



**Republic of the Philippines**  
**Department of Social Welfare and Development**  
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Quezon City  
Telephone No. 931-8101 to 07

**Memorandum Circular**

Nö. 05

Series of 2006

**SUBJECT: DELINEATION OF RESPONSIBILITIES IN THE FIGHT AGAINST THE OCCURRENCE AND PROLIFERATION OF CYBER PORNOGRAPHY/ CYBER PROSTITUTION**

**INTRODUCTION**

Great advancements in technology were introduced to the world during the 21<sup>st</sup> century. Such advancements pushed forth easier, the production, storage and distribution of information and at the same time, brought in new forms of exploitation. In the late nineties, forms of entertainment known as cyber pornography and cyber prostitution emerged as offshoot phenomena of a fad known as sex chat. Cyber pornography is the prohibited or unlawful representation of the human body or human sexual behavior with the goal of sexual arousal over a new medium called the Internet. It may also refer to obscene and indecent live shows or interactive methods through the computer, the Internet and other electronic devices. Cyber prostitution, on the other hand, involves obscene and indecent acts evolving around virtual sexual stimulation and/or intercourse in exchange of money and/or profit. Accordingly, it became the favorite pastime of pedophiles from a number of countries.

The UN Convention on the Rights of the Child and Republic Act 7610 (*Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act*) provide for the protection of children from all forms of sexual exploitation and sexual abuse. Moreover, these laws enjoin states to undertake all appropriate national, bilateral and multilateral measures to prevent the inducement or coercion of a child to engage in any unlawful sexual activity, the exploitative use of children in prostitution or other unlawful sexual practices and the exploitative use of children in pornographic performances and materials. Provisions of Presidential Decree 603 (*Child and Youth Welfare Code*), Republic Act Numbers 9231 (*An Act Providing for the Elimination of the Worst Forms of Child Labor*), 9208 (*Anti-Trafficking of Persons Act of 2003*) and 9262 (*Anti-Violence Against Women and Their Children Act of 2004*) further

underscored the role of the state and civil society in the promotion of the welfare of children and women through the provision of programs and services essential to their development.

## **RATIONALE**

According to a UNICEF-funded study entitled "*Child Pornography in the Philippines*", the occurrence of child pornography and prostitution is mainly due to poverty though other factors such as public tolerance of prostitution and pornography, sex tourism, availability of advanced information and communication technology, lack of stringent laws against child pornography and inefficient prosecution of perpetrators add up to its propagation.

The Department of Social Welfare and Development, with its mission to protect and assist the vulnerable sectors, came up with this policy to delineate its major units' responsibilities alongside the occurrence and proliferation of cyber pornography and cyber prostitution. It aims to mitigate the impacts of factors that facilitate the occurrence and proliferation of both phenomena until such time that a bill has been enacted to curb cyber pornography and cyber prostitution.

## **DEFINITION OF TERM/S:**

**Cyber pornography:** prohibited or unlawful representation of the human body or human sexual behavior with the goal of sexual arousal, which constitutes obscenity and indecency over a new medium, called the Internet.

It also refers to live shows or interactive methods through the computer, the Internet and other electronic devices that serve no other purpose but to satisfy the market for lust or pornography.

**Cyber prostitution:** obscene and indecent acts evolving around *virtual sexual stimulation and/or intercourse* in exchange of money and/or profit.

**Internet:** or simply the "Net", is the publicly accessible worldwide system of interconnected computer networks that transmit data. It carries various information and services such as electronic mail, online chat, interlinked web pages and other documents of the World Wide Web.

**World Wide Web:** an information space in which items of interest are identified. The term is often mistakenly used as a synonym for the Internet but the Web is actually a service that operates over the Internet.

## **OBJECTIVES**

### General Objective:

To decrease the impacts of factors that facilitate the occurrence and proliferation of cyber pornography and cyber prostitution until such time that a bill has been enacted to curb both phenomena.

### Specific Objectives:

1. To advocate for the enactment of a law against Internet-mediated pornography and prostitution.
2. To forge local inter-agency cooperation to combat Internet-mediated pornography and prostitution.
3. To continuously increase the awareness of basic sectors, intermediaries and stakeholders with regards to the occurrence and proliferation of Internet-mediated pornography and prostitution and how such violates human rights.
4. To expand and pilot test the provisions of the *Commercial Sexual Exploitation of Children Program* putting in place effective systems for the delivery, monitoring and evaluation of programs and services for the victims of commercial sexual exploitation.
5. To develop and strengthen the staff competencies in the management and delivery of programs and services.
6. To ensure available and accessible basic programs and services that will empower children, families and communities and other basic sectors.
7. To set standards for centers and institutions catering to victims of commercial sexual exploitation to ensure quality social welfare service delivery.

## **ACTIVITIES OF CONCERNED BUREAUS/SERVICES/UNITS**

### **Policy Development and Planning Bureau (Specific Objective #s 1, 2 & 6)**

#### Activities:

1. Prepare position papers and intensify lobbying activities for the passage of the Anti-Pornography Bill and other similar bills, which include provisions on cyber pornography/ cyber prostitution.
2. Conduct policy fora and round table discussions involving LGUs, GOs, NGOs and other national agencies and intermediaries.
3. Strengthen the efforts on resource mobilization in order to generate a broad-based support for programs aimed at reducing the number of children vulnerable to commercial sexual exploitation and nurturing an environment responsive to child rights.
4. Expand the SWD database by including in the existing reporting system i.e. Major Final Outputs (MFOs) indicators for the clientele category "victims of cyber pornography / cyber prostitution" and corresponding services provided to them.

### **Program Management Bureau (Specific Objective #s 4 & 6)**

#### Activities:

1. Review the Comprehensive Program for Sexually Abused and Exploited Children. If necessary, introduce enhancements in the program's coverage and other areas (e.g. program objectives, target beneficiaries, rationale etc.) based on Social Technology Bureau's pilot testing of the program.
2. Intensify promotion of poverty-alleviation projects through increased involvement from local and foreign agencies.
3. Monitor and provide technical assistance in the implementation of the program.
4. Conduct evaluation of the program to assess its effectiveness.

#### **Social Technology Bureau (Specific Objective # 4)**

##### Activities:

1. Coordinate with the Program Management Bureau and undertake pilot testing of the amended provisions of the Comprehensive Program for Sexually Abused and Exploited Children.
2. Develop manuals for program replication by the local government units and non-government organizations in their local context.

#### **Social Marketing Service (Specific Objective # 3)**

##### Activities:

1. Strengthen information and education campaign on the UN Convention on the Rights of the Child, Convention on the Elimination of All Forms of Discrimination Against Women, Republic Act Numbers 7610, 9208, 9262, 9231 by inclusion of such in primers, brochures and press releases, etc.
2. Information dissemination as to the available support mechanisms for victims of commercial sexual exploitation particularly in the centers/institutions where they could go or the available services/interventions for them.

#### **Standards and Regulations Bureau (Specific Objective # 7)**

##### Activities:

1. Revise existing standards and/or formulate new standards for centers and institutions catering to victims of commercial sexual exploitation.
2. Closely monitor program and service delivery of centers and institutions to ensure compliance to standards.

#### **Social Welfare Institutional Development Bureau (Specific Objective # 6)**

##### Activities:

1. Enhance staff, stakeholders' and intermediaries' competencies by providing opportunities for information sharing/reorientation/refresher

courses/seminars in managing cases of and providing psychosocial interventions for persons affected by cyber pornography / cyber prostitution.

2. Enhance organizational systems as a result of new functions of different units stated herein.

### **Management Information System Service**

#### Activities:

1. Develop a functional management information system (MIS) and information technology (IT) database on children needed in designing appropriate policies and programs.

2. Establish a control and monitoring system to prevent access of DSWD staff to cyber sex sites.

### **DSWD Field Offices** (Specific Objective #s 2, 3, 4, 5 & 6)

#### Activities:

1. Assess the needs of the rescued victims referred in the DSWD centers and provide the necessary rehabilitative interventions that will facilitate recovery and healing. Include livelihood components in all programs and projects for all sectors.

2. Strengthen information and education campaign on the UN Convention on the Rights of the Child, Convention on the Elimination of All Forms of Discrimination Against Women, Republic Act Numbers 7610, 9208, 9262, 9231 by inclusion of such in primers, brochures, press releases, etc.

3. Information dissemination as to the available support mechanisms for victims of commercial sexual exploitation particularly in the centers/institutions where they could go or the available services/interventions for them.

4. Enhance the competencies of LGU service providers by providing opportunities for information sharing / reorientation / refresher courses / seminars in managing community-based programs and services for persons affected by cyber pornography and cyber prostitution.

5. Encourage and mobilize local partners to incorporate anti-child pornography campaigns in their advocacy programs.

Implementation of activities shall commence in 2006 and shall continue until 2009. These are in line with the provisions of the DSWD Thrusts and Priorities for Calendar Year 2006 [Memorandum Circular Number 21, Series of 2005] signed by former OIC Secretary Luwalhati F. Pablo on August 17, 2005.

#### **MONITORING OF PLAN IMPLEMENTATION**

The concerned units shall submit their respective accomplishment reports to the Policy Development and Planning Bureau (PDPB) every semester. PDPB shall endorse copies of the consolidated report to the members of the Executive Committee for discussion and/or policy decisions.

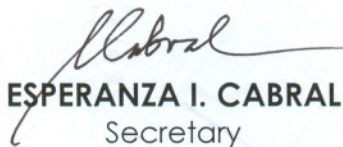
#### **COVERAGE**

This circular shall apply to all concerned bureaus/services/field offices/units cited.

#### **EFFECTIVITY**

This circular shall take effect immediately.

Issued in Quezon City this 8<sup>th</sup> day of March 2006.

  
**ESPERANZA I. CABRAL**  
Secretary