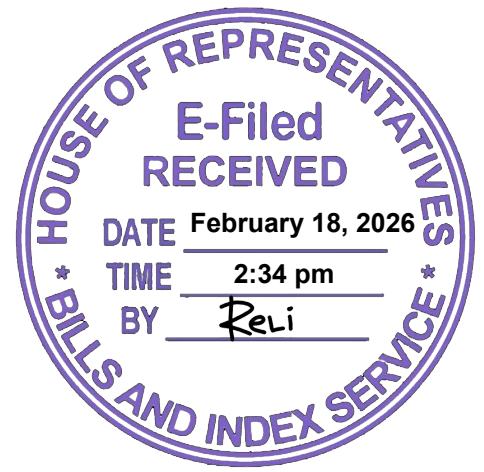


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 7858



Introduced by **Representative ERIC G. YAP**

EXPLANATORY NOTE

This bill seeks to strengthen the policies pursuant Republic Act No. 11930, otherwise known as the "*Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act*". Despite the enactment of Republic Act No. 11930 in 2022, the digital landscape has been continuously evolving with terrifying speed, outpacing existing legal frameworks.

A 2023 report from the Cybercrime Investigation and Coordinating Center (CICC) shows that the Philippines is ranked second (2nd) among the countries with the highest cases of OSAEC. Furthermore, the United Nations Children's Fund (UNICEF) data indicates that in 2022, two (2) out of ten (10), or approximately two million Filipino children have experienced online exploitation¹. Yet ninety seven percent (97%) of these cases remain unreported due to the paralyzing fear of being shamed, stigmatized, and becoming an invisible statistic.

The emergence of Generative Artificial Intelligence (AI) has created a new parameter for predators, where the likeness of an innocent child can be weaponized without a physical act ever taking place. This proposed measure ensures that any representation of a child engaged in sexual activity, whether captured by a camera or generated through AI, is punished under our penal statutes. It also protects children whose identifiable facial features are mapped onto synthetic content, granting them and their guardians the legal standing to seek justice against those who create, possess, or distribute these digital violations.

This bill imposes a heightened duty of care upon internet intermediaries, platforms, and payment service providers. These are now required to adopt safeguards to prevent and disrupt the flow of exploitation materials, extending penalties to those who manage the digital infrastructure hosting such content. It sends a clear message that nobody is exempt from the responsibility of protecting

¹ Anna Paras. UNICEF. (09 June 2025). *Children's rights consortium seeks sustained efforts against online sexual abuse*. <https://www.unicef.org/philippines/press-releases/childrens-rights-consortium-seeks-sustained-efforts-against-online-sexual-abuse>

the youth. It aligns with the government's efforts to create a digital environment where the internet serves as a bridge to children's dreams rather than a trap for their vulnerabilities, free from exploitation.

In view of the foregoing, the immediate passage of this bill is earnestly sought.



HON. ERIC G. YAP

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 7858

Introduced by **Representative ERIC G. YAP**

AN ACT

CRIMINALIZING THE CREATION, DISTRIBUTION, SALE, PUBLICATION, PROMOTION, AND POSSESSION OF VULGAR, PROVOCATIVE, SEXUALLY SUGGESTIVE EXPLOITATION MATERIALS WITH VISUAL DEPICTIONS OF CHILD SEXUAL ABUSE GENERATED THROUGH ARTIFICIAL INTELLIGENCE, OR ANY OTHER COMPUTER-GENERATED OR TECHNOLOGICAL MEANS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 11930, OTHERWISE KNOWN AS THE “ANTI-ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN (OSAEC) AND ANTI-CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (CSAEM) ACT”, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

Section 1. Section 2 of Republic Act (RA) No. 11930, otherwise known as the “*Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and the Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act*”, is hereby amended to read as follows:

“Section 2. *Declaration of Policy.* – x x x

“x x x

“(d) Comply with international treaties concerning the rights of children to which the Philippines is a signatory or a State party which include, but is not limited to, the United Nations (UN) Convention on the Rights of the Child, the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, the International Labour Organization (ILO) Convention No. 182 on the Elimination of the Worst Forms of Child Labour, and the Convention against Transnational Organized Crime;

(D) COMPLY AND ALIGN WITH INTERNATIONAL TREATIES AND CONVENTIONS CONCERNING CYBERCRIMES TO WHICH THE PHILIPPINES IS A SIGNATORY, INCLUDING, BUT NOT LIMITED TO, THE CONVENTION ON CYBERCRIME (BUDAPEST CONVENTION), UNITED NATIONS CONVENTION AGAINST CYBERCRIME AND THEIR APPLICABLE PROTOCOLS RECOGNIZING THAT OSAEC IS PRIMARILY A CYBERCRIME THAT TRANSCENDS BORDERS AND WHICH NECESSITATES TIMELY AND LAWFUL CROSS-BORDER COOPERATION AND SHARING OF INFORMATION;

“(E) Ensure the right of children to useful, meaningful and safe access to digital technologies that will provide knowledge and develop their understanding of civil, political, cultural, economic and social rights and help them achieve their potential to be empowered, responsible, law-abiding citizens, with the end in view of protecting them from any form of violence online; and

“(F) Provide paramount consideration to the interests of children in all actions affecting them, whether undertaken by public or private social welfare institutions, courts of law, executive agencies, law enforcement agencies, local government units (LGUs), legislative bodies, and private business enterprises especially those related to the online safety and protection of children[.];

“(G) RECOGNIZE THAT ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS ARE NOT ONLY VIOLATIONS OF CHILDREN’S RIGHTS BUT ALSO CONSTITUTE A SERIOUS THREAT TO NATIONAL SECURITY, SOCIAL COHESION, AND PUBLIC HEALTH, GIVEN THEIR LONG-TERM PSYCHOLOGICAL, EMOTIONAL, AND SOCIO-ECONOMIC IMPACT ON CHILDREN, FAMILIES, AND COMMUNITIES, AND THE TRANSNATIONAL, ORGANIZED, AND RECURRING NATURE OF THESE OFFENSES;

“(H) ENSURE THAT THE INTERNET INTERMEDIARIES, TECHNOLOGY PLATFORMS, PAYMENT SYSTEM PROVIDERS, LEARNING INSTITUTIONS, AND OTHER COVERED ENTITIES EXERCISE A HEIGHTENED DUTY OF CARE TOWARDS CHILDREN BY ADOPTING CHILD-PROTECTION STANDARDS, SAFETY-BY-DESIGN PRINCIPLES,

AGE-APPROPRIATE SAFEGUARDS, AND PROMPT MEASURES TO PREVENT, DETECT, REPORT, AND DISRUPT OSAEC AND CSAEM, WHILE ENABLING CHILDREN'S SAFE, MEANINGFUL, AND PRODUCTIVE USE OF DIGITAL TECHNOLOGIES;

"(I) INSTITUTIONALIZE A WHOLE-OF-GOVERNMENT AND WHOLE-OF-SOCIETY RESPONSE THROUGH A PERMANENT NATIONAL COORDINATION MECHANISM AGAINST OSAEC AND CSAEM, ENSURING CLEAR ROLES, EFFECTIVE INFORMATION-SHARING, JOINT OPERATIONS, AND DATA-INFORMED POLICYMAKING AMONG NATIONAL GOVERNMENT AGENCIES, LGUS, LAW ENFORCEMENT, PROSECUTION OFFICES, REGULATORS, CIVIL SOCIETY, THE PRIVATE SECTOR, AND INTERNATIONAL PARTNERS."

SEC. 2. Section 3 of the same Act is hereby amended to read as follows:

"SEC. 3. Definition of Terms. – As used in this Act:

"(A) ARTIFICIAL INTELLIGENCE (AI) REFERS TO A MACHINE-BASED OR ARTIFICIAL SYSTEM THAT CAN, FOR A GIVEN SET OF HUMAN-DEFINED OBJECTIVES OR INPUTS, GENERATE OUTPUT, MAKE PREDICTIONS, SOLVE PROBLEMS AND ACCOMPLISH TASKS REQUIRING HUMAN-LIKE PERCEPTION, COGNITION, PLANNING, LEARNING, COMMUNICATION, OR ACTION;

"([a] B) *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. For purposes of this Act, a child shall also refer to:

(1) A person regardless of age who is presented, depicted or portrayed as a child as defined herein; and

(2) 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) C) *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] D) *Child sexual abuse or exploitation material or child sexual abuse material (CSAEM/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, **INCLUDING IMAGES, VIDEOS, AND OTHER VISUAL CONTENT CREATED THROUGH THE USE OF SOFTWARE, MACHINE LEARNING, AI, OR ANY COMPUTER-GENERATED OR TECHNOLOGICAL MEANS WHICH MAY BE DEvised IN THE FUTURE** of a child **OR AN IDENTIFIABLE MINOR** 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.]

“CSAEM SHALL ALSO REFER TO IMAGES OR OTHER VISUAL CONTENT WHICH FOCUS ON THE GENITALIA OR OTHER PRIVATE BODY PARTS OF A CHILD OR AN IDENTIFIABLE MINOR SHOWS THEIR GENITALIA OR PRIVATE PARTS IN A VULGAR, PROVOCATIVE OR SEXUALLY SUGGESTIVE MANNER.

“For purposes of this Act, CSAEM may interchangeably be referred to as CSAM;

“([d] E) x x x

“([e] F) x x x

“([f] G) x x x

“([g] H) x x x

“([h] I) x x x

“([i] J) x x x

“([j] K) *[Image based sexual abuse (ISA)] IDENTIFIABLE MINOR* refers to a **PERSON** [form of technology-facilitated sexual violence. The term describes a pattern of behavior involving the noncensual creation, distribution, or threats to distribute nude or sexual images. It includes a diversity of behaviors including, but not limited to, “sextortion scams”, the

use of artificial intelligence to construct “deepfake” pornographic videos, threats to distribute photographs and videos; and the taking or sharing of sexual assault imagery;]:

(1) WHO IS THE SUBJECT OF A VISUAL DEPICTION OR IS SHOWN OR REPRESENTED THEREIN;

(2) WHO IS A MINOR AT THE TIME OF THE CREATION, PRODUCTION, PUBLICATION, OR DISTRIBUTION OF THE VISUAL DEPICTION; AND

(3) WHOSE FACE, LIKENESS, OR OTHER DISTINGUISHING CHARACTERISTIC, SUCH AS, BUT NOT LIMITED TO, A UNIQUE BIRTHMARK OR OTHER RECOGNIZABLE FACIAL OR BODY FEATURE, IS SHOWN OR REPRESENTED IN THE VISUAL DEPICTION;

“([k] L) x x x

“([l] M) x x x

“([m] N) x x x

“([n] O) x x x

“([o] P) x x x

“([p] Q) x x x

“([q] R) x x x

“([r] S) x x x

“([s] T) x x x

“([t] U) x x x

“([u] V) x x x

“([v] W) x x x

“([w] X) x x x

“([x] Y) x x x

“([y] Z) x x x

“([z] AA) x x x

“([aa] BB) x x x

“([bb] CC) x x x

“([cc] DD) SYNTHETIC MEDIA REFERS TO IMAGES, VIDEOS AND OTHER SIMILAR CONTENT CREATED THROUGH MATHEMATICAL MODELLING COMPUTATIONS OF COMPILED DATA, THROUGH THE MANIPULATION AND MODIFICATION OF DATA VIA AUTOMATED OR ARTIFICIAL MEANS, AS OPPOSED TO BEING CAPTURED BY A CAMERA, OR ANY OTHER INSTRUMENT OF THE LIKE.

“SYNTHETIC MEDIA IS CREATED THROUGH THE USE OF ARTIFICIAL INTELLIGENCE ALGORITHMS FOR THE PURPOSE OF PRODUCING AUTOMATED OR SYNTHETIC CONTENT. EXAMPLES OF SYNTHETIC MEDIA INCLUDE, BUT ARE NOT LIMITED TO, MEDIA CREATED BY GENERATIVE AI SYSTEMS AND BY APPLICATIONS USING GENERATIVE AI.

“FOR THE PURPOSE OF THIS ACT, SYNTHETIC MEDIA SHALL REFER TO ALL FORMS OF MEDIA CREATED THROUGH THE USE OF SOFTWARE, MACHINE LEARNING, ARTIFICIAL INTELLIGENCE, OR ANY COMPUTER-GENERATED OR TECHNOLOGICAL MEANS WHICH MAY BE DEvised IN THE FUTURE;

“([dd] EE) *Traffic data or non-content data* refers to any computer data other than the content of the communication including the origin, destination, route, time, date, size, duration, or type of communication of the underlying service; and

“(FF) *Web hosting provider* refers to a person that provides infrastructure for hosting, supplies web server space and internet connectivity that enables a user to post, upload, download, and share user-generated content, or a content provider who supplies content to the internet. It shall also refer to a person that provides specialized hosting services such as streaming services or application hosting, domain name registration services, or services that enable users to create and manage their websites.”

SEC. 3. Section 4 of the same Act is hereby amended to read as follows:

“SEC. 4. *Unlawful or Prohibited Acts.* – Regardless of the consent of the child, it shall be unlawful for any person to commit the following acts through online or offline means or a combination of both:

“x x x

“(d) To [knowingly] publish, transmit, [and] **OR broadcast, by any means, any form of CSAEM, OR AID THE PUBLICATION, TRANSMISSION OR BROADCASTING OF THE SAME;**

“x x x

“(n) To sexualize children by representing them as objects of sexual fantasy, or making them conversational subjects of sexual fantasies, in any online or digital platform, **OR IN ANY FORM OF MEDIA PUBLISHED DISTRIBUTED OR READILY ACCESSIBLE TO THE PUBLIC;**

“x x x

“(s) To willfully access any form of CSAEM; [and]

“(t) **TO CREATE, PRODUCE, OR MANUFACTURE ANY FORM OF CSAEM THROUGH THE USE OF SOFTWARE, MACHINE LEARNING, ARTIFICIAL INTELLIGENCE, OR ANY COMPUTER-GENERATED OR TECHNOLOGICAL MEANS WHICH MAY BE DEvised IN THE FUTURE;**

“(U) **TO DISTRIBUTE, AID IN THE DISTRIBUTION, OR AID IN THE PUBLICATION OF CSAEM CREATED THROUGH THE USE OF SOFTWARE, MACHINE LEARNING, ARTIFICIAL INTELLIGENCE, OR ANY COMPUTER-GENERATED OR TECHNOLOGICAL MEANS WHICH MAY BE DEvised IN THE FUTURE, SUCH AS, BUT NOT LIMITED TO SHARING VIA: ELECTRONIC MAIL, MESSAGING APPS, FILE-SHARING SERVICES, OR OTHER MEANS OF ONLINE OR OFFLINE COMMUNICATION;**

PROVIDED, THAT THE ACT OF SHARING OR REPOSTING ANY FORM OF CSAEM ON ONLINE PLATFORMS SHALL CONSTITUTE THE ACT OF DISTRIBUTING CSAEM;

“(V) **TO OFFER, SELL, ADVERTISE, PROMOTE, OR MAKE THE OFFER TO SELL, ADVERTISE, OR PROMOTE**

ANY FORM OF CSAEM CREATED THROUGH THE USE OF SOFTWARE, MACHINE LEARNING, ARTIFICIAL INTELLIGENCE, OR ANY COMPUTER-GENERATED OR TECHNOLOGICAL MEANS WHICH MAY BE DEvised IN THE FUTURE;

“(W) TO POSSES ANY FORM OF CSAEM CREATED THROUGH THE USE OF SOFTWARE, MACHINE LEARNING, ARTIFICIAL INTELLIGENCE, OR ANY COMPUTER-GENERATED OR TECHNOLOGICAL MEANS WHICH MAY BE DEvised IN THE FUTURE; AND

“(X) To conspire to commit any of the prohibited acts stated in this section:

“x x x.”

SEC. 4. Section 9 of the same Act is hereby amended to read as follows:

“SEC. 9. *Duties and Responsibilities of Private Sectors.* –

“(a) *Duties of Internet Intermediaries.* – Internet intermediaries shall:

“(1) Adopt in their terms of service or service agreements with third-party users or creators of contents, products and services the prohibition of any form or any conduct of streaming or live-streaming of OSAEC and **THE PUBLICATION OF CSAEM** in the use of their website, platform, server, or facility;

“x x x

“(3) Immediately block access to, remove or take down the internet address, uniform resource locator (URL), websites or any content thereof containing CSAEM or involving streaming or live-streaming of OSAEC, AND IMMEDIATELY BLOCK ACCESS TO, REMOVE OR TAKE DOWN THE USER ACCOUNT, USER PROFILE OR PAGE INVOLVING THE PUBLICATION AND DISTRIBUTION OF CSAEM within twenty-four (24) hours from receipt of notice from a competent authority or notice containing sufficient information to identify the content and its source:
x x x;

“x x x

“(5) x x x the subscriber’s or registration information and/or traffic data of any person who:

“x x x

“(iii) Conducted the streaming or live-streaming of child sexual exploitation[.]; **OR**

“(IV) OWNS OR MANAGES THE WEBSITE, USER ACCOUNT, USER PROFILE, OR PAGE INVOLVED IN THE PUBLICATION OR DISTRIBUTION OF CSAEM.

“x x x”

“x x x”

“x x x”

SEC. 5. Section 10 of the same Act is hereby amended to read as follows:

“SEC. 10. *Penalties.* – The following penalties shall be imposed on the following offenses:

“(a) Any person who violates Section 4, paragraphs (a), (b), (c), (d), (e), (f), (g), (h), (i) [and], (j), **(T), (U), (V)** of this Act shall suffer the penalty of life imprisonment and a fine of not less than Two million pesos (P2,000,000.00).

“x x x

“(f) Any person who violates Section 4, paragraph (r) **AND PARAGRAPH (W)** of this Act shall suffer the penalty of *reclusion temporal* and a fine of not less than Three hundred thousand pesos (P300,000.00).

“x x x”

SEC. 6. Section 24 of the same Act is hereby amended to read as follows:

“SEC. 24. *Who May File a Complaint.* – Complaints on cases of any form of child sexual abuse or exploitation **AS DEFINED AND** punishable under this Act may be filed by the following:

“(1) Offended party, **INCLUDING CHILDREN OR IDENTIFIABLE MINORS WHOSE FACE AND LIKENESS IS DEPICTED IN THE FORM OF SYNTHETIC MEDIA THAT IS SUBJECT OF THE COMPLAINT;**

“x x x

“(9) At least three (3) concerned responsible citizens residing in the place where the violation occurred; [or]

“(10) Any person who has personal knowledge of the circumstances of the commission of any offense under this Act[.]; **OR**

“(11) PERSON OF THE IDENTIFIABLE MINOR WHO IS THE SUBJECT OR WHO IS SHOWN OR REPRESENTED THEREIN IN THE CSAEM, OR WHOSE FACE AND LIKENESS IS DEPICTED IN THE FORM OF SYNTHETIC MEDIA THAT IS THE SUBJECT OF THE COMPLAINT.”

SEC. 7. *Implementing Rules and Regulations.* – The members of the Inter-Agency Council Against Trafficking (IACAT) shall develop and promulgate the necessary rules and regulations to effectively implement the provisions of this Act within sixty (60) days from its effectivity.

SEC. 8. *Suppletory Application of the Revised Penal Code.* – The Revised Penal Code shall be suppletorily applicable to this Act.

SEC. 9. *Separability Clause.* – If any provision of this Act is declared unconstitutional or invalid, other parts or provisions hereof not affected thereby shall continue to be in full force and effect.

SEC. 10. *Repealing Clause.* – All laws, executive orders, presidential decrees, presidential proclamations, letters of instruction, rules and regulations or part thereof which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 11. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,