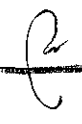


FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

SENATE
OFFICE OF THE SECRETARY

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SENATE
S. No. 2281

RECEIVED BY: 

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 email 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.¹

ccs

MIRIAM DEFENSOR SANTIAGO

¹ This bill was originally filed during the 14th Congress 1st Regular Session

FIFTEENTH CONGRESS OF THE REPUBLIC)
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OFFICE OF THE SECRETARY

10 AUG -2 PA 37

SENATE
S. No. 2281

RECEIVED BY: R

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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

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

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

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

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

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

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

21 (3) To solicit, enlist or in any manner attract or induce any
22 Filipino woman to become a member in any club or association
23 whose objective is to match women for marriage to foreign

1 nationals (either) on mail-order basis (or) through personal
2 introduction OR THROUGH E-MAILS OR WEBSITES IN THE
3 INTERNET for a fee;

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

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

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

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

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

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

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

Approved,