

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

SENATE
S. No. 2103

OFFICE OF THE CLERK

8 MAR 4 2014

RECEIVED

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The advancements in technology have made access to information a cinch with the mere touch of a button. Indeed, one can learn what is happening on the other side of the globe by accessing the Internet, perhaps man's most important communication tool ever. Vital information can be accessed, exchanged and viewed through this sophisticated technology.

Unfortunately, what good intentions the inventors had in mind, and good uses and purposes that internet offers can also be distorted for their own ends by unscrupulous elements that lurk in society.

What used to be mail-order bride schemes have become more sophisticated and accessible e-mail order bride schemes. The Philippines, unfortunately, has not been spared from this plague that has been touted as another version of human trafficking. Filipino women, hoping to escape the clutches of poverty, have been easy prey to syndicates offering these services, like one sells a piece of meat.

At the height of the mail order bride fever, Republic Act 6955 was enacted in 1990 to declare unlawful, and thus provide for penalties for, the practice of matching Filipino women for marriage to foreign nationals on a mail-order basis and similar practices. Philippines law classifies this scheme as illegal and not only a form of human smuggling but also as a ploy for sex trafficking. R.A. 6955 however has not anticipated its evolution into the e-mail bride scheme.

Gabriela, a left-leaning women's group has said in its online primer on sex trafficking: "These international prostitution syndicates capitalize on the internet and the e-

mail to advertise Filipinas as ‘pen pals’ to circumvent the law banning the system of mail-order-bride.”

This piece of legislation aims to broaden the scope of unlawful and punishable schemes of matching Filipino women to foreign nationals. It does not condone cross-cultural marriages because such are not the problem. The problem is that there are syndicates that use these schemes to recruit women into prostitution.

This bill also charges the Department of Foreign Affairs (DFA), the Department of Transportation and Communication (DOTC), and the National Commission on the Role of Women (NCRFW) with the implementation of the provisions of this measure.

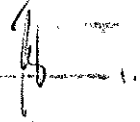
This is a Senate counterpart bill to one filed in the House of Representatives by Rep. Rozzano Rufino B. Biazon.


MIRIAM DEFENSOR SANTIAGO

8 MAR -4 2015

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1 AN ACT
2 BROADENING THE SCOPE OF UNLAWFUL PRACTICES OF MATCHING FILIPINO
3 WOMEN FOR MARRIAGE TO FOREIGN NATIONALS TO INCLUDE VARIOUS
4 SCHEMES MADE AVAILABLE THROUGH THE INTERNET, AMENDING FOR THIS
5 PURPOSE REPUBLIC ACT NO. 6955

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

8 SECTION 1. Section 2 of Republic Act No. 6955 is amended to read as follows:

9 SEC. 2. Pursuant thereto, it is hereby declared unlawful:

10 (a) For a person, natural or juridical, association, club or any other
11 entity to commit, directly or indirectly, any of the following acts:

12 (1) To establish or carry on a business which has for its
13 purpose the matching of Filipino women for marriage to
14 foreign nationals (either) on a mail-order basis (or) through
15 personal introduction OR THROUGH E-MAILS OR
16 WEBSITES IN THE INTERNET;

17 (2) To advertise, publish, print or distribute, or cause the
18 advertisement, publication, printing or distribution of any
19 brochure, flier or any propaganda material, INCLUDING
20 THOSE DISTRIBUTED AND MADE AVAILABLE
21 THROUGH THE INTERNET WHICH ARE calculated to
22 promote the prohibited acts in the preceding subparagraph;

23 (3) To solicit, enlist or in any manner attract or induce any
24 Filipino woman to become a member in any club or
25 association whose objective is to match women for marriage
26 to foreign nationals (either) on mail-order basis (or) through

1 personal introduction OR THROUGH E-MAILS OR
2 WEBSITES IN THE INTERNET for a fee;

3 (4) To use the postal service AND THE INTERNET to
4 promote the prohibited acts in subparagraph 1 hereof.

5 (b) For the manager or officer-in-charge or advertising manager of
6 any newspaper, magazine, television of any newspaper, magazine,
7 television or radio station, or other media INCLUDING INTERNET
8 WEBSITES AND OTHER SCHEMES MADE AVAILABLE
9 THROUGH THE WORLDWIDE WEB, or of an advertising agency,
10 printing company or other similar entities, to knowingly allow or consent
11 to, the acts prohibited in the preceding paragraph.”

12 SECTION 2. A new section is hereby added after Section 4 of R.A. No. 6955 as follows:

13 “SEC. 5.A. IMPLEMENTING RULES AND REGULATIONS. – THE
14 DEPARTMENT OF FOREIGN AFFAIRS (DFA), THE DEPARTMENT OF
15 TRANSPORTATION AND COMMUNICATION (DOTC), THE NATIONAL
16 COMMISSION ON THE ROLE OF FILIPINO WOMEN (NCRFW), AND AT
17 LEAST THREE (3) REPRESENTATIVES FROM NON-GOVERNMENT
18 ORGANIZATIONS (NGOs), WHICH ARE ENGAGED IN ASSISTING
19 VICTIMS OF MAIL-ORDER BRIDE AND OTHER SCHEMES, SHALL BE
20 CHARGED WITH CARRYING OUT THE PROVISIONS OF THIS ACT AND
21 SHALL FORMULATE ITS IMPLEMENTING RULES AND REGULATIONS
22 WITHIN NINETY (90) DAYS AFTER THE EFFECTIVITY OF THIS ACT.”

23 SECTION 3. *Separability Clause.* – If any part hereof, is held invalid or unconstitutional,
24 the remainder of the provision not otherwise affected shall remain valid and subsisting.

25 SECTION 4. *Repealing Clause.* – Any law, presidential decree or issuance, executive
26 order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent
27 with, the provisions of this Act is hereby repealed, modified or amended accordingly.

1 SECTION 5. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
2 publication in at least two (2) newspapers of general circulation.

3 Approved,