

**EN BANC**

**[ G.R. No. 203335, April 22, 2014 ]**

**JOSE JESUS M. DISINI, JR., ROWENA S. DISINI, LIANNE IVY P. MEDINA, JANETTE TORAL AND ERNESTO SONIDO, JR., PETITIONERS, VS. THE SECRETARY OF JUSTICE, THE SECRETARY OF THE DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT, THE EXECUTIVE DIRECTOR OF THE INFORMATION AND COMMUNICATIONS TECHNOLOGY OFFICE, THE CHIEF OF THE PHILIPPINE NATIONAL POLICE AND THE DIRECTOR OF THE NATIONAL BUREAU OF INVESTIGATION, RESPONDENTS.**

**[G.R. NO. 203299]**

**LOUIS "BAROK" C. BIRAOGO, PETITIONER, VS. NATIONAL BUREAU OF INVESTIGATION AND PHILIPPINE NATIONAL POLICE, RESPONDENTS.**

**[G.R. NO. 203306]**

**ALAB NG MAMAMAHAYAG (ALAM), HUKUMAN NG MAMAMAYAN MOVEMENT, INC., JERRY S. YAP, BERTENI "TOTO" CAUSING, HERNANI Q. CUARE, PERCY LAPID, TRACY CABRERA, RONALDO E. RENTA, CIRILO P. SABARRE, JR., DERVIN CASTRO, ET AL., PETITIONERS, VS. OFFICE OF THE PRESIDENT, REPRESENTED BY PRESIDENT BENIGNO SIMEON AQUINO III, SENATE OF THE PHILIPPINES, AND HOUSE OF REPRESENTATIVES, RESPONDENTS.**

**[G.R. NO. 203359]**

**SENATOR TEOFISTO DL GUINGONA III, PETITIONER, VS. EXECUTIVE SECRETARY, THE SECRETARY OF JUSTICE, THE SECRETARY OF THE DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT, THE CHIEF OF THE PHILIPPINE NATIONAL POLICE, AND DIRECTOR OF THE NATIONAL BUREAU OF INVESTIGATION, RESPONDENTS.**

**[G.R. NO. 203378]**

**ALEXANDER ADONIS, ELLEN TORDESILLAS, MA. GISELA ORDENES-CASCOLAN, H. HARRY L. ROQUE, JR., ROMEL R. BAGARES, AND GILBERT T. ANDRES, PETITIONERS, VS. THE EXECUTIVE SECRETARY, THE DEPARTMENT OF BUDGET AND MANAGEMENT, THE DEPARTMENT OF JUSTICE, THE DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT, THE**

**NATIONAL BUREAU OF INVESTIGATION, THE PHILIPPINE  
NATIONAL POLICE, AND THE INFORMATION AND  
COMMUNICATIONS TECHNOLOGY OFFICE-DEPARTMENT OF  
SCIENCE AND TECHNOLOGY, RESPONDENTS.**

**[G.R. NO. 203391]**

**HON. RAYMOND V. PALATINO, HON. ANTONIO TINIO, VENCER  
MARI CRISOSTOMO OF ANAKBAYAN, MA. KATHERINE ELONA OF  
THE PHILIPPINE COLLEGIAN, ISABELLE THERESE BAGUISI OF  
THE NATIONAL UNION OF STUDENTS OF THE PHILIPPINES, ET  
AL., PETITIONERS, VS. PAQUITO N. OCHOA, JR., IN HIS  
CAPACITY AS EXECUTIVE SECRETARY AND ALTER-EGO OF  
PRESIDENT BENIGNO SIMEON AQUINO III, LEILA DE LIMA IN  
HER CAPACITY AS SECRETARY OF JUSTICE, RESPONDENTS.**

**[G.R. NO. 203407]**

**BAGONG ALYANSANG MAKABAYAN SECRETARY GENERAL  
RENATO M. REYES, JR., NATIONAL ARTIST BIENVENIDO L.  
LUMBERA, CHAIRPERSON OF CONCERNED ARTISTS OF THE  
PHILIPPINES, ELMER C. LABOG, CHAIRPERSON OF KILUSANG  
MAYO UNO, CRISTINA E. PALABAY, SECRETARY GENERAL OF  
KARAPATAN, FERDINAND R. GAITE, CHAIRPERSON OF  
COURAGE, JOEL B. MAGLUNSOD, VICE PRESIDENT OF  
ANAKPAWIS PARTY-LIST, LANA R. LINABAN, SECRETARY  
GENERAL GABRIELA WOMEN'S PARTY, ADOLFO ARES P.  
GUTIERREZ, AND JULIUS GARCIA MATIBAG, PETITIONERS, VS.  
BENIGNO SIMEON C. AQUINO III, PRESIDENT OF THE REPUBLIC  
OF THE PHILIPPINES, PAQUITO N. OCHOA, JR., EXECUTIVE  
SECRETARY, SENATE OF THE PHILIPPINES, REPRESENTED BY  
SENATE PRESIDENT JUAN PONCE ENRILE, HOUSE OF  
REPRESENTATIVES, REPRESENTED BY SPEAKER FELICIANO  
BELMONTE, JR., LEILA DE LIMA, SECRETARY OF THE  
DEPARTMENT OF JUSTICE, LOUIS NAPOLEON C. CASAMBRE,  
EXECUTIVE DIRECTOR OF THE INFORMATION AND  
COMMUNICATIONS TECHNOLOGY OFFICE, NONNATUS CAESAR R.  
ROJAS, DIRECTOR OF THE NATIONAL BUREAU OF  
INVESTIGATION, D/GEN. NICANOR A. BARTOLOME, CHIEF OF  
THE PHILIPPINE NATIONAL POLICE, MANUEL A. ROXAS II,  
SECRETARY OF THE DEPARTMENT OF THE INTERIOR AND LOCAL  
GOVERNMENT, RESPONDENTS.**

**[G.R. NO. 203440]**

**MELENCIO S. STA. MARIA, SEDFREY M. CANDELARIA, AMPARITA  
STA. MARIA, RAY PAOLO J. SANTIAGO, GILBERT V. SEMBRANO,  
AND RYAN JEREMIAH D. QUAN (ALL OF THE ATENEO HUMAN  
RIGHTS CENTER), PETITIONERS, VS. HONORABLE PAQUITO  
OCHOA IN HIS CAPACITY AS EXECUTIVE SECRETARY,  
HONORABLE LEILA DE LIMA IN HER CAPACITY AS SECRETARY  
OF JUSTICE, HONORABLE MANUEL ROXAS IN HIS CAPACITY AS**

**SECRETARY OF THE DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT, THE CHIEF OF THE PHILIPPINE NATIONAL POLICE, THE DIRECTOR OF THE NATIONAL BUREAU OF INVESTIGATION (ALL OF THE EXECUTIVE DEPARTMENT OF GOVERNMENT), RESPONDENTS.**

**[G.R. NO. 203453]**

**NATIONAL UNION OF JOURNALISTS OF THE PHILIPPINES (NUJP), PHILIPPINE PRESS INSTITUTE (PPI), CENTER FOR MEDIA FREEDOM AND RESPONSIBILITY, ROWENA CARRANZA PARAAN, MELINDA QUINTOS-DE JESUS, JOSEPH ALWYN ALBURO, ARIEL SEBELLINO AND THE PETITIONERS IN THE E-PETITION [HTTP://WWW.NUJP.ORG/NO-TO-RA10175/](http://WWW.NUJP.ORG/NO-TO-RA10175/), PETITIONERS, VS. THE EXECUTIVE SECRETARY, THE SECRETARY OF JUSTICE, THE SECRETARY OF THE INTERIOR AND LOCAL GOVERNMENT, THE SECRETARY OF BUDGET AND MANAGEMENT, THE DIRECTOR GENERAL OF THE PHILIPPINE NATIONAL POLICE, THE DIRECTOR OF THE NATIONAL BUREAU OF INVESTIGATION, THE CYBERCRIME INVESTIGATION AND COORDINATING CENTER, AND ALL AGENCIES AND INSTRUMENTALITIES OF GOVERNMENT AND ALL PERSONS ACTING UNDER THEIR INSTRUCTIONS, ORDERS, DIRECTION IN RELATION TO THE IMPLEMENTATION OF REPUBLIC ACT NO. 10175, RESPONDENTS.**

**[G.R. NO. 203454]**

**PAUL CORNELIUS T. CASTILLO & RYAN D. ANDRES, PETITIONERS, VS. THE HON. SECRETARY OF JUSTICE, THE HON. SECRETARY OF INTERIOR AND LOCAL GOVERNMENT, RESPONDENTS.**

**[G.R. NO. 203469]**

**ANTHONY IAN M. CRUZ; MARCELO R. LANDICHO; BENJAMIN NOEL A. ESPINA; MARCK RONALD C. RIMORIN; JULIUS D. ROCAS; OLIVER RICHARD V. ROBILLO; AARON ERICK A. LOZADA; GERARD ADRIAN P. MAGNAYE; JOSE REGINALD A. RAMOS; MA. ROSARIO T. JUAN; BRENDALYN P. RAMIREZ; MAUREEN A. HERMITANIO; KRISTINE JOY S. REMENTILLA; MARICEL O. GRAY; JULIUS IVAN F. CABIGON; BENRALPH S. YU; CEBU BLOGGERS SOCIETY, INC. PRESIDENT RUBEN B. LICERA, JR; AND PINOY EXPAT/OFW BLOG AWARDS, INC. COORDINATOR PEDRO E. RAHON; PETITIONERS, VS. HIS EXCELLENCY BENIGNO S. AQUINO III, IN HIS CAPACITY AS PRESIDENT OF THE REPUBLIC OF THE PHILIPPINES; SENATE OF THE PHILIPPINES, REPRESENTED BY HON. JUAN PONCE ENRILE, IN HIS CAPACITY AS SENATE PRESIDENT; HOUSE OF REPRESENTATIVES, REPRESENTED BY FELICIANO R. BELMONTE, JR., IN HIS CAPACITY AS SPEAKER OF THE HOUSE OF REPRESENTATIVES; HON. PAQUITO N. OCHOA, JR., IN HIS**

**CAPACITY AS EXECUTIVE SECRETARY; HON. LEILA M. DE LIMA, IN HER CAPACITY AS SECRETARY OF JUSTICE; HON. LOUIS NAPOLEON C. CASAMBRE, IN HIS CAPACITY AS EXECUTIVE DIRECTOR, INFORMATION AND COMMUNICATIONS TECHNOLOGY OFFICE; HON. NONNATUS CAESAR R. ROJAS, IN HIS CAPACITY AS DIRECTOR, NATIONAL BUREAU OF INVESTIGATION; AND P/DGEN. NICANOR A. BARTOLOME, IN HIS CAPACITY AS CHIEF, PHILIPPINE NATIONAL POLICE, RESPONDENTS.**

**[G.R. NO. 203501]**

**PHILIPPINE BAR ASSOCIATION, INC., PETITIONER, VS. HIS EXCELLENCY BENIGNO S. AQUINO III, IN HIS OFFICIAL CAPACITY AS PRESIDENT OF THE REPUBLIC OF THE PHILIPPINES; HON. PAQUITO N. OCHOA, JR., IN HIS OFFICIAL CAPACITY AS EXECUTIVE SECRETARY; HON. LEILA M. DE LIMA, IN HER OFFICIAL CAPACITY AS SECRETARY OF JUSTICE; LOUIS NAPOLEON C. CASAMBRE, IN HIS OFFICIAL CAPACITY AS EXECUTIVE DIRECTOR, INFORMATION AND COMMUNICATIONS TECHNOLOGY OFFICE; NONNATUS CAESAR R. ROJAS, IN HIS OFFICIAL CAPACITY AS DIRECTOR OF THE NATIONAL BUREAU OF INVESTIGATION; AND DIRECTOR GENERAL NICANOR A. BARTOLOME, IN HIS OFFICIAL CAPACITY AS CHIEF OF THE PHILIPPINE NATIONAL POLICE, RESPONDENTS.**

**[G.R. NO. 203509]**

**BAYAN MUNA REPRESENTATIVE NERI J. COLMENARES, PETITIONER, VS. THE EXECUTIVE SECRETARY PAQUITO OCHOA, JR., RESPONDENT.**

**[G.R. NO. 203515]**

**NATIONAL PRESS CLUB OF THE PHILIPPINES, INC. REPRESENTED BY BENNY D. ANTIPORDA IN HIS CAPACITY AS PRESIDENT AND IN HIS PERSONAL CAPACITY, PETITIONER, VS. OFFICE OF THE PRESIDENT, PRES. BENIGNO SIMEON AQUINO III, DEPARTMENT OF JUSTICE, DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT, PHILIPPINE NATIONAL POLICE, NATIONAL BUREAU OF INVESTIGATION, DEPARTMENT OF BUDGET AND MANAGEMENT AND ALL OTHER GOVERNMENT INSTRUMENTALITIES WHO HAVE HANDS IN THE PASSAGE AND/OR IMPLEMENTATION OF REPUBLIC ACT 10175, RESPONDENTS.**

**[G.R. NO. 203518]**

**PHILIPPINE INTERNET FREEDOM ALLIANCE, COMPOSED OF DAKILA-PHILIPPINE COLLECTIVE FOR MODERN HEROISM, REPRESENTED BY LENI VELASCO, PARTIDO LAKAS NG MASA, REPRESENTED BY CESAR S. MELENCIO, FRANCIS EUSTON R.**

**ACERO, MARLON ANTHONY ROMASANTA TONSON, TEODORO A. CASIÑO, NOEMI LARDIZABAL-DADO, IMELDA MORALES, JAMES MATTHEW B. MIRAFLOR, JUAN G.M. RAGRAGIO, MARIA FATIMA A. VILLENA, MEDARDO M. MANRIQUE, JR., LAUREN DADO, MARCO VITTORIA TOBIAS SUMAYAO, IRENE CHIA, ERASTUS NOEL T. DELIZO, CRISTINA SARAH E. OSORIO, ROMEO FACTOLERIN, NAOMI L. TUPAS, KENNETH KENG, ANA ALEXANDRA C. CASTRO, PETITIONERS, VS. THE EXECUTIVE SECRETARY, THE SECRETARY OF JUSTICE, THE SECRETARY OF INTERIOR AND LOCAL GOVERNMENT, THE SECRETARY OF SCIENCE AND TECHNOLOGY, THE EXECUTIVE DIRECTOR OF THE INFORMATION TECHNOLOGY OFFICE, THE DIRECTOR OF THE NATIONAL BUREAU OF INVESTIGATION, THE CHIEF, PHILIPPINE NATIONAL POLICE, THE HEAD OF THE DOJ OFFICE OF CYBERCRIME, AND THE OTHER MEMBERS OF THE CYBERCRIME INVESTIGATION AND COORDINATING CENTER, RESPONDENTS.**

## **R E S O L U T I O N**

**ABAD, J.:**

A number of petitioners seek reconsideration of the Court's February 18, 2014 Decision that declared invalid and unconstitutional certain provisions of Republic Act 10125 or the Cybercrime Prevention Act of 2012 and upheld the validity of the others. The respondents, represented by the Office of the Solicitor General, also seek reconsideration of portions of that decision. After going over their motions, however, the Court sees no substantial arguments from either side to warrant the reversal of its February 18, 2014 Decision.

The point about the legislative bicameral committee's insertions of certain provisions that were neither in the House bill nor in the Senate bill is something that the Court is not inclined to investigate since insertions are within the power of those committees to make so long as the passage of the law complies with the constitutional requirements.<sup>[1]</sup> The Cybercrime Prevention Act went through both houses and they approved it. Any issue concerning alleged non-compliance with the governing rules of both houses regarding committee insertions have to be internally resolved by each house.

In any event, the Court will briefly address certain aspects of the decision that drew the most objections.

Section 6 of the cybercrime law imposes penalties that are one degree higher when the crimes defined in the Revised Penal Code and certain special laws are committed with the use of information and communication technologies (ICT). Some of the petitioners insist that Section 6 is invalid since it produces an unusual chilling effect on users of cyberspace that would hinder free expression.

Petitioner Bloggers and Netizens for Democracy insist that Section 6 cannot stand in the absence of a definition of the term "information and communication technology".

<sup>[2]</sup> But petitioner seems to forget the basic tenet that statutes should not be read in isolation from one another. The parameters of that ICT exist in many other laws. Indeed those parameters have been used as basis for establishing government