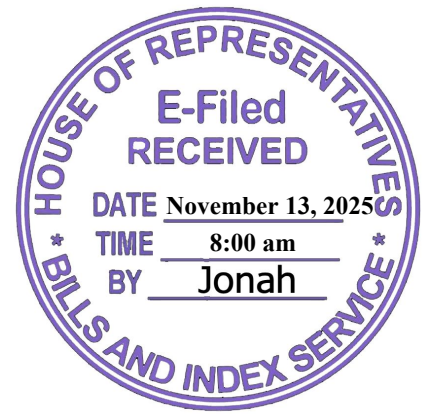


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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City
TWENTIETH CONGRESS
First Regular Session



HOUSE BILL NO. 5948

Introduced by Hon. Julianne "Jam" L. Baronda

EXPLANATORY NOTE

The rise of digital communication and social media has transformed how people interact and express themselves. However, it has also enabled new forms of online harassment and abuse that cause deep emotional and psychological harm. Acts of online annoyance, mockery, or humiliation—often dismissed as jokes—can severely damage a person’s dignity and mental health.

Under **Article 287 of the Revised Penal Code**, *unjust vexation* penalizes acts that irritate or annoy another without lawful cause. Yet this provision, enacted long before the digital era, does not address similar acts committed online. Meanwhile, **Republic Act No. 10175**, or the *Cybercrime Prevention Act of 2012*, covers certain cyber offenses but fails to address repeated or malicious online behavior that causes emotional distress but falls short of libel or identity theft.

The **case of Emman Atienza**, a young victim of persistent online bullying, highlights the mental health toll of unchecked digital harassment. Likewise, recent incidents—such as **TikTok videos mocking cultural practices or traditions of indigenous groups like the Sama Bajau**—demonstrate how cyber harassment can perpetuate discrimination, prejudice, and cultural disrespect, often targeting marginalized communities for ridicule.

A **June 13, 2024 report by the Second Congressional Commission on Education (EDCOM 2)** described the *high incidence of bullying in Philippine public schools* as alarming, noting that many cases now take place online and negatively affect students’ mental health. Similarly, the **Congressional Policy and Budget Research Department (CPBRD)**, in its *Philippine Country Profile in the Digital 2024 Report*, found that **over 73% of Filipinos are internet users**, making digital spaces both a platform for expression and a potential source of harm.

This bill introduces the offense of **Cyber Unjust Vexation**, penalizing any person who knowingly and unlawfully harasses, annoys, or irritates another through computer

41 system or any other similar means which may be devised in the future—including
42 repeated unwanted messages, posts, or digital impersonation. It also imposes higher
43 penalties when the act involves discrimination based on sex, gender identity, ethnicity,
44 race, religion, or cultural affiliation.

45 Consistent with **Republic Act No. 11036**, the *Mental Health Act*, this measure
46 underscores the State’s duty to safeguard the mental and emotional well-being of all
47 citizens and to promote a culture of respect and accountability in online spaces.

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

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53 **HON. JULIENNE “JAM” L. BARONDA**
54 Representative
55 Lone District, Iloilo City
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83 **HOUSE OF REPRESENTATIVES**
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89

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91 **Introduced by Hon. Julianne “Jam” L. Baronda**
92

93 **AN ACT PENALIZING CYBER UNJUST VEXATION, AMENDING**
94 **REPUBLIC ACT NO. 10175, OTHERWISE KNOWN AS THE**
95 **CYBERCRIME PREVENTION ACT OF 2012**
96

97 *Be it enacted by the House of Representatives of the Philippines, in Congress*
98 *assembled:*
99

100 Section 1. *Short Title.* – *This Act shall be known as the “Cyber Unjust Vexation*
101 *Act”, amending Republic Act No. 10175, otherwise known as the “Cybercrime*
102 *Prevention Act of 2012.”*
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105 SECTION 2. *Section 4 (c) of Republic Act No. 10176, is hereby further amended to*
106 *include:*
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108 **(5) Unjust Vexation.** — The act of knowingly and unlawfully annoying, irritating,
109 harassing, or vexing another person through computer system or any other similar
110 means which may be devised in the future, including but not limited to:

- 111 i. sending repeated unwanted messages, posts, or communications through
112 electronic mail, social media, or any online platform;
113 ii. posting or sharing content intended to cause annoyance, embarrassment, or
114 emotional distress;
115 iii. using fake accounts, comments, or digital impersonation to provoke or
116 irritate another; and
117 iv. engaging in any online behavior equivalent to unjust vexation as defined
118 under Article 287 of the Revised Penal Code.

Any person found guilty of committing Unjust Vexation through computer system or any other similar means which may be devised in the future shall be punished with arresto mayor in its medium period or a fine ranging from One hundred thousand pesos (₱100,000.00) to Five hundred thousand pesos (₱500,000.00), or both, at the discretion of the court.”

Provided, That if the act was committed for the purpose of vexing, annoying, or harassing another person on the basis of sex, sexual orientation, gender identity or expression, ethnicity, race, or religious belief, thereby amounting to discrimination, such circumstance shall be considered aggravating, and the penalty shall be imposed in its maximum period.

Sec. 6. *Separability Clause.* - If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

Sec. 7. *Repealing Clause.* - All laws, presidential decrees, executive orders, rules and regulations and other issuances, or any part thereof, inconsistent with this Act are hereby repealed, modified, or amended accordingly.

Sec. 8. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,