

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City Metro Manila

SEVENTEENTH CONGRESS
Second Regular Session



H.B. No. **6477**

Introduced by: "Kuya" Jose Antonio R. Sy-Alvarado

EXPLANATORY NOTE

Social Journalism is very vital nowadays, as the advent of the new millennium ushered us into the information age. Social media have changed the face of journalism as almost everyone is reporting and posting their opinion on the Internet. And one of the demands of the new era is that more accurate news be relayed to our people that will lead them to a more informed and intelligent decisions. But the advantages of information age also created conflicts in the society as many people are victimized by cyber crimes and bullying. As a nation, we cannot go on leaving by mere watching and accepting the bad side of the situations in the misconception of the freedom of expression and also the proliferation of "Fake News". It's our obligation to guide the nation and bring order to the society. It's a fact that the freedom of expression is not absolute and making the netizens accountable by just imposing penalties is not the only solution, because the culprit is the lack of knowledge of what is the real essence of social journalism that's why it's a must to train them professionally and ethically.

As the Section 4 of the 1987 Constitution provides 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."

But this time, the congress must provide a law to guide and train the citizens in order to cope up in the demand of the cyberspace age. The freedom of expression is very clear in the constitution that gave a vital role in our democracy; but the abuse and misuse of performing such right is now happening where the

so called "Netizens" are exercising their freedom to express in the various internet sites without the idea of the real essence of "Freedom of Expression".

September 12, 2012, the Congress passed into law the Republic Act No. 10175 or an act defining cybercrime, providing for the prevention, investigation, suppression and the imposition of penalties therefor and for other purposes. It is clear in the law that the State recognizes the vital role of information and communications industries such as content production, telecommunications, broadcasting electronic commerce, and data processing, in the nation's overall social and economic development. The State also recognizes the importance of providing an environment conducive to the development, acceleration, and rational application and exploitation of information and communications technology (ICT) to attain free, easy, and intelligible access to exchange and/or delivery of information; and the need to protect and safeguard the integrity of computer, computer and communications systems, networks, and databases, and the confidentiality, integrity, and availability of information and data stored therein, from all forms of misuse, abuse, and illegal access by making punishable under the law such conduct or conducts. In this light, the State shall adopt sufficient powers to effectively prevent and combat such offenses by facilitating their detection, investigation, and prosecution at both the domestic and international levels, and by providing arrangements for fast and reliable international cooperation. ***(Anti-Cybercrime Law Republic Act No. 10175)***

The law completely addresses crimes committed by means of Cyberspace and computer systems. The law focuses on the pre-emption, prevention and prosecution of cybercrimes but there is no existing program from the government to educate the public on the real essence and manner of the usage of cyberspace and citizens journalism.

From January to December of 2014, the Philippine National Police – Anti-Cybercrime Group (ACG) recorded six hundred fourteen (614) cybercrime incidents, compared to 2013 where there were only two-hundred and eighty-eight (288) incidents.

And based on one of the internet surveys about the cyber crime and cyber bullying, on the last quarter of 2012 to get check the situation of cyber crime and bullying in the Philippines, the study shows that an age group of those who said they are bullied are from minor ages to teenagers. And female has the highest percentage than of a male. The victims were being attack on reputation, attack on appearance and attack against the victim's opinion.

The nature of attack is also by spreading photo shopped images, spreading videos that are supposedly private and there are poser (or fake / troll accounts) that are spreading lies. These fake / troll accounts cannot be held liable as their identities are not true.

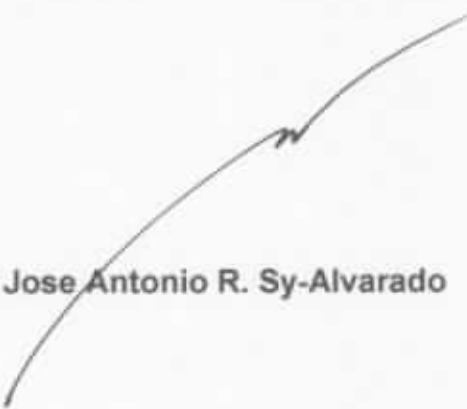
The common platform used are Facebook, Cellphone (distant second) and Blogs (also an internet platform). 79% were bullied by one person and 21% were bullied by a group. (<http://asksonnie.info/cyberbullying-statistics/>)

The study shows that social media as the most popular social networking not only in the Philippines but all over the world, a person's reputation can be ruined by a distant second and internet is now the primary platform of bullying and cyber crime. A wrong practice of "Free Speech" is a violation of human rights and we must build a nation that has democratic maturity.

Based on the record of Department of Education, there are around 1.3 million students entered the senior high school for the school year 2016 to 2017 under K-12 program. It is high time to introduce the senior high school students the Basic Journalism Course and teach them the responsibility as the nations guard and use their right and journalism ability ethically as responsible citizens or netizens.

Since, it's the duty of the State to protect the interest of the people, the solution is to educate our youth for responsible social journalism and preserve their right to express and guide them as the future leader of our society. To hold them with a criminal liability is not always the solution, but to train our youth for their responsibility as citizen's journalists in the new information age that requires training and education for its positive outcome.

The immediate passage of this bill is earnestly sought to mobilize and guide the youth as the future leaders and tool to preserve our democracy having a secure, safe, constructive and productive social journalism.



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AN ACT IMPLEMENTING BASIC JOURNALISM COURSE AS MANDATORY SUBJECT IN THE SENIOR HIGH SCHOOL, TO STRENGTHEN THE JOURNALISM SKILLS OF THE YOUTH AS A BASIC TOOL TO PRESERVE OUR FREEDOM OF EXPRESSION AS PART OF DEMOCRACY, AND PROMOTE RESPONSIBLE AND ETHICAL SOCIAL MEDIA FOR THE BETTERMENT OF OUR COUNTRY, UNDER TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY AND PROVIDING FUNDS THEREFOR.

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

SECTION 1. *Short Title.*- This Act shall be known as the "BASIC JOURNALISM Act of 2017."

SEC. 2. *Declaration of Policy.* – It is the policy of the State to protect the interest of the youth as our future leader. The State also recognizes the importance of freedom of information and freedom of expression as a tool to our democracy therefore guiding our youth to express freely and responsibly and protecting them from exploitation of information, abuse and misuse of the social media sites. In this light, the State shall provide an education for the youth to guide them and promote responsible social journalism and practice the freedom of expression ethically and responsibly.

SEC. 3. – *Free Educational Service;* Education is a right not a privilege, it shall be free of charge for our youth. Immediately upon passage of this Act, a fund will be provided for the senior high school students to study Basic Journalism Course in TESDA or Technical Education and Skills Development Authority.

SEC.4. - Accelerated Program for the Basic Journalism Course - The TESDA shall provide a technical basic journalism program based on the professional standards without a conflict with the existing journalism courses offered by the different colleges that is being monitored by the Commission on Higher education. The senior high school students will have the basic journalism course as a basic tool of education now that we are on the information age.

The mandatory course will provide the students their knowledge for:

- (a) Prevention of Cyber crime law;
- (b) Ethical and professional social journalism;
- (c) Anti-cyber bullying awareness
- (d) Promote self-social media regulation
- (e) Posting of credible information to help and build a credible nation
- (f) Anti-Fake News

SEC.5. -- Research and Development. - Communication Research and Development shall be pursued and priority shall be given to the development of effective, appropriate and efficient communication technologies thru responsible journalism.

The TESDA, shall continue in developing the teaching professional standard and training journalism programs as it varies on the demand of this education in the information age.

SEC. 6. - Manpower Complement - The TESDA shall strengthen its capability in providing technical assistance to the Private Sector were practitioners and experts and maintain communication and journalism research and development. TESDA will provide directions, policies, programs and standards towards quality technical education and skills development for the Basic Journalism Course.

SEC. 7. - Monitoring and Evaluation. – The TESDA shall monitor the implementation of Basic Journalism as a technical course. The TESDA shall review all existing program and technical providers after the completion of the course to determine their effectiveness. The TESDA shall employ the services of independent evaluators to assess the over-all impact of the Basic Journalism Course.

SEC. 8. – Report to Congress – The TESDA shall submit a detailed status report of its programs and accomplishments every year without prejudice to its mandate.

SEC. 9 – Appropriations. - Such sums as may be necessary for the implementation of this Act shall be taken from any available appropriations of the TESDA under the current General Appropriations Act. Thereafter, the succeeding appropriations for its continued implementation shall be included in the annual General Appropriations Act.

SEC. 10. – Implementing Rules and Regulations –The TESDA, DEPED, expert course providers and other stakeholders shall formulate the Rules and Regulations within Ninety (90) days from the effectivity of this Act.

SEC. 11. - Seperability Clause - In any part or provision of this Act is held unconstitutional, other parts or provisions hereof which are not affected thereby shall be in full force and effect.

SEC.12. - Effectivity - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved

