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SENATE
S. No. 1841

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Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

A few days ago, a video spanning some 19 minutes went viral in the social media. It showed three teenage-looking girls stomping on a puppy until it died. According to Philippine Animal Welfare Society (PAWS) Executive Director Anna Cabrera, the video was indeed taken in the Philippines and was part of a collection they seized in 2011. According to the report, the three girls are currently in the care of the Department of Social Welfare Development.¹

Animal crush videos are defined as videos in which animals are abused. They cater to a certain fetish that can give sexual satisfaction to some people who view them. On December 2010, the U.S. Congress enacted into law a bill prohibiting the creation, reproduction and distribution of animal crush videos.

According to the website of the People for the Ethical Treatment of Animals (PETA), in a recent investigation here in our country, they found a compilation of videos showing extreme cruelty to animals. The videos include rabbits mutilated and skinned alive and set on fire, dogs burned using clothes iron, monkeys stabbed in the eyes with stiletto heels and puppies crushed until they vomited their own internal organs.

¹ <http://www.gmanetwork.com/news/story/329550/news/nation/viral-puppy-crush-video-an-old-one-paws>

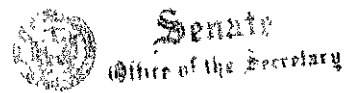
The Animal Welfare Act punishes cruelty to animal. However, we also need to address the actual act of producing and distributing the videos that cater to the demands of twisted fetishes in the marketplace. By doing so, we will enable our law enforcers and Department of Justice to squarely face this evil.

While there is no notable local demand for animal crush videos, our citizens, especially those from the impoverished sectors of our society, may be drawn to participate in the production and distribution of these videos for overseas clients.

This bill punishes the creation and distribution of animal crush videos.

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



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S. No. 1841

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1 AN ACT
2 PENALIZING THE CREATION AND DISTRIBUTION OF ANIMAL CRUSH
3 VIDEOS

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

4 SECTION 1. *Short Title.* – This Act shall be known as “Anti-Animal Crush
5 Videos Act.”

6 SECTION 2. . *Definition.* – For the purposes of this Act, “animal crush
7 video” means any photograph, motion-picture film, video or digital recording, or
8 electronic image that depicts actual conduct in which 1 or more living non-human
9 mammals, birds, reptiles, or amphibians are intentionally killed, crushed, burned,
10 drowned, suffocated, impaled, or otherwise subjected to serious bodily injury; and
11 is obscene.

12 “Obscenity” shall refer to depictions* taken as a whole, that appeal to the
13 prurient interest in sex, are patently offensive, and lack serious literary, artistic,
14 political, or scientific value.

15 SECTION 3. *Prohibited Acts.* – It shall be unlawful for any person to:

- 1 1. create or produce an animal crush video, regardless of whether the same
- 2 is distributed commercially or otherwise;
- 3 2. sell, market, advertise, exchange, or distribute an animal crush video.

4 SECTION 4. *Exceptions.* – This Act shall not apply with regard to any
5 visual depiction of:

- 6 1. customary and normal veterinary or agricultural husbandry practices;
- 7 2. the slaughter of animals for food; or
- 8 3. hunting, trapping, or fishing.

9 SECTION 4. *Good faith distribution.* – This Act shall not apply to the good-
10 faith distribution of an animal crush video to:

- 11 1. a law enforcement agency; or
- 12 2. a third party for the sole purpose of analysis to determine if referral to a
- 13 law enforcement agency is appropriate.

14 SECTION 4. *Penalty.* – Any person who commits any of the prohibited acts
15 shall be penalized by imprisonment of not less than one (1) year to no more than
16 six (6) years of imprisonment and a fine of not less than ten thousand pesos (PHP
17 10,000) to not more than two hundred thousand pesos (PHP 200,000).

18 SECTION 5. *Repealing Clause.* – Any law, presidential decree or issuance,
19 executive order, letter of instruction, administrative order, rule or regulation
20 contrary to or is inconsistent with the provision of this Act is hereby repealed,
21 modified, or amended accordingly.

1 SECTION 6. *Effectivity Clause.* – This Act shall take effect fifteen (15)
2 days after its publication in at least two (2) newspapers of general circulation.

3 Approved,

/apmj100813