

HIGHLIGHTS

The **Chairperson, Senator M.A. Madrigal**, called the meeting to order at 9:15 a.m.

The Rules of the Committee on Youth, Women and Family Relations was adopted, with **Senator Loi Ejercito Estrada** as Vice-Chairperson. **Senator Juan Flavio** suggested that any member of the Committee may introduce any amendment if they so desire in the future, to which the Chairperson was amenable.

The Chairperson surmised that this issue on *Child Pornography* and *Pedophilia* is long overdue, and although there are already laws to address the same, such as **R.A. 7610- Law Against Child Abuse, Exploitation and Discrimination**; **R.A. 9208 - Anti Trafficking in Persons Act** ; and **R.A. 9231 – Elimination of All Forms of Child Labor**, there is a degree of laxity particularly on the non-conviction or prosecution of the demand side because Philippines is now fast becoming one of the production and transshipment centers.

She cited President Bush in his speech in 2003. . . *'that there are an estimated 800,000 to 9,000,000 trafficked human beings, 60 % of whom are women and children who are sold or forced across the world's borders every year, emphasizing that this sex trade is a form of slavery .'*

Likewise, the Senator continued, *'Abraham Lincoln supposedly erased slavery with a pen, with his signature'*. And *'Collin Powell, in a report, examines the growing phenomenon of child sex tourism which involves people who travel from their home country to a foreign one to engage in commercial sex with children, citing the Philippines as one of the destinations. "Operation Predator of 2002" to fight child exploitation, child pornography and sex tourism was successful because they addressed the demand side, thereby arresting 25 Americans. Stories of human exploitation abound and poses threats to all nations, leading to an explosion in HIV and other communicable diseases. The players are syndicates and there is a huge flow of profit which also serves to promote corruption. There is a negative impact on labor; an endless cycle of poverty, physical and psychological harm; stunted growth; violence; and lack of opportunity for social, moral and spiritual development.'*

Father Shay Cullen of the People's Recovery, Empowerment and Development Assistance (PREDA) Centre stressed that we have to look into the damage to very young children, as young as four (4) to five (5) years old who are corrupted and made victims of 'images of pornography', lamenting that they are scarred for life. He added that 'child pornography' should be defined, vis-à-vis the criminal activity of buying and selling children for the making of pornographic materials and spreading it through the internet.

He showed the Committee photos/images found in the possession of a Japanese pedophile which are already in the internet. These are images of sex slavery, according to him. He added that Child Pornography is a \$60 billion industry worldwide and it sells.

He added that every picture of child pornography is evidence of a crime and there is an urgent need to trace the source.

He made the following suggestions, to wit:

1. make it mandatory for internet service providers to introduce a blocking technology that makes it impossible to access child pornography;
2. make it mandatory for internet cafes, schools and colleges to ban access to child pornography and to have a blocking software;
3. introduce a legislation to control use of credit cards in internet cafes to access child pornography;
4. direct the police to trace the use of internet credit cards to access child pornography; and
5. legitimize seizure of hard disks of suspected computers containing child porn, including the production, distribution, possession of hard disks or CDs or any electronic device where these images can be restored.

On the query of Senator Flavio Reyes if this blocking software is well developed enough to be specific to the point of the Committee's inquiry and will not be categorized as an infringement of the freedom of speech, or as a form of censorship, Father Cullen informed that the software has been proven and tested as not to interfere with any other kind of blocking of information on the internet, and since pornography is not in any way expression of speech, this will not in effect be categorized as an infringement.

Mr. Alex Ramos of the Philippine Center for Missing and Exploited Children(PMEC) presented his agency's role for the last five (5) years in trying to combat child pornography in the country. He informed that based on a UNICEF report and study, there is a steady growth of exploitation and victimization of children in prostitution, other unlawful sexual practices, pornographic performances and proliferation of pornographic materials. He cited the cases of Angel, Gerry, Nina, Pistra and Pula, all dismissed due to the following allegations:

- that possessing child pornographic materials is not a crime in this country
- that evidence becomes inadmissible in court
- that there is no way and system to track down pedophiles in the country except thru "tip offs"

He surmised that there is already a market for local child pornography.

When asked by the Chairperson on the possibility of tracking down the distribution centers of child pornography materials, he pinpointed encountering some problems, but assured that they are into such efforts. The only missing link is the database, however, the Philippine National Police (PNP) and the National Bureau of Investigation (NBI) are creating a database based only on cases filed.

Dr. Cyndy Dolente-Ang, President of the Philippine Alliance Against Pornography (PAAP) suggested that all movie trailers, television shows, still shots, should be for general patronage.

Ms. Mitos Zhornack of Stop Trafficking of Filipinos (STOP), Philippines urged the participation of the local government units since this is a long-term campaign. She suggested empowerment of the barangays, and use of their funds to educate the community on these concerns.

Ms. Tita Reverente Secretary PAAP and Vice President of STOP stated that she had been fighting pornography, which destroys moral values of children, for the last fifteen (15) years. She also showed pornographic pictures from tabloids, 'SISID' and the 'SAGAD' and lambasted proliferation of such, especially so that a copy costs only P10.00.

Father Robert Reyes, also of the PAAP denounced the manner in which the media predisposes children to pornography, particularly the manner of giving entertainment in noontime shows. Dances such as the 'Ocho Ocho', 'Spaghetti', and 'Bulaklak" where they are made to look cheap are indeed disgusting, he said. This was affirmed by the Chairperson who was privy to young males dressed like the GRO's who entertain guests during fiestas, in Lucban, Quezon and claimed that this is so much a part of our culture.

He called the attention of the Department of Education, especially because private and public school teachers and students are invited to primetime shows.

He also disclosed places in Quezon City which are being used for child prostitution – Araneta Center, Cubao and Quezon Boulevard. He intimated that most of them are children who come from depressed areas. He suggested the need to impose curfew on children.

Captain Reynaldo Jaylo of the Presidential Anti-Illegal Recruitment Task Force (PAIRT) explained that the jurisdiction of their office is focused and limited only to illegal recruitment but this does not preclude them to help in the enforcement of the law and they are more than willing to come up with the database.

On the part of the **Philippine National Police (PNP)**, **P/C Supt Nelson Estares**, **P/SR Supt Mendoza** and **P/Supt Indebrandi Usana** testified that the operational system on this issue is quite complicated and that this is an organized crime, manned by syndicates (also financial syndicates) and 'backed-up' by international partners like Hongkong and China. They informed the Committee that they are drafting a National Campaign Plan focusing on child pornography and trafficking. They are into advocacy and networking, championing the cause that "children are the assets of our nation". This advocacy stemmed during the time of General Edgar Aglipay when they apprehended the pedophiles in Pagsanjan.

Ms. Jean Enriquez, Executive Director of the Coalition Against Trafficking in Women (CATW) stated that penalties should be directed against the perpetrators. She identified the need to clear the issue on entrapment, particularly in using women and children in such operations. She is not amenable to the curfew imposed on children as suggested by Father Reyes.

Deputy Director Maria Elena Caraballo of the Council for the Welfare of Children (CWC) felt that there is a need to group advocates and write letters to advertising agencies as a strategy to push for positive values.

Director Alicia Bonoan of the Department of Social Welfare and Development (DSWD) reported that cases of child pornography are piling up, with 16 males and 17 females for the year 2000 to 2003. She added that the biggest rescue they ever had was from Japanese offenders who lured children in the guise of having excursion, where thirty (30) children were later separated from their chaperons and were being filmed. She stated that there is a need to educate the parents, to conduct preventive programs, value formation, and advocacy.

Atty. Ricardo Diaz, Chief of INTERPOL, National Bureau of Investigation (NBI) admitted that they have entrapment cases only upon request and reports especially from non-government organizations. A Japanese, named Noritaka Ota, also known as Tony was filming minors, about seventy (70) of them, ages five(5) to fourteen (14) at a resort in Los Banos, Laguna. Charges were filed against the pimps. The perpetrators were into video footages and picture taking, the children are being made to believe that they were modelling and are being paid P10,000. Only six(6) nude pictures of children were taken but these are sufficient to prove that they are into such illegal trade.

He suggested logging on in internet cafes and suggested that buyers of SIM cards/prepaid cards must also register.

He also bared that as investigators, they encounter difficulty in trying to obtain information from cellular/phone companies and internet service providers.

Atty. Anjanette Saguisag of End Child Prostitution and Trafficking in the Philippines (ECPAT) stated that their attention was called to a website promoting the Philippines as sex tour destination, which includes photographs of women from Angeles, Pampanga; Cebu and Puerto Galera.

Ms. Anne Marie Ramos of the UP Family Life and Child Development suggested strategies to educate kids and to design an ‘internet safety plan’.

The **Chairperson** announced that another hearing will be scheduled and a Technical Working Group will be constituted to draft the bill to specifically address all these concerns.

The hearing was adjourned at 12:06 p.m.

*Prepared and submitted by Ma. Lourdes A. Juan-Alzate, Legislative Committee
Secretary, Committee on Youth, Women & Family Relations*