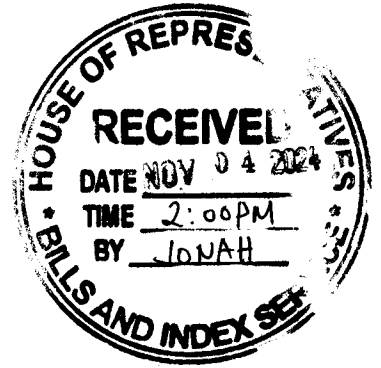




Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



Nineteenth Congress

Third Regular Session
House Resolution No. **2055**

Introduced by :

HON. MARISSA 'DEL MAR' MAGSINO
OFW PARTYLIST

A RESOLUTION

URGING THE APPROPRIATE COMMITTEES OF THE HOUSE OF REPRESENTATIVES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE REPORTED CASES OF FILIPINO WOMEN BEING ILLEGALLY RECRUITED AND TRAFFICKED ABROAD TO BECOME SURROGATE MOTHERS IN AN INFANT-TRAFFICKING SCHEME

WHEREAS, surrogacy is when a woman carries and delivers a child for the purpose that another individual or couple will be the intended parents and has become an increasingly common family-building option that offers a beacon of hope for people who are unable to carry a pregnancy on their own;

WHEREAS, the legality of women surrogacy varies widely from one country to another, reflecting diverse cultural, religious, and societal norms, where in some it is commercially legal and supported by comprehensive legislation, while in others, it is strictly prohibited or operates in a legal gray area;

WHEREAS, children born through surrogacy are at risk of multiple human rights violations – particularly against their right not to be sold, for any purpose or in any form, and exploited, as protected in the United Nations Convention on the Rights of the Child of 1990, to which the Philippines is a State Party;

WHEREAS, women surrogacy, whether or not disguised as a commercial transaction, and more so when engaged in an organized, deceptive and exploitative manner, is actually a form of human trafficking which impinges upon the

dignity of women and violates their right against sexual exploitation, as well as the children's right against commodification;

WHEREAS, Republic Act No. 10364, also known as the 'Expanded Anti-Trafficking in Persons Act', penalizes the recruitment, hiring, transportation of any person by any means, including those done under the pretext of domestic or overseas employment for the purpose of prostitution, pornography, or sexual exploitation;

WHEREAS, the same law also prohibits the adoption or reception of a child for purposes of exploitation or trading them, including but not limited to the act of baring and/or selling a child for any consideration or for barter for purposes of exploitation;

WHEREAS, there were recent reports of twenty (20) women Overseas Filipino Workers (OFWs) who were allegedly recruited online by a local agency supposedly to work in Thailand but ended up as victims of human trafficking and sexual exploitation through surrogacy by an infant-trafficking syndicate in Cambodia;

WHEREAS, thirteen (13) of them were found to be pregnant through artificial means and have been indicted with human trafficking-related charges by a Cambodian court, and the other seven (7), who were to undergo pregnancy by surrogacy but did not get pregnant, were considered immigration law violators subject to expulsion and deportation to the Philippines;

WHEREAS, surrogacy is illegal in Cambodia and the Philippine Embassy in Phnom Penh is exhausting all means and providing them assistance to facilitate their repatriation to the Philippines once cleared by Cambodian authorities, on a firm position that these women OFWs are not deliberate offenders of Cambodian laws, but are actually victims of child traffickers and illegal recruiters duped by the promise of a sham employment and pressured by poverty;

WHEREAS, the Department of Justice through the Inter-Agency Council Against Trafficking in Persons (IACAT) has been monitoring reports of vulnerable Filipino women who are being misled or coerced, and exploited as surrogate mothers abroad since October 2023;

WHEREAS, there is a need for the government to look deeper into the incident to determine gaps in current labor recruitment and migration, as well as anti-human and child trafficking policies and laws, and law enforcement

to prevent the emerging women surrogacy and child trafficking scheme in the country to protect women OFWs (and their children) from becoming victims of the nefarious ploy.

NOW THEREFORE, BE IT RESOLVED, to urge the appropriate committees of the House of Representatives to conduct an inquiry, in aid of legislation, into the reported cases of Filipino women being illegally recruited and trafficked abroad to become surrogate mothers in an infant-trafficking scheme, with the aim of curbing and preventing such unlawful activities, and to protect the rights and welfare of Filipino women (and their children to-be) aspiring to work overseas.

Adopted.



HON. MARISSA 'DEL MAR' MAGSINO