

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 9170



Introduced by **HON. JOY MYRA S. TAMBUNTING**

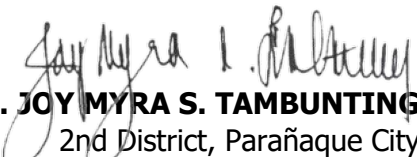
EXPLANATORY NOTE

Red-tagging, as defined by the Philippine Commission on Human Rights, is "an act of State actors, particularly law enforcement agencies, to publicly brand individuals, groups, or institutions as affiliated to communist or leftist terrorists". It is a widely used strategy employed by State agents to silence progressives, activists or other individuals perceived to be 'threats' or 'enemies of the State' for voicing out dissent with government policies. Red-tagging often have far-reaching consequences for the work and safety of victims as they often become targets of killings. This Representation believes that red-tagging, and the consequent endangerment of life that comes with it, violates the constitutional provision on the protection of life and liberty and freedom speech, as it aims to instill fear and stifle dissent.

In the recent years, we have witnessed a rise of red-tagging against human rights advocates, labor union organizations, journalists, teachers, unions, women's groups, indigenous organizations, religious groups, student groups, agrarian reform advocates and others. Even media personalities and honorable members of the House of Representatives were not spared from red-tagging posts in social media by various users and by some personalities from State agencies. As such, it is incumbent upon the state to institutionalize a system of accountability by criminalizing red-tagging and providing for penalties as deterrence thereto.

This measure seeks to define the crime of red-tagging as the act of labeling, vilifying, branding, naming, accusing, harassing, persecuting, stereotyping, or caricaturing individuals, groups, or organizations as state enemies, left-leaning, subversives, communists, or terrorists as part of a counter-insurgency or anti-terrorism strategy or program, by any state actor, such as a law enforcement agent, paramilitary, or military personnel. This measure likewise seeks to penalize those found guilty of committing this crime with imprisonment of ten (10) years and perpetual absolute disqualification to hold public office.

On behalf of the people of Parañaque City's Second District, and for the common good of the Filipino people, the approval of the said measure is earnestly sought.


REP. JOY MYRA S. TAMBUNTING
2nd District, Parañaque City

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AN ACT
DEFINING AND PENALIZING THE CRIME OF RED-TAGGING

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

SECTION 1. Red-tagging. – Any state actor, such as a law enforcement agent, paramilitary, or military personnel, who labels, vilifies, brands, names, accuses, harasses, persecutes, stereotypes, or caricatures individuals, groups, or organizations as state enemies, left-leaning, subversives, communists, or terrorists as a part of a counter-insurgency or anti-terrorism program or strategy, shall suffer the penalty of imprisonment of ten (10) years and perpetual absolute disqualification to hold public office.

SEC. 2. Repealing Clause. – All laws inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 3. Effectivity. – This Act shall take effect upon its publication in the Official Gazette and in a newspaper of general circulation.

Approved,