

S E N A T E

P. S. Res. No. **254**

INTRODUCED BY SENATOR VILLAR

RESOLUTION
URGING THE COMMITTEES ON SCIENCE AND TECHNOLOGY AND PUBLIC INFORMATION AND MASS MEDIA AND OTHER APPROPRIATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE INCREASING INCIDENCE OF HARASSMENT ON THE INTERNET OR CYBER-BULLYING VIS-À-VIS PRESENT STATUTES AND LEGISLATION WITH THE END IN VIEW OF PROTECTING INTERNET USERS

Whereas, Section 11 Article II of the 1987 Constitution states that, “The State values the dignity of every human person and guarantees full respect for human rights”;

Whereas, “Cyber-Bullying” is when a child, preteen or teen is tormented, threatened, harassed, humiliated, embarrassed or otherwise targeted by another child, preteen or teen using the internet, interactive and digital technologies or mobile phones¹;

Whereas, “Cyber-Bullying”, although generally attributed to children and teens, may nevertheless be committed by an adult who does not have any legitimate agenda against another and simply wants to publicly harass, embarrass or humiliate another²;

Whereas, there are three essential elements of the offense that is conceived as “cyberbullying”: first, the use by the perpetrator of modern information and communication technology; second, for the purpose of harassing, humiliating, hurting, or embarrassing; and third, a victim who by reason of age, physical stature, or psychological make-up is particularly vulnerable to being damaged thereby³;

Whereas, in the Philippines, there are 29,700,000 internet users as of June 2009⁴;

Whereas, in 2008, a research based on a random sample of about 2000 middle-school students as respondents from a large district in the Southern part of the United States resulted to about 10% admitting to having been cyber-bullied in the previous 30 days while 17% to having been bullied at least once in their early stages of schooling⁵;

¹ http://www.stopcyberbullying.org/what_is_cyberbullying_exactly.html

² <http://miss.dswd.gov.ph/index.php/component/content/article/1-latest/78-cyberstalking-and-cyberbullying-in-the-philippines>

³ A New Menace: Cyber-Bullying by Ricardo Romulo, Philippine Daily Inquirer, July 16, 2010

⁴ <http://www.internetworldstats.com/asia/ph.htm>

⁵ University of Wisconsin-Eau Claire, Patchin and Hinduja, 2009

Whereas, victims of such negative behavior usually exhibit fear, anxiety and have no other protective means by which to cloak themselves except to resort to clinical therapy from psychiatrists, otherwise risk becoming counter-productive at the expense of social harmony⁶;

Whereas, these victims also exhibit lower self-esteem, increased suicidal ideation, and a variety of emotional responses such as cyber-bullying back, being scared, frustrated, angry, depressed, and begin to avoid friends and activities which is often the very intention of the cyber-bully⁷;

Whereas, at least three children in the United States between the ages of 12 and 13 have committed suicide due to depression brought on by cyber-bullying⁸;

Whereas, recently, the Philippine Daily Inquirer reported an incident of cyber-bullying involving a student-transferee from DLSU Manila who complained through his blog about his new university which elicited comments from mild taunts to grave threats⁹;

Whereas, available laws, including the E-Commerce Law, are not comprehensive enough to cover specific acts consisting cyber-bullying;

Whereas, prosecution for the crime of cyber-bullying is difficult because of the anonymity of the perpetrator which makes it almost impossible to trace the source of the offensive messages which can be easily sent from a computer in any computer shop or café;

Whereas, it is the duty of the State to protect its citizens, especially the youth, in pursuit of peace and order in cyber-space, as it protects life, liberty and property, and the promotion of the general welfare while valuing the dignity of the human person and guaranteeing full respect for human rights.

NOW THEREFORE BE IT RESOLVED, as it is hereby resolved, to urge the Committees on Science and Technology and Public Information and Mass Media and other appropriate committees to conduct an inquiry, in aid of legislation, on the increasing incidence of harassment on the internet or cyber-bullying vis-à-vis present statutes and legislation with the end in view of protecting internet users.

Adopted,


MANNY VILLAR
Senator

⁶ Cyberstalking and Cyberbullying in the Philippines by Bernadette A. Mapue

⁷ http://en.wikipedia.org/wiki/Cyber-bullying#Cyber-bullying_awareness_campaigns

⁸ reports by USA Today and the Baltimore Examiner

⁹ <http://showbizandstyle.inquirer.net/you/2bu/view/20091016-230461/Have-you-been-a-victim-of-cyber-harassment>