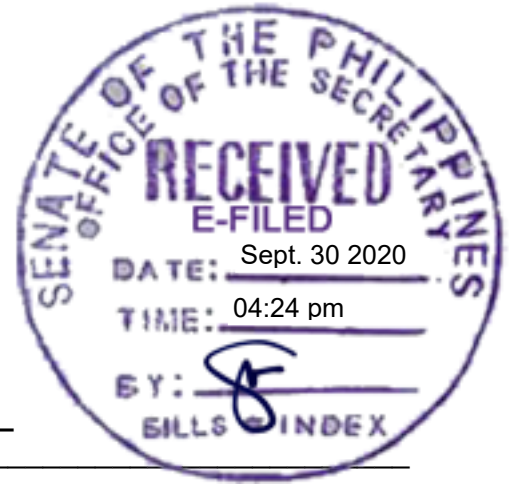


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



SENATE

P.S. RES. No. 531

Introduced by **SENATOR RONALD "BATO" DELA ROSA**

RESOLUTION

DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE CENSORSHIP ACTION TAKEN BY FACEBOOK WITH THE END VIEW OF ENSURING THE PROTECTION AND NON-CURTAILMENT OF THE CONSTITUTIONAL GUARANTEED RIGHT OF FREEDOM OF SPEECH AND OF EXPRESSION

1 WHEREAS, *Section 4, Article III of the 1987 Constitution* guarantees the
2 freedom of expression of every Filipino, to wit: "No law shall be passed abridging the
3 freedom of speech, of expression, or of the press, or the right of the people to
4 peaceably assemble and petition the government for redress of grievances."
5

6 WHEREAS, the Supreme Court in the case of *Guinguing vs. Court of Appeals*¹
7 states that: "The right of free expression stands as a hallmark of the modern
8 democratic and humane state. Not only does it assure a person's right to say freely
9 what is thought freely, it likewise evinces the polity's freedom from psychological
10 insecurity. This fundamental liberty is translated into the constitutional guarantee that
11 no law shall be passed abridging the freedom of speech, of expression, or the
12 press, contained in the Bill of Rights, which itself obtains a position of primacy in our
13 fundamental law."
14

15 WHEREAS, the Philippines is Facebook's second-largest market in Southeast
16 Asia. According to data provided by German Company Statista, there were seventy-

¹ G. R. No. 128959, 30 September 2005.

1 six (76) million Facebook users in the Philippines as of July 2020, with the number
2 expected to reach eighty-eight (88) million by 2025.²

3

4 WHEREAS, the Community Standards of Facebook³ under Violence and Criminal
5 Behavior prohibits any content that promotes: (1) Violence and Incitement; (2)
6 Dangerous Individual Organizations; (3) Coordinating Harm and Publicizing Crime; (4)
7 Regulated Goods; (5) Fraud and Deception. In addition, under its Integrity and
8 Authenticity standard, Facebook do not allow: (1) Misrepresentation; (2) Spam; (3)
9 Cybersecurity; (4) Inauthentic Behavior; (5) False News; (6) Manipulated Media; (7)
10 Memorialization.

11

12 WHEREAS, on 22 September 2020, Facebook, through its Head of Security
13 Policy, Nathaniel Gleicher, announced that it took down two (2) separate networks for
14 alleged violation of policy against “coordinated inauthentic behavior”, one of which
15 originated in China and the other in the Philippines. It was claimed that the people
16 behind this activity allegedly coordinated with one another and used fake accounts as
17 a central part of their operations in order to mislead people about who they are and
18 what they are doing.⁴

19

20 WHEREAS, fifty-seven (57) accounts, thirty-one (31) pages and twenty-one
21 (20) Instagram profiles were taken down, which included content supportive of
22 President Rodrigo Duterte; criticism of Rappler online news website; issues relevant
23 to the overseas Filipino Workers; military activities against terrorism; anti-terrorism
24 law; criticism of communism, youth activist and opposition; posts against the
25 Communist Party of the Philippines and its military wing the New People’s Army, and
26 the National Democratic Front of the Philippines⁵.

27

28 WHEREAS, one of the pages shutdown was “Hands Off Our Children” an
29 advocacy page launched by group of parents who are fighting to protect their children

² <https://www.arabnews.com/node/1741776/world>

³ https://www.facebook.com/communitystandards/violence_criminal_behavior

⁴ <https://about.fb.com/news/2020/09/removing-coordinated-inauthentic-behavior-china-philippines/>

⁵ <https://about.fb.com/news/2020/09/removing-coordinated-inauthentic-behavior-china-philippines/>

1 against violent extremism and has been actively calling out communist rebels who
2 recruit children as their combatants.⁶ According to AFP Chief-of-Staff, Lt. Gen. Gilbert
3 Gapay, the abovementioned Facebook page is instrumental to the campaign to raise
4 awareness of the vulnerability of children in the hands of communist front
5 organizations, such as the Communist Party of the Philippines – New Peoples Army
6 (CPP-NPA).⁷ The CPP-NPA is a listed terrorist organization by the United States, the
7 European Union, the United Kingdom, Australia, Canada, New Zealand and the
8 Philippines.⁸

9

10 WHEREAS, it was alleged by those who criticizes the censorship made by the
11 social network platform that some Facebook pages and profiles allegedly supporting
12 and promoting the violent activities and ideologies of the communist-terrorist CPP-
13 NPA were not included in the action taken by Facebook.

14

15 WHEREAS, President Rodrigo Duterte in his televised address on 28 September
16 2020, questioned the social media giant for its decision to take down hundreds of
17 accounts linked to government security forces and supporters of the present
18 administration.⁹

19

20 WHEREAS, the censorship campaign against child recruitment of the
21 communist terrorist group could hamper the efforts to prevent the spread of violent
22 extremism in the country

23

24 WHEREAS, there is an urgent need for the Senate to investigate the censorship
25 done by Facebook considering that it affects not only the peace and order, and security
26 of our country but likewise greatly affects every Filipino's freedom of expression as
27 guaranteed by no less than the Philippine Constitution.

28

⁶ *Ibid.*

⁷ <https://www.farwestherald.com/main/afp-chief-regrets-shutdown-of-hands-off-our-children-fb-page/>

⁸ <https://www.pna.gov.ph/articles/1115257>

⁹ <https://www.arabnews.com/node/1741776/world>

1 RESOLVED BY THE SENATE, as it is hereby resolved, to direct the appropriate
2 Senate Committee to conduct an inquiry, in aid of legislation, on the censorship taken
3 by Facebook with the end in view of ensuring the protection and non-curtailement of
4 the constitutional guarantee of freedom of speech and of expression.

5

6 *Adopted,*

RONALD "BATO" DELA ROSA