

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City, Metro Manila

SEVENTEENTH CONGRESS  
First Regular Session

House Bill No. 913



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Introduced by Representative Herminio Harry L. Roque, Jr.

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**AN ACT PROVIDING FOR A JOURNALIST PROTECTION, SECURITY AND  
BENEFIT PROGRAM AND FOR OTHER PURPOSES**

***EXPLANATORY NOTE***

The killing of journalists is the worst form of censorship of the media. It is a crime of murder and constitutes the most serious infringement of press freedom in the country.

Since the EDSA People Power Revolution and the restoration of democracy in the country in 1986, there have been 172 journalists killed in the line of duty in the Philippines. The massacre of 58 people, including 32 media workers, in Maguindanao province in 2009 holds the record for the "deadliest single-day attack anywhere in the world on journalists."

In fact, in 2015, the Philippines was tagged as the third deadliest country for journalists, only after Iraq and Syria, where armed conflict is prevalent due to the presence of the Islamic State of Iraq and Syria (ISIS).

This bill seeks to accord protection to journalists at risk. It defines journalists as those who regularly impart information to the general public whether or not they actually earn a living or not out of the practice. This is the definition given by the United Nations Educational, Scientific and Cultural Organization (UNESCO).

The protections specified in this bill include the provision of a safe house, provision of security personnel, as well the provision of health and educational assistance to journalists at risk.

Under human rights law, the State is obliged to protect the right to life and the freedom of expression. This bill seeks to comply with these state obligations. Ultimately, this bill seeks to ensure that journalists have the right to work free from the threat of violence and to ensure the right to freedom of opinion and expression for all.



HERMINIO HARRY L. ROQUE, JR.

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1     **AN ACT PROVIDING FOR A JOURNALIST PROTECTION, SECURITY AND**  
2             **BENEFIT PROGRAM AND FOR OTHER PURPOSES**  
3

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

6             **Section 1. *Name of Act.*** - This Act shall be known as the "**Journalist**  
7     ***Protection, Security and Benefit Act***".  
8

9             **Section 2. *Implementation of Program.*** - The Department of Justice, in  
10     consultation with existing media groups, such as , but not limited to the National  
11     Union of Journalists of the Philippines, the National Press Club and the Kapisanan  
12     ng mga Brodkasters sa Pilipinas, hereinafter referred to as the Department, through  
13     its Secretary, shall formulate and implement a "Witness Protection, Security and  
14     Benefit Program", hereinafter referred to as the Program, pursuant to and consistent  
15     with the provisions of this Act.  
16

17             The Department may call upon any department, bureau, office or any other  
18     executive agency to assist in the implementation of the Program and the latter offices  
19     shall be under legal duty and obligation to render such assistance.  
20

21             **Section 3. *Admission into the Program.*** - Any journalist who has reasonable  
22     grounds to believe that there exists a threat to his life or security, may be admitted  
23     into the Program. For purposes of this Act, a journalist is one who regularly imparts  
24     information to the general public, regardless of whether he or she receives  
25     compensation for rendering such service.  
26

27             If the Department, after examination of said applicant and other relevant  
28     facts, is convinced that the requirements of this Act and its implementing rules and  
29     regulations have been complied with, it shall admit said applicant to the Program,  
30     require said journalist to execute a sworn statement detailing his knowledge or  
31     information giving rise to the threat and thereafter issue the proper certification. For

1 purposes of this Act, any such person admitted to the Program shall be known as a  
2 Protected Journalist.  
3

4 **Section 4. Memorandum of Agreement With the Person to be Protected.** -

5 Before a person is provided protection under this Act, he shall first execute a  
6 memorandum of agreement which shall set forth his responsibilities including:  
7

8 a) to testify before and provide information to all appropriate law  
9 enforcement officials concerning all appropriate proceedings in connection  
10 with or arising from the perceived threat;

11 b) to avoid the commission of the crime;

12 c) to take all necessary precautions to avoid detection by others of the facts  
13 concerning the protection provided him under this Act;

14 d) to comply with legal obligations and civil judgments against him;

15 e) to cooperate with respect to all reasonable requests of officers and  
16 employees of the Government who are providing protection under this Act;  
17 and

18 f) to regularly inform the appropriate program official of his current activities  
19 and address.

20 **Section 5. Breach of the Memorandum of Agreement.** - Substantial breach of  
21 the memorandum of agreement shall be a ground for the termination of the  
22 protection provided under this Act: Provided, however, That before terminating  
23 such protection, the Secretary of Justice shall send notice to the person involved of  
24 the termination of the protection provided under this Act, stating therein the reason  
25 for such termination.  
26

27 **Section 6. Confidentiality of Proceedings.** - All proceedings involving  
28 application for admission into the Program and the action taken thereon shall be  
29 confidential in nature. No information or documents given or submitted in support  
30 thereof shall be released except upon written order of the Department or the proper  
31 court.  
32

33 Any person who violates the confidentiality of said proceedings shall upon  
34 conviction be punished with imprisonment of not less than one (1) year but not more  
35 than six (6) years and deprivation of the right to hold a public office or employment  
36 for a period of five (5) years.  
37  
38

1           **Section 7. Rights and Benefits.** - The witness shall have the following rights  
2 and benefits:*ITC-ALF*

3           (a) To have a secure housing facility until the threat, intimidation or  
4 harassment disappears or is reduced to a manageable or tolerable level. When  
5 the circumstances warrant, the Protected Journalist shall be entitled to  
6 relocation and/or change of personal identity at the expense of the Program.  
7 This right may be extended to any member of the family of the Witness  
8 within the second civil degree of consanguinity or affinity.

9           (b) The Department shall, whenever practicable, assist the Protected Journalist  
10 in obtaining a means of livelihood. The Journalist relocated pursuant to this  
11 Act shall be entitled to a financial assistance from the Program for his support  
12 and that of his family in such amount and for such duration as the  
13 Department shall determine.

14           (c) In no case shall the Protected Journalist be removed from or demoted in  
15 work because or on account of his absences due to his attendance before any  
16 judicial or quasi-judicial body or investigating authority, including legislative  
17 investigations in aid of legislation, in going thereto and in coming therefrom:  
18 Provided, That his employer is notified through a certification issued by the  
19 Department, within a period of thirty (30) days from the date when the  
20 Witness last reported for work: Provided, further, That in the case of  
21 prolonged transfer or permanent relocation, the employer shall have the  
22 option to remove the Protected Journalist from employment after securing  
23 clearance from the Department upon the recommendation of the Department  
24 of Labor and Employment.

25           (d) To be provided with reasonable travelling expenses and subsistence  
26 allowance by the Program in such amount as the Department may determine  
27 for his attendance in the court, body or authority where his testimony is  
28 required, as well as conferences and interviews with prosecutors or  
29 investigating officers.

30           (e) To be provided with free medical treatment, hospitalization and medicines  
31 for any injury or illness incurred or suffered by him while in this program in  
32 any private or public hospital, clinic, or at any such institution at the expense  
33 of the Program.

34           (f) If a Protected Journalist is killed, despite his participation in the Program,  
35 his heirs shall be entitled to a burial benefit of not less than Five Hundred  
36 Thousand Pesos(500,000.00) from the Program exclusive of any other similar  
37 benefits he may be entitled to under other existing laws.

38           (g) In case of death or permanent incapacity, his minor or dependent children  
39 shall be entitled to free education, from primary to college level in any state,

