

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2737

Introduced by Rep. Gabriel Luis R. Quisumbing

EXPLANATORY NOTE

On August 23, 2010, the nation witnessed a tragedy when ex-policeman Rolando Mendoza took hostage a busload of Hongkong nationals at the Quirino Grandstand in the City of Manila. After a twelve-hour ordeal, the hostage-taking ended with disastrous results both for the perpetrator and for his victims.

The entire hostage-taking was covered by media, reporting live and with a blow-by-blow coverage of the events as they transpired. Even the position, movement and actions of the enforcers and authorities as they tried to take control of the crisis situation was reported to the general public. Such media coverage may have jeopardized police operations onsite.

In previous crisis situations, such as kidnappings by the Abu Sayyaf, coup d'etat during the Corazon Aquino administration, the Oakwood mutiny, and the Manila Peninsula siege, media coverage was sought to be restrained or even prohibited thru news blackouts in order not to jeopardize police or military operations while the crisis situation is ongoing. However, the right to information and freedom of the press are paramount in a democracy as ours and must be upheld.

With this measure, the author recognizes media's right to have access to information and the freedom of the press. Nonetheless, such press freedom should be harmonized with the public welfare and measures to avoid further endangering lives in crisis situations, when the media reports disclose important information relative to the authorities' efforts to contain or resolve the situation. Media coverage should not obstruct police or military operations during crisis situations.

Hence, approval of this bill is earnestly sought.


GABRIEL LUIS R. QUISUMBING

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**AN ACT PROHIBITING MEDIA REPORTING OF POLICE AND MILITARY
POSITIONS, MOVEMENTS AND ACTIONS DURING CRISIS SITUATIONS**

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

SECTION 1. **Declaration of Policy.**- The State upholds the freedom of the press and the right of the people to be informed on matters of public concern. Moreover, it is the prime duty of the State to protect and serve the people. The maintenance of peace and order, the protection of life, liberty, and property, and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy.

SECTION 2. **Unlawful Act.** - It shall be unlawful for any media person to report or present publicly the positions, movements and actions done by the members of the Philippine National Police (PNP) and Armed Forces of the Philippines (AFP) during crisis situations. The media coverage should be contained as not to hinder or obstruct efforts to resolve the situation. Crisis situation may include but not limited to the following circumstances: (1) hostage taking; (2) bomb threats; (3) coup d'état; and (4) kidnapping.



SECTION 3. ***Access of Media.*** – The Philippine National Police (PNP) and Armed Forces of the Philippines (AFP) may provide an update to media but shall not provide vital information on operations which may be used in support of or by the perpetrators during crisis situations. Once the situation has been resolved, The Philippine National Police (PNP) and Armed Forces of the Philippines (AFP) will provide the full details of the operation and shall not restrict access or coverage by the media relative thereto.

SECTION 4. ***Penalty.*** - Any person who shall violate this Act shall suffer the penalty of imprisonment from Six Months and One Day to Six Years or a fine of Twenty thousand Pesos or both.

SECTION 5. ***Repealing Clause.*** - All laws, presidential decrees, executive orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or immediately modified accordingly.

SECTION 6. ***Effectivity-***. This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspaper of general circulation.

Approved,

