

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Complex, Quezon City

FOURTEENTH CONGRESS
First Regular Session

HOUSE RESOLUTION NO. 394



Introduced by Gabriela Women's Party
Representatives Liza Largoza-Maza and Luzviminda C. Ilagan

A RESOLUTION

DIRECTING THE HOUSE OF REPRESENTATIVES THROUGH THE COMMITTEE ON PUBLIC INFORMATION TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION INTO THE MOVIE AND TELEVISION REVIEW AND CLASSIFICATION BOARD'S (MTRCB) X-RATING FOR "RIGHTS", "A DAY IN THE LIFE OF GLORIA" AND "MENDIOLA", IN THE LIGHT OF ALLEGATIONS THAT THE MTRCB'S MANDATE FOR CLASSIFICATION HAS BECOME A TOOL FOR POLITICAL REPRESSION AND CENSORSHIP IN VIOLATION OF ARTICLE III SECTION 4 OF THE PHILIPPINE CONSTITUTION AND TO REVIEW PD1986 FOR THE RECOMMENDATION OF AMENDMENTS OR ITS REPEAL

WHEREAS, Article 3 Section 4 of the 1987 Philippine Constitution states that "No law shall be passed abridging the freedom of speech, of expression, or of the press, or the right of the people peaceably to assemble and petition the government for redress of grievances";

WHEREAS, Presidential Decree 1986 signed October 5, 1985 mandates the creation of the MTRCB, stating among several others, its function "to screen, review and examine all motion pictures as herein defined, television programs, including publicity materials such as advertisements, trailers and stills, whether such motion pictures and publicity materials be for theatrical or non-theatrical distribution, for television broadcast or for general viewing, imported or produced in the Philippines, and in the latter case, whether they be for local viewing or for export" as stated in Section 3b

WHEREAS, Section 3c of PD 1986 likewise mandates the MTRCB "To approve or disapprove, delete objectionable portions from and/or prohibit the importation, exportation, production, copying, distribution, sale, lease, exhibition and/or television broadcast of the motion pictures, television programs and publicity materials subject of the preceding paragraph, which, in the judgment of the board applying contemporary Filipino cultural values as standard, are objectionable for being immoral, indecent, contrary to law and/or good customs, injurious to the prestige of the Republic of the Philippines or its people, or with a dangerous tendency to encourage the commission of violence or of wrong or crime, such as but not limited to: i) Those which tend to incite subversion, insurrection, rebellion or sedition against the State, or otherwise threaten the economic and/or political stability of the State; ii) Those which tend to undermine the faith and confidence of the people in their government and/or the duly constituted authorities;

WHEREAS, in Chapter IV Section 1E-5 of the MTRCB Implementing Rules and Regulations cites the following among others as basis for giving a movie the rating of "X" or unsuitable for public exhibition if in the judgment of the board, the work tends to undermine the faith and confidence of the people in their government and/or duly constituted authorities.

WHEREAS, on September 19, 2007, the MTRCB gave the "X" rating to "Rights" a compilation of 30sec-2min public service announcements on human rights, extrajudicial killings and disappearances, on the basis that "Scenes in the film are presented unfairly, one-sided and undermines the faith and confidence of the government and duly constituted authorities, thus, not for public exhibition."

WHEREAS, filmmakers and contributors to the "Rights" compilation claim the rating "is a form of violation of freedom of expression"

WHEREAS, this "X" rating on Rights was subsequently withdrawn and downgraded to R following public protests and a review of the board's decision

WHEREAS, on December 4, 2007, the MTRCB gave the "X" rating to the short film "Mendiola", on the basis that "It undermines the faith and confidence of the government and duly constituted authorities; Tendency to incite rebellion and sedition against the State; Possible violation of RA 7610, where confidentiality rights of children was not considered."

WHEREAS, on the same date, the MTRCB likewise gave the short film "A Day in the Life of Gloria", the classification of "X" stating that "The review committee finds this material not fit for public viewership-- for it violates the PD 1986 provisions. This work is libelous and defamatory to the good name and reputation of the President of the Philippines."

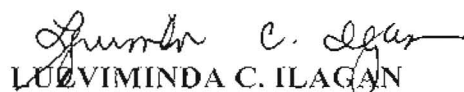
WHEREAS, this X rating on "Mendiola" and "A Day in the Life of Gloria" resulted to the films' exclusion from the "Kontra-Agos: a resistance films festival" held last December 5-11 at the Robinsons Galleria

WHEREAS, the MTRCB's mandate for classification under PD 1986 has long been criticized by artists and filmmakers as a tool for censorship and political repression and in direct violation of Article III Section 4 of the Philippine Constitution

THEREFORE, be it resolved as it is hereby resolved that the House of Representatives through the House Committee on Public Information to conduct an inquiry, in aid of legislation into the MTRCB's "X" classification for "Rights", "A Day in the Life of Gloria" and "Mendiola", in the light of allegations that the MTRCB's mandate for classification has become a tool for political repression and censorship in violation of Article III Section 4 of the Philippine Constitution and thus the need to review PD1986 for the recommendation of possible amendments or its repeal

Adopted,


LIZA LARGOZA-MAZA


LUVIMINDA C. ILAGAN