

STATEMENT

4th Cycle UPR Pre-session on Philippines

Geneva, 30 August 2022

Delivered by: Civil Society Coalition on the UN Convention on the Rights of the Child (CSC-CRC)

1 – The Civil Society Coalition on the UN Convention on the Rights of the Child (CSC-CRC)

This statement is delivered on behalf of Civil Society Coalition on the UN Convention on the Rights of the Child (CSC-CRC), formerly known as the Philippine NGO Coalition on the UN CRC, was established in 1993 by child rights groups which are also current members of the CSC-CRC to monitor the implementation of the UN Convention on the Rights of the Child (UN CRC) in the Philippines. CSC- CRC has participated in UPR processes at the national level since 2017. To date, the CSC-CRC is composed of 24 local and international non-government organizations.

2- National Consultations for the drafting of the national report

The National Economic Development Council led the development of the National Report. This included consultations with Civil Society Organizations (CSOs) and other key stakeholders in the process.

3 -Plan of the Statement

This statement addresses the following issues: (1) addressing online sexual abuse and exploitation of children, (2) ending violence against children in all settings, and 3) protecting children from discrimination.

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4 – Statement

i. Online Sexual Abuse and Exploitation of Children (OSAEC)

A. Follow-up to the first review

The Philippines accepted the recommendations to strengthen efforts to combat trafficking, including prevention of online sexual exploitation of children and rehabilitating and reintegrating victims (Belarus). In terms of OSAEC, the Philippines is encouraged to improve inter-agency coordination and secure cooperation from the private sector to prevent child online abuse (Netherlands). However, the pandemic has exacerbated the proliferation of online abuses especially to children; thus, these recommendations are partially implemented.

B. New developments since first review

The COVID-19 pandemic exacerbated the spread of online sexual abuse committed against children. The Philippine Department of Justice reported a 265% increase of

OSAEC cases from March to May 2020 versus same period in 2019 (202,605 cases). Technology companies documented more than 1.29 million child sexual abuse materials produced in the country in the same year.¹ According to International Justice Mission (IJM), 57% of the perpetrators were relatives or close family friends of the victims . IJM reported that 793 OSAEC victims were rescued in law enforcement operations from 2011 to May 2020. About half were under 12 years old and the youngest was a three-month-old infant.

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C. Recommendations

- Draft the implementing rules and regulations and enforce the implement the recently enacted Anti-Online Sexual Abuse and Exploitation of Children (OSAEC) Law (Republic Act 11930) to protect children from OSAEC, improve investigation and surveillance tools on the internet, and increase the duties and strengthen the accountabilities of the private sector to block and preserve child sexual abuse or exploitation materials on their platform for investigation (particularly electronic service providers, internet intermediaries, and financial intermediaries).
- Implement the recently enacted Expanded Anti-Trafficking Act of 2022 (Republic Act 11862) to hold to account internet intermediaries which knowingly or unknowingly allow their infrastructure to be used for trafficking in persons. Sanctions should be enforced upon business platforms that allow their system to be used for transactions related to abuse and trafficking.
- Establish a local database and monitoring system for OSAEC reports that include sex- and age-disaggregated data linked to an international database such as International Child Sexual Exploitation (ICSE) image and video database managed by Interpol, and use it for reporting mechanisms and informing the public campaigns against OSAEC

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ii. *Ending Violence Against Children in All Settings*

A. Follow-up to the first review

The Philippines accepted the recommendation to continue implementing strategies and programs to end all forms of violence against vulnerable groups, particularly women and children, both online and offline (Bosnia and Herzegovina). Although there had been key milestones in moving forward plans of actions, these had been severely impacted by the pandemic causing delays in implementation; these recommendations are partially implemented. The Philippine Plan for Action to End Violence Against Children (PPAEVAC) 2017-2022 was adopted to consolidate commitments of government and non-government stakeholders, including children and families. However, its implementation has experienced setbacks during the pandemic. Despite this, the National Network to End

¹ Neil Jayson Servillos, "The Filipino mothers selling their children for online sexual abuse," *Rappler* (30 May 2021); available from <https://www.rappler.com/newsbreak/in-depth/filipino-mothers-selling-their-children-online-sexual-abuse/>

Violence Against Children (NNEVAC) continues to localize the toolkit for LGUs in creating programs, projects, activities, and policies to address ending VAC in the country.

B. New developments since first review

In the Philippines, a study conducted by Save the Children found that 11.3% of children reported that there had been violence occurring in the home, including children being hit or verbally abused. There was statistical significance between the number of weeks school was closed to that of reports of violence.² The Philippine National Police (PNP) reported a total of 11,015 cases of violence against children in March to December 2020.³ Despite efforts by the Philippine Congress, an Anti-Corporal Punishment Bill was vetoed by former President Rodrigo Duterte in February 2019, a day before it lapsed into law.

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C. Recommendations

- Pass an Anti-corporal Punishment/Positive Discipline Law and enact local ordinances that promote positive parenting, prohibit the use of corporal punishment, allocate sufficient resources, and conduct capacity building for duty bearers, parents, and service providers.
- Intensify the implementation of education and awareness-raising campaigns to promote positive discipline in all settings among parents and caregivers, service providers, children, and the general public.

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iii. *Protecting Children from Discrimination*

A. Follow-up to the first review

The Philippines accepted the recommendation to carry on efforts towards protection of children, such as indigenous populations (Tunisia), and to strengthen policies to promote gender equality and eliminate discrimination (Brunei Darussalam). The recommendation to speed up process of a non-discrimination law was only noted (Georgia). These accepted recommendations were partially implemented.

B. New developments since first review

Children of diverse SOGIE (sexual orientation, gender identity, and gender expression) experience verbal harassment, neglect, and sexual assault often perpetuated by parents, siblings, or other relatives⁴. These go unreported as children do not know where to report or fear retaliation from perpetrators. In a study conducted by CSC-CRC in 2021, children

² Save the Children, "Protect a Generation: The impact of COVID-19 on children's lives," published 08 September 2020, <https://reliefweb.int/report/world/protect-generation-impact-covid-19-childrens-lives>

³ Report on the implementation of Republic Act No. 11494 or the Bayanihan to Recover as One Act, 04 January 2021, <https://www.officialgazette.gov.ph/downloads/2020/12dec/20210104-Report-on-the-Implementation-of-Republic-Act-No-11494-or-the-Bayanihan-to-Recover-as-One-Act.pdf>.

⁴ VAC Experiences of Self-Identified Children of Diverse SOGIE during the COVID-19 Pandemic. Civil Society Coalition on the UN Convention on the Rights of the Child, 2021

of diverse SOGIE experienced corporal punishment, forced physical restraint, physical neglect, and psychological neglect during the pandemic. They were also victims of online or cyber violence, discrimination, and verbal aggression. During the imposition of COVID-19 travel and mobility restrictions in March 2020, police and local officials targeted vulnerable populations, including people with diverse SOGIE and children, and in some cases used public humiliation and cruel treatment.⁵

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C. Recommendations

- Pass a comprehensive law to address SOGIE-based discrimination and gender-based violence which mandates extensive awareness-raising and sensitization programs and creates redress mechanisms for cases of discrimination in both public and private institutions.
- Implement the Safe Spaces Act (Republic Act 11313) in different settings, both offline and online, at the national and local levels. ▪ Ensure participation of children of diverse SOGIE and other marginalized children in discussions of government plans so that they may speak for themselves and influence the development of more non-discriminatory and inclusive policies and programs

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Thank you for your attention.

⁵ ABS-CBN News, "Detention, misgendering, sexual violence: The case of Pride 20," ABS-CBN News website, published 30 June 2021, <https://news.abs-cbn.com/news/06/30/21/pride-month-2021-lgbtq>.