


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

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SENATE **152**
Resolution No. _____

RECEIVED BY: _____ 

Introduced by Senator M.A. Madrigal

RESOLUTION

DIRECTING THE COMMITTEE ON YOUTH, WOMEN AND FAMILY RELATIONS, TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ORGANIZED, WIDESPREAD, SYSTEMATIC, SYNDICATED AND TRANSNATIONAL NATURE OF THE PROLIFERATION OF CHILD INTERNET PORNOGRAPHY IN THE PROVINCES OF LA UNION AND PAMPANGA

WHEREAS, Article II, Section 13 of the Constitution provides that “the State recognizes the vital role of the youth in nation-building and shall promote and protect their moral, spiritual, intellectual, and social well-being”. The existence of violations of the rights of children is detrimental to their well-being;

WHEREAS, the Philippines ratified various international instruments that promote, protect and fulfill children’s rights, particularly the Convention on the Rights Child (1989), International Labour Organisation Convention No.182: Elimination of the Worst Forms of Child Labour (1999) and the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (2000);

WHEREAS, Republic Act 7610, or the Special Protection of Children against Abuse, Exploitation and Discrimination Act , popularly known as the Child Abuse Law, is the primary statutory basis for penalizing those who violate the rights of the child;

WHEREAS, Republic Act 9208, or the Act To Institute Policies To Eliminate Trafficking In Persons Especially Women And Children, Establishing The Necessary Institutional Mechanisms For The Protection And Support Of Trafficked Persons, Providing Penalties For Its Violations, popularly known as the “Anti-Trafficking in Persons Act of 2003,” considers child pornography as a form of qualified trafficking;

WHEREAS, RA 9231, or an Act Providing For The Elimination Of The Worst Forms Of Child Labor And Affording Stronger Protection For The Working Child, Amending For This Purpose Republic Act No. 7610 considers child pornography as one of the worst forms of child labor;

WHEREAS, there are complaints of children from La Union stating that they were exploited through internet pornography. There are also children from the province of Pampanga who were rescued in simultaneous raids by the police of known and notorious internet pornography joints;

WHEREAS, there are strong indications that internet pornography operations in the country is widespread, systematic, organized, syndicated and is of transnational in nature;

WHEREAS, there is no existing law that specifically addresses the proliferation of child internet pornography and provides adequate protection and aids speedy prosecution of offenders;

WHEREAS, existing laws lack teeth to discourage the proliferation of child internet pornography;

WHEREAS, in compliance with the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (2000), that to eliminate child pornography, there is a need to adopt a holistic approach, addressing the contributing factors, including underdevelopment, poverty, economic disparities, inequitable socio-economic structure, dysfunctioning families, lack of education, urban-rural migration, gender discrimination, irresponsible adult sexual behavior, harmful traditional practices, armed conflicts and trafficking in children;

WHEREAS, there is a need to comply with international standards of child protection as a binding obligation in ratification of treaties;

WHEREAS, continuing proliferation of child internet pornography amounts to State sanction of these violations;

WHEREAS inadequate protection is tantamount to no protection at all;

WHEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, directing the Committee On Youth, Women And Family Relations, To Conduct An Inquiry, In Aid Of Legislation, On The Proliferation Of Child Internet Pornography in the Provinces Of La Union and Pampanga.

Adopted,


M.A. MADRIGAL