

Online sexual exploitation of children

By **Atty. Lorna Patajo-Kapunan** - March 11, 2018



AN increasing number of cases involving the online sexual exploitation of children (Osec) was recently uncovered by the International Justice Mission (IJM) Philippines.

Exploiting children as young as three months old, perpetrators of online sexual exploitation produce illicit photographs, pornographic videos and customer-directed live sex shows for customers residing overseas. These customer-criminals are active in directing the abuse perpetrated on the young children. This crime is spreading as more and more people gain access to the Internet. The Philippines will require a coordinated strategy that centers on a strong justice system response to confront this new crime.

Atty. Jill Angeline R. Te, IJM special counsel for Legal Intervention (Manila Field Office) brought to my attention some matters worth highlighting about Osec:

“The usual setting is that the perpetrator/facilitator [supply side] are the parents/relatives of the children. The demand side, on the other hand, usually constitutes of foreigners from different countries [the United States, Australia, etc.] In many instances, what begins as transmission of explicit photos then develops to transmission of videos, holding of live shows where the children are forced to comply with the foreigner’s requests real time, and eventually the foreigners then make plans to personally come to the Philippines to meet with the children for in-person abuse.”

“Many factors lead to the proliferation of Osec, such as affordable prepaid Internet access, increasing accessibility of money transfer agencies [this is how the foreigners pay the perpetrators/facilitators], and the affordability of gadgets that allow for the execution of Osec.”

“The relationship of the victims to the perpetrators commonly presents problems for prosecution, as it is difficult for the victims to testify against their parents/relatives. Aside from the issues surrounding prosecution of Osec, the restoration of the victims is also a huge concern as Osec victims are usually very young and it usually takes years for the children to recover from the trauma caused by the abuse.”

A report on the IJM supported Osec operations as of October 2017 showed 68 rescue operations, 246 victims rescued, 109 suspects arrested and 20 perpetrators convicted.

“About 86 of victims rescued from online sexual exploitation are minors, making this a staggering humanitarian issue and problem for the Philippine Law enforcement. In 2014 the Department of Justice received 1,000 cybertip reports each month. In the first four months of 2015, these referrals doubled to more than 2,000. In IJM’s 68 cases from 2011 to October 1, 2017, IJM helped rescue 246 victims of Osec. Over half [52 percent] of these victims were in their pre-teens, the youngest of these was a two-month old baby girl,” according to Samson Inocencio Jr., national director, IJM Philippines.

There are sufficient laws intended to protect our children from sexual exploitation. We have:

- Republic Act (RA) 9775—Anti-Child Pornography Act of 2009;
- RA 10175—Cybercrime Prevention Act of 2012;
- RA 7610—Special Protection of Children Against Abuse, Exploitation and Discrimination Act; and
- RA 9208 as amended by RA 10364 —Expanded Anti-Trafficking in Persons Act of 2012.

But these laws are inutile in the face of the glaring issue of poverty, which forces parents/families to prostitute, traffic and sexually exploit their own children. IJM wants to build and mainstream the idea that “ending poverty requires the end of violence. The end of violence requires functioning justice systems especially for poor communities.”

“Eliminating Osec is a matter of life and death for Filipino children,” said Evelyn Pingul, director of IJM Communications. One of the Osec survivors was thinking before she was rescued, “I want to die.”

This child who was wishing for death is just one of thousands who are being violently abused and traumatized within the confines of their own homes, even their own family. Instead of being embraced in the warmth of safety and love, the pain and horror of Osec is their every day reality (Kalayaan Newsletter, Issue 32, November 2017).

Cassie (not her real name) was 12 years old when she was tricked into following a family friend 800 miles from her home to Manila. Instead of getting a good education and better life, Cassie was trapped in the center of an Osec racket. For nearly five years Cassie and several others—including a 2-year-old—were subject to horrific abuse in front of a webcam. The man who had promised her a brighter future instead profited from customers all around the world as they paid to view sexual abuse and violence streamed online.

“I used to always tell myself that they can hurt me...but my dream, they cannot get that,” Cassie said.

IJM helped the Philippine authorities to pinpoint Cassie’s location and rescue her and the others. The man who facilitated the exploitation for so many years is now standing trial. Cassie is safe today. She lives in an aftercare home and meets regularly with her IJM social worker, making plans to reach her dreams. (Kalayaan, Newsletter, *ibid*).

I laud IJM Philippines and their partner non-governmental organizations and civil-society organization in elevating the fight against Osec to a national concern.

Legislation is in place. There is no need for further legislative inquiry. What we need is political will of our leaders and the cooperation of our whole justice system. Sexual exploiters of children must be arrested, prosecuted and jailed. More so, if they are parents/relatives of these children-victims.

“No child should ever have to wish for death.”

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