awareness of how the offender was charged, or other specific details of the case.

Together with caseworkers from the non-governmental organisations, the children's lawyers seem to have provided some much-needed clarity and awareness. Two children from separate cases mentioned a particular attorney from the organisation who had provided consistent support and seemingly attempted to fill in some of the gaps left by law enforcement and barangay-level interventions. However, their interactions with lawyers and other justice professionals only commenced

260. Department of Justice. (2013). Protocol for Case Management of Child Victims of Abuse, Neglect, and Exploitation. 28.
261. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 14.
262. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 18.
263. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 18.
264. UNICEF Philippines & Terre des Hommes. (unpublished). Live-streaming Online Child Sexual Exploitation in the Philippines (Regions III and IV).

after they had already been placed in government custodial care, been separated from their families and communities, had given statements and signed documents pertinent to their case.

Child- and victim-friendly procedures: The Anti-Child Pornography Act provides for child-friendly interview methods, stating that the judge, prosecutor or any law officer to whom a complaint has been referred may conduct a closed-door investigation, prosecution or trial to safeguard the best interest of the child.[265] The same act contains provisions to protect the right to privacy of OCSEA victims.[266] Furthermore, in the case of closed-room trials, the media is prohibited from divulging the names of the child victims.[267] Perhaps the most commendable aspect of the Anti-Child Pornography Act is that it acknowledges the sensitive nature of evidence in CSAM-related offences. The act provides that "any recording regarding a child shall be confidential and under seal" and can only be released through a court order to people with roles in the court procedure.[268] In addition, children subjected to OCSEA-related offences must be provided with counselling and free legal services by the government.[269] These children are also entitled to receive information related to legal proceedings in a child-friendly manner.[270]

Although the legal framework is solid, not all prosecutors and judges are trained on OCSEA and child-friendly procedures. As the Chief of the Trafficking in Persons Division noted: *"We also encounter prosecutors or judges who have not yet been trained on how to handle cases like this. [...] We are advocating for the use of the interview not to re-traumatise a child, but there are other courts [that] would still rely on the actual interview of the child or that subject the child to be present during the trial."* (RA4-PH-05-A)

CHALLENGE: Need for Training

An assistant State Prosecutor argued that *"A different type of training [..] is required. As I said, since these OCSEA cases are also gender-based type of crimes. I do think we need more women in the police force."* (RA1-PH-05-A) He added, that besides parents, staff and officials working in the implementing agencies should also *"learn the latest technology being used [...] and for prosecutors and in the end for judges, we must appreciate electronic evidence in an interview in a new way. A few decades ago, there are no such thing as chat logs, right? Now, we are presenting these forms of evidence in court, which must be appreciated by the judge in prosecuting it."* (RA1-PH-05-A) The participants from the Council for the Welfare of Children felt that training should teach government representatives how to respond to cases of OCSEA: *"I think one of the aspects of the training would be how do the service providers handle, for example, the victims when a family or a parent or even a child reports a violation. So how will a police officer or a social worker or a local government official handle that? Because we do not want to re-traumatise the child by mishandling when the child comes to the service providers. So that would be part of the training that are given to that at the different service providers mentioned earlier."* (RA1-PH-04-A)

The OCSEA victims interviewed described the lawyers and judicial staff in largely positive terms – often drawing a sharp contrast with the more negative experiences they had had with law enforcement and local government officials: *"All of them, even the lawyer, also the prosecutor, they were experts, they connected to us and treated us well. If there was a problem, I [would] go to them and they [would] help me understand."* (RA4-PH-1-A-Caregiver)

265. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 13(a).
266. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 13.
267. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 13(e).
268. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 13(c).
269. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 18(b)-(c).
270. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 18(c).

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All three of the girls were provided with lawyers by the non-governmental organisation assisting with the case. These played an important part in mentally preparing the children for the court case. The rights of the children were explained to them, and they were shown respect and allowed to speak freely without judgement. In the words of one of the girls:

"I was really terrified at that time. But the lawyer explained to me my rights and we began talking about my story. She encouraged me to tell the truth. [She said] I should not be afraid to say everything that I want to say. I met with the lawyer several (about six) times [The shelter staff] always take me out, so I can talk to my lawyer. A few of the times that we met, we were in court." (RA4-PH-3-A-Child) Another child recalled: *"I became comfortable with [the lawyer the non-governmental organisation assigned]. He made me feel confident. He told me to be strong, [things] like that. At first, I did not say anything, but later, he told me not to be ashamed or feel embarrassed despite the fact that he is male. Then after that, I began to talk."* (RA4-PH-1-A-Child)

All children described various levels of initial fear and anxiety associated with meeting justice officials but noted that they were always spoken to kindly. The children's interactions with judges and prosecutors seem to have been kept to a minimum, with children primarily having direct communication with the lawyers assigned to them by the non-governmental organisation.

Participation of the child in the court procedures: Ideally, children do not have to relate their trauma in court, or in front of the offender, to avoid re-traumatisation. One of the interviewed children had to relate her story before the judge. Her caregiver explained that *"[my child] had to be in court... She gave her statement (multiple) times."* (RA4-PH-3-A-Caregiver) Her daughter recalled: *"I was still so afraid. So scared. So ashamed. The hearing lasted about an hour. [...] The attorney did most of the talking. [...] the most difficult part was when I was asked to tell the court [about] what happened to me. I didn't understand the whole process."* (RA4-PH-3-A-Child) A better alternative is to videotape the interview, which can then be viewed during the hearing.[271]

Another solution to minimise re-traumatisation in court is the use of a live link,[272] which means that the child sits in a separate room and testifies via a live connection. This also prevents a confrontation with the offender. However, this facility is not available in all courts. A more low-tech solution used in other courts is to seat the child out of sight of the offenders.

In cases where caregivers or relatives of victims are implicated, children are likely to be reluctant to participate in the justice process. To overcome such obstacles, justice professionals interviewed for *Disrupting Harm* emphasised the importance of creating a trustful and friendly environment. Social workers and psychologists can prepare the child for the trial and encourage the child to disclose. They can also ensure that the identity and dignity of the children are protected by making them feel more involved in the process.

Another – more practical – obstacle to the participation of children in their cases is that it may be difficult for them to travel from their place of residence to the court. COVID-19 lockdown restrictions in the Philippines made it even more difficult. (RA4-PH-07-A) However, the problem can be solved by means of online meetings and court participation, as one respondent noted:

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271. Supreme Court of the Republic of the Philippines. (2000). Rule on Examination of a Child Witness.
272. Supreme Court of the Republic of the Philippines. (2000). Rule on Examination of a Child Witness, Section 25.

"During this new normal, we can implement this kind of [online] venue easily and there will be an interaction or communication with the court and the children who will be appearing in court, I think this is one solution that we can develop." (RA4-PH-07-A)

Lastly, the children interviewed stated that they wished the justice process could have been faster. This is of the utmost importance when children are taken into custody pending the judgment against their offender.

Child protection: Child victim and witness protection programmes are limited[273] in the Philippines, which adds to the pressure for child victims to be held in custody while they are going through the justice process, to ensure that they remain safe. The lack of such protection programmes might result in non-reporting of cases, withdrawal of complaints and retraction of statements.[274]

The absence of effective witness protection was a concern raised by both the children and caregivers in two of the three cases described here. One mother recalled that her child was being held in another region of the country, and that they began to receive violent threats from the family of the facilitating offender, against whom her daughter was about to testify, as well as death threats from the offender himself from within the walls of his prison. *"I was so afraid… He threatened to kill us,"* she recalled. One message she received read: *"I will be out of prison soon. You better prepare – all of you who sent me to jail. I will kill you all."* (RA4-PH-1-A-Caregiver) Following the trial, in which the offender was sentenced, the mother believed that the threats would stop, but they continued, leaving the mother still living in fear. *"I hope they can help my daughter find another place to live,"* she added. *"Our situation is that… the relatives of the facilitator are our neighbours. I would like for my daughter to get help. The situation is quite hostile, [and] the case was so sensitive. I am still afraid, although I try to calm myself that "all is well now, the case is closed now." [But] I still worry about [my daughter]. I just wish for a peaceful life."*

CHALLENGE: Lack of Long-Term Child Support

A Judge from the Supreme Court of the Philippines pointed to an absence of arrangements for care of children subjected to OCSEA after their cases are over: *"Once these minor victims reach adulthood, they would be released on their own or to their relatives or the same persons who abused them, that is my concern. For me, during the actual trial proceedings they are being taken care of, but I am more of an aftercare services-oriented person, considering that they have to be reintegrated back into society. And if they would be reintegrated back with their family or abusers, then we didn't help the minor."* RA4-PH-02-A

Long-term, comprehensive protection of children subjected to OCSEA and of witnesses requires cooperation between the police, social workers, local communities and others. One judge interviewed for *Disrupting Harm* commented: *"If I can see that the child is afraid, I would always issue a proper protection order, that the accused will have to stay away from the child or to communicate with her directly or indirectly. And I will have to provide the barangay where the minor is living, and the police precinct situated in the place where the child is living, a copy of my protection order so that they will know, and they will be aware that this child is being protected by the court."* (RA4-PH-01-A)

Plea bargains: Plea bargaining is one way of sparing children from the formal court process. A Senior Assistant Provincial Prosecutor from Cebu explained: *"We're promoting plea-bargaining as a victim-centred approach also now… It spares the child from going through the formal court process. So, this is one of the ways by which we can protect the child from being traumatised. And this expedites the criminal justice process, because once there is a plea bargain that is entered between the parties, the sentence may be reduced, but we can still get a conviction without letting the child go through the criminal*

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273. UN Committee on the Rights of the Child, "Concluding Observations and Recommendations on the Initial Report of the Philippines, Submitted Under Article 12 of the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.", CRC/C/OPSC/PHL/CO/1, 26 June 2013, [37]-[38].
274. UNICEF. (2016). Child protection in the digital age. National responses to online child sexual abuse and exploitation in ASEAN Member States.

justice process." (RA4-PH-03-A) While alternative approaches are needed in cases involving child victims, the authorities must ensure they do not face any kind of pressure to settle with offenders. Such agreements should only be approved after giving consideration to the child's views and best interests, as well as the potential risk of harm to others.[275] Such cautions are already in place for trafficking cases in the Philippines and contained in the law itself.[276] These should also apply to OCSEA cases.

Compensation

Court-awarded compensation: Criminal procedures in the Philippines allow judges to award damages to the victim, including nominal damages, moral damages and exemplary damages. There are no specific guidelines for the calculation of compensation in OCSEA cases. A judge explained: *"When I decide the case, usually [I], the judge, will include already the civil indemnity, the moral damages, the exemplary damages and other actual damages of the victim who was filing the case."* (RA4-PH-01-A) The same judge also uses plea bargains as an opportunity to help children receive compensation, by including compensation as part of the set of conditions. Where compensation claims are addressed along with the criminal case, families do not need to take additional action, and children and families do not have to re-live their trauma again in a separate compensation case. Furthermore, the Child Protection Act permits courts to fine offenders with the revenue to be administered as a cash fund by the DSWD and disbursed for the rehabilitation of each child victim.[277] Although the justice professionals interviewed underlined the importance of awarding compensatory damages, it is not easy to make the offender pay. A legal officer of the Children's Legal Bureau noted:

"As for the compensation or the damages that they receive from the perpetrator, in my experience, we are having a hard time getting the compensation from the perpetrators." (RA4-PH-04-A) In cases where the offenders are the caregiver(s) of the victim, the award of compensation and the management of the fund is very complicated.

Other avenues: Besides compensation awarded under criminal court procedures, OCSEA victims are eligible to seek compensation from the Department of Justice.[278] A child subjected to OCSEA can file a claim up to PHP10,000 (approximately US$200) with the Board of Claims under the Department of Justice.[279] If the offender is resident in another country, compensation may be sought through the court system of the country in question, with the cooperation of the foreign authorities.

Besides compensation, there are other benefits available to OCSEA victims. Pursuant to the Anti-Child Pornography Act, child victims and their families are entitled to the rights and benefits afforded in the Witness Protection, Security and Benefit Act.[280] These include secure housing,[281] relocation to a safe place,[282] free medical treatment, hospitalisation, and medicines[283] as well as travelling expenses and a subsistence allowance.[284] A prosecutor explained: *"We provide them [child victims] with subsistence allowance, especially if the perpetrators are parents in the witness protection programme, we usually house them in the DSWD. Or we also have our safe houses in the witness protection programme. So, we house them there. So, we give them financial assistance. It's actually subsistence allowance. So, we provide them that. We provide free medical and hospitalisation service."* (RA4-PH-03-A)

275. ECPAT International. (2017). Through the Eyes of the Child: Barriers to Access to Justice and Remedies for Child Victims of Sexual Exploitation. 153.
276. Republic of the Philippines. (2003). Anti-Trafficking in Persons Act of 2003 (RA 9208), Section 11(c).
277. Republic of the Philippines. (1992). Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act (Republic Act No. 7610 of 1992), Section 31(f).
278. Pursuant to the provisions of the Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 14, a child victim of OCSEA is considered a victim of a violent crime and eligible to submit a claim with the Board of Claims under the Department of Justice for Victims of Unjust Imprisonment or Detention and Victims of Violent Crimes and for Other Purposes.
279. Republic of the Philippines. (1992). The Act creating a Board of Claims under the Department of Justice for Victims of Unjust Imprisonment or Detention and Victims of Violent Crimes and for Other Purposes (Republic Act No. 7309), Section 4.
280. Republic of the Philippines. (1991). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 14.
281. Republic of the Philippines. (1991). The Witness Protection, Security and Benefit Act (Republic Act No. 6981), Section 8(a)
282. Republic of the Philippines. (1991). The Witness Protection, Security and Benefit Act (Republic Act No. 6981), Section 8(a)
283. Republic of the Philippines. (1991). The Witness Protection, Security and Benefit Act (Republic Act No. 6981), Section 8(e).
284. Republic of the Philippines. (1991). The Witness Protection, Security and Benefit Act (Republic Act No. 6981), Section 8(d).

CHALLENGE: Lack of Dedicated Budgets

The majority of government interviewees could not provide detailed information about the budget allocated for OCSEA because it is hidden as part of the budget for children. As the participant from the Department of the Interior and Local Government explained *"we don't have budget for that, but we lodged it in the NGO, in the local government units... there's a percentage in every municipality, in every city, there's a percentage for addressing the issues of children."* (RA1-PH-02-A) The participant from the Department of Information and Communications Technology stated *"We do have an allotted budget for advocacy. That's part of what we call our annual work and financial plan of the agency. So, our government agencies have what we call the annual work and financial plan and for Department of Information and Communications Technology cyber advocacy is part of our annual budget."* (RA1-PH-03-A)

Experiences of children who were subjected to OCSEA: In all three cases, either the child or the caregiver indicated that they were aware of the possibility (or rumoured possibility) of compensation, but none seemed to understand the process clearly or to understand that it was their legal right. Only one of the three children interviewed recalled being told that compensation was even a possibility: *"They said that if I won the case, I could receive an award. [I won the case], but I did not receive anything. Nothing."* (RA4-PH-2-A-Child) Another of the OCSEA victims interviewed had heard about the possibility of compensation, and expressed disappointment that after all of her – at times, painful – cooperation, she received nothing:

"[The social worker from the non-governmental organisation] introduced me to someone who gave me a copy of the final decision. I was able to follow the instructions, and I asked [the social worker],

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> ## They said that if I won the case, I could receive an award. [I won the case], but I did not receive anything. Nothing.
>
> RA4-PH-2-A-Child
> ❞

'What is that for?' and she said, 'Who knows, you might receive a reward for this.' That is when I got the idea that maybe there is something. It's not that I am demanding [it] or something. It is just that, I was able to help them. In fact, I really think that I was able to give them a great deal of help, but I did not receive anything yet. I was reading some things and I realised that there has to be an award because we won the case. And I followed everything that they told me. My aunt asked me, 'Didn't you receive anything?' She told me that in other countries, there is compensation... But concerning the award for the case, nothing." (RA4-PH-1-A-Child)

The respondents' stories highlighted the need for more proactive discussions about victims' rights to compensation, and perhaps more importantly, that funding needs to be made available and accessible.

According to local partners, due to cultural dynamics – particularly within rural communities – asking for money or any form of compensation in the Philippines can be a source of stigma and shame ('nakahiya'), even among families struggling with poverty. One caregiver interviewed spoke of her struggles with pushing to ask about the rumoured compensation that could be associated with her daughter's case, even while she indicated the significant needs that still remain now that the case has been concluded. She explained:

"I do not want to ask them about it, I do not want to ask about money. It would be shameful to do that. I do not want anything to do with money – people may think I only want to profit money. I just want help, especially to find psychiatrist for my younger child." (RA4-PH-1-A-Caregiver)

4. HOW TO DISRUPT HARM IN THE PHILIPPINES

Disrupting harm of online child sexual exploitation and abuse requires comprehensive and sustained actions from all stakeholders – families, communities, government, law enforcement agencies, justice and social support service professionals, and the national and international technology and communications industry. While children are part of the solution, the harm caused by OCSEA obliges adults to act to protect them; we must be careful not to put the onus on children to protect themselves from harm without support.

This chapter presents a detailed set of actions needed in the Philippines. They are clustered under six key insights from the *Disrupting Harm* research and signposted for different stakeholder groups. However, all these recommended actions are interlinked and will be most effective if implemented in coordination.

***Disrupting Harm* alignment with the Model National Response and the Regional Plan of Action for the Protection of Children from All Forms of Online Exploitation and Abuse in the Association of Southeast Asian Nations (ASEAN)**

Many countries, companies and organisations have joined the WePROTECT Global Alliance to prevent and respond to online child sexual exploitation and abuse, including the Philippines.

As a member of the Global Alliance, the Philippines can use the Model National Response to Preventing and Tackling Child Sexual Exploitation and Abuse to help organise its response to OCSEA. The Model is a valuable tool for governments to organise and improve the level of their response.

Most of the recommended actions in this report align with the 21 'capabilities' articulated in the Model National Response, but *Disrupting Harm* identifies priority areas for interventions based specifically on the findings from the Philippines *Disrupting Harm* data. The evidence from the Philippines shows that even though many of the capabilities in the Model National Response exist, they are not functioning optimally.

More recently, the Association of Southeast Asian Nations (ASEAN) endorsed the Regional Plan of Action for the Protection of Children from All Forms of Online Exploitation and Abuse which includes commitments for member states to strengthen online child protection in the region. The plan includes seven focus areas ranging from awareness raising, strengthening data collection and to legislative reform. The *Disrupting Harm* recommendations detail sustained, practical, and evidence-based activities that can be implemented in the Philippines as part of their commitment to the Regional Plan of Action for the Protection of Children from All Forms of Online Exploitation and Abuse. A footnote is included where the *Disrupting Harm* recommendations relate directly to activities in the plan.

The recommended actions primarily address legislation,[285] dedicated law enforcement,[286] the judiciary and prosecutors,[287] and education programmes.[288] All recommended actions are practical, evidence- based and actionable. *Disrupting Harm* has also indicated to whom its various recommended actions are addressed – i.e., government officials, law enforcement authorities, justice professionals, the internet and technology industry, or caregivers, the community and teachers.

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285. Model National Response #3.
286. Model National Response #4.
287. Model National Response #5.
288. Model National Response #13.

INSIGHT 1

In the past year alone, 20% of internet-users aged 12–17 in the Philippines were victims of grave instances of online sexual exploitation and abuse. This includes being blackmailed to engage in sexual activities, someone sharing their sexual images without permission, or being coerced to engage in sexual activities through promises of money or gifts. Scaled to the population, this represents an estimated two million children who were subjected to any of these harms in just one year.

Government

1.1 Continue to engage the public – including children, caregivers, teachers and others – to increase awareness of violence against children including OCSEA, via existing national awareness raising initiatives.[289]

Ensure that:

- Awareness-raising messages are evidence-based.

- Public awareness campaigns are regularly monitored, evaluated and modified to ensure that they are effective in keeping children safe and that they do not inadvertently lead to harm.

- The campaigns have universal reach. Boys, children aged 12–13, and children living in rural areas were least likely to have ever received information on how to stay safe online. They were also least likely to recognise the risks associated with potentially harmful online activities. However, as this report shows they are not immune to online risks or to the threat of OCSEA.

Key objectives of these messages should include:

- Increasing awareness of the main signs of potential abuse, as well as how and where to seek help for oneself or for others.

- Debunking the notion of 'no touch, no harm,' by highlighting the real and long-lasting psychological impacts that non-contact abuse, and the dissemination of child sexual abuse material, can have on victims.

- Encouraging environments where children are more comfortable to have conversations about sex or asking adults for advice. Norms that cause discomfort, shame or embarrassment when talking about sex can make it more difficult for children to report and seek help when experiencing sexual exploitation or abuse.

The Council for the Welfare of Children would be particularly well-suited to lead on implementing the above recommendation.[290] This is based on feedback from over 40 participants – from government, law enforcement, civil society, and non-governmental organisations – at the national consultation for *Disrupting Harm in the Philippines* report.

Awareness raising efforts are not sufficient on their own to tackle and prevent OCSEA. Instead, these initiatives should occur in tandem with other prevention efforts recommended below.

1.2 Develop programmes to guide those with a duty of care for children – caregivers, teachers, medical staff, etc. – on violence prevention. Where possible, incorporate this into existing parenting programmes or teacher trainings (see for example, CyberSafe[291]**).** These materials should encourage positive adult-child interaction and aim to overcome discomfort in discussing sex and sexuality in cultural and age-appropriate terms. This can encourage open dialogue about sexual abuse and exploitation online or in person. In the longer term, this will make it more likely for children to seek support from these adults when needed. Several guidelines exist, including a guidance developed by UNICEF to support them and their partners in implementing parenting interventions that prevent and respond to violence against children.[292,293]

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289. This aligns with the ASEAN Regional Plan of Action Activity 6.2.1 on supporting mass and targeted public campaigns on online safety. ASEAN. Regional Plan of Action for the Protection of Children from All Forms of Online Exploitation and Abuse in ASEAN: Supplement to the ASEAN Regional Plan of Action on the Elimination of Violence Against Children. (forthcoming).

290. The recommendations for the leading organisations and bodies are based on discussions with over 40 participants – from government, law enforcement, civil society and non-governmental organisations – at the national consultation for the *Disrupting Harm in the Philippines* report.

291. Stairway Foundation & the Department of Education. (2016). CyberSafe Online Safety Lesson plans for teachers Junior High.

292. UNICEF. (2020). Designing Parenting Programmes for Violence Prevention: A Guidance Note.

293. See also the eSafety Commissioner's programme: 'Start the Chat'.

Awareness raising efforts are not sufficient on their own to tackle and prevent OCSEA. Instead, these initiatives should occur in tandem with other prevention efforts recommended below.

1.3 Invest in digital literacy programmes for both children and caregivers (building on existing initiatives such as the Digital Thumbprint Program[294]**)**. Such programmes should cover basic digital safety including how to change privacy settings, report harmful content on social media, and block unwanted contacts online. These programmes should have universal reach, particularly for groups with weaker digital skills:

- Boys tended to have lower levels of digital skills than girls, including privacy skills. It is therefore important that boys are also reached through these digital literacy classes.

- Older caregivers also have weak digital skills and are much less likely to engage in online activities. They therefore require tailored programmes that encompass basic online safety skills, including the nature of online risks and how they may lead to harm. Initiatives such as the digital parenting webinars during National Children's Month organised by the Council for the Welfare of Children and the Department of ICT are one such promising practice.

Children should always be involved when designing and conceptualising prevention and awareness-raising programmes. This could be achieved by establishing formal processes to consult children whenever policies, plans, and programmes on violence against children (including OCSEA) are being developed. The perspectives of caregivers and teachers should also be taken into consideration during the design of these campaigns.

PROMISING PRACTICE: Consultations with Children

An interviewee from Council for the Welfare of Children noted that a series of consultations have been held with children on child rights issues including OCSEA: *"Right now, we are actually conducting a lot of children's consultations. We did one in February before the onset of the lockdown because of COVID-19. The inputs were actually presented to the Regional Child Online Protection Conference and actually there in Thailand that was conducted. And so, we have included two child participants in the forum that was conducted in February to the conference in March, where they presented along with the UN Special Representative of the Secretary-General on Violence Against Children. So, I think the inputs were well received and both were actually considered in the formulation of the Regional Plan of Action that was created by the ASEAN Secretariat for Online Sexual Exploitation of Children."* (RA1-PH-04-B)

Caregivers, teachers and social support services

1.4 Engage with children about their online habits and activities and teach them about the potential risks that exist online, possible protective measures they can take, and what to do if they encounter harm online. Overall, caregivers in the Philippines are likely to be familiar with the digital environment and have strong digital skills. They can make use of this knowledge to keep up to date on their children's online experiences.

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294. Globe Telecom. (n.d). Digital Thumbprint Program.

INSIGHT 2

According to the household survey, OCSEA is most often committed by individuals unknown to the child – between 46% – 61% depending on the type of OCSEA in question. However, it can also be facilitated and committed by people the child already knows. These can be friends or acquaintances of the child (both peers and adults) but also romantic partners and family members.

Government

2.1 Extend existing educational initiatives on OCSEA for children. These programmes should include age- and development-appropriate information about various topics including: sexual reproductive health and rights, consent, personal boundaries, risks and responsibilities when taking, sending and receiving sexual images, as well as where to seek support when needed. This is not intended to place the burden on children to protect themselves, but rather to equip them with the necessary tools and knowledge to identify risky or inappropriate interactions both online and in person and how to seek help.

The provisions of the Responsible Parenthood and Reproductive Act[295] provide a promising start, wherein formal, non-formal, community-based education and indigenous learning systems are required to incorporate age- and development-appropriate reproductive health information in their curricula, including informing children about their rights. This provides an opportunity to create a strong focus on sexual violence prevention, including online.

These educational initiatives should reach children throughout the Philippines from a young age. Special care should also be taken to ensure that information

is communicated to children who may be at an increased risk of OCSEA, including children with disabilities, children engaged in migration, street-connected children, and out of school children.[296]

In addition to what already exists in the Philippines, there are other reports[297] and initiatives[298] developed internationally that might act as helpful references and good practice examples of age-appropriate resource material.[299]

2.2 Engage with owners and proprietors of internet cafes, Pisonets, and other computer rental shops to ensure adequate safeguards are in place (through initiatives such as the Child Protection Seminar launched in 2018). Ensure owners of these establishments take steps to protect children from harmful content or interactions online by installing pop-up blockers and limiting access to sites that are not age-appropriate for children. Use Pisonets and internet cafes, which are very popular in the Philippines, as avenues to promote information among children about online safety strategies, help-seeking and reporting mechanisms, and practices that promote positive engagement with digital technologies.

Caregivers, teachers and social support services

2.3 Learn about what children are doing both online and offline. Because OCSEA affects children regardless of sex and gender, caregivers should be vigilant about all children's online and offline interactions regardless of their gender or gender identity.

2.4 Inform children about their right to be protected from all forms of emotional, physical, and sexual abuse and exploitation. This could include information on how to stay safe by setting appropriate boundaries with others, recognising appropriate and inappropriate behaviour from adults and those around them, and how to seek help. Data suggest that offenders, and more specifically facilitators, tend to be family members of those known to the child. Children should be made aware that all forms of sexual exploitation and abuse are unacceptable, even if committed or facilitated by family members and friends.

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295. Republic of the Philippines. (2012). Republic Act no. 10354. The Responsible Parenthood and Reproductive Health Act of 2012.
296. This aligns with the ASEAN Regional Plan of Action Activity 1.3.3 to ensure that the specific needs of vulnerable groups are appropriately integrated in the development and implementation of national policies and programs aimed at tackling OCSEA, and Activity 6.2.2: to ensure targeted awareness raising and digital literacy interventions for all vulnerable children and high-risk groups.
297. United Nations Population Fund (UNFPA). (2021). My Body is My Own.
298. United Nations Girls' Education Initiative. (2020). Bodily autonomy and SRHR.
299. National Society for the Prevention of Cruelty to Children. (2017). Talk PANTS with Pantosaurus and his PANTS song #TalkPANTS – YouTube.

INSIGHT 3

Among children who experienced OCSEA on social media, Facebook or Facebook Messenger were the most common platforms where this occurred, accounting for over 90% of cases. Other platforms cited, to a much lesser degree, were TikTok, Twitter, Instagram, and Snapchat.

Government

3.1 Monitor the compliance of Internet service providers with the provisions of the Anti-Child Pornography Act[300] – i.e., to report CSAM within seven days and to remove any form of CSAM within 48 hours of receiving notice of the existence of such material on their servers. Internet service providers should also install filtering and blocking technology to prevent access to any form of CSAM and create a list of all websites containing CSAM that people have tried to access but to which access was blocked by these technologies. This information should be made available to the public by publishing these data in annual reports.

3.2 Establish a dedicated budget for the training of law enforcement on a range of topics including investigation, use of technology for analysis to assist investigation, cooperation with domestic Internet service providers and global social media platforms on gathering digital evidence and responding to CSAM reports. In addition to this, a module in the training curricula of the national police academy that includes information on OCSEA and further specialised training for OCSEA investigations for those deployed to the specialised unit will help prepare the law enforcement to build institutional knowledge and operational capacity.

The Inter-Agency Council Against Child Pornography, the Department of Justice, the Department of Social Welfare and Development, Council for the Welfare of Children, and the Inter-Agency Council Against Trafficking would be particularly well-suited to implement the above recommendations.[301]

3.3 Make it mandatory for online platforms to have a clear and accessible to children formal reporting mechanisms. Detail in child-friendly terms what the process looks like *after* children submit a report.

Law enforcement

3.4 Liaise more closely with global social media platforms and build on existing collaborative mechanisms to ensure that the digital evidence needed in OCSEA cases can be gathered rapidly and efficiently, including in response to data requests, and illegal content is promptly removed.[302]

Industry

3.5 Improve cooperation between internet service providers[303] **and law enforcement agencies by:**

- Creating pathways for processing requests and collaborations.
- Training staff to respond to data requests for ongoing cases, and minimising processing times.
- Providing the law enforcement authorities with any associated information they have that might help to identify offenders and victims in a timely manner.
- Detect and remove OCSEA-related content on their servers.

3.6 Make formal reporting mechanisms within social media and instant messaging platforms clear and accessible to children and detail in child-friendly terms what happens after children submit a report. Platforms and Internet service providers must respond rapidly to reports made by children and demonstrate transparency and accountability.

3.7 Internet service providers should comply with existing regulations (e.g. the Anti-Child Pornography Act) to filter, remove and block CSAM and respond to law enforcement requests within stated timelines. Enforcing this action is vital in keeping children safe online.

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300. Republic of the Philippines. (2009). The Anti-Child Pornography Act of 2009 (Republic Act No. 9775), Section 9.
301. The recommendations for the leading organisations and bodies are based on discussions with over 40 participants – from government, law enforcement, civil society and non-governmental organisations – at the national consultation for the *Disrupting Harm in the Philippines* report.
302. This aligns with the ASEAN Regional Plan of Action Activity 1.2.4: ASEAN member States will endeavour to establish a legal requirement for private sector companies to report and remove CSAM from their platforms and services when they become aware of it; and for financial institutions to report suspicious transactions that may be related to CSAM or live streaming. ASEAN member States will endeavour to impose criminal and civil liability and penalties for non-compliance. (National)
303. This aligns with the ASEAN Regional Plan of Action Activities 7.1 – 7.5 on engaging with the private sector to identify and remove online risks to children, including the active removal and reporting of CSAM and the identification of financial interactions that involve suspected purchases of CSAM and live streaming of child sexual exploitation.

INSIGHT 4

Many children in the Philippines did not tell anyone the last time they were subjected to OCSEA. Very few turn to formal reporting mechanisms like helplines or the police. Children who disclose their abuse often rely on their friends for support.

Government

4.1 Leverage the fact that children rely on their interpersonal networks to disclose abuse by creating more community-level resources to facilitate disclosure and reporting. For example, programmes where trained community members are skilled up with what the processes are and how to listen and support (for example, via safeguarding policies in schools, sport clubs or faith-based organisations) can then assist children and their families with the reporting and help seeking process.

4.2 More specifically, expand programmes like the *Safe School for Teens*, which partly relies on opening dialogue amongst young people and encouraging peers to seek help from abuse. Given that children rely heavily on their interpersonal networks for support, especially friends, these could be important avenues to increase reporting of OCSEA-related crimes. Research has found the *Safe School for Teens* initiative to be effective in improving children's awareness of CSEA and increasing rates of disclosure.[304]

4.3 Raise awareness that existing helplines can be a source of information about how to support young people subjected to OCSEA. *Disrupting Harm* data shows that children will more often disclose their abuse to someone they know, rather through a formal reporting channel like a hotline. Awareness-raising efforts can increase public awareness that peers, siblings, caregivers and teachers can find information, support services, and help via helplines. An important prerequisite to this recommendation is that helplines are adequately resourced and trained about OCSEA so that they may provide good quality information, advice and support.

4.4 Dedicate resources to child helplines and CSAM hotlines to improve record keeping so that they can encode detailed statistics on the OCSEA encountered. This can be done in collaboration with existing non-governmental organisations such as Bantay Bata. Increasing the capacity of these organisations to collect and analyse such data will provide a better understanding of children's experiences of OCSEA, including how it changes over time, which could help develop prevention programmes and necessary policies and legislative amendments.

4.5 Invest in improving the capacity of the social workforce. Improve the capacity of frontline staff in contact with children to identify children at risk or that have experienced OCSEA. This should include health workers, teachers, sport coaches, traditional leaders, pastoral care staff in schools, and all those providing psychosocial support.

Caregivers, teachers and social support services

4.6 Foster safe and ongoing communication between children and trusted adults about their lives online. Normalising communication about online activities can increase the likelihood that children will disclose any concerns, risks and harmful experiences they may face.

4.7 Ensure that responses to disclosures of OCSEA always convey that it is never the child's fault, whatever choices they have made. It is always the fault of the adult abusing or exploiting the child. Responses should be without judgement or punishment. For example, see guidelines on first line response to child maltreatment.

4.8 Avoid restricting children's internet access as a response to potential harm. One third of caregivers said they would restrict their child's internet access if he/she was upset by something online. Restrictions by caregivers might protect children from immediate harm in the short term, but in the long term it can also have a negative impact on children's digital skills (including skills needed to be safe online), which are increasingly needed in a digitised world. It might also be perceived by children as punishment and may reduce the likelihood of disclosure. Instead, actively engage in children's lives online; take an interest in

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304. Madrid, B. et al. (2020). Safe schools for teens: preventing sexual abuse of urban poor teens, proof-of-concept study – Improving teachers' and students' knowledge, skills and attitudes. Heliyon 6(6).

their online activities, partake in activities with them, and suggest ways to use the internet safely (see more on [page 39](#)).

4.9 Help children, caregivers, teachers, and those working with children to understand the full extent of the risks when sharing sexual content online and how to engage in harm minimisation to limit possible negative repercussions. Most children who shared sexual content initially did so because they were in love or trusted the other person, but this behaviour can lead to serious harm, such as non-consensual sharing of the content with others and sexual extortion.

INSIGHT 5

A range of promising initiatives driven by both government and civil society are already underway in the Philippines, however challenges still exist. These challenges include varying levels of capacity among responders across the country, inadequate infrastructure, and a lack of tools for operational activities including early detections, child friendly investigations and the resolution of cases.

5.1 Prevent re-traumatisation to children caused by recounting the story of their abuse several times to police officers, social workers, medical staff, justice actors and in front of the court or the offender. This could be done by videotaping the interviews with children subjected to OCSEA (or using a live link[305] where available). IJM Philippines developed a tool (VIDI) to record interviews in a child-friendly manner, which could be utilised.[306] Use the 2013 *Protocol for Case Management of Child Victims of Abuse, Neglect and Exploitation*[307] to make sure these procedures are victim-centred and child-friendly. Following those guidelines will not only prevent children's re-traumatisation caused by being repeatedly interviewed, but will also result in a faster, cheaper and more effective investigation.

5.2 Avoid any unnecessary removal of children from their families and communities by law enforcement officers, government social welfare officers and NGO social workers. If a child is to be removed from their home or community, and assessment should be made to determine this is in the best interest of the child. While children are often best protected in a home environment, rescue or temporary shelter services may be unavoidable if the situation at home is unsafe or alternative family-based care is not immediately available. If shelter services are to be utilised, it should be for the shortest possible time and conditions should conform to international standards.[308]

Government

5.3 Increase coordination across programmes focused on online versus offline violence and, to the extent that it makes sense, across programmes focusing on violence against women and children.

5.4 Improve, define and synchronise the data collection and monitoring of OCSEA cases both on the national and local levels. Systematic recording and classification of cases will facilitate the lead agencies, law enforcement and Internet service providers in developing evidence-based prevention and response mechanisms to OCSEA. Link OCSEA data with existing child protection information management systems.

5.5 Emphasise ongoing efforts to connect relevant specialised unit to INTERPOL's International Child Sexual Exploitation (ICSE) database to facilitate international cooperation and eliminate duplication of efforts.

5.6 Improve the coordination between the Bureau of Immigration and the Philippine National Police at airports to regulate the entry of travelling child sex offenders into the country.

5.7 Invest in enhancing the technical knowledge of police officers, prosecutors, judges/magistrates, lawyers, courtroom staff, child protection officers, medical staff and frontline social workers on OCSEA. Considering the constant technological advancement, all professionals who may work on OCSEA-related issues need to know how to address them within their respective professions. Regular

305. Supreme Court of the Republic of the Philippines. (2000). Rule on Examination of a Child Witness, Section 25.
306. International Justice Mission. (n.d). Ending online sexual exploitation of children in Cebu.
307. Department of Justice. (2013). Protocol for Case Management of Child Victims of Abuse, Neglect, and Exploitation.
308. Resolution adopted by the General Assembly [on the report of the Third Committee (A/64/434)] 64/142. Guidelines for the Alternative Care of Children.

skill-based training should be mandatory, evaluated and integrated in relevant government systems and regularly updated in line with technological developments and OCSEA trends.

5.8 Avoid duplication of efforts across agencies, by streamlining the mandates and responsibilities of all agencies working on OCSEA, to ensure efficient use of resources.

5.9 Fund the creation of a national child sex offender registry in line with the recommended activities of the RPA on COEA. Consider integrating this registry within appropriate law enforcement agencies – including immigration and border control units – with the aim to monitor and limit offenders' contact with children.[309]

Law enforcement

5.10 Improve law enforcement capacity to engage in proactive investigations. This could entail closer co-operation with Internet service providers and improving accessibility of various intelligence sources. Doing so would allow resources to be deployed to proactive investigations including covert investigations, dark web monitoring, and open -source intelligence (OSINT) gathering. Currently, most of the Philippines Internet Crimes Against Children Centre's (PICACC) casework is generated from external referrals.

5.11 Designated Investigation officers require appropriate knowledge and skill-based training. Such training should be implemented for officers across provinces, cities municipalities and barangays. This is particularly important in remote areas of the country where OCSEA is known to take place. As first responding teams face challenges in accessing these remote areas, the officers on the ground should be well trained to handle these cases.

5.12 Establish standard operating procedures to streamline and standardise recruitment, retention and succession planning among law enforcement personnel. This would strengthen the police response to OCSEA by maintaining a critical mass of appropriately trained staff to undertake investigations and resolve cases.

Justice professionals

5.13 During the criminal justice process, constantly assess the procedures taking into account the participation and views of the child, and his or her best interests. Allow for plea bargains only if it serves the best interest of the child. Authorities must ensure children do not feel pressured to settle with offenders.

5.14 Provide children and their caregivers with clear and child-friendly information about the court process, including timeframe and expectations for a decision to be made for their case. In addition, children and caregivers should be informed about available psychosocial support, their right to compensation, as well as processes that will be taken to ensure confidentiality, privacy and protection for them and their families. Encourage victims to make use of the right to compensation to rebuild their lives after experiences of abuse and exploitation.[310]

5.15 Prioritise criminal procedures, especially when a child has been in government care during the court procedure. This is important when children are taken into custody pending the judgment against their offender.

5.16 Revise child victim and witness protection programmes. Long-term, comprehensive protection of child victims and witnesses, that require cooperation between the police, social workers and local communities is needed. Make sure such programmes exist both on the national level and in local government units. The lack of effective protection, raised by both children and their caregivers, led to feelings of fear and led to holding children in custody while they were going through the justice process.

Social support services

5.17 Train all staff on the frontline of social support services (not just specialist services) to recognise the unique risks and harms of OCSEA, and provide them with evidence-based best practices for responding. When children are brave enough to seek help, those they seek help from must be equipped to provide it.[311]

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309. This aligns with the ASEAN Regional Plan of Action Activity 2.3.1 on creating an integrated national child sex offenders' registry to be shared with the appropriate agencies to prevent further contact between known child sex offenders and children.
310. ECPAT International. Know Your Rights information sheet.
311. This aligns with the ASEAN Regional Plan of Action Activity 4.1.1 on strengthening the capacities, skills and knowledge of the social service workforce and key frontline workers, including through the development and incorporation of modules on child online protection into pre- and in-service training for these workers.

5.18 Ensure that child who were subjected to OCSEA have access to recovery and reintegration services tailored to their specific needs and circumstances. Such services should be focused on the best interests of the child and adapted (for their age and development, gender, family situation, harms experienced). Support should integrate views of the child and prioritise safely situating them amongst family and community where possible.

Industry

5.19 Prioritise responding to data requests from the courts in cases involving children to help reduce the duration of trials. This could be done by having Internet service providers appoint a law enforcement liaison officer to be responsible for handling any data requests from law enforcement agencies to speed up the investigation and prosecution of OCSEA cases.[312]

5.20 Promote awareness of OCSEA among relevant private sector entities including Internet, mobile and financial service providers to ensure companies of all sizes have a better understanding of the risks children face and what they can do to combat OCSEA. Promote multi-sectoral initiatives to develop and/or strengthen internal child protection policies.

INSIGHT 6

While important OCSEA-related legislation, policies and standards are enacted in the Philippines, implementing these frameworks requires more attention, prioritisation and investment.

Government

6.1 Amend legislation to conform with the Regional Plan of Action for the Protection of Children from All Forms of Online Exploitation and Abuse.

6.2 Amend the legislation on CSAM in order to explicitly cover depictions of a child's body for sexual purposes, and bring it fully into line with the standards set by the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

Such an amendment is foreseen in the definition of CSAM provided by House Bill 10703, approved by the House of Representatives on 31 January 2022, and currently pending revision and approval by the Senate.

6.3 Amend legislation to criminalise the live-streaming of child sexual abuse and sexual extortion of children more explicitly, and adopt new legal provisions to criminalise online sexual harassment. The Cybercrime Prevention Act establishes the offence of "cybersex" which, according to the Supreme Court of the Philippines, includes the live-streaming of child sexual abuse, and the Special Protection of Children Against Abuse, Exploitation and Discrimination Act criminalises the engagement of children in obscene exhibitions and indecent shows, whether live or recorded. Nevertheless, an explicit provision criminalising the live-streaming of child sexual abuse would be critical. House Bill 10703, approved by the House of Representatives on 31 January 2022, if approved by the Senate and promulgated, would criminalise subscribing to, joining and supporting websites providing live-streaming of child sexual abuse and impose blocking/removing and taking down duties for Internet service providers.

6.4 Ratify, promulgate and implement the "End Child Rape Bill" in order to raise the age of sexual consent, ensure that all children (boys and girls) are equally protected from rape, establish a close-in-age exemption to allow consensual sexual relationship between peers, and remove the exemption which frees offenders convicted for rape of legal responsibility if they marry their victim.

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312. In line with the ASEAN Regional Plan of Action, further collaboration between the public and private sector is identified particularly with regards to data sharing. For example, establishing mechanisms and protocols to facilitate sharing financial intelligence that will allow financial institutions to better identify and report instances of OCSEA with a financial or commercial element.

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