



SEVENTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

'17 JAN 19 P5 51

RECEIVED BY: _____

SENATE
P.S. Res 275

Introduced by Senator Poe

RESOLUTION

DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ALLEGED NEED TO REVIEW THE COMPLIANCE OF TELECOMMUNICATION COMPANIES AND RESPONSIBLE GOVERNMENT AGENCIES WITH REPUBLIC ACT NO. 10639 OR THE FREE MOBILE DISASTER ALERTS ACT IN LIGHT OF NEWS REPORTS THAT SEVERAL STAKEHOLDERS IN AFFECTED AREAS FAILED TO RECEIVE ALERTS ON TYPHOON NINA

WHEREAS, various media sources reported complaints that those living in areas affected by the onslaught of Typhoon Nina, either did not receive a warning alert as required by Republic Act No. 10639 or the Free Mobile Disaster Alerts Act, or did receive a message but with information that was hardly useful to them while other telco subscribers in areas not affected by the Typhoon received warning alerts;

WHEREAS, R.A. No. 10639, Section 4 requires mobile phone service providers to send out up -to-date information or alerts at regular intervals directly to mobile phone subscribers located near and within the affected areas as required by the National Disaster Risk Reduction and Management Council (NDRRMC) and other relevant agencies;

WHEREAS, the law also requires these alerts to include the contact information of local government units and other responsible agencies, evacuation areas, relief sites, and pick-up points;

WHEREAS, under the law's implementing rules and regulations, the message shall come from the NDRRMC but it is the mobile phone service provider that shall provide a web portal through which the NDRRMC can directly send the alert to avoid delays;

WHEREAS, currently, an alert received by affected mobile phone subscribers, simply states the areas affected, the gravity of the typhoon or calamity, and general action that the individual should take, such as an advice to take pre-emptive evacuation;

WHEREAS, although there were subscribers who received alerts, these alerts fail to specify important information, such as possible evacuation centers, relief sites, and pick-up points for relief goods; these also do not indicate important numbers that a person may contact in case of emergency situations;

WHEREAS, the alert is also in English, a language unaccustomed by many and which some people may find difficult to comprehend; thus, there appears to be a need to amend the law requiring that the alert should be in Filipino, or a language understandable by a majority of the locals in the affected area;

WHEREAS, although news reports claimed that Globe has sent out 11 million text alerts warning subscribers of potential dangers from Typhoon Nina, this number does not ensure that the recipients of such alert are the intended recipients in affected areas, and all subscribers in affected areas have received the warning alert; it also does not ensure that the number of alerts received were sufficient in substance;¹

WHEREAS, while R.A. No. 10639 only specifies SMS, MMS and e-mail as the means to send out mobile alerts, there now exist other technologies and systems such as, but not limited to, the Cell Broadcast System (CBS) that can be utilized by to strengthen and improve the efficiency and effectiveness of the nationwide free mobile disaster alert system of the NDRRMC;

WHEREAS, Smart has reportedly invested Php 400 million in CBS technology to improve the emergency communications systems amid the rising threat of disasters;²

WHEREAS, Smart claimed that unlike current network technology, CBS has its own broadcast channel, ensuring sustained broadcast alerts even when the network receives heavy traffic from all the calls and messages made during disasters;

¹ ABS-CBN News, "Globe Telecom sends text warnings for 'Nina'." 26 December 2016. <http://news.abs-cbn.com/business/12/26/16/globe-telecom-sends-text-warnings-for-nina/>. Accessed 11 January 2017.

² 4-Traders, "PLDT: Smart invests M for emergency government broadcast." 4 September 2016. <http://www.4-traders.com/PLDT-INC-30546191/news/PLDT-Smart-invests-P400-M-for-emergency-government-broadcast-23003691/>. Accessed 11 January 2017.

Smart press release, "Smart invests in nationwide disaster and emergency alert system." <http://smart.com.ph/About/newsroom/press-releases/2016/09/01/smart-invests-in-nationwide-disaster-and-emergency-alert-system>. Accessed 11 January 2017.

WHEREAS, Smart explained that through CBS technology, one message can be sent to a large number of devices within a designated target area without the need to register or track devices; it is also capable of sending messages to tourists in the selected broadcast area where an emergency is imminent;

WHEREAS, thus, although R.A. No. 10639 has been recently passed, there apparently is a need to define “regular intervals” to determine the frequency of alerts and the number of days before and after an emergency should the alerts be sent;

WHEREAS, post-disaster alerts are also as necessary as warning messages, as these aid in facilitating the immediate distribution of goods and services to those affected; therefore, the NDRRMC together with mobile service providers should continue sending out messages that will aid in post-disaster measures;

WHEREAS, the legislature, should review amending the law to make it more responsive to the needs of the people; thus, although the IRR requires mobile phone service providers to inform the NDRRMC, National Telecommunications Commission, and the Philippine Information Agency that the emergency alert and warning messages have been disseminated to the targeted areas, with such information detailing the date and time and the first and last transmission and the covered areas of transmission, the legislature should still exercise its oversight function and review the alleged noncompliance of telecommunication companies with the law, by mandating that these telecommunication companies bare their records to the public for scrutiny;

WHEREAS, the legislature should also consider expanding the law and mandate the use of other technology and systems such as, but not limited to, Cell Broadcast System, and the use of other platforms, such as television and radio;

BE IT RESOLVED, AS IT IS HEREBY RESOLVED, by the Senate of the Philippines, to direct the proper Senate Committee to conduct an inquiry, in aid of legislation, on the alleged need to review the compliance of telecommunication companies and responsible government agencies with Republic Act No. 10639 or the Free Mobile Disaster Alerts Act in light of news reports that several stakeholders in affected areas failed to receive alerts on typhoon Nina.

Adopted,


GRACE POE