

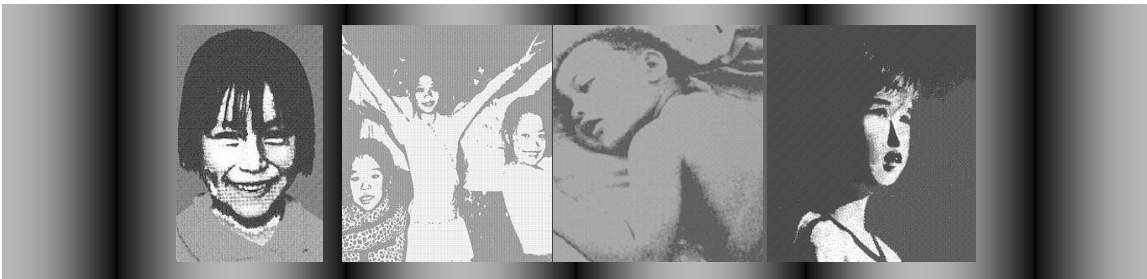


# Post-Yokohama Mid-Term Review of the East Asia and the Pacific Regional Commitment and Action Plan Against Commercial Sexual Exploitation of Children (CSEC)

8–10 November 2004  
Bangkok

## PHILIPPINES

### Country Progress Report



## **Philippine Progress Report**

**on**

## **Post-Yokohama Mid-Term Review of the East- Asia and Pacific Regional Commitment and Action Plan Against CSEC**

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## **I. Background**

This Report covers the Philippine progress in the implementation of its Action Plan against CSEC, the targets it has yet to achieve, as well as the challenges it continues to face relative to the Ten Commitments of the Yokohama Declaration of 2001:

**(A1) Identify or establish, by 2004, child/young peoples committees, which are independent advisory and consultative bodies to the government on legislation and issues pertaining to children/young people.**

(B1) Urge countries, especially Pacific Island countries that did not attend the First World Congress, to adopt by 2004, the Stockholm Declaration and Agenda for Action.

**(B2) Adopt by 2004, national plans/agendas for action, incorporating long-term strategies, and develop indicators, in accordance with the Stockholm Declaration and Agenda for Action, and identify, or if necessary designate, a national focal point in each country, with effective implementation measures and data bases.**

(B3) Establish and implement, by 2004, Memorandum(s) of Understanding or agreements (s) to combat cross-border trafficking of children with comprehensive measures.

**(B4) Organize national and regional monitoring meetings, involving all relevant stakeholders, to review and evaluate progress in 2003.**

(C2) Promote better access to education for all children, more education on the rights of the child, and awareness-raising against CSEC and its linkage with drug-abuse, STDs, including HIV/AIDS, reproductive health and sexually, aiming at a process to promote the child's personal growth and self esteem, aimed at harm avoidance.

**(C5) Reaffirm the importance of the family and strengthen social protection for children/young people and families more concretely through sustained information campaigns and community-based surveillance/monitoring of CSEC, with particular attention to protection from exploitation.**

(D1) Encourage region-wide adoption/ratification of international treaties and other instruments concerning child protection and ensure their implementation and monitoring.

**(D2) Enact/improve laws, policies and programmes promoting and protecting child rights and ensure effective implementation and enforcement of relevant laws, especially criminal and civil laws.**

**(E2) Provide/strengthen wide-ranging and effective services for the child victims of commercial sexual exploitation, which are gender-, child- and culture-sensitive, including peer counseling, hotline/helplines in local languages, shelters, medical treatment, and psychosocial counseling.**

The Philippines' commitment as manifested in the Action Plan against CSEC stems from the realization that many Filipino children have become victims to pornography, pedophilia, trafficking, and prostitution.

The strategic geographical location of the Philippines in Southeast Asia largely contributes to this problem. According to the US Report 2003 on Trafficking in Persons, the Philippines is considered not only a source and transit but also a destination country for persons trafficked for purposes of sexual exploitation and forced labor. Existing studies also confirm that poverty, high unemployment rate, weak enforcement of laws, and a cultural propensity for migration, are among the many reasons for the continued existence of commercial sexual exploitation of children.

This report is anchored on the political, socio-economic, peace and order conditions of the country in the last three (3) years which has great bearing on the situation of children. The downfall of the Estrada Administration, the resistance of the urban poor against the Arroyo Administration, the withdrawal of foreign and local investors, the continuing threats from the extremists, and the recent 2004 National Election, are a confluence of events that have shaped a new economic and political landscape in this country.

The Philippine Government's commitment to CSEC has been highlighted by President Gloria Macapagal-Arroyo recently through the statement: ***"The Government has been vigilant against exploitation of children. We are addressing this problem, but the cooperation of the parents and the local community is imperative. Stamping out child exploitation is part of our fight against crime and poverty."***

## **II. Progress Achieved**

The Council for the Welfare of Children is the focal government body monitoring the implementation of the country's commitments on children including the 1996 Stockholm Declaration Against Sexual Exploitation of Children and the ensuing 2001 Yokohama Declaration. In monitoring the implementation of CRC and other international commitments, The Council has organized several networks that address specific concerns of children. One of these is the ***Sub-Committee against Sexual Abuse and Commercial Sexual Exploitation of Children***, which follows through the obligations of the country to these Declarations.

## **A. PREVENTION & ADVOCACY**

1. To date, initial data generated through the CSEC Information System reveal that there are so far a total of 633 committees of children and young people organized in different parts of the country. Many of these committees have been organized and supported by NGO partners (such as ERDA, Christian Children's Fund, World Vision, Plan Philippines, Laura Vicuña Foundation, Lunduyan Foundation, Inc., Visayan Forum, and ECPAT). There are many more organizations that have not been accounted for by the Council. This gap is now being addressed by the monitoring system being set up by the Council. All these committees or organizations are concerned about social protection and participation rights and include the agenda on commercial sexual exploitation of children.

2. The children and young people's committees are defined as "organized groups composed of children and young people," or a network of children's organizations. These bodies have established processes for participation of children and young people with scheduled meetings, a set agenda they themselves develop, discuss, and implement. There are some 565 organizations composed of young people whose members include those beyond 18 years old but not older than 24 years. Children organizations/committees composed of members under 18 years of age are fewer (68 only).

3. The Children's Sector within the National Anti-Poverty Commission, continues to provide feedback to government on children's issues and concerns for policy and program action. At present, some of the children's priority concerns include the increasing child labor, commercial sexual exploitation and child pornography, and a comprehensive juvenile justice system.

4. A National Plan of Action for Children (NPAC) for 2005-2010, based on Child21 is now being finalized. Child21 is the 25-year Philippine National Strategic Framework for Plan Development for Children, 2000 – 2025. Both documents outline indicators aligned with the Millennium Development Goals and the World Fit for Children Goals.

5. Specific to the concerns on child labor, the Philippine Government through the Department of Labor and Employment is currently implementing the Philippine Time Bound Program on Child Labor (PTBPCL) in eight (8) priority areas: Metro Manila, Iloilo, Negros Oriental, Negros Occidental, Cebu, Camarines Norte, Davao and Bulacan, which reflect a high incidence on child labor. Organized child labor local committees in these areas monitor the child labor situation and the implementation of programs and services addressed to combat **child prostitution; domestic work; deep-sea fishing; pyrotechnics; mining and quarrying; and child labor in sugarcane plantation**. Further, with UNICEF and ILO-IPEC assistance, the Department of Labor in collaboration with

other partner agencies likewise implements the National Plan of Action against Child Labor.

6. Ensuring access to education and keeping children in school is a strong prevention strategy against commercial sexual exploitation of children. The Arroyo Administration has given premium to early education as expressed in Her Excellency's 10-point agenda. Her call for all children to be in day care or preschool is promoting early education for all 3-5 year old children which has been found to increase the child's school readiness level, keep the child through elementary and secondary education and minimize drop-out rate. This program is supported by RA8980 or the Early Childhood Care And Development Act which was signed into law in November 2000. The program is scaled up nationwide and has institutionalized ECCD systems and structures at local government level. Universal education for Filipino children is also enshrined in the Education For All document of the Department of Education

7. With the growth of information technology, internet cafés have mushroomed all over the country and even in far-flung areas. These internet cafés are frequented by young people who could be exploited through internet. A place down south in Mindanao started to gain notorious attention as the "Cyber Sex Capital" because of a recent documentation reporting sexual acts between internet partners.

Likewise, children's access to internet has brought them closer to acquiring pornographic materials and other information that could easily lure them towards exploitation. Existing Philippine laws do not include protection of children from cyberspace porn and exploitation. This means that, until such time that appropriate legislation can be enacted, society and government enforcers should remain vigilant in protecting children. This also means that parents and caregivers should closely supervise their children including the use of internet. Cooperation of school, church and community should be strengthened to safeguard the moral values of society.

One of the newly-elected senators, Ma. Ana Madrigal, chair of the Committee on Family, Women and Children, has commenced inquiry on this matter and on child pornography. A bill is now being drafted that will require all internet providers use a "blocking software" to ensure that cybersex will be substantially eliminated. This will ultimately protect children from any form of exploitation through the internet.

8. Another form of pornography, through printed materials, is peddled out in the streets and easily accessed by children. Efforts to safeguard children from pornographic activities is manifested through the continuing advocacy of teachers to stop children from buying these materials and report to the school authorities if such materials are found within the school premises. Preventive efforts of the local government is also being tapped encouraging them to pass

ordinances prohibiting the sale of porn materials, both tabloids and video/cds in their respective villages.

9. CSEC being a complex issue, is being addressed from several points. it is also viewed along with HIV/AIDS, a potential outcome of commercial sexual exploitation. According to the 2004 UN's Common Country Assessment, an HIV/AIDS outbreak remains a real threat to the Philippines given the rising number of high-risk groups (HRGs), such as the Overseas Filipino Workers, female sex workers, the gays, and those injecting drug users. The Philippine Government therefore is embarking on an advocacy campaign on HIV-AIDS targeting families of these high-risk groups. The participation of children and young people in advocacy is a key element in the program. There is need however to intensify the campaign through schools and children's organizations that have been organized by NGO partners.

10. The family continues to serve as the framework for the country's programmes for children. The sanctity of the family is enshrined in the Philippine Constitution which stipulates that the State "shall protect and strengthen the family as a basic autonomous social institution." It further recognizes the Filipino family as the foundation of the nation and that it promises to strengthen family solidarity and actively promote its total development and well-being.

An inter-agency called the National Committee on the Filipino Family (NCFF) was created by virtue of Executive Order #241 to plan, monitor/coordinate all activities/endeavors related to the family, including the implementation of the National Plan of Action for the Filipino Family for the period 2005 – 2010; Executive Order 238 signed in September 2003 further expanded the Committee's functions and membership and mandated the implementation of the National Plan of the Filipino Family under the aegis of the Department of Social Welfare and Development.

11. The inclusion of the family is a key factor in planning interventions for CSEC victims. It is necessary that they should be involved in the entire process from prevention to reintegration of CSEC victims. The role of families can be understated thus, there is a need to strengthen their capacities to protect and care for the children. The Parent Effectiveness Service is an intervention for responsible parenting that can help parents provide better child care and protection of their children.

**ERPAT or Empowerment and Reaffirmation of Paternal Abilities**, is another program of the Department of Social Welfare and Development which aims to engage fathers to become more effective and responsive in their parenting role. Also, it aims to achieve shared parenting tasks in the performance of familial responsibilities. A training program of an NGO partner, the Family Life Institute of the Philippines, developed a supplementary module on responsible parenting for fathers called *Ang Mapagkalingang Ama* (The

Nurturing Father) which aims to reinforce the fathering roles and responsibilities as active partners in family life.

12. The Barangay (Village) Council, mandated under PD 603, are organized Local Councils for the Protection of Children (LCPCs) to promote and protect children's rights, encourage responsible parenting, provide assistance to abandoned, maltreated and abused children and monitor cases filed against perpetrators. A functional and active LCPC is a strong instrument in preventing commercial sexual exploitation and trafficking of children. To date, the country has **17,465 functional** such councils attending to various concerns of children.

Considering the important role and function of local councils for the protection of children, NGOs and government service providers continue to train and build the capability of these councils to ensure that this mechanism would effectively operate to promote a child-friendly community through enforcement of laws and the monitoring of the implementation of children's rights.

13. There are two very important items that revolve around our prevention program on CSEC. One is the **continuing community education** which our NGO partners are doing. ECPAT Philippines, and active ally on child rights promotion and protection, has visited 312 villages, churches and schools in 2003 providing information on child trafficking and its prevention. For this year, it has yet to complete its **Community Education Campaign** in six (6) out of the twelve targeted high incidence areas.

Brochures, case studies, video clips are effective in delivering the message. Another is advocacy for **parental supervision**. There is no substitute for parents' knowing where the children go, what they do, and who their friends are. If the children have access to internet at home, it is also important to know what they are surfing. However if access is with internet cafes, it will be difficult to monitor. A local ordinance to regulate this may be needed.

Recent initiatives include the STRICTLY showing of FAMILY-ORIENTED MOVIES ONLY of the country's biggest department stores - SHOE MART. Lewd films in ALL cinemas within their malls have now been TOTALLY STOPPED. The company continues to ban students loitering within the malls during school hours in compliance with the local governments ordinance. These initiatives if replicated to other entertainment centers and malls all over the country will protect more children from sexual abuse and exploitation.

## **B. PROTECTION**

14. The Philippines has shown consistency in the strengthening of its legislation for children. Four major laws were recently passed to strengthen its protection policy for children.

**a. Republic Act 9231, *An Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Stronger Protection for the Working Child***, (amending RA 7610, or the “Child Protection Act) was passed into law in December 19, 2003, in compliance to ILO Convention 182. This law includes the following features:

- Establishment of a trust fund aimed at preserving child workers’ incomes, while fully prohibiting the employment of children in worst forms of child labor;
- Strictly regulates the employment of working children, sets the hours of work, and adequately defines hazardous work and activities;
- Provides for stiffer penalties against any person, including parents, who force children to engage in child labor;

**b. Republic Act 9208 or the *Anti-Trafficking of Persons Act*** of May 26, 2003, provides a higher penalty for violators when the victim is a child and applies to internal (domestic) and international migration.

a) The Department of Justice (DOJ) reports that, to date, it has prosecuted three (3) trafficking cases filed in 2003 under the new Anti-Trafficking Law and has convicted two (2) persons for trafficking-related offenses under other laws, resulting in sentences ranging from time served to life in prison.

b) The Philippine National Police reports that from 2000 – to the 1<sup>st</sup> semester of 2004, **there are a total 272 children victims of trafficking and prostitution**, of which 42% are on child trafficking and 58% on child prostitution. However figures for other cases of child abuse such as incest, rape and acts of lasciviousness, are found to be higher – for the period 2000 to June 2004, **a total of 20,158 have been reported**.

c) Reports that the Council received from both government and NGOs indicated that during the entire period 2000 until the first quarter of 2004, a total of **3,602** in-country trafficked children were rescued by both government and NGOs around the country. Of this figure, 2732 are females, while 870 are males. A big majority of these children (76%) are still being served by the NGOs and DSWD.

c. On February 2, 2004, **Republic Act 9255, *An Act Allowing Illegitimate Children to Use The Surname of their Father*** was passed. Amending Article 176 of Executive Order No. 209 or the Family Code of the Philippines, this law eliminates the discrimination experienced by the illegitimate Filipino children with regards to their recognition by their natural or putative fathers. The implementing Rules and Regulations of this law outline the mechanisms in processing the paternal recognition of illegitimate children.

d. Another milestone protecting women and children is **Republic Act 9262, *An Act Defining Violence Against Women and Their Children Providing For Protective Measures For Victims*** which was passed into law on March 8, 2004. This law, specific for women in intimate relationships, provides special protection

for children victims of violence, providing stiffer penalties to offenders. It also provides for the issuance of a protection order by the Court to prevent further harm to victims. This law also creates the Inter-Agency Council on Violence Against Women and Their Children composed of government and non-government agencies.

15. In further strengthening the response of the law enforcement agency, the Philippine National Police has increased the number **Women and Children's Protection Desk (WCPD)** in 1793 police stations all over the country. PNP Memo Circular 2001-007 also provides that all personnel assigned with the WCPDs undergo gender sensitivity and skills enhancement trainings. It also directed for a separate police record or blotter for cases involving violence against Women and children, and keeping the confidentiality of such records.

16. Complementing these efforts is the establishment of the **Women and Children Complaints Office** under the Criminal Investigation and Detection Group, the investigation arm of the PNP involved in high-profile anti-crime operations. It also involved monitoring and surveillance efforts against organized criminal groups involved in illegal recruitment, trafficking, production of smut materials and lewd shows.

17. Also in 2002, the Directorate for Police and Community Relations (DPCR) created the **Family, Juvenile and Gender and Development Division (FJGADD)** in all police stations nationwide. This new office is tasked to enforce relevant laws and recommend interventions in areas concerning family violence and gender sensitivity and development.

18. Sustained efforts from the Department of Tourism as the lead agency against the proliferation of sex tourism, has been evident in promulgating child-friendly policies in the tourist establishments.

The Department has developed the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism 2002 which is now disseminated to all tourism establishments and facilities and is likewise concurred by the World Tourism Organization. Among others, the Code includes the following commitments that must be observed by suppliers of tourism services:

- a. To establish an ethical policy regarding commercial sexual exploitation of children.
- b. To train the personnel in the country of origin and travel destinations.
- c. To introduce a clause in contracts with suppliers, stating a common repudiation of commercial sexual exploitation of children.
- d. To provide information to travellers by means of catalogues, brochures, in-flight films, tickets, home pages, others.
- e. To provide information to local "key persons" at the destinations.

19. Cooperation with foreign countries to combat trafficking, pornography and prostitution of children has been a major strategy adopted by the Philippine Government. Past experiences have proven that the concerted efforts and collaboration of Governments to address sexual exploitation of children is more effective and have resulted to success stories. Foreign offenders are penalized and children rescued are given appropriate services for recovery and reintegration. The body that has facilitated bilateral agreements is the Philippine Center on Transnational Crime

So far, the following are existing Memorandum of Agreements signed by the Philippine Government with other countries:

- Memorandum of Understanding between the Government of the Republic of the Philippines and the Government of Australia on Cooperation in Combating Transnational Crime, **entered into force on the 14<sup>th</sup> day of July 2003.**

***Salient features include*** cooperation in the prevention and investigation of transnational crimes, including trafficking in persons through intelligence exchange of information and personnel, assistance in timely repatriation of persons for investigation or trails, and exchange of public records and documents, knowledge and expertise.

- Agreement on Information Exchange and Establishment of Communication Procedures between the Government of the Republic of the Philippines and the Republic of Indonesia, **entered into force on 7<sup>th</sup> day of May 2002.**

***Salient Features include*** bilateral cooperation in preventing the utilization of land-air-sea territories for purposes of committing or furthering smuggling of women and children.

- Memorandum of Understanding between the Government of the Republic of the Philippines and the Government of the People's Republic of China on Cooperation in Combating Transnational Crimes, **entered into force on 28 May**

***Salient Features*** include bilateral agreement on the exchange of information (document and public records), technology and intelligence (knowledge and expertise) for the purpose of preventing and investigating transnational crimes such as trafficking of children and women.

### **C. RESCUE, RECOVERY AND REINTEGRATION**

20. The Philippine Government continues to operate the Homes for CSEC victims nationwide. A total of **1,198** centers and institutions for children and

women who are at-risk are existing all over the country and offer education and skills training as part of the reintegration process. Of this number, 90% (1,087) are run by NGOs, 8% (98) by the local government units, and only 1% (13) are run by government.

Psycho-social interventions, legal services, peer counseling, alternative livelihood programs and other interventions, both center-based and community-based, continue to be provided by both government and non-government agencies for CSEC victims and their families.

Meantime, NGOs continue to provide community education and non-formal education, after care services, recovery and therapeutic services, drop-in center and shelter to children victims of commercial sexual exploitation.

- Some initiatives aimed at addressing the concerns of children and women victims of abuse and exploitation are also seen through the setting-up of Balay Pasilungan in 2003, a half-way home for women and children in Bacolod City as well as in Iloilo City for young sex male offenders called “Dalayunan.”
- Another example is the Center for the Prevention and Treatment of Child Sexual Abuse, a Manila-based NGO which provide individual or group counseling for young sex offenders. Success stories as a result of this initiative can be used to replicate to other vulnerable sectors.

21. Although this was already reported previously in our first Country Report in 2002, the revised Rules on Examination of a Child Witness by the Philippine Supreme Court in December 2000 had been found quite effective and have allowed better testimonies of children in legal proceedings. For this purpose Child-Friendly Investigation Studios (**CFIS**) has now increased to 20 geographically located all over the country to give child victims the necessary support from the rigors and trauma of recounting their experiences, as well as providing all the needed legal, medical, psychological and rehabilitation/aftercare services. Majority (12 out of 20) of the CFIS are managed by the National Bureau of Investigation.

22. Meantime, 87 designated FAMILY COURTS created through Republic Act 8369 of 1998. Judges and Family Court personnel have undergone training since 2000. The effectiveness of these courts however are still undergoing assessment. There are reports however that child abuse cases filed in these courts have been given more attention. The Philippine Justice Academy, the training arm of the Philippines Court, continues to upgrade the capability of the judges, court social workers and clerk of courts and ensures the training of new ones.

### 23. SOME SUCCESS STORIES:

- There are a number of best practices already in place within the tourism industry which include training of out-of-school youth and other young people on bartending and waitering skills, while others reach out to other young people spending time with them through activities they have initiated. These are conducted by the National Union of Workers in the Hotel, Restaurant and Allied Industries (NUWHRAIN); Employers Confederation of the Philippines (ECOP); Pan Pacific Manila; and Holiday Inn Manila. Part of their efforts included publishing a book entitled “At Your Service: Combating Child Labor in the Tourism Industry.”
- Likewise, as a result of months of surveillance by an NGO, the rescue of 70 children, aged 5 -12 yrs from a child pornography syndicate was conducted by the National Bureau of Investigation somewhere in the southern part of the country. Most of the children were sent back to their families except for a few who agreed to testify against the syndicate. Presently, a case of violation of child rights was filed against seven (7) offenders including a Japanese citizen.
- Vigilance and the active involvement of NGOs and the community is an important component in monitoring CSEC cases at the local level. A case in point is the recent apprehension of an American and German citizen in Puerto Galera, a tourist destination in Mindoro, an island in Luzon. The offenders were put in jail and a case was filed against them. It should be noted that cooperation of service providers from a child-focused NGO, parents, and local government has led to the rescue of two (2) girls and the apprehension of the foreigners. With that experience, what ensued immediately was the rescue of many more children from another nearby village a foreigner. It should be noted that most success stories of rescuing the children in fact have always involved NGOs that work directly with children.
- Given the increased reportage of the Puerto Galera case, there was an influx of services rendered, not only for legal services for the children, but also in training of teachers, day care workers, parents, and the children on protective behavior. The local government has laid aside a budget for advocacy campaigns against sexual abuse and commercial sexual exploitation of children and has encouraged the community to consciously take an active role in monitoring CSEC cases in the area.
- Through the efforts of the Laura Vicuña Foundation, an NGO partner, the **Community Organizing and Mobilization Toward Education (C.O.M.E.) Project** commenced in 2003 in Malihao, Victorias City, Negros Occidental, a province in the Visayan island. This project organized

children committees and an intersectoral Barangay Council for the Protection of Children in 14 sugarcane villages paving the way to a more sustainable grassroot mechanism of child rights promotion and social protection. It originally started in 1999 with the vision of reducing child labor, trafficking and exploitation of children in sugarcane plantations. It opened a Technology Resource and Development Center which offers early childhood care and development, skills training program, temporary shelter, and non-formal education to more than 3,000 most-at-risk children at the sugarlandia.

## V. RESEARCH & DEVELOPMENT, MONITORING AND DATABASE SYSTEM

24. Several studies have been undertaken by both government and non-government organizations on trafficking, pornography, the girl-child, and tracking CSEC victims to gain more insights on this complex issue for better policy and program interventions.

- ***The Local Trafficking of Filipino Girls for Employment.*** This study chronicles the experiences of 24 girl children between 14 to 17 years of old, illegally recruited and trafficked from the Visayas to work as domestic helpers, entertainers, and factory workers in Metro Manila, Bulacan, and Olongapo City. This study discusses the plight of these girl children, in particular the exploitative working conditions they were exposed to.
- ***Rapid Assessment: National Background on Girl-Child in the Philippines.*** This study is still ongoing and will contribute to the goal of improving data collection and analysis on child labor, especially its worst forms. It also aims to provide policy makers with insights into the magnitude, character, cause and consequences of the worst forms of child labor, particularly in three settings: commercial agriculture, domestic service and commercial sexual exploitation.
- ***Rapid Appraisal on Pornography.*** This study looks at the prevalence of child pornography through the accounts of actual cases; mechanics of production & distribution within and outside of the country; role of poverty & other social-historical dimensions; role of internet & e-commerce; national & international laws; and role of NGOs, government organizations & network of organizations. Finally, the study which is commissioned by UNICEF, will come with action points in preventing child pornography and possible recommendations.
- ***Tracking of Children Victims of Commercial Sexual Exploitation.*** Almost completed is the study that covered areas with high incidence of CSEC.

*This study accounts the movement of children victims, including the status of children victims.*

- **Endangered Generation (unpublished).** This study was undertaken by Asia ACTS, generated data and information from seven (7) high-risk areas of the country on the following domains: recruitment practices, route of trafficking, characteristics of the victims, working conditions of the victims, and the extent for which present laws are enforced.

25. The monitoring of the enforcement of laws on children and of the implementation of children's rights rests with the Council for the Welfare of Children. In 2002, the Council developed the Macro Monitoring System (MMS) and set it in place the following year. With MMS data, status on the implementation of the Convention on the Rights of the Child can be tracked on a regular basis. Data and information generated will also facilitate our reporting on the Annual State of the Filipino Children Report and the CRC Report developed every five (5) years.

26. Complementing with the MMS is the proposed Micro Monitoring System or the **Subaybay Bata (Child Monitoring)** which is now on the drawing board. The *Subaybay Bata* is an area-based and issue-based monitoring system that will guide the local government in planning priorities for children. The SBMS is a 3-year project and should start in 2005.

27. Concerns on commercial sexual exploitation of children are part of the MMS. However, with the CSEC Information System consisting of 64 indicators, there is need to further study how these indicators can be integrated in the MMS and the Subaybay Bata Monitoring System which is area-based and issue-based.

## **VI. FUTURE DIRECTIONS/ACTIONS:**

28. The current fiscal crisis of the country brings with it many challenges to the family and children, especially those in the disadvantaged sector. With the current crisis, the likelihood of an increase in the commission of crimes is a reality that can happen as the poorest of the poor have less chances of earning for the family. The current fiscal situation has further brought in an array of stressful conditions such as the escalating prices of food and other prime commodities, gasoline and power - rates that can no longer be sustained nor reached by a poor man's daily earnings. All these directly impinge on the children, helpless and unwilling victims of many forms of abuse and exploitation. The possibility of more children engaging in sexual services in exchange for food and money is not going to be surprising.

29. There is an urgent need therefore to strengthen the monitoring of CSEC cases through the local councils for the protection of children; and putting in place safety net measures for the poor families to sustain them through the present fiscal crisis.

30. Against this backdrop, the Philippine Government is committed to undertake the following:

**a) Strengthen policy environment for CSEC.**

- ***In particular, regulate the use of Internet especially among children.*** This will require issuance of local ordinances regulating establishment of internet cafes to protect children from porn and sexual exploitation via internet. Adult supervision is needed for internet cafes that cater to young children.
- ***Law on pornography needs to be enacted*** to protect the increasing number of children victimized, and at the same time penalize those who directly or indirectly partake to the commission of this crime against children. Porn materials both in print and video are easily accessible in urban and possibly in remote areas of the country as well. Printed pornography in tabloid-style is sold more openly now and within reach to the children. X-rated videos are also easily available and sometimes shown in public places with children watching. All these need to be regulated to protect the children.
- ***Local ordinances are also needed to support efforts to protect the children.*** To date, there are some 39 provinces, cities and municipalities that have passed their local code for children as part of our efforts to create a child-friendly movement. The implementation of these codes however still need to be evaluated.

**b) Sustain and strengthen partnerships and collaboration**

- ***Continuing dialogue and consultations with the tourism industry*** especially with the owners of resorts in tourist destinations will ensure that child-friendly policies are observed and implemented. Data shows that tourists, both local and foreign, also frequent tourist destinations where family activities are available. Tourist spots therefore should be encouraged to promote themselves as family- and child-friendly to safeguard children and young people. It is important that monitoring of CSEC cases in these areas should be more organized and systematic.
- ***Collaboration with faith-based organizations.*** The engagement of faith-based groups on child protection has been strengthened to enhance the government's efforts on child protection. With a focus on values education and a God-centered foundation, and considering also the wider base and outreach of the different religious organizations, their contribution will have a tremendous impact on our efforts on CSEC prevention.

**c) *Strengthen the agenda and efforts on Children by children.*** A Children's Advisory Council composed of an all-children membership will be piloted. This will increase the opportunity for children's participation in policy formulation complementing the efforts of the NAPC Children Sector, and provide inputs to both government and relevant organizations on children. This will be an independent body that will be ran by the children supported by the Council. Membership will ensure representation from a broader range of the children's sectors to include the Muslim, Indigenous Peoples, and disabled children, among others.

**d) *Promote rights-based and gender-sensitive programming for CSEC.*** While the majority of victims of pornography, trafficking and prostitution are girls, boys are also victims of these crimes. Programs to address children victims of commercial sexual exploitation will therefore have to ensure that these are gender-sensitive and should not discriminate the boy-victims.

**e) *Strengthen enforcement especially in handling cases.*** Past experiences show that, in many occasions, cases have been dismissed due to lack of technical knowledge in investigating and handling of cases. Civil society participation, especially on legal matters, should be tapped to ensure that offenders are placed behind bars or penalized accordingly. Training and capability building activities should be a continuing effort to ensure that knowledge, especially of new laws, and skills of enforcers and service providers are upgraded. This is especially needed for the police enforcers in tourist destinations. Strengthening the BCPCs can also facilitate enforcement of the law.

**f) *Provide and sustain safety net measures for the family.*** All interventions for CSEC will avail to nothing unless the family is part of these efforts. As we have discovered in most cases, the children are lured to exploitation with a promise of work and earning for the family. Providing appropriate services such as livelihood programs as well as information and education activities to parents can be an effective preventive strategy that will keep the children in school and away from exploitation.

**g) *Put in place the monitoring system for CSEC.*** CSEC indicators will be integrated in both the **Macro Monitoring System** of CWC and in the **Subaybay Bata Monitoring system** at local level. We recognize that data generation and collection for CSEC is difficult. However, with Subaybay Bata, we expect that the local officials and the community would help collect data for purposes of planning for appropriate services for children and family.

Indeed, the problem of commercial sexual exploitation among children, does not have a short cut solution nor does it possess a clear cut answer. In all phases of PREVENTION, PROTECTION, AND RESCUE, RECOVERY AND

REINTEGRATION, actions from all concerned sectors and at all political structures need to be enlisted. Efforts that cause about betterment and development of the victims need to be sustained and replicated. Areas where developments did not come as expected, should further be studied such that the victims may come to complete reintegration in a shorter span of time. As what we have conveyed before, VIGILANCE is it.

**ANNEXES:**

**Republic Act 9208**, *Anti-Trafficking in Person Act*

**Republic Act 9262**, *A Act Defining Violence Against Women and Their Children Providing For Protective Measures For Victims, Prescribing Penalties Therefor, And For Other Purposes*

**Republic Act 9255**, *An Act Allowing Illegitimate Children to Use The Surname of their Father, Amending for the Purpose Article 176 of Executive Order No. 209. Otherwise Known as the "Family Code of the Philippines"*

**Passage of Republic Act 9231**, *An Act Providing for the Elimination of the Worst Forms of Child labor and Affording Stronger Protection for the Working Child, Amending For this Purpose Republic Act No. 7610, As Amended, Otherwise Known as the "Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act"*