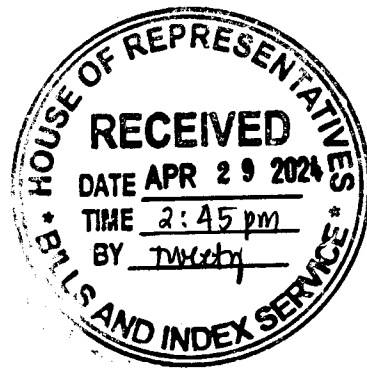




Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



Nineteenth Congress
Second Regular Session

HOUSE BILL NO. **10277**

Introduced by Representative Jurdin Jesus M. Romualdo

EXPLANATORY NOTE

This bill seeks to prohibit the unauthorized broadcast of images or videos of victims of crime or accident or of persons who have committed suicide and providing penalties for violation thereof.

The proliferation of digital media and the ease with which content can be shared on social media platforms have led to a significant rise in privacy concerns, especially for individuals in sensitive situations. The unauthorized dissemination of images and videos of those who have fallen victim to crimes, accidents, or of persons who have committed suicide not only violates the privacy and dignity of the individuals depicted but can also cause undue distress to their families.

Drawing inspiration from international precedents, this bill seeks to address these concerns by criminalizing the unauthorized broadcasting of images or videos of individuals in such compromising situations.

Internationally, several jurisdictions have recognized the need for legal mechanisms to protect the privacy of individuals as a result of accidents or emergencies. In the United States, for example, "*Cathy's Law*" in New Jersey (N.J.S.A. 2A:58D-2) was enacted after a breach of privacy when a photograph of Cathy Bates, who was killed in an accident, was posted on Facebook by a first responder before her family had been notified. This law makes it an offense for first responders to distribute images of accident victims without consent and provides a private right of action for victims of such disclosures. Similarly, "*Joshua's Law*" in Connecticut (Conn. Gen. Stat. 53-341c)

criminalizes the unauthorized capture and dissemination of images of persons receiving medical assistance by first responders. These laws underscore the importance of protecting the dignity and privacy of individuals during critical and vulnerable moments and provide a framework for holding violators accountable.

It is imperative to note that while this bill aligns with the general principles of these foreign laws, it also respects the nuances of the Philippine legal context. It seeks to balance the right to information and freedom of expression with the right to privacy, ensuring that the dignity of victims and their families is preserved.

Republic Act No. 10173, otherwise known as the "*Data Privacy Act of 2012*," lays down standards for protecting personal information, and this legislative measure reinforces those standards by addressing a specific category of privacy breaches.

Through this bill, a clear legal protection against the unauthorized dissemination of images and videos of individuals who are victims of crimes, accidents, or of persons who have committed suicide. This protection is vital in upholding human dignity and ensuring that the rights of the most vulnerable are not overlooked in the digital age.

In view of the foregoing, the immediate passage of this bill is earnestly sought.



JURDIN JESUS M. ROMUALDO



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Nineteenth Congress
Second Regular Session

HOUSE BILL NO. **16277**

Introduced by Representative Jurdin Jesus M. Romualdo

AN ACT
PROHIBITING THE UNAUTHORIZED BROADCAST OF IMAGES OR
VIDEOS OF VICTIMS OF CRIME OR ACCIDENT OR OF PERSONS
WHO HAVE COMMITTED SUICIDE AND PROVIDING PENALTIES
FOR VIOLATION THEREOF

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

3
4 SECTION 1. ***Short Title.*** – This Act shall be known as the “*Victims*
5 *Privacy Protection Act.*”

6 SEC. 2. ***Declaration of Policy.*** – It is the declared policy of the State to
7 value the dignity of every human person and guarantee full respect for human
8 rights. Toward this end, the State shall uphold and protect the integrity and dignity
9 of individuals who are victims of crimes and accidents, or suicide victims and
10 ensure that their rights to privacy and respect are not compromised by
11 unauthorized or exploitative use of technology.

12 SEC. 3. ***Prohibited Acts.*** – It shall be unlawful for any person to broadcast
13 by any means, without consent of the victim or the victim’s family, the image,
14 video, or details of a person who is a victim of any crime or accident, or of any
15 person who has committed suicide.

1 Likewise, it shall be unlawful for any person to use such image or video in a
2 manner that may be deemed as disrespectful, derogatory, or prejudicial to the
3 honor, dignity and privacy of the victim.

4 SEC. 4. ***Exemptions.*** – Duly franchised and authorized television and radio
5 networks, including duly licensed print media, may, and in accordance with the
6 existing ethical and professional standards, broadcast the image, video or details of
7 a person who is a victim of any crime or accident, or of any person who has
8 committed suicide.

9 Social media journalists, commentators and other content creators may,
10 likewise, use such image or video after securing the consent of the victim or
11 victim's family.

12 SEC. 5. ***Penalties.*** – Any person who commits the acts prohibited under
13 Section 3 of this Act shall be punished by imprisonment of not less than three (3)
14 years but not more than seven (7) years, or a fine of not less than One hundred
15 thousand pesos (P100,000.00) nor more than Five hundred thousand pesos
16 (P500,000.00), or both, at the discretion of the court.

17 If the offender is a corporation or association, the president, manager,
18 managing partner or any officer of the corporation or partnership who directly
19 participated in the violation shall be held liable.

20 If the offender is a public officer or employee, the public officer or employee
21 shall also be held administratively liable.

22 If the offender is an alien, the alien shall be deported immediately after
23 service of sentence and payment of fines without further proceedings by the
24 Bureau of Immigration.

25 SEC. 6. ***Victim's Right to Action.*** – The victim, or in the case of a deceased
26 victim, the next of kin, may institute a separate civil action against the offender.

1 The court may award moral, exemplary and nominal damages, attorney's fees, and
2 costs.

3 SEC. 7. ***Separability Clause.*** – If any provision of this Act is declared
4 unconstitutional or invalid, the remaining parts or provisions not affected shall
5 remain in full force and effect.

6 SEC. 8. ***Repealing Clause.*** – All laws, executive orders, issuances, rules,
7 and regulations, or parts thereof, inconsistent with the provisions of this Act are
8 repealed or modified accordingly.

9 SEC. 9. ***Effectivity.*** – This Act shall take effect fifteen (15) days after its
10 publication in the *Official Gazette* or in a newspaper of general circulation.

11 Approved,