

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
Second Regular Session

House Bill No. 10201



Introduced by Honorable Ma. Alana Samantha Taliño Santos

AN ACT PROVIDING AN AMBER ALERT SYSTEM TO PREVENT KIDNAPPING OF CHILDREN

EXPLANATORY NOTE

One of the most common motives behind the kidnapping of children in the Philippines is ransom. Criminal syndicates target wealthy families, knowing that they can demand a large sum of money in exchange for the safe return of the child. In some cases, these syndicates use children as pawns in their criminal activities, exploiting their vulnerability and innocence for their own financial gain.

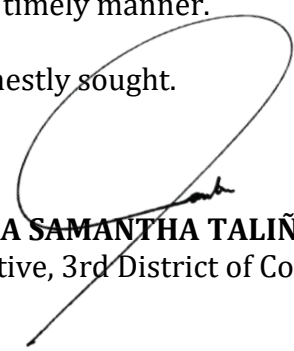
While ransom is a common motive for child kidnapping, there are also cases where children are taken for other sinister purposes. Some children are abducted and sold into the illegal organ trade, where their organs are harvested and sold on the black market. Others are forced into prostitution or labor, subjected to horrific abuse and exploitation.

With the increasing number of cases of child abductions and kidnappings, it has become imperative to have a system in place to prevent such incidents from happening. One way to address this issue is by providing an Amber Alert system to aid in the quick and efficient recovery of missing children.

An Amber Alert system is a notification system used by law enforcement agencies to broadcast information about child abductions in order to facilitate the speedy recovery of missing children.¹ The system typically involves the issuance of alerts through various media channels, such as television, radio, and the internet, to notify the public about the abduction and provide information about the missing child and suspect.

By providing an Amber Alert system, authorities can mobilize the community and engage the public in the search for the missing child. This outreach can lead to increased awareness of the abduction and prompt citizens to be on the lookout for the missing child or suspect. With the assistance of the general public, law enforcement agencies can effectively locate and rescue the abducted child in a timely manner.

Thus, the immediate passage of this measure is earnestly sought.


HON. MA. ALANA SAMANTHA TALIÑO SANTOS
Representative, 3rd District of Cotabato

¹ <https://childsafety.losangelescriminallawyer.pro/amber-alerts.html>

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Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

Section 1. **Short Title.** – This Act shall be known as the “*The Philippine Amber Alert Act.*”

Section 2. **Declaration of Policy.** - It is provided in the Constitution that the State shall defend the right of children to special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development. In the same vein, the United Nations General Assembly resolution on Declaration of the Rights of the Child provides that the child shall in all circumstances be among the first to receive protection and relief. The State, therefore, shall protect children from kidnapping by providing a rapid response mechanism.

Section 3. **Definition of Terms.** – For purposes of this Act, the following terms shall be defined as follows:

- a. Abducted and Missing child Broadcast Emergency Response (AMBER Alert System) - is a system that alerts the public regarding a missing or kidnapped child;
- b. Child - refers to any individual below 18 years of age;
- c. Reporting agency - any law enforcement agency, broadcasting agency, social platform, or other entity designated by the Department of the Interior and Local Government (DILG) to receive reports of missing or abducted children;
- d. Alert Coordinator – refers to the person designated by the Department of the Interior and Local Government (DILG), in coordination with the Department of Justice (DOJ), to facilitate Amber Alert activations and coordinate with participating law enforcement agencies and broadcasters.

Section 4. **The Philippine Amber Alert System.** – The Philippine Alert System shall be established and maintained by the DILG, in coordination with the DOJ, and other relevant government agencies, broadcast media entities, and social media platforms. The Amber Alert system shall be designed to quickly disseminate information about the kidnapping or disappearance of a child who is at risk of death or serious injury.

The Amber Alert System shall be activated by the alert coordinator based on specific criteria established under this Act. An Amber Alert may only be activated after the following conditions have been met:

- a. The abduction or kidnapping has been confirmed and the victim is a child;
- b. The victim is at risk of serious bodily injury or death;
- c. There is sufficient information available to disseminate to the public that could assist in the recovery of the missing or abducted child;
- d. The alert coordinator determines that activation of the Amber Alert is necessary.

Section 5. ***Criteria for Issuing an Amber Alert.*** - The criteria for issuing an Amber Alert shall be established by the DILG and DOJ in consultation with relevant government agencies, broadcasters, social media platforms, and child protection advocates. The criteria shall include, but shall not be limited to the following:

- a. The child is under 18 years of age;
- b. There is reasonable belief that the child has been kidnapped and is in danger of serious harm or death;
- c. There is sufficient descriptive information of the child or abductor to assist in the recovery of the child.

Section 6. ***Implementation and Participation.*** - Participating law enforcement agencies, broadcasters, social media platforms, and other entities designated by the DILG and DOJ shall cooperate with the Alert Coordinator and other relevant authorities in the rapid dissemination of Amber Alerts to the public. Broadcasters and social media platforms shall, upon activation of an Amber Alert, immediately disseminate relevant information to assist in the recovery of the missing or kidnapped child.

Section 7. ***Penalties.*** - Any person who knowingly and falsely activates an Amber Alert or who provides false information regarding the abduction or disappearance of a child shall be penalized with imprisonment of not less than two years and not more than six years and a fine of not less than five hundred thousand pesos (Php 500,000) and not more than one million pesos (Php1,000,000).

Section 8. ***Appropriations.*** - The necessary amount to fund the implementation and maintenance of the Philippine Amber Alert System shall be included in the General Appropriations Act of the year following the passage of this Act.

Section 9. ***Separability Clause.*** - If any provision or part thereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

Section 10. ***Repealing Clause.*** -Any law, presidential decree or issuance, executive order, letter of instruction, rule or regulation inconsistent or contrary to the provision of this Act is hereby repealed or modified accordingly.

Section 11. ***Effectivity Clause.*** - This Act shall take effect after fifteen (15) days following its publication in the Official Gazette or a newspaper of general circulation.

Approved