

FIFTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
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


Senate
Office of the Secretary

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SENATE

P.S. Res. No. 527

RECEIVED BY: 

INTRODUCED BY SENATOR MANNY VILLAR

RESOLUTION

URGING THE SENATE COMMITTEE ON SCIENCE AND TECHNOLOGY TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE REPORTED INCREASING INCIDENCE OF CYBER CRIMES WITH THE END IN VIEW OF STRENGTHENING MEASURES TO MAINTAIN INTEGRITY OF ELECTRONIC TRANSACTIONS AND FOR THE PROTECTION OF INTERNET USERS IN THE COUNTRY

WHEREAS, the 1987 Constitution provides: "The maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy" (Section 5, Article II);

WHEREAS, there are about 30 million Filipinos who are using the Internet on a regular basis, and more than 20 million have Facebook accounts;

WHEREAS, Facebook is the country's most popular website and has a penetration rate of 93.9%. The Philippines is also the eighth most popular country for Twitter use on a global scale, with a penetration rate of 16.1%; hence, Philippines is considered as the Social Networking Capital of the World;

WHEREAS, more and more Filipinos are falling victims to online criminal activities and other malicious attacks every year, which include malware (virus and Trojan horse) invasion, online or phishing scams, and "sexual predation";

WHEREAS, some practices that are considered unethical, like illegally downloading movies and music, are among the basis for the attacks. Cybercriminals capitalize on these unethical online practices, using social engineering to make Internet users believe they are in legitimate website;

WHEREAS, in truth, the sites are embedding malicious applications into the would-be victim's PC, giving cybercriminals free access to personal information;

WHEREAS, specifically, according to the National Bureau of Investigation (NBI) the number of cyber crimes reported in the country each week has increased by at least 25% compared to six years ago;

WHEREAS, the number of complaints involving cyber crimes jumped from 144 cases in 2005 to 240 cases in 2010 which is significant and alarming;

WHEREAS, according to security software firm Semantec, financial losses to cybercriminals reach as much as US\$334 for 28 days on an average. In the Philippines, the average loss for 28 days of undetected attacks is US\$223 or P12,203;

WHEREAS, Republic Act No. 8792 or otherwise known as "Electronic Commerce Act", was signed into law on 14 June 2000. The law, among other things, gives legal recognition of electronic data messages, electronic documents, and electronic signatures (Section 6 to 13); allows the formation of contracts in electronic form. (section 16);

WHEREAS, under the law, authorities and parties with the legal right can only gain access to electronic documents, electronic data messages, and electronic signatures. For confidentiality purposes, it shall not share or convey to any other person (Sections 31 and 32);

WHEREAS, the law defines hacking or cracking as unauthorized access including the introduction of computer viruses, and is punishable by a fine from 100 thousand to maximum commensurate to the damage with imprisonment from 6 months to 3 years. (section 33); also, it punishes piracy through the use of telecommunication networks, such as the Internet, that infringes intellectual property rights. The penalties are the same as hacking (section 33);

WHEREAS, there is a need to revisit the RA 8792 or "E-Commerce Act" which may not be enough to address these emerging and rising cybercrimes in the country;

NOW THEREFORE, BE IT RESOLVED, by the Senate of the Philippines, to urge the Senate Committee on Science and Technology to conduct an inquiry, in aid of legislation, into the reported increasing incidence of cyber crimes with the end in view of *strengthening measures to maintain integrity of electronic transactions and for the protection of internet users in the country.*

Adopted,


MANNY VILLAR