

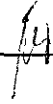
FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)

SENATE
OFFICE OF THE SECRETARY

9 JAN 29 P1:44

SENATE
S. No. 3024

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Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Numerous cases of missing persons are reported everyday. Many children and adults who may have been victims of abductions, natural disasters, trafficking and other causes, have remained unfound due to lack of information and assistance. The Constitution, Article 2, Section 5 provides that:

SEC. 5. xxx the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all people of the blessings of democracy.

Thus, the State is obligated to ensure the public's safety and institute an effective and immediate response to cases of missing persons. In the United States, it has been reported that one in six missing children are recovered as a direct result of someone recognizing their photo on an electronic public database and notifying authorities.

This bill seeks to create the first national repository for missing persons and unidentified decedent records. The database will be readily accessible through the internet.

The internet can become a valuable tool in the search for missing persons. Its speed in information dissemination is incomparable. Its capacity to store vast amounts of digital records is an ideal way to manage the volume of files that are anticipated in these cases.

Through this tool, the Department of Justice shall be able to assist families, law enforcement agencies, medical examiners and coroners, victim advocates, and the general public in solving these cases.


MIRIAM DEFENSOR SANTIAGO

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1 AN ACT
2 TO DIRECT THE SECRETARY OF JUSTICE TO ESTABLISH AND MAINTAIN A PUBLIC
3 WEBSITE THROUGH WHICH INDIVIDUALS MAY FIND A COMPLETE DATABASE OF
4 MISSING PERSONS AND UNIDENTIFIED DECEDENT RECORDS

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

7 SECTION 1. *Short Title.* – This Act shall be known as the “National Missing and
8 Unidentified Persons Database Act.”

9 SECTION 2. *Definitions.* – The purposes of this Act the term –

10 A. MISSING PERSON - means any individual whose whereabouts is unknown to
11 the reporting party. This includes any child who may have run away, been taken
12 involuntary or may be in need of assistance. It includes a child illegally taken,
13 held or hidden by apparent or non-parent family member.

14 B. UNIDENTIFIED DECEDENT - means any person who has died and whose
15 bodies have not been identified.

16 C. SECRETARY - means the Secretary of Justice, unless otherwise indicated.

17 SECTION 3. *Establishment of a Database.* – The Secretary shall establish and maintain,
18 on the public website of the Department of Education, a database consisting of information on
19 missing persons and unidentified decedents. The database will be engineered such that the
20 general public will be able to search for matches between missing persons and unidentified
21 decedent records. Access to this database shall be free of charge.

1 SECTION 4. *Missing Persons Database.*- This database shall contain information about
2 missing person, including photographs, physical characteristics, fingerprints and dental/body x-
3 rays, where last seen, and other pertinent information.

4 SECTION 5. *Unidentified Decedents Database.* – This database shall contain information
5 entered by medical examiners and coroners, which will include photographs, physical
6 characteristics, and other information that will help in the identification of the deceased.

7 SECTION 6. *Duties of law enforcement agencies.* – All law enforcement agencies shall
8 accept any report, including a report by telephone, of a missing person, including runaways.
9 These reports shall be verified and forwarded to the Department of Justice without delay. The
10 Department of Justice shall promulgate in the implementing rules safeguards to prevent false
11 reports and misuse of the database.

12 SECTION 7. *Dissemination of Information on Database.* - The Secretary shall take such
13 actions as may be necessary on an ongoing basis, including sending notices to schools, welfare
14 agencies, and other institutions, to disseminate information on the database established and
15 maintained under this Act and to encourage its use by interested parties.

16 SECTION 8. *Appropriations.* –The amount necessary for the initial implementation of
17 this Act shall be charged against the appropriations of the Department of Justice under the
18 current General Appropriations Act. Thereafter, such sum as may be necessary for its full
19 implementation shall be included in the annual General Appropriations Act as a distinct and
20 separate item.

21 SECTION 9. *Separability Clause.* – If any provision or part hereof, is held invalid or
22 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
23 valid and subsisting.

24 SECTION 10. *Repealing Clause.* – Any law, presidential decree or issuance, executive
25 order, letter of instruction, administrative order, rule or regulation contrary to or is inconsistent
26 with the provision of this Act is hereby repealed, modified, or amended accordingly.

1 SECTION 11. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
2 publication in at least two (2) newspapers of general circulation.

3 Approved,