



Republic of the Philippines
CONGRESS OF THE PHILIPPINES

SENATE

Pasay City

SUBJECT : PART TWO: REPORT ON THE PUBLIC HEARING CONDUCTED BY THE COMMITTEE ON LABOR, EMPLOYMENT AND HUMAN RESOURCES DEVELOPMENT ON SENATE RESOLUTION NO. 70: "RESOLUTION REQUIRING THE COMMITTEE ON LABOR, EMPLOYMENT AND HUMAN RESOURCES TO CONDUCT AN INQUIRY IN AID OF LEGISLATION INTO THE PRACTICE OF "ESCORT " SERVICES HELD LAST SEPTEMBER 15, 2004, WEDNESDAY, 12:00 NN AT SEN. TAÑADA ROOM, SENATE BUILDING, PASAY CITY.

1.0. PRELIMINARY:

The Public Hearing was conducted in view of the increasing number of advertisements in the Classified Ads Sections of various newspapers promoting the services of charming escort ladies, which is being alleged as fronts for prostitution services.

Among the resource persons present during the hearing were Assistant Secretary Benedicto Bitonio of the Department of Labor and Employment (DOLE); Director Irma Valiente of the Bureau of Women and Young Workers (BWYW) – DOLE; Dir. Elena Caraballo of the Council for the Welfare of Children (CWC); Executive Director Emmelyne Versoza of the National Commission on the Role of Filipino Women (NCRFW); Atty. Espiridion Laxa, Chairman of the Film Academy of the Philippines; Ms. Jean Enriquez of the Coalition Against Trafficking of Women – Asia Pacific; Ms. Gina Gonzales of the Department of Social Welfare and Development (DSWD); and Director Rey Jaylo of PAIRTF.

Among the Senators who were present during the Public Hearing were Hon. Jinggoy Ejercito Estrada, Hon. M.A. Madrigal, Hon. Rodolfo G. Biazon, Hon. Ramon B. Magsaysay, Jr., Hon. Luisa "Loi" Ejercito Estrada, Hon. Alfredo S. Lim, Hon. Juan Ponce Enrile, Hon. Juan M. Flavie, Hon. Aquilino Q. Pimentel, Jr., and Hon. Richard J. Gordon.

2.0. UPDATES:

Senator Jinggoy Estrada, the Chairman of the Committee on Labor, inquired as to whether these establishments that are providing escort services are registered with the Securities and Exchange Commission (SEC). The representative from DOLE stated

that most of these establishments and/or individuals providing escort services are freelancers and are not registered with the SEC.

When asked by the Chairman what is the Department doing with respect to this particular issue, the representative of DOLE explained that one of their mandates is to provide protection for this special group of workers, namely the vulnerable women and children. Moreover, the Department is the lead agency mandated to implement the provisions of the Anti-Child Labor Law. The Department has a program called **“Sagip Batang Manggagawa”** which provides surveillance, rescue and rehabilitation activities to children or minors who are lured into prostitution and engaged in the provision of escort service in these bars, night spots and entertainment centers. Once these children are rescued from these establishments, they are turned-over to the DSWD for psycho-social care and rehabilitation. The criminal prosecution component of this program are being handled and falls within the jurisdiction of the Department of Justice (DOJ).

Senator Jinggoy Estrada mentioned that there are allegations that these establishments offering to provide escort services are acting as fronts for white slavery or prostitution. He observed that there seems to be a lack of a clear policy on the part of DOLE with regards the registration and licensing of these escort service establishments. He added that there is a need to check and monitor whether these establishments have acquired business permits as approved by SEC. In connection with this, Senator Madrigal inquired as to what are the guidelines and standards applied by DOLE in evaluating the application of business permits from establishments which are suspected to be fronts for escort service or prostitution.

Undersecretary Bitonio of the DOLE explained that the Philippine Standard Occupational Code has classified the profession of escort service under the category: **“Other Personal Services - Workers Not Elsewhere Classified”**. This category of workers covers the people whose tasks involve accompanying clients to restaurants and other outings, acting as dancing partners, welcoming clients to night clubs and ensuring that the clients are entertained well. Some examples of occupations classified under this category include the escorts, the hostesses, hospitality girls and ushers.

Senator Loi Ejercito Estrada inquired if the DSWD has recent data on the total number of women and children who are engaged in the profession of providing escort services. The DSWD explained that because these activities are done illegally, these particular data is not reflected in the various statistics, surveys and databank in the various agencies of government.

Senator Jinggoy Estrada inquired from the representative of the film industry if he is aware of the fact that many of the actresses and actors are engaged in the practice of escort service. Mr. Laxa replied that the Film Academy of the Philippines has not received any complaints concerning this particular issue. Furthermore, he added that there is a need to establish an institution which will provide rehabilitation services to women who have been victimized and dragged into the graveyard of prostitution.

Ms. Enriquez, the Deputy Director of the Coalition Against Trafficking of Women Asia – Pacific, mentioned that some of the women they are providing rehabilitation services for have been engaged in the practice of providing escort service to clients. Many of these women and children are forced into the situation because of the lack of economic options. Many of the victims of prostitution have been sexually abused early on in their life and that the phenomenon of prostitution is really an exploitation of the vulnerabilities of women and children. She stated that while Congress has recently passed the Anti-Trafficking in Persons Act, there are existing laws in the country that criminalize these women who are victims of prostitution. The women who are victims of prostitution are being arrested while the exploiters, namely: the pimps, managers,

establishment owners, buyers and all those benefiting from this illegal activity are getting away with the offense with impunity. As far as the NGO sector is concerned, they have stopped labeling these women as “prostitutes” and have rather called them “survivors”. Ms. Enriquez further explained that there is a need to decriminalize all victims of prostitution. Instead, we should propose laws that would penalize those who gained from this activity. She stressed that there is no woman in this world who would want to be sexually abused against her own will. In fact, the universal human rights standard has specifically stressed that the sexual exploitation of women, including the practice of prostitution, is not an acceptable practice and should be condemned. As such, there is a need for a paradigm shift in viewing the issue.

Ms. Verzosa pointed out that, nowadays, the term “Escort Service” is being used as a euphemism for the practice of prostitution. She added that there is a need to view prostitution both from the supply side and demand side because in our current laws, it is the prostituted woman who is seen as the criminal. She added further that the Philippines is a signatory to the Convention for the Suppression of Prostitution. Furthermore, in 1981, the Philippines also signed the Treaty on the Convention on the Elimination of Discrimination Against Women. In view of this, it is the duty of the State to implement policies and programs that would eliminate such practice of discrimination and exploitation.

Senator Madrigal remarked that the rescue operations being conducted by DOLE, DSWD and other agencies of the government are just mere lip service because these have not been proven to be effective in solving the problem because they do not provide integrated and comprehensive services that would address the needs of the children victims after the rescue operations have been conducted. In the end, many of these rescued children who were sexually abused end up going back to the streets because of the lack of monitoring and follow-up programs. In connection with this, she requested DOLE to provide the Committee with the names of all the rescued persons, their addresses, status, and present whereabouts.

On the proposal of Senator Enrile to computerize the identities, events, addresses, telephone numbers and whereabouts of the persons involved in promoting escort services, including their pimps, managers, brokers and clients in order to deter these people from further engaging in this illegal activity, the representative from the NGO sector stated that it is more appropriate to document the whereabouts of the perpetrators rather than the whereabouts of the women victims in order to protect the confidentiality of the identities and circumstances of the victims. Senator Enrile, however, argued that if we are indeed serious in solving this problem, it is but crucial to uncover the identities of all the persons involved. He added that “ostracism” is still the strongest deterrent in any society that is part of what is called “custombre”. He remarked that putting these perpetrators in jail, feeding them and giving them custodial supervision will only cost more money to the government.

Senator Pimentel requested the resource persons to recommend to the Committee their suggested appropriate penalty to be imposed against the crime of white slavery and prostitution in order to deter people from engaging in these activities.

Senator Gordon stated that the appropriate agencies of government should also conduct in-depth studies and analysis on the determining factors and causes why people succumb to the practice of prostitution, on why mothers allow their children to be exploited, and on how we can provide a long-term framework plan that will ultimately prevent the victimization of our people into prostitution. He added that the provision of an Education for All Program is still the best approach in providing a long-term sustainable solution to the problem. He remarked that the power of money and the bite

of poverty is so strong that unless we delve into the essence of the problem we will not defeat the problem.

Due to lack of material time, the meeting was adjourned at 3:22 p.m.

(Submitted by Ms. Gemma Genoveva G. Tanpiengco)