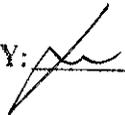


FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



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SENATE
P. S. R. No. 434

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

RESOLUTION
DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY,
IN AID OF LEGISLATION, ON THE CONTINUED PREVALENCE OF ONLINE CHILD
PORNOGRAPHY AND THE URGENT NEED FOR PROACTIVE ENFORCEMENT OF
EXISTING LAWS TO CURB THESE ABUSES

WHEREAS, the Constitution, Article 2, Section 13 provides: "The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being";

WHEREAS, Republic Act No. 9775 or the Anti-Child Pornography Act of 2009, Section 4 provides that it shall be unlawful for any person:

- (a) To hire, employ, use, persuade, induce or coerce a child to perform in the creation or production of any form of child pornography;
- (b) To produce, direct, manufacture or create any form of child pornography;
- (c) To publish offer, transmit, sell, distribute, broadcast, advertise, promote, export or import any form of child pornography;

WHEREAS, Republic Act No. 9231 or an Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Stronger Protection for the Working Child mandates: "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 to their development including child labor and its worst forms; 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, according to a 9 March 2011 article in the Inquirer.net, online child pornography is a real threat in Cebu with Cordova town in Mactan island having the highest incidence of sex trafficking of minors;

WHEREAS, online child pornography involves the use of the Internet, and video cameras while luring children to pose nude; it is reportedly becoming a trend in the province and the rest of the country;

WHEREAS, according to Atty. Noemi Truya-Abarientos, spokesperson of the Children's Legal Bureau (CBL), with the advent of technology, it is now easy to view naked children online and it is always done with the cooperation of local residents who get the victims;

WHEREAS, most of the suspects involved in human trafficking and child pornography are foreigners;

WHEREAS, it has been established by various studies that exposure to pornography can prompt kids to act out sexually against younger, smaller, and more vulnerable children;

WHEREAS, experts in the field of childhood sexual abuse report that any premature sexual activity in children always suggests two possible stimulants including experience and exposure which means that the sexually deviant child may have been molested or simply exposed to sexuality through pornography;

WHEREAS, the local government has enacted an ordinance requiring Internet cafés to install a firewall to prevent online users from accessing pornographic sites;

WHEREAS, it is imperative for the State and the local government to be proactive in the enforcement of these laws and ordinances in order to curb and ultimately eliminate online child pornography;

WHEREFORE, be it hereby resolved by the Philippine Senate, to direct the proper Senate Committee to conduct an inquiry, in aid of legislation, on the continued prevalence of online child pornography and the urgent need for proactive enforcement of existing laws to curb these abuses.

Adopted,

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
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