

# Demystifying the Magna Carta for Philippine Internet Freedom

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# Objectives

- Discussion objectives
  - Understand that the Magna Carta for Philippine Internet Freedom is not a “tech law”
  - Become familiar with the background and the four core principles of the Magna Carta for Philippine Internet Freedom
  - Understand how the Magna Carta for Philippine Internet Freedom upholds rights, governance, development and security



# The Magna Carta for Philippine Internet Freedom

- What is the Magna Carta for Philippine Internet Freedom (#MCPIF)?
  - It is a **policy framework** for rights, governance, development, and security for the Philippines, as applied in the Philippines' use of the Internet and the Philippine information and communications technology (ICT) space.
  - It is NOT a “tech law” or “technical law,” (e.g. RA 6541, the National Building Code of the Philippines)



# #MCPIF Background

- #MCPIF Background (pre- and advocacy)
  - Several years of informal discussions among netizens, as far back as mid-2005, involved issues regarding the Internet and Philippine ICT
  - Prior to Democracy.Net.PH or #MCPIF existence, the most significant ICT advocacy recently was in 2010
    - In parallel with the negative public reaction on the “Minimum Speed of Broadband Connection” data capping issue
    - A crowdsourcing initiative spearheaded by the ProPinoy Project resulted to a position paper and a draft MO 07-07-2011 submitted to the NTC



# #MCPIF Background

- #MCPIF Background (pre- and 15<sup>th</sup> Congress)
  - Crowdsourced from late August 2012 in urgent response to and as a formal replacement for the fatally-flawed Cybercrime Prevention Act of 2012
  - 15<sup>th</sup> Congress version filed in the Senate by Sen. Miriam Defensor-Santiago as **Senate Bill No. 3327**



# #MCPIF Background

- #MCPIF Background (pre- and 16<sup>th</sup> Congress)
  - Upgraded during the congressional recess to include legislation that failed to be enacted in the 15<sup>th</sup> Congress and further improve the content
  - 16<sup>th</sup> Congress version filed in the Senate by Sen. Miriam Defensor-Santiago as **Senate Bill No. 53**
  - 16<sup>th</sup> Congress version filed in the House of Representatives by Rep. Kimi Cojuangco as **House Bill No. 1086**



# #MCPIF Core Principles

- #MCPIF Core Principles
  - Rights
  - Governance
  - Development
  - Security



# #MCPIF Core Principles

- #MCPIF Core Principle: **Rights**
  - **Your rights offline are the same as your rights online**, whether these rights be human, civil, political, and economic in nature.
  - **Constitutional guarantees offline are the same as constitutional guarantees online**, such as equal protection of the law and due process of law.



# #MCPIF Core Principles

- #MCPIF Core Principle: **Governance**
  - The various scattered government offices handling Philippine ICT law, policy, and regulation are **consolidated and streamlined** into a DICT-led organization, with their mandates for Philippine ICT clarified, *without* any attendant budgetary increases (i.e., no new agencies are created).
  - Outdated Philippine laws related to ICT governance are amended to be responsive to 21<sup>st</sup> century technological realities.



# #MCPIF Core Principles

- #MCPIF Core Principle: **Development**
  - The #MCPIF promotes a **healthy economic environment** that encourages the growth of Philippine ICT infrastructure.
  - The NEDA, et al, are given the mandate to **encourage the growth of the Philippine ICT sector** and promote the use of the Internet and ICT even to the rural last mile.
  - The #MCPIF encourages **public and private sector** innovation and growth in the internet and ICT space.



# #MCPIF Core Principles

- #MCPIF Core Principle: **Security**
  - The pursuit, prosecution, and penalization of crimes that can be ICT-enabled are updated, **without straying from Philippine constitutional guarantees** and generally accepted principles of international humanitarian law.
  - Crimes unique to the use or abuse of the Internet and ICT are defined precisely and given corresponding penalties.
  - Law enforcement, military, defense, and national security agencies are given clear mandates to upgrade and implement cybersecurity and cyberdefense capability.



# Why the #MCPIF is good for the country

- A healthy democracy
  - The promotion of the principle that “our rights online are our rights online” fosters an environment where human, civil, political, and economic rights are upheld and respected.
  - The #MCPIF promotes such through its provisions on rights in the internet and ICT space.



# Why the #MCPIF is good for the country

- Responsive governance, participative citizenship
  - The #MCPIF's provisions that mandate the government to use the internet and ICT as tools that will foster more active citizen participation and promote more responsive governance.
    - information dissemination
    - transparency in governance
    - citizen engagement
  - The #MCPIF's provisions provides provisions and policies to this end.



# Why the #MCPIF is good for the country

- Economic growth
  - Various local and international economics studies support the conclusion that the growth in internet and ICT infrastructure, as well as internet and ICT penetration and frequency of use, **correlate strongly to a country's economic growth.**
  - The #MCPIF provides for policies and mandates to encourage such growth.



# Why the #MCPIF is good for the country

- Public safety both online and offline
  - The #MCPIF provides law enforcement agencies with clear guidance in the pursuit and prosecution of cybercrimes and ICT-enabled crimes.
  - The judiciary is provided with clear definitions, as well as and just and fair penalties, to provide deterrence and punishment for such crimes.



# Why the #MCPIF is good for the country

- National security
  - The #MCPIF provides for the upgrading of our country's defense and counterterrorism capability with regard to the internet and ICT space.



# Q & A



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**END.**