

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 4595

Introduced by HON. IRWIN C. TIENG
and HON. MARIANO MICHAEL M. VELARDE

EXPLANATORY

All forms of animal cruelty are frowned upon by society. The abuse and exploitation of animals have become rampant and digital. Probably the extreme form of animal cruelty nowadays is seen on some internet websites. It is commonly called as "animal crush videos".

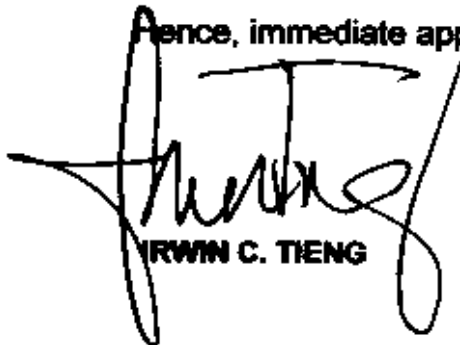
The crush videos which visually depict the abuse and killing of animals cater to sexual fetishists who want to watch and hear animals being crushed to death. The hapless victims are mostly dogs, cats, rabbits, monkeys, snakes, and frogs, depending on the specification of the patron. The video features Filipino women perpetrating the torture who are scantily clad either in lingerie, two-piece bikinis, or regular dresses, also on the request of the buyer.

Many animal crush videos are obscene in the sense that the depictions, taken as a whole: appeal to the prurient interest in sex, are patently offensive, and lack serious literary, artistic, political, or scientific value. Furthermore, the videos are heinous, barbaric and completely unacceptable.

This Bill seeks to penalize the creation and distribution of these horrendous animal crush videos. It provides however, exceptions of certain animal videos which are allowed for sale or distribution. Videos, for example, that depict customary and normal veterinary or agricultural husbandry practices or hunting, trapping, or fishing are exempt under the proposed bill.

It is hard to believe that this sort of thing even exists, and that a law is needed to prevent it. Animal torture is outrageously disturbing. Common decency and morality dictates that those engaged in it should not be profiting from it, they should be imprisoned. While the torture of defenseless animals is in itself despicable, numerous studies also show cruelty to animals is often the first step leading to violence against people. This law is one step toward ending this cycle of violence.

Hence, immediate approval of this bill is earnestly sought.



IRWIN C. TIENG



MARIANO MICHAEL M. VELARDE

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**AN ACT TO PROHIBIT ANIMAL CRUSH VIDEO, AND PROVIDING
PENALTIES FOR VIOLATIONS THEREOF**

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

Section 1. Short Title. This Act shall be known as the "Anti-Animal Crush Video Act of 2011"

Section 2. Declaration of State Policy. It is the policy of the State to promote the welfare of the animals and create effective laws against animal cruelty.

Section 3. Animal Crush Video Defined. Animal crush video means any photograph, motion-picture film, video or digital recording, or electronic image that—

(1) depicts actual conduct in which one or more living non-human mammals, birds, reptiles, or amphibians is intentionally crushed, burned, drowned, suffocated, impaled, or otherwise subjected to serious bodily injury;

(2) is obscene.

Section 4. Prohibitions. The following acts shall be prohibited:

(1) CREATION OF ANIMAL CRUSH VIDEOS - It shall be unlawful for any person to knowingly create an animal crush video, if—

(a) the person intends or has reason to know that the animal crush video will be distributed in, or using a means or facility of, local or foreign commerce; or

(b) the animal crush video is distributed in, or using a means or facility of, local or foreign commerce.

(2) DISTRIBUTION OF ANIMAL CRUSH VIDEOS- It shall be unlawful for any person to knowingly sell, market, advertise, exchange, or distribute an animal crush video in, or using a means or facility of, local or foreign commerce.

Section 5. Penalties. Any person who violates this Act shall be punished by imprisonment of not less than three (3) years but not more than seven (7) years, or a fine of not less than One Hundred Thousand Pesos (PhP100,000.00) but not more than Three Hundred Thousand Pesos (PhP 300,000.00), or both.

Section 6. Exceptions.

(1) **IN GENERAL-** This Act shall not apply with regard to any visual depiction of—

- (a) customary and normal veterinary or agricultural husbandry practices;
- (b) the slaughter of animals for food; or
- (c) hunting, trapping, or fishing.

(2) **GOOD-FAITH DISTRIBUTION-** This Act shall not apply to the good-faith distribution of an animal crush video to—

- (a) a law enforcement agency, or
- (b) a third party for the sole purpose of analysis to determine if referral to a law enforcement agency is appropriate.

Section 7. Repealing Clause. Any laws, decrees, ordinances or rules and regulations which are inconsistent with or contrary to the provision of this Act is hereby amended or repealed.

Section 8. Separability Clause. If any provision of this Act is declared invalid, other parts or provisions thereof not affected thereby shall remain and continue to be in full force and effect.

Section 9. Effectivity. This Act shall take effect fifteen (15) days after its complete publication in at least two (2) national newspapers of general circulation.

Approved,