



Philippines

- Population: 100.1 million
- GDP per capita (in US dollars): 2,872
- Republic - Presidential regime
- Human development index (HDI): 0.668 (115th rank among 187 countries)
- Gender inequality index (GII): 0.420 (89th rank among 147 countries)
- Corruption Perceptions Index (CPI): Score of 35 on a scale from 0 (highly corrupt) to 100 (very clean)
- Member of the Association of Southeast Asian Nations since 1967.
- No official national statistics on prostitution. However, 800,000 prostitutes are calculated to be working within the country, of which 60,000 – 75,000 are children (*Fondation Scelles*, 2012).
- Prostitution is illegal: Article 202(5) of the Philippines Penal Code defines prostitution as a form of begging, or a kind of delinquency. Human trafficking is punishable by 6 years to life in prison and a fine up to 112,000 US\$ (103,443 €) can be imposed (*U.S. Department of State*, 2015).
- In 2014 there were 53 sentences for sex trafficking, an increase from 31 in 2013. Most of the sentences were punishments of life imprisonment (*U.S. Department of State*, 2015).
- Since September 2013 guerilla fighting in the south of the country has displaced 19,855 people, many of whom have resorted to prostitution to survive.
- A high level of sex tourism is found within the country. There are clients of domestic origin, but also from New Zealand, America, Europe, Japan, South Korea, Taiwan and Singapore.
- A country of origin, and to a lesser extent, a destination and transit country for human trafficking.
- Destination of domestic victims: the Middle East, Malaysia, Japan, Lebanon, Jordan.

In 2015, the Philippines remain a hot spot of sexual exploitation. The causes of vulnerability, which often lead to exploitation, have not only failed to be addressed and reduced, but are in fact experiencing a unique longevity in this part of the world. Indeed, poverty, an endemic problem in the Philippines, have gotten worse over the last few years,

while several other countries in South East Asia (Vietnam, Thailand or Indonesia for example) are starting to gradually remedy this instability.

Corruption remains a serious problem for the country, which ranked 85th out of 175 countries surveyed by the NGO Transparency International in 2014. In 2013, some members of the Philippine Consulate were implicated in a sex scandal. They had abused and forced immigrants, who they were supposed to have been protecting, into prostitution (*RFI*, June 20th, 2013).

Political Instability and Natural Disasters: Aggravating a Breeding Ground for Sexual Exploitation.

From the 9th September 2013 onwards, 200-300 members of the Front Moro de Libération national (FMLN) opposed the negotiations occurring between the Philippine government and the *Front Moro Islamique de Liberation* (FMIL), who according to them marginalizes their movement. As a result, they launched an attack in the Zamboanga region. Since then the fighting between the guerrilla and the government's forces resulted in displacement of the southern population towards the rest of the country, weakening populations that are already particularly vulnerable. In February 2015, it was calculated that 19,855 people have been displaced. Numerous cases of prostitution have been recorded amongst the refugees even in the centers welcoming them, in the portaloos or in the 'brothel tents'. This is forced prostitution since the victims recur to it when they are unable to meet their most basic needs (food and medicine). The number of cases of sexual violence in the centers is also horrifying; children from 2 to 12 years old have tested positive for sexual transmitted diseases like gonorrhoea, syphilis, and Chlamydia (*The Inquirer Mindanao*, April 3rd, 2014). The Human Rights Commission has noted a strong increase in the trafficking of women, men, and children, who are sometimes drugged, among displaced populations. It also notes that this involves increasingly younger victims. Mis-management of displaced persons by the administration resulted in the removal of various people from lists of those displaced. This has doomed them to homelessness and, without access to evacuation centers, they turn to prostitution (*The Inquirer Mindanao*, February 25th, 2015). On the 8th November 2013, hurricane Haiyan Yolanda ravaged the centre of the Philippines, causing the deaths of more than 6,000 people and leaving thousands of children to fend for themselves. These children became easy prey for the traffickers, and numerous officials in Philippine civil society have rapidly denounced their entry into sexual exploitation (*Libération*, January 13th, 2014). Typhoon Hagupi in late 2014 – early 2015 caused widespread damage, accentuating that done by the previous super storms.

Growing Use of Technology in Sexual Exploitation

The country, and more broadly the whole of the South East Asian region, has for decades been a primary destination for sex tourism. There is an important and constant demand in this region, which is a factor explaining the multiplicity of modes of sexual exploitation that include cybersex abuse and part time or full time prostitution. Sex trafficking networks in the Philippines are mainly regional. It is the country of origin, transit and destination for the

victims of trafficking. As has been reported in our previous World Reports on sexual exploitation, its neighboring countries constitute the principal stop-offs for trafficking. Domestic trafficking is also highly developed, from the Mindanao region to the city regions like Cebu and Manila (*Ngozi Ezeilo*, 2013). Young girls are commonly recruited by their relatives or acquaintances. Young, provincial girls are particularly prone to vulnerability (child abuse, abuse by family members, poverty...). Many cities in the Philippines, like Manila, Cebu, or the Zambalusta region, are home to all forms of prostitution that has been well established for decades (*Fondation Scelles*, 2013). Whole streets in Manila, such as the infamous *Burgos*, have been overtaken by prostitution. Prostitution in the Philippines can be the occasional rural person coming to the city for a few days to alleviate their personal poverty and malnutrition. It can also be continuous, carried out in *casas* (private brothels), massage parlors, bars, hotels, karaoke bars, clubs where women wear numbers... Procuring is also very well established, through *mamasangs* and the touts who run the streets. Young women, mostly teenagers with false birth certificates to hide the fact that they are minors, are sold to foreign customers (from the USA, Australia, New Zealand, Europe, Japan, Korea, Taiwan, Singapore). A 67-year old Japanese man was prosecuted for having paid for 12,000 prostitutes over a period of 27 years travelling to the Philippines (*Le Figaro/AFP*, April 8th, 2015).

Child Prostitution

In Manila, there is a global market for child trafficking, and approximately 1.5 million children live on the streets. One of the causes of vulnerability underlined by the Children's Rights Committee (CRC) in 2013 was the birth registration rate. In some regions, the number of unregistered children is still very high – up to 95% for example, in Mindanao.. Well-known sex tourism destinations for pedophiles are Sabang Purto Galera, Cebu, Angeles and Pasay. However, recently Cebu has had an increase in child prostitution and pedophile sex tourism. The CRC estimates that in 2013 60,000 to 75,000 children were exploited in the sex industry in the Philippines (*Children's Rights Committee*, June 26th, 2013).

Cybersex

In February 2015, EUROPOL provided a report that emphasized the massive development and success of “*live distant child abuse*” (LDCA) (*Bangkok Post*, February 24th, 2015), already noticed in recent years (*Ngozi Ezeilo* 2013). By this method, predatory pedophiles abuse, or encourage the abuse of a child while filming it, and let other pedophiles watch along online through streaming. This can be free, or paid for. A joint operation between the UK's national crime agency, the Australian Federal Police, the US Immigration Service and the Philippine National Police has dismantled a pedophile ring that used LDCA on Filipino children aged 6-15, sometimes with the parents' complicity. The network of people who paid for access to the streaming feed extended over at least twelve countries. 29 people, including 11 in the Philippines, were arrested. Three ongoing investigations have led to 733 more suspects being identified (*European Financial Coalition against Commercial Sexual Exploitation of Children Online*, February 2015). The investigation has so far identified financial transactions reaching 37,500 GBP (53,411 US\$/49,331 €) alone for this one ring.

According to Europol, this practice is particularly developed in the areas that are the most remote (barangays).

Alarming Increase in HIV Infections/AIDS

The Philippines boasts a low prevalence rate of HIV/AIDS, with less than 0.1% of the population being affected. However, in recent years, the country has experienced a considerable increase in the number of prostitutes infected with the virus, particularly in regions like Cebu (*Manila Bulletin*, February 4th, 2015). According to the UNAIDS survey report in 2013, the prevalence of HIV/AIDS among prostitutes is relatively high for illegal or occasional prostitution. The rate of people with HIV/AIDS among women working in leisure centers is estimated at 0.07%, while the rate is 1.03% among women working clandestinely. As a comparison, in 2005, the percentage of prostitutes with HIV/AIDS in Cebu was 0.2%. These recent figures would rank the Philippines somewhere in the middle of the countries with a high rate of HIV/AIDS, but the overall infection rate in the country remains mostly controlled, despite the alarming fact that some studies show that the number of new cases has risen from an average of 16 per month in 2001 to 5-6 per day. The Department of Social Welfare and Development (DSWD), directs trafficking victims infected with sexually transmitted disease to specialized centers (*Manila Bulletin*, January 23rd, 2015).

Greater Clampdown on Commercial Sexual Exploitation

The legislative crackdown on sexual exploitation in the Philippines was strengthened in the early 2000s. The Philippines is one of the states that ratified the supplementary Protocol at the United Nations Convention against Transnational Organized Crime, which aimed to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, in 2000. The country has put the ensuing obligations into effect, through adopting the Anti-Trafficking in Persons Act in 2003 (RA 9208), modified in 2012 by the Expanded Anti-Trafficking in Person Act (RA 10364). The latter extends the definition of trafficking to cover a wider range of situations, and today corresponds completely to the Protocol's definition. A recent decision in the Supreme Court has reinforced the definition by clearly stating that the consent of a child trafficking victim is irrelevant both to the offense and the guilt of the trafficker (*Manila Bulletin*, January 24th, 2015).

The Philippine government's efforts to fight against trafficking have been visibly apparent over the last few years, as demonstrated by the ranking and rating of countries in the fight against this crime. The 2014 U.S. Department of State Report on Trafficking in Persons ranks the Philippines in Tier 2. The 2014 *Global Slavery Index* places the country as 1st in Asia, 3rd in the Asia-Pacific, and 29th out of 167 countries in the world in terms of government programs and efforts, focusing in particular on the effectiveness of legal sanctions against trafficking. The number of convictions for trafficking in 2005-10 was 29, while from 2010 to February 2015 there were 194 (*Manila Bulletin*, February 6th, 2015). 8 trafficking convictions were handed down in 5 months (*IACAT*, June 8th, 2014).

The first conviction for attempted human trafficking was also given by the Philippine justice system in December 2014 (*IACAT*, January 17th, 2014). A 2010 Supreme Court

circular expedited the processing of trafficking cases by setting a six-month limit (*U.S. Department of State*, 2014).

Prostitution is illegal in the Philippines and punishable under Article 202 of the Penal Code. Prostitutes face a fine of 200 to 2 000 PHP (4,20 à 42 US\$/3,87 à 38,7 €) and a minimum penalty of prison for subsequent offenses.

The Philippine government made sex tourism illegal in the 1990s, in part to improve its image as a global beacon for sex tourism. The Philippines now has huge legal power as far as trafficking is concerned, which allows them to try non-citizens for sexual offenses committed in the territory.

The Shortcomings of the Legal Framework for the Sexual Exploitation of Minors

As a result of 60,000-75,000 children having been exploited in the sex industry in the Philippines, the CRC raised many concerns in late 2013. It deemed the minimum age of sexual consent, currently at 12, to be too young, as it increases the children's vulnerability to prostitution and pornography (*Committee for the Rights of the Child*, June 26th, 2013). The CRC also stressed that the law prohibits sexual intercourse with a minor under 18. But a sexual act committed against a minor under 12 is considered rape, while the same act committed against a minor aged 12 - 18 is considered sexual abuse. There is no law that specifically concerns sex tourism implying children. However, pedophile sex tourists are prosecuted under the Anti Child Abuse Law (RA 7610) the Anti-Child Pornography Law (RA9775) and the Anti-Trafficking in Persons Act of 203 (RA9208). These laws present a certain number of presumptions that facilitate the apprehension of suspected traffickers and abusers. For example, if a child is found alone, in an enclosed space, in the company of someone who is not their parent, it leads to the reasonable conclusion that the child is about to be sexually exploited or abused, and that that person can be held responsible for child prostitution. Also, any person in a public place accompanied by a minor (12 years) or a child ten years younger than them can be considered to have committed sexual abuse (*Cebu Daily News*, July 2nd, 2013).

The penalty for aggravated procuring is particularly severe – up to a life sentence for the procuring of minors (*IACAT*, June 8th, 2014). Under the provision of the Anti Child Abuse Act, anyone taking advantage of or benefitting from, as a manager or owner of a facility that caters for prostitution activities (a sauna, club, bar, leisure centre, resort, hotel) can be held responsible for sexual exploitation of minors and given a prison sentence and a fine of at least 50,000 PHP (1,047 US\$/966,50 €). Similarly, the manager or owner will lose the right to his or her license to own the property when someone brings a child into such a place. These provisions criminalize the activity of hotel procuring.

The effectiveness of the fight against child prostitution remains an uphill struggle, since, from 2010-13, only 11 child prostitution cases were filed in the Prosecutor's Office (*IACAT*, June 8th, 2014).

Expanding Initiatives in the Fight Against Sexual Exploitation

The Philippines is equipped with many organizations and institutions whose missions are devoted exclusively to the fight against human trafficking. The Inter-Agency Council Against Trafficking (IACAT) encourages prosecutors to pay special attention to trafficking cases. There has also been an increase in the number of teams directly managed by the Department of Justice throughout the country (17 teams, including 24/7 operation centers), supervised by a national secretariat (*Manila Bulletin*, February 6th, 2015). In 2015 the IACAT forged a partnership with Norway to strengthen its fight against trafficking (*IACAT*, March 27th, 2014). The agreement involves a huge amount of cooperation, including the investigation and prosecution of trafficking, sexual abuse of children, production, import, export, distribution, sale and possession of child pornography, images, and for pedophile sex tourism. The Philippine Commission on Women (PCW) also takes action against sexual exploitation, and in recent years has campaigned against the criminalization of prostitutes. At the end of 2013, various programs and actions have been implemented, including the National Policy for Child Protection, launched in 2012; a National Awareness Week for the prevention of abuse and sexual exploitation against children; the Program for a tourism that respects children.

In October 2011, a meeting of many government officials, academics, religious and civic personnel was held in Cebu to reaffirm their commitment to make the city a “zero child cyber-prostitution community” (*Cebu Daily News*, October 12th, 2014) and to coordinate their actions accordingly.

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