



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 64
Series of 2023

AN ORDINANCE PROHIBITING ACTS OF ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN (OSAEC) AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (CSAEM) IN PASIG CITY WITH CORRESPONDING PENALTIES, THEREAFTER PROVIDING A SUPPORTIVE ENVIRONMENT FOR THE SURVIVORS, AND PROVIDING FUNDS THEREFOR.

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WHEREAS, Section 3, Article XV of the 1987 Philippine Constitution provides that "the State shall defend the rights of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development";

WHEREAS, Republic Act No. 7610 or the "Special Protection of Children Against Abuse, Exploitation and Discrimination Act" provides that it is hereby declared to be the policy of the State to provide special protection to children from all forms of abuse, neglect, cruelty exploitation and discrimination and other conditions, prejudicial their development; provide sanctions for their commission and carry out a program for prevention and deterrence of and crisis intervention in situations of child abuse, exploitation, and discrimination;

WHEREAS, Republic Act No. 11930 or the "Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act" declared it to be the policy of the State to provide special protections to children from all forms of sexual violence, abuse, and exploitation especially those committed with the use of Information and Communications Technology (ICT), provide sanctions for their commission and carry out programs for the prevention, deterrence, and intervention in all situations of online sexual abuse and exploitation of children in the digital and non-digital production, distribution or possession of child sexual abuse or exploitation material;

WHEREAS, Republic Act No. 9208 or the "Anti-Trafficking in Persons Act of 2003" as amended by the Republic Act No. 10364 or the Expanded Anti-Trafficking Act of 2012, protects the child against online sexual exploitation by declaring unlawful recruitment by any means for the purpose of prostitution, pornography, sexual exploitation, or maintain or hire a person to engage in prostitution or pornography;





Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 64
Series of 2023

-page 2-

AN ORDINANCE PROHIBITING ACTS OF ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN (OSAEC) AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (CSAEM) IN PASIG CITY WITH CORRESPONDING PENALTIES, THEREAFTER PROVIDING A SUPPORTIVE ENVIRONMENT FOR THE SURVIVORS, AND PROVIDING FUNDS THEREFOR.

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WHEREAS, Republic Act No. 11862 or the "Expanded Anti-Trafficking Act of 2022" was signed into law by President Rodrigo Duterte on 23 June 2022 which provided for the definition of Online Sexual Abuse or Exploitation of Children (OSAEC) and Child Sexual Abuse and Exploitation Material (CSAEM) or Child Sexual Abuse Material (CSAM);

WHEREAS, Section 11 (i) of Republic Act No. 11862 specifically provides that LGUs shall be mandated to pass an Ordinance to combat trafficking in persons and other forms of exploitation at the local level; and develop and implement a trafficking in persons preventive education program aimed at educating and orienting the public about the crime and how it is perpetrated in current society, and the services available for victims and survivors;

WHEREAS, Section 33 of Republic Act No. 11930 or the "Anti Online Sexual Abuse or Exploitation of Children Law" provides that Local Governments shall pass an Ordinance to localize efforts against OSAEC and CSAEM, take into account local culture and norms, institutionalize community based initiatives that address OSAEC and CSAEM at the barangay level, establish OSAEC and CSAEM prevention programs that aims to educate families against OSAEC and CSAEM and provide a holistic local program for rehabilitation and reintegration under the local services welfare and development office including support and protection for victims and survivors;

WHEREAS, the City Government of Pasig has been demonstrating and continues to demonstrate exemplary child-friendly governance;

WHEREAS, the internet has been a positive catalyst for innovation, education, and economic growth, however, it has also enabled those who would harm children by making it easier for them to produce, access, and share sexual abuse materials; to find like-minded offenders; and reduce their risk of detection;

WHEREAS, as connectivity expands, and with 59% of Filipino children connecting to the internet without supervision¹, so too do sexual crimes, exploitations, and abuses committed against children where online tools and/or services are used;

WHEREAS, the Philippine Kids Online Survey found that 90% of Filipino children can access the internet whenever they want or need to, and 59% connect to the internet without supervision. It also revealed that 2 in 10 children are vulnerable to be victims of child online sexual abuse and exploitation;

¹Philippine Kids Online Survey.

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Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 64
Series of 2023

-page 3-

AN ORDINANCE PROHIBITING ACTS OF ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN (OSAEC) AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (CSAEM) IN PASIG CITY WITH CORRESPONDING PENALTIES, THEREAFTER PROVIDING A SUPPORTIVE ENVIRONMENT FOR THE SURVIVORS, AND PROVIDING FUNDS THEREFOR.

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WHEREAS, in 2018 alone, 600,000 sexualized photos of Filipino children were bartered and traded, making the Philippines as one of the top global sources of child sex abuse materials;

WHEREAS, in 2018, the Department of Justice Office of Cybercrime received 579,006 cyber tips for the online sharing, re-sharing, and selling of child sexual abuse images and videos;

WHEREAS, in 2019, 418,422 cyber tips were recorded, but in 2020, it has seen a 260% increase since the start of the lockdown;

WHEREAS, it will enhance local governance and strengthen child protection if survivors are capacitated for leadership development, advocacy, and participation;

WHEREAS, the adoption of stronger legislative measures in support of online safety of children in the City of Pasig will pave the way for the protection and development of the child.

NOW, THEREFORE, be it ordained, as it is hereby ordained, by the Sangguniang Panlungsod of Pasig City, in session duly assembled, that:

Section 1. Short Title – This Ordinance shall be known as the “An Ordinance Prohibiting Online Sexual Abuse or Exploitation of Children (OSAEC) and Child Sexual Abuse or Exploitation Materials (CSAEM) in Pasig City” or “Anti-OSAEC Ordinance.”

Section 2. Scope and Application – This Ordinance covers all households, internet and allied business establishments, private business establishments, government agencies, and their facilities within the territorial jurisdiction of Pasig City.

Section 3. Declaration of Policy – The City Government of Pasig hereby declares as policy that:

- a. Each child is protected against the ill-effects of and the dangers of unsafe internet use and prevent online abuse and sexual exploitation;
- b. Families, parents, guardians, and their children are educated and well-informed about positive parenting, specifically, guiding their children on the use and the adoption of internet or online-offline safety behaviors;





Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 64
Series of 2023

-page 4-

AN ORDINANCE PROHIBITING ACTS OF ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN (OSAEC) AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (CSAEM) IN PASIG CITY WITH CORRESPONDING PENALTIES, THEREAFTER PROVIDING A SUPPORTIVE ENVIRONMENT FOR THE SURVIVORS, AND PROVIDING FUNDS THEREFOR.

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- c. Persons in government offices and other public and private institutions are educated on OSAEC and CSAEM as it evolves and how to respond to technology-based trafficking in persons and are capacitated to respond according to their mandates;
 - d. Online businesses and other allied services/enterprises, such as, but not limited to, data providers, money transfers, IT equipment providers, and internet installers are compliant to existing laws and its provisions in ensuring online safety.

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Section 4. Definition of Terms – For the purposes of this Ordinance, the following terms and phrases shall mean:

- a. **“Child”** refers to a person below eighteen (18) years of age or those over but are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation, or discrimination because of physical, mental, intellectual, or sensory disability or condition. A child shall also refer to:
 - i. person regardless of age who is presented, depicted or portrayed as a child as defined herein; and
 - ii. computer-generated, digitally or manually crafted images, or graphics of a person who is represented or who is made to appear to be a child as defined herein.
- b. **“Child sexual abuse”** refers to any form of communication through any platform or format, or any physical interaction between a child and any person when the child is being used for any act or activity inducing sexual stimulation or for the purpose of sexual gratification or in pursuit of the desire to have carnal knowledge of the child, regardless of the gender of the perpetrator or the victim, or the consent of the victim.
- c. **“Child sexual exploitation”** refers to any of the following acts even if consent appears to have been granted by the child:
 - i. Child sexual abuse with consideration whether monetary or nonmonetary consideration, favor, or benefit in exchange for the opportunity to perform such abusive or exploitative act;
 - ii. Actual sexual intercourse with a child or children with or without consideration;
 - iii. Employing fraud, machination, undue influence, intimidation, threat, or deception by any person to commit sexual abuse or sexual intercourse with a child or children; or





Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 64
Series of 2023

-page 5-

AN ORDINANCE PROHIBITING ACTS OF ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN (OSAEC) AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (CSAEM) IN PASIG CITY WITH CORRESPONDING PENALTIES, THEREAFTER PROVIDING A SUPPORTIVE ENVIRONMENT FOR THE SURVIVORS, AND PROVIDING FUNDS THEREFOR.

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iv. Any other similar or analogous acts related to child abuse, cruelty, or exploitation or to be responsible for other conditions prejudicial to the development of the child.

d. **“Child Sexual Abuse or Exploitation Material (CSAEM) or Child Sexual Abuse Material (CSAM)”** refers to any representation, whether offline, or by, through or with the use of ICT, by means of visual, video, audio, written, or any combination thereof, by electronic, mechanical, digital, optical, magnetic, or any other means, of a child engaged or involved in real or simulated sexual activities, or depicting acts of sexual abuse or exploitation of a child as a sexual object. It shall also include materials that focus on the genitalia or other private body parts of a child. For purposes of this Ordinance, CSAEM may interchangeably be referred to as CSAM.

e. **“Grooming”** refers to predatory conduct, act, or pattern of acts, of establishing a relationship of trust, or emotional connection by another, with a child or someone who is believed to be a child, and/or the family, guardian, and/or caregivers, whether in person or via electronic and other similar devices, for the purpose of perpetrating sexual abuse or exploitation or the production of any form of CSAEM.

f. **“Internet address”** refers to a website, bulletin board service, internet chat room or news group, or any other internet or shared network protocol address.

g. **“Internet café or kiosk”** refers to an establishment that offers or proposes to offer services to the public for the use of its computer/s or computer system for the purposes of accessing the internet, computer games, or related services.

h. **“Internet content host”** refers to a person who hosts or who proposes to host internet content in the Philippines.

i. **“Internet and Communications Technology Service Provider (ICT SP)”** is a person or entity that captures, transmits, or displays or any combination thereof of voice, image, text or data and information electronically for the recording, processing, monitoring or transmission of voice or data, image or text, or any communication thereof for use in data processing, transmission, duplication, text processing, document reproduction or transmission, record-keeping or retrieval, broadcasting or transmission for entertainment, or information purposes of voice, image, or text, or any combination thereof and the provision of services relating to these.

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Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 64
Series of 2023

-page 6-

AN ORDINANCE PROHIBITING ACTS OF ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN (OSAEC) AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (CSAEM) IN PASIG CITY WITH CORRESPONDING PENALTIES, THEREAFTER PROVIDING A SUPPORTIVE ENVIRONMENT FOR THE SURVIVORS, AND PROVIDING FUNDS THEREFOR.

- j. **“Live Streaming of Child Sexual Abuse”** refers when there is a transmission of a child sexual abuse to a viewer/s in real time through “streaming” over the internet. Abuse video is transmitted instantaneously to the viewer, who can watch, engage, and even direct abuse while it is occurring. This can take both commercial and non-commercial forms.²
- k. **“Luring”** refers to the act of communicating, by means of a computer system, with a child or someone who the offender believes to be a child for the purpose of facilitating the commission of sexual activity or production of any form of CSAEM.
- l. **“NCC-OSAEC-CSAEM”** refers to the National Coordination Center against OSAEC and CSAEM under the Inter-Agency Council Against Trafficking (IACAT) created under Section 30 of Republic Act No. 11930.
- m. **“Online Sexual Abuse or Exploitation of Children (OSAEC)”** refers to the usage of digital or analog communication and ICT as means to abuse and exploit children sexually, which includes cases in which contact child abuse or exploitation offline is combined with an online component. This can also include the production, dissemination, and possession of CSAEM or CSAM; online grooming of children for sexual purposes; sexual extortion of children; sharing image-based sexual abuse; commercial sexual exploitation of children; exploitation of children through online prostitution; and live-streaming of sexual abuse, with or without the consent of the victim. *Provided, That* OSAEC may be used interchangeably with online child sexual exploitation or abuse (OCSEA).
- n. **“Pandering”** refers to the act of offering, advertising, promoting, representing, or distributing through any means any material or purported material that is intended to cause another to believe that the material or purported material contains any form of child pornography, regardless of the actual content of the material or purported material.
- o. **“Sexual abuse or exploitation material”** refers to any online or offline representation, whether visual, audio, or written combination thereof, by electronic, mechanical, digital, optical, magnetic, or any other means, of a child engaged or involved in real or simulated explicit sexual activities.

²ECPAT Luxembourg/ECPAT International. (2016). Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse.





Republic of the Philippines
SANGGUNIANG PANGLUNGSOD
City Government of Pasig

Ordinance No. 64
Series of 2023

-page 7-

AN ORDINANCE PROHIBITING ACTS OF ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN (OSAEC) AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (CSAEM) IN PASIG CITY WITH CORRESPONDING PENALTIES, THEREAFTER PROVIDING A SUPPORTIVE ENVIRONMENT FOR THE SURVIVORS, AND PROVIDING FUNDS THEREFOR.

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In the online platform, sexual abuse, or exploitation material shall include visual, or audio, or written materials, or a combination thereof which is distributed via email, text message, instant messaging, chat rooms, peer-to-peer file sharing networks, social media platforms, and unencrypted and encrypted communication apps or traded on password-protected sites, bulletin boards, and forums.

- p. **“Streaming”** refers to a technology that consists of playing data before the entire file has been transmitted, sending the information directly to the computer or device of the recipient (via a webcam, audio interface, etc.) without any need to save the file onto a hard disk (although streaming material can also be recorded and saved to a file). Unless the content is deliberately recorded, it is available only on the occasion and leaves no trace on the device once it has been viewed.
- q. **“Trafficking in Persons”** refers to the recruitment, transportation, transfer, harboring, or receipt of persons, by means of the threat, or use of force, or other forms of coercion, abduction, of fraud, of deception, of the abuse of power, or of a position of vulnerability, or of the giving, or receiving of payments, or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.
- r. **“Videotaped In-Depth Interview (VIDI)”** refers to a video recorded inquiry or proceeding conducted by duly trained members of a multidisciplinary team, or representatives of law enforcement, or child protective services for the purpose of determining whether child abuse has been committed.
- s. **“Trauma-Informed Care”** refers to an organizational structure and treatment framework that involves understanding, recognizing, and responding to the effects of all types of trauma and seeking to employ practices that do not traumatize or re-traumatize.
- t. **“Network of Care”** refers to a Trauma-Informed Network of Government and Private Facilities and Service providers within a region, offering Programs and Services for OSAEC Survivors and their Families with a protocol that facilitates efficient and effective communication, coordination, and collaboration in service delivery.

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Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 64
Series of 2023

-page 8-

AN ORDINANCE PROHIBITING ACTS OF ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN (OSAEC) AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (CSAEM) IN PASIG CITY WITH CORRESPONDING PENALTIES, THEREAFTER PROVIDING A SUPPORTIVE ENVIRONMENT FOR THE SURVIVORS, AND PROVIDING FUNDS THEREFOR.

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- u. **"Foster Care"** refers to the provision of planned temporary substitute parental care to a child by a foster parent.
 - i. **"Foster Child"** refers to a child placed under foster care.
 - ii. **"Foster Family Care License"** refers to the document issued by the DSWD authorizing the foster parent to provide foster care.
 - iii. **"Foster Parent"** refers to a person, duly licensed by the DSWD, to provide foster care.
- v. **"Kinship Care"** refers to the full-time care of a child by a relative or another member of the extended family.
- w. **"Survivor Network"** refers to an all-inclusive program for members in the Philippines from different case types of violence like child sexual abuse, commercial sexual exploitation, and online sexual exploitation of children, who desire and pursue safe communities through justice systems that protect the most vulnerable.
- x. **"Local Survivor Group"** refers to a group of survivors in a specific region who have come together for a cause and to support one another. These groups may be affiliated with International Justice Mission, IJM partners, or others.
- y. **"Survivor Leadership"** refers to the program in which survivors are engaged as leaders who can shape programs or projects through their direct contribution, and survivors are impacting and leading the movement against violence and slavery. Survivors are individuals with experience and expertise to offer. Survivors can use their experience and expertise in a leadership capacity to empower and work with fellow survivors and the community.

Section 5. Prohibited Acts – The following are considered acts of online sexual abuse or exploitation of children and it shall be unlawful for any person to commit any of the following acts:

- a. Online child sexual abuse material - accessing, possessing, producing, and/or distributing images and/or videos of child sexual abuse;
- b. Grooming of children for sexual purposes – developing a relationship with a child to enable their sexual abuse and/or exploitation, either online or offline;
- c. Live-streaming sexual abuse of children – using online video applications to view, and sometimes interact with the sexual abuse of children live;

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Ordinance No. 64
Series of 2023

-page 9-

AN ORDINANCE PROHIBITING ACTS OF ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN (OSAEC) AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (CSAEM) IN PASIG CITY WITH CORRESPONDING PENALTIES, THEREAFTER PROVIDING A SUPPORTIVE ENVIRONMENT FOR THE SURVIVORS, AND PROVIDING FUNDS THEREFOR.

- d. Sextortion - coercing and blackmailing children for sexual purposes, or producing and/or utilizing sexual images and/or videos depicting a child, for the purposes of sexual, financial, or other personal gains; or
- e. Other unlawful or prohibited acts as provided under the Republic Act No. 11862 or the "Expanded Anti-Trafficking in Persons Act of 2022", and Republic Act No. 11930 or the "Anti Online Abuse and Exploitation of Children Law."

Section 6. Responsibility of Mall Owners/Operators and Owners or Lessors of all Business Establishments – All mall owners/operators and owners or lessors of the business establishments shall notify the Philippine National Police - Pasig City (PNP - Pasig City), the National Bureau of Investigation (NBI), and the Inter-Agency Council Against Trafficking (IACAT) National Coordination Center against OSAEC and CSAEM (NCC-OSAEC-CSAEM) within 24 hours from obtaining facts and circumstances that child sexual abuse or exploitation is being committed in their premises; *Provided*, that public display of any form of child sexual abuse or exploitation within their premises is a conclusive presumption of the knowledge of the mall owners/operators and owners or lessors of other business establishments of the violations of this Act; *Provided further*, that a disputable presumption of knowledge by mall owners/operators and owners or lessors of other business establishments should know or reasonably know that a violation of this Ordinance is being committed in their premises.

Photo developers, information and communication technology professionals, credit card companies, internet content hosts, and banks, and any person who has direct knowledge of any form of child sexual abuse or exploitation activities shall have the duty to report any suspected child sexual abuse or exploitation materials or transactions to the proper authorities within 24 hours from discovery thereof.

Any willful and intentional violation of this provision shall be subject to the penalty provided under Section 21 of this Ordinance.

Section 7. Authority to Regulate Internet Café or Kiosk – The Local Government Unit of Pasig City, wherein an internet cafe or kiosk is located, shall have the authority to monitor and regulate the establishment and operation of an internet cafe or kiosk and the same, or similar establishments under its jurisdiction in order to prevent a violation of the provision of this Ordinance and to ensure that they are complying with their responsibilities as provided in Section 113 of the Implementing Rules and Regulations of Republic Act No. 11930.

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Ordinance No. 64
Series of 2023

-page 10-

AN ORDINANCE PROHIBITING ACTS OF ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN (OSAEC) AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (CSAEM) IN PASIG CITY WITH CORRESPONDING PENALTIES, THEREAFTER PROVIDING A SUPPORTIVE ENVIRONMENT FOR THE SURVIVORS, AND PROVIDING FUNDS THEREFOR.

All internet cafés and kiosks, as well as money remittance centers, should undergo a Seminar or Orientation on Online Sexual Exploitation and Abuse of Children (OSAEC) as a post-requirement to the issuance of a business permit, regardless of the kind of application whether it is new or for renewal. Upon the discretion of the Pasig City Business Permit and Licensing Department (BPLD), the said establishments may be issued a provisional license prior to the completion of the aforementioned OSAEC seminars.

Section 8. Mandatory Services to Victims of Child Sexual Abuse or Exploitation and Child Sexual Abuse or Exploitation Materials – The Pasig City Social Welfare and Development Office (CSWDO) will be the primary implementing office for this Ordinance and shall ensure that the child who is a victim of any form of child sexual abuse or exploitation is provided appropriate care, custody, and support for their recovery and reintegration in accordance with existing laws.

The child and his family shall be entitled to protection as well as to the rights and benefits of witnesses under Republic Act No.6981, otherwise known as The Witness Protection, Security and Benefit Act.

To ensure recovery, rehabilitation, and reintegration into the mainstream of society, concerned government agencies and the barangays shall make available the following services to child victim-survivors and their families, when applicable:

- a. Emergency shelter or appropriate housing;
- b. Alternative family-based care like foster care and Kinship Care;
- c. Counseling, in person or online;
- d. Free legal services, which shall include information about the child victim survivor's rights and the procedure for filing of complaints, claims for compensation, and such other legal remedies available to them in a language understood by the child;
- e. Medical or psychological services, which shall include referrals to the appropriate agencies and institutions for such services;
- f. Mental health and psychosocial support services, and access to free psychosocial health lines;
- g. Livelihood and skills training;
- h. Educational assistance, which shall include opportunities in the educational mainstream through the basic education and non-formal education curricula;
- i. Parenting support services;
- j. After-care services;
- k. Alternative parental care services; and
- l. Support services to survivor empowerment, leadership development, advocacy, and participation.

Ordinance No. 64
Series of 2023

-page 11-

AN ORDINANCE PROHIBITING ACTS OF ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN (OSAEC) AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (CSAEM) IN PASIG CITY WITH CORRESPONDING PENALTIES, THEREAFTER PROVIDING A SUPPORTIVE ENVIRONMENT FOR THE SURVIVORS, AND PROVIDING FUNDS THEREFOR.

Sustained supervision and follow-through mechanisms that will track the progress of recovery, rehabilitation, and reintegration of the child victim-survivors shall be adopted and carried out.

Section 9. Committee and Composition – There is hereby established a Committee Against Online Sexual Abuse or Exploitation of Children which will be integrated as a sub-committee under the Pasig City Council for the Protection of Children. It shall be composed of the following:

- a. Chairpersons of the Committee on Children's Affairs, Committee on Social Services, Committee on Gender and Development, Sangguniang Panlungsod or their duly designated representatives, as Co-Chairpersons;
- b. City Social Welfare and Development Officer, as Member;
- c. Chairperson of the Committee on Youth and Sports Development, Sangguniang Panlungsod or her duly designated representative, as Member;
- d. Local Youth Development Officer, as Member;
- e. City Health Officer, as Member;
- f. City Chief, Philippine National Police - Pasig City, as Member;
- g. Representative from a child rights non-government organization, as Member;
- h. Representative from the City Legal Office, as Member;
- i. Representative from the City Prosecutor's Office, as Member;
- j. President of the Liga ng Mga Barangay, as Member;
- k. Representative from the Church or Inter-Faith Communities; and
- l. Local Survivor Network Representative

The Chairpersons shall convene the Sub-Committee within two (2) months from the effectivity of this Ordinance. The Sub-Committee shall meet whenever the Pasig City Council for the Protection of Children is convened or as often as necessary in the performance of their functions. The Sub-Committee may also be integrated with the functions of existing councils with interlinked issues.

Section 10. Functions of the Sub-Committee – The Sub-Committee shall have the following responsibilities and the same shall be integrated and form part of the existing responsibilities of the Pasig City Council for the Protection of Children.

- a. Monitor and regulate the establishment and operation of internet cafés and kiosks or similar establishments in order to prevent violations of the Ordinance;
- b. Monitor and document cases of OSAEC and CSAEM in their areas of jurisdiction, through the CSWDO, and ensure the regular submission of reports to the DSWD Field Offices;

Ordinance No. 64
Series of 2023

-page 12-

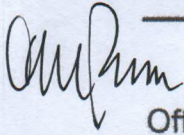
AN ORDINANCE PROHIBITING ACTS OF ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN (OSAEC) AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (CSAEM) IN PASIG CITY WITH CORRESPONDING PENALTIES, THEREAFTER PROVIDING A SUPPORTIVE ENVIRONMENT FOR THE SURVIVORS, AND PROVIDING FUNDS THEREFOR.

- c. Report to the Pasig City Council for the Protection of Children regularly regarding the development of OSAEC and CSAEM cases in Pasig City;
- d. Undertake education and information campaigns and capacity building to prevent and suppress OSAEC and CSAEM;
- e. Establish and support community-based initiatives and prevention programs that aim to educate families against OSAEC and CSAEM;
- f. Provide basic social services for the prevention, rescue, recovery, rehabilitation, and reintegration under the CSWDO, including after care support services to child victim survivors;
- g. Assist and refer families of child victim-survivors for local employment, whether private or public, through the Public Employment Service Office (PESO), in coordination with the Department of Labor and Employment (DOLE), as part of the reintegration programs of the government;
- h. Ensure the participation of the Sangguniang Kabataan (SK), and the allocation of sufficient funds from the SK funds and resources for the initiatives against OSAEC and CSAEM at the barangay level;
- i. Strengthen, activate, and mobilize existing child-focused committees, councils, similar organization in the city and barangay level to prevent and suppress OSAEC and CSAEM;
- j. Assist and support in the filing of cases; and
- k. Coordinate with, refer, and endorse to the DSWD and/or other relevant agencies of government all cases of OSAEC and CSAEM depending on the child victim survivor's needs.
- l. Coordinate with local agencies and non-government organizations to immediately respond and address the issues and problems attendant to OSAEC and CSAEM;
- m. Develop mechanisms to ensure timely, coordinated, and effective response to cases of OSAEC and CSAEM;
- n. Recommend the cancellation of licenses of establishment, which violate the provisions of this ordinance and ensure its effective prosecution;
- o. Conduct random ocular checks, through the Pasig CSWD, on establishments or facilities, including, but not limited to, remittance centers, internet café or kiosks, motels, hotels, and the like, that are suspected to have ongoing OSAEC and CSAEM operations;
- p. Recommend the utilization of funds appropriated under this Ordinance to the City Budget Office;
- q. Conduct information campaign-capacity building;
- r. Establish international linkages and develop proper foreign coordination; and
- s. Exercise all the powers and perform such other functions necessary to attain the purpose and objectives of this Ordinance.

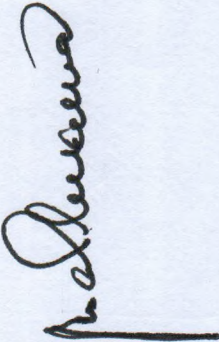

Ordinance No. 64
Series of 2023

-page 13-

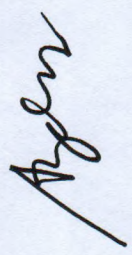
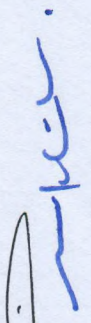
AN ORDINANCE PROHIBITING ACTS OF ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN (OSAEC) AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (CSAEM) IN PASIG CITY WITH CORRESPONDING PENALTIES, THEREAFTER PROVIDING A SUPPORTIVE ENVIRONMENT FOR THE SURVIVORS, AND PROVIDING FUNDS THEREFOR.

 **Section 11. Secretariat** – The Pasig City Social Welfare and Development Office shall serve as the Secretariat of the Sub-Committee and for this purpose shall assign a permanent/detailed social worker, particularly assigned to OSAEC concerns, to perform the following functions:

- a. Facilitate the regular and special meetings of the Sub-Committee once a month or as may be necessary in the performance of its mandate under this Ordinance;
- b. Receive communication, concerns, and complaints, and coordinate with the Sub-Committee members or pertinent local agencies to address the same;
- c. Coordinate with agencies in the performance of the Sub-Committee's functions;
- d. Coordinate with the Regional Network of Care for technical assistance and services responsive to the needs of OSAEC survivors and their non-offending families;
- e. Consolidate and submit regular reports to the Sub-Committee in relation to its functions; and
- f. Perform such other functions as the Sub-Committee will assign.


 **Section 12. Programs for Victims of Child Sexual Abuse or Exploitation** – The Sub Committee shall, in consultation with children and child victim-survivors, develop, enhance, supplement, and implement the necessary programs that will prevent any form of OSAEC and CSAEM, as well as protect, heal, and reintegrate the child victim survivors into the mainstream of society. Such programs shall include the:

- a. Provision of mandatory services including counseling, free legal services, medical or psychological services, livelihood and skills training, and educational assistance to the child pursuant to Section 8 of this Ordinance;
- b. Establishment of a data collection system for monitoring and evaluating the programs on any form of child sexual abuse or exploitation and other acts covered by the law;
- c. Provision of necessary technical and material support services to appropriate government agencies and non-governmental organizations (e.g., mostly financial support for training, needs of multi-disciplinary team, and network of care);
- d. Sponsorship of conferences and seminars to provide venue for consensus building amongst the public, the academe, government, non-governmental, and international organizations including the regional network of care;



Ordinance No. 64
Series of 2023

-page 14-

AN ORDINANCE PROHIBITING ACTS OF ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN (OSAEC) AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (CSAEM) IN PASIG CITY WITH CORRESPONDING PENALTIES, THEREAFTER PROVIDING A SUPPORTIVE ENVIRONMENT FOR THE SURVIVORS, AND PROVIDING FUNDS THEREFOR.

- e. Promotion of e-learning modules, information and education campaigns on OSAEC, CSAEM, and VAWC, including the safe and responsible use of the internet in relation to the violations of the Ordinance, to educate the public, including children;
- f. Institutionalization of the observance of the "Safer Internet Day for Children Philippines" pursuant to Presidential Proclamation No. 417, Series of 2018;
- g. Provision of programs developed for purposes of intervention and diversion, as well as rehabilitation of the child victim-survivor, for reintegration into the family of the child or community;
- h. Survivor empowerment, leadership development, advocacy, and participation; and
- i. Establishment of a survivor network and local survivor support group.

As assessed and recommended by the local social worker, the relevant programs mentioned above shall also be provided to immediate family members of the child victim-survivors only when they are not the offending party and that there is no indication of bias in favor of the perpetrator.

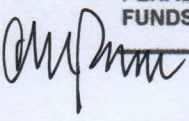
Section 13. Multi-disciplinary Case Management Procedure – In the handling and management of cases of child victim-survivors, the approach should be multi-disciplinary, and a multi-disciplinary case conference (MDCC) shall be conducted. The CSWDO shall be guided by the child-sensitive, gender-responsive, disability-inclusive, culture-sensitive, victim-centered, trauma-informed, safe, and multi-disciplinary case management manual for child victim-survivors of OSAEC and CSAEM developed by the NCC-OSAEC-CSAEM.

- a. **Multi-disciplinary Case Management** brings together more than two (2) groups of disciplines or professionals from different backgrounds and specializations and areas of expertise to organize and carry out work to address the holistic needs of the child survivor (and his/her family). It is a collaborative process of assessment, planning, implementation, and review. (e.g. law enforcers, social workers; and from the local and from the residential facility, psychologist, teachers, etc.)
- b. **Multi-disciplinary Case Conference (MDCC)** is a forum by which professionals having a major role in the handling of online child abuse and exploitation cases can share their professional knowledge, information, or concern on the child(ren). The case conference analyzes risks and recommends actions to be taken in relation to the welfare planning of the child(ren) and the family. All the information and discussions would be kept confidential.

Ordinance No. 64
Series of 2023

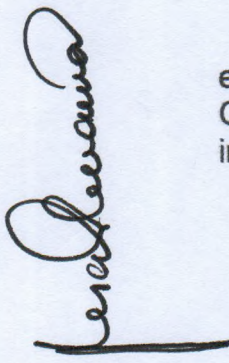
-page 15-


AN ORDINANCE PROHIBITING ACTS OF ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN (OSAEC) AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (CSAEM) IN PASIG CITY WITH CORRESPONDING PENALTIES, THEREAFTER PROVIDING A SUPPORTIVE ENVIRONMENT FOR THE SURVIVORS, AND PROVIDING FUNDS THEREFOR.


Section 14. Trainings – Regular trainings and seminars shall be held by the CSWDO, in partnership with Non-Governmental Organizations and/or other government agencies, to enable the members of the Sub Committee to function efficiently.

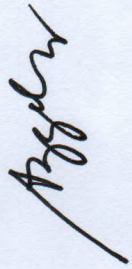
Similar trainings shall also be provided to the following for the purpose of equipping them with the necessary knowledge and skills to prevent and suppress OSAEC and CSAEM in their area of jurisdiction or to assist in the monitoring, investigation, and prosecution of cases of OSAEC and CSAEM:

- a. Law enforcement officials;
- b. Social workers;
- c. Teachers and parents;
- d. Business establishments including, but not limited to, remittance centers, internet café or kiosks, motels, hotels, and the like;
- e. Barangay based volunteer groups such as women and youth groups; and
- f. Other stakeholders.



Section 15. Child-Sensitive, Gender-Responsive, Disability-Inclusive, Culture Sensitive, Victim-Centered, Trauma-Informed Care for Frontliners – In partnership with medical authorities and educational institutions, a program for counseling and stress management shall be developed for social workers and other frontline OSAEC responders.


Section 16. Establishment of a Healthy and Child-Friendly Space – Through an ordinance, the Local Government Unit may establish a Local Child Protection and Response Center (LCPCR) that shall serve as a refuge for child victim-survivors in general. It shall provide for:

- a. Temporary shelter for abused children;
- b. Interview rooms; and
- c. Office for the Sub-Committee Against Online Sexual Abuse or Exploitation of Children and its Secretariat.


The LCPCR shall be provided with adequate personal and administrative staff to effectively serve the best interests of children.

The LCPCR shall also serve as an assessment center to address the gap in the provision of comprehensive and timely assessments for OSAEC survivor placement as the basis for other partners in the Network of Care to provide case management.





Republic of the Philippines
SANGGUNIANG PANGLUNGSOD
City Government of Pasig

Ordinance No. 64
Series of 2023

-page 16-

AN ORDINANCE PROHIBITING ACTS OF ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN (OSAEC) AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (CSAEM) IN PASIG CITY WITH CORRESPONDING PENALTIES, THEREAFTER PROVIDING A SUPPORTIVE ENVIRONMENT FOR THE SURVIVORS, AND PROVIDING FUNDS THEREFOR.

The primary role of assessment centers is to provide a safe and temporary home for newly rescued OSAEC survivors where they can receive specialized services and support for the start of their recovery.

The staff of the center is composed of a team of professionals (social worker, psychologist, counselor, medical doctor, and nurses) and paraprofessionals (house parents, security personnel, and administrative support staff) who provide critical care, specialized services, and comprehensive assessment to newly rescued OSAEC survivors. These staff members are expected to intentionally care for the children during their whole stay in the assessment center whilst employing child-sensitive, gender-responsive, disability-inclusive, culture-sensitive, victim-centered, trauma-informed care, and in a safe manner to support survivors in the recovery and development of attachment skills.

Concurrently, a case management team composed of the center social worker, psychologist, nurse, and medical doctor, alongside a law enforcement officer, and lawyer, are designated to complete an individualized assessment of the child and his/her family.

The critical assessments undertaken at the center include, but are not limited to: psychological assessment; medical assessment; psychosocial assessment; and family assessment. The comprehensive assessments of the child and his/her family are critical in determining the permanency plan for the child, be it reunification with relatives or reintegration through other avenues such as: foster care; independent living; or adoption.

Through this center, the process of transitioning a child to a permanent placement option is expected to be fast-tracked rather than extending the child's stay long-term inside the shelter.

In the absence of an LCPCR or its equivalent center, a specific room in the LGU shall be established in accordance with the requirements of a child-friendly space that shall serve the purpose of promoting the best interest of child victim-survivors.

Section 17. Video In-Depth Interview (VIDI) of the Child – To facilitate the proper assessment of the survivor and further support the prosecution of OSAEC and CSAEM cases, there should be established at least one (1) room specifically designed to conduct VIDI pursuant to Rule 28 and 29 of the Rules on the Examination of the Child Witness. Considering the requirements of a Child-Friendly Space, the room shall be adequately established with the proper personnel and equipment such as but not limited to one-way mirrors, cameras, and recorders.



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 64
Series of 2023

-page 17-

AN ORDINANCE PROHIBITING ACTS OF ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN (OSAEC) AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (CSAEM) IN PASIG CITY WITH CORRESPONDING PENALTIES, THEREAFTER PROVIDING A SUPPORTIVE ENVIRONMENT FOR THE SURVIVORS, AND PROVIDING FUNDS THEREFOR.

In the absence of an LCPCR or a fully equipped facility or room, the VID I may be conducted in the room assessed by the social worker to be fit for child interview pursuant to the requirements of a child-friendly space, with a VID I Mobile Kit.

There shall also be established a multi-disciplinary team (MDT) that shall conduct VID I on the child composed of the following: social worker, properly trained police officer/investigator, psychiatrist/psychologist/licensed physician. The MDT shall be adequately trained in conducting VID I to ensure that they have a child protective mindset and that evidence derived from the same will be admissible in Court.

Section 18. VID I Mobile Kit – The Local Police Station, CSWDO, and the LCPCR shall be provided with VID I Mobile Kits which shall be comprised of the following:

- a. Video Camera with Charger and Case;
- b. Tripod;
- c. Laptop with Charger and Case;
- d. Storage Media (SD Card and Flash Drives);
- e. Extension Cord; and
- f. Forms and Support Documents Folder
 - i. Informed Consent Form;
 - ii. Handling Log Sheet;
 - iii. Interview Guide and Script;
 - iv. Sample Joint Affidavit of Interviewer and Social Worker; and
 - v. Blank Acknowledgment Receipts.

Section 19. Local Anti-OSAEC and CSAEM Prevention and Awareness Programs – There shall be established a robust prevention and awareness program involving all sectors in the community to combat OSAEC and CSAEM. The City Government of Pasig shall declare a day in September as Anti-OSAEC and CSAEM Day to increase awareness against the crime and in line with the celebration of Family Month.

Section 20. Applicability of Other Relevant National Law and Legal Principles – The provisions of Republic Act No. 11862, Republic Act No. 11930, and other relevant laws shall be applied in cases pertinent to:

- a. duties of internet content host;
- b. confiscation and forfeiture of the proceeds, tools, and instruments used in child sexual abuse or exploitation; and
- c. duties of an Information and Communication Technology Service Provider (ICT SP).





Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 64
Series of 2023

-page 18-

AN ORDINANCE PROHIBITING ACTS OF ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN (OSAEC) AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (CSAEM) IN PASIG CITY WITH CORRESPONDING PENALTIES, THEREAFTER PROVIDING A SUPPORTIVE ENVIRONMENT FOR THE SURVIVORS, AND PROVIDING FUNDS THEREFOR.

More importantly, the confidentiality of all proceedings and the privacy of the child shall be given utmost protection pursuant to existing laws, rules, and regulations.

Section 21. Violations of the Ordinance – For violations of any of the provisions of this Ordinance, penalties shall be based on Republic Act No 11930 or the “Anti Online Sexual Abuse or Exploitation of Children Law.”

Business establishments found to have violated any of the provisions of this Ordinance shall be subjected to suspension, on its 1st and 2nd offense, or revocation of business permits, on its 3rd and succeeding offenses. Upon violation, an authorized representative of the business shall be mandated to undergo a Seminar or Orientation on Online Sexual Abuse or Exploitation of Children (OSAEC) and Child Sexual Abuse or Exploitation Material, regardless of the number of offenses.

This Ordinance shall not preclude the prosecution of a case under Republic Act No. 11930 or the Anti-OSAEC and Anti-CSAEM Law by the Department of Justice National Prosecution Office, which shall have control over whether to file an OSAEC Offense under this Ordinance or the Law. It should be noted, however, that Section 21 of Article III of the Philippine Constitution states that “if an act is punished by a law and an ordinance, conviction or acquittal under either shall constitute a bar to another prosecution for the same act.”

Section 22. Partnerships – Partnership with Non-governmental Organizations such as, but not limited to, the International Justice Mission, Civil Society Organizations, private enterprises/individuals, and/or other government agencies, such as, but not limited to, the Department of Justice is highly encouraged for the implementation of the Ordinance.

Section 23. Implementing Rules and Regulations – Within ninety (90) days after the effectivity of this Ordinance, the Pasig City CSWDO, the BPLD, the Office of the City Mayor (OCM), and such other relevant offices, shall formulate and issue the necessary rules and regulations for the implementation of this Ordinance.

Section 24. Funding – The funding for the implementation of this Ordinance shall be sourced from the annual budget of the City upon the discretion and as determined by the Local Chief Executive.

The funding, however, shall not be limited to the abovementioned source for so long as other sources may be available as permitted by law.





Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 64
Series of 2023

-page 19-

AN ORDINANCE PROHIBITING ACTS OF ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN (OSAEC) AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (CSAEM) IN PASIG CITY WITH CORRESPONDING PENALTIES, THEREAFTER PROVIDING A SUPPORTIVE ENVIRONMENT FOR THE SURVIVORS, AND PROVIDING FUNDS THEREFOR.

Section 25. Repealing Clause – The provisions of previous local enactments, resolutions, memoranda, circulars, and other issuances inconsistent with this Ordinance are hereby repealed or modified accordingly. All other existing legislative measures and executive orders are applied in harmony with this Ordinance.

Section 26. Separability Clause – Should any portion of this Ordinance be declared *ultra vires* or unconstitutional by competent authority, the remainder not so affected shall continue to be in full force and effect as it is susceptible to enforcement and application.

Section 27. Effectivity – This Ordinance shall take effect upon its approval, fifteen (15) days after its publication in a newspaper of general circulation and the posting at prominent places in the city hall for a minimum period of three (3) consecutive weeks.

APPROVED, this 13th day of **November 2023** at Pasig City.


HON. RAYMUND FRANCIS S. RUSTIA
City Councilor

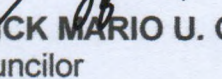

HON. CORAZON M. RAYMUNDO
City Councilor


HON. SIMON GERARD R. TANTOCO
City Councilor

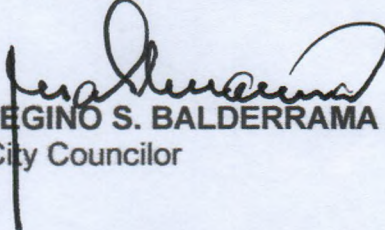

HON. SYVEL ASILO GUPILAN
City Councilor

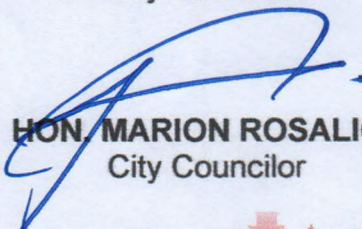

HON. PAUL ROMAN C. SANTIAGO
City Councilor


HON. NOEL L. AGUSTIN
City Councilor


HON. RODERICK MARIO U. GONZALES
City Councilor

HON. QUIN A. CRUZ
City Councilor


HON. REGINO S. BALDERRAMA
City Councilor


HON. MARION ROSALIO M. MARTIRES
City Councilor





Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 64
Series of 2023

-page 20-

AN ORDINANCE PROHIBITING ACTS OF ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN (OSAEC) AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (CSAEM) IN PASIG CITY WITH CORRESPONDING PENALTIES, THEREAFTER PROVIDING A SUPPORTIVE ENVIRONMENT FOR THE SURVIVORS, AND PROVIDING FUNDS THEREFOR.

Amfma

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HON. RIGOR J. ENRIQUEZ
LIGA President

HON. GEORGIA LYNNE P. CLEMENTE
SK Fed. President

HON. MARIA LUISA "ANGELU" M. DE LEON
City Councilor
Minority Floor Leader

HON. MARK GIL M. DELOS SANTOS
City Councilor
Majority Floor Leader

Attested by:

HON. ROBERT VINCENT JUDE B. JAWORSKI, JR.
City Vice-Mayor
Presiding Officer

APPROVED:

HON. VICTOR MA REGIS N. SOTTO
City Mayor

Attested by:

ATTY. NICOLO JOEL B. GUTIERREZ
Acting City Council Secretary