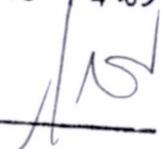


SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

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SENATE
P.S.R. No. 271

Introduced by Senator Francis N. Pangilinan

**RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO
CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE PROLIFERATION OF
MISINFORMATION AND FAKE NEWS SITES IN SOCIAL MEDIA PLATFORMS,
PARTICULARLY ON FACEBOOK**

WHEREAS, the State recognizes the vital role of communication and information in nation-building (*Article II, Section 24, 1987 Constitution*). Consistent therewith, it is the State's duty to provide an environment for the full development of Filipino capability and the emergence of communication structures suitable to the needs and aspirations of the nation and the balanced flow of information into, out of, and across the country, in accordance with the policy that respects the freedom of speech and of the press (*Article XVI, Section 10, id*);

WHEREAS, according to the recent *Statistica Report*, the Philippines has 59.2 million internet users as of 2016 and is projected to have 80.7 million internet users by 2021.¹ Based on a study, Filipino Facebook users are the most engaged voters in the Asia-Pacific region with 22 million Facebook users actively engaging in conversations with friends and family members about the 2016 Philippine elections;²

WHEREAS, Facebook is an online social media site where users register, create a personal profile or an open book of who they are, add other users as friends, exchange messages, and receive notifications when they update their profile.³ At present, Facebook reports 47 million active accounts in the Philippines and is considered the most popular and highly trafficked social networking site;⁴

WHEREAS, in the aftermath of the recent Philippine presidential election, criticisms have been leveled against Facebook and the role of social media in the proliferation of misinformation and fake news sites;

WHEREAS, the conversion of false stories into major news topics in this era of post-truth politics has become a problematic phenomenon not only in the Philippines, but also in other parts of the world. In the United States, fake news on Facebook were reported to have outperformed real news during the final weeks of the United States election campaign, which purportedly affected the outcome of the 2016 presidential election.⁵ In Germany, the Bundestag floor leader of the country's ruling Social Democrats (SPD) has announced the party's intention to present legislation that will

¹ Available at <https://www.statista.com/statistics/221179/internet-users-philippines/>. Retrieved on 17 January 2017.

² Available at <http://www.rappler.com/nation/politics/elections/2016/132423-filipino-facebook-users-engagement>. Retrieved on 17 January 2017.

³ *Disini v. Secretary of Justice*, G.R. No. 203335, 11 February 2014.

⁴ Lee, Rainie, et al. *Coming and Going on Facebook*, Pew Research Center (Feb. 5, 2013).

⁵ Available at <https://www.theguardian.com/technology/2016/nov/29/facebook-fake-news-problem-experts-pitch-ideas-algorithms>. Retrieved on 17 January 2017.

empower the government to fine Facebook 500,000 euros (\$522,575) for every problematic post that does not vanish within 24 hours;⁶

WHEREAS, the propagation of fake news stories have become an effective weapon of several political operatives to influence public opinion and national discourse. As a result, the level and quality of public discourse have suffered. Discerning the truth from the lies have become more difficult everyday as manipulation of information and blatant fabrication of stories have become increasingly rampant;

WHEREAS, in this digital age, Facebook and other social media platforms play a crucial role in the practice of democracy. More than being an online platform, Facebook may be described as a de facto media company or publisher that should be responsible and accountable for the content it distributes and allows to be distributed, in order to protect the national discourse from fabricated and false news;

WHEREAS, there is a need to look at the systems that protect the freedoms accorded to all Filipinos by our Constitution especially where those freedoms are being undermined by a surge in social media abuse through the propagation of falsehoods, defamation, character assassination and national security threats. It is therefore in the interest of the State to protect the integrity of cyberspace so that it will become a tool for development, and not a tool for sowing dissent and virulent tribalism;

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, by the Senate of the Philippines, to direct the appropriate Senate committee, to conduct an inquiry in aid of legislation, on the proliferation of misinformation and fake news sites in social media platforms, particularly Facebook, to determine the necessity of amending Republic Act (R.A.) 10175, otherwise known as "The Cybercrime Prevention Act of 2012" and other pertinent laws, and possibly penalize these social media platforms in order to provide an environment that enables the balanced flow of information into, out of, and across the country, in accordance with the policy that respects the freedom of speech and of the press.

Adopted,


FRANCIS N. PANGILINAN
Senator

⁶ Available at <http://indianexpress.com/article/technology/tech-news-technology/germany-to-fine-facebook-500000-euros-over-fake-posts-4434184/>. Retrieved on 17 January 2017.