

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



SENATE

P.S. Res. No. 418

Introduced by **SENATOR LEILA M. DE LIMA**

RESOLUTION

DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE ALLEGED MASSIVE USE AND ABUSE OF AUTHORITY OF GOVERNMENT SOCIAL MEDIA PLATFORMS TO SPREAD FALSE INFORMATION AND TO TARGET MEMBERS OF THE MEDIA, WITH THE END IN VIEW OF CRAFTING LEGISLATION THAT SHALL HOLD THE PURVEYORS AND PERPETRATORS OF FALSEHOOD ACCOUNTABLE AND RESPONSIBLE FOR THEIR WRONGDOINGS AND ENSURING THAT FREEDOM OF SPEECH AND OF THE PRESS ARE NOT SUPPRESSED DURING A GLOBAL HEALTH CRISIS

1 WHEREAS, Section 24, Article II of the 1987 Constitution states that “[t]he
2 State recognizes the vital role of communication and information in nation building”;

3 WHEREAS, consistent therewith, Section 10, Article XVI of the same mandates
4 the State to “provide the policy environment for the... emergence of communication
5 structures suitable to the needs and aspirations of the nation and the balanced flow of
6 information into, out of, and across the country, in accordance with a policy that
7 respects the freedom of speech and of the press”;

8 WHEREAS, Section 4(a) and 4(b) of Republic Act No. 6712, or the Code of
9 Conduct and Ethical Standards of Public Officials and Employees, further state that
10 “[a]ll government resources and powers of their respective offices must be employed
11 and used efficiently, effectively...to avoid wastage in public funds and revenues”;

12 WHEREAS, Section 4(c) of the same Law provides that “[p]ublic officials and
13 employees shall perform and discharge their duties with the highest degree of

1 excellence, professionalism, intelligence and skill. They shall enter public service with
2 utmost devotion and dedication to duty. They shall endeavor to discourage wrong
3 perception of their roles as dispenser or peddlers of undue patronage”;

4 WHEREAS, pursuant to Executive Order No. 70, s. 2018, the National Task
5 Force to End Local Communist Armed Conflict (NTF-ELCAC), a multi-agency task
6 force “to ensure efficient and effective implementation of the Whole-of-Nation
7 approach to end local communist armed conflict”, was created;

8 WHEREAS, pursuant to Executive Order No. 4, s. 2010, the Presidential
9 Communications Operations Office (PCOO) was mandated to “[d]evelop, manage and
10 operate viable government-owned or controlled information dissemination structure
11 / facilities to provide the Office of the President in particular, and the Executive Branch
12 in general, access to the people as an alternative to the private mass media entities”
13 and to “manage, control or supervise, as may be necessary, the various government
14 agencies and offices involved in information gathering and dissemination”;

15 WHEREAS, last May 8, the NTF-ELCAC Facebook page posted a series of
16 infographics alleging without basis that ABS-CBN’s franchise was not renewed
17 because “they have issues with the law”. It alleged in another post that Rappler CEO
18 Maria Ressa was spreading fake news in her interview with ABC News. In the said
19 interview, Ressa mistakenly said that ABS-CBN has 11 million workers instead of
20 11,000¹;

21 WHEREAS, hours later, the NTF-ELCAC’s posts were shared by the official and
22 verified Facebook accounts of PCOO and Radio Television Malacañang (RTVM) whose
23 accounts have 2.1 million followers and 239,000 followers, respectively;²

24 WHEREAS, the posts against ABS-CBN and Maria Ressa were eventually taken
25 down after it drew flak online;

26 WHEREAS, the following day, PCOO Secretary Martin Andanar and
27 Presidential Spokesperson Harry Roque disowned the post³ and contended that it was

¹ Macaraeg, Paulene. *Gov’t platforms being used to attack, red-tag media*. Rappler. 14 May 2020. Retrieved from https://www.rappler.com/newsbreak/investigative/260602-government-platforms-being-used-attack-red-tag-media#cxrecs_s

² *Ibid*

³ *Ibid*

1 not the official position of their offices and that the sharing occurred without “the usual
2 vetting process” of the office⁴. PCOO is a member of the NTF-ELCAC;

3 WHEREAS, Department of Justice (DOJ) Secretary Menardo Guevarra, whose
4 agency is also a member of the NTF-ELCAC, said that the post was “fake news” and
5 has nothing to do with the task force’s mandate and duties⁵;

6 WHEREAS, media groups, news outfits, journalists and academics, composed
7 of 80 individual journalists and 30 organizations⁶, released a statement condemning
8 the acts of NTF-ELCAC and PCOO for a “black propaganda offensive on social media
9 against ABS-CBN and Maria Ressa”. In their statement, they said that the Facebook
10 posts are “brazenly criminal abuse of authority on the part of the NTF-ELCAC, replete
11 with half-truths and outright lies that willfully endanger Maria and the management
12 and personnel of the network that government shut down. The only reason we can
13 think of why a government entity tasked to combat the communist insurgency would
14 wage a propaganda offensive against media persons and outfits is if government now
15 considers us the enemy”⁷;

16 WHEREAS, since its creation in 04 November 2019, NTF-ELCAC Facebook
17 page posts “government advisories, anti-communist advisories, and Duterte
18 administration accomplishments, to warnings against the spreading of false
19 information on social media” but in May 2020, “it started posting content against the
20 renewal of the ABS-CBN franchise”⁸;

21 WHEREAS, despite the apparent inefficiency exhibited by the erroneous post
22 of PCOO, the Office deemed it “unnecessary” to investigate the re-sharing of an

⁴ NTF-ELCAC 'black propaganda' vs Maria Ressa, ABS-CBN sparks outrage. Rappler. 12 May 2020. Retrieved from <https://www.rappler.com/nation/260522-ntf-elcac-black-propaganda-maria-ressa-abs-cbn-outrage>

⁵ Luna, Franco. *Anti-communist task force, PCOO spread false claims on ABS-CBN franchise*. Philstar. 10 May 2020. Retrieved from <https://www.philstar.com/headlines/2020/05/10/2013064/anti-communist-task-force-pcoo-spread-false-claims-abs-cbn-franchise>

⁶Supra foot note #4

⁷ *Media, academics condemn NTF-ELCAC's attacks vs ABS-CBN and Maria Ressa*. Rappler. 14 May 2020. Retrieved from <https://www.rappler.com/nation/260511-media-groups-journalists-academics-condemn-black-propaganda-abs-cbn-maria-ressa>

⁸ Supra foot note #1

1 “unvetted” social media post on the ABS-CBN closure after it has identified the person
2 responsible for the online mishap⁹;

3 WHEREAS, following the public backlash, Andanar just released Department
4 Order No. 20-0009 which limits crossposting or sharing other page’s content on the
5 PCOO Facebook page¹⁰;

6 WHEREAS, this is not the first-time government platforms were used to
7 proliferate misinformation and were likewise used to target members of the media;

8 WHEREAS, last May 13, Mocha Uson, now the Overseas Workers Welfare
9 Administration (OWWA) Deputy Administrator, was given a subpoena by the National
10 Bureau of Investigation (NBI) after Uson posted photos on her Facebook page last
11 April 2 showing a new set of personal protective equipment (PPE) supposedly
12 purchased by the government, which turned out to be photos of SM Foundation¹¹.
13 Uson, however, claimed that it “was an honest mistake”¹²;

14 WHEREAS, last January 25, NTF-ELCAC posted a quote card of
15 Undersecretary Lorraine Badoy linking columnist Tonyo Cruz to the CPP-NPA-NDF.
16 The quote was lifted from an article she wrote for PNA that was published the same
17 day¹³;

18 WHEREAS, last year, “Mark Lopez went on Radio Pilipinas, a radio station
19 owned by the Philippine Broadcasting Service under the Presidential Communications
20 Group, to call for a protest against Rappler”¹⁴;

21 WHEREAS, in October 2017, the official Facebook page of the Office of the
22 Presidential Spokesperson (OPS) posted a negative comment targeting journalists (a

⁹ Aguilar, Krissy. Philippine Daily Inquirer. *PCOO identifies person behind re-sharing of ‘unvetted’ post about ABS-CBN*. Retrieved from <https://newsinfo.inquirer.net/1273155/pcoo-identifies-person-behind-re-sharing-snafu-on-abs-cbn-says-investigation-unnecessary>

¹⁰ Supra foot note #1

¹¹ Alimario, Anjo and Ferreras, Vince. CNN Philippines. *NBI asks Mocha Uson to explain on fake PPE photo*. 13 May 2020. Retrieved from <https://www.cnnphilippines.com/news/2020/5/13/NBI-summons-Mocha-Uson-fake-news-.html>

¹² Patag, Kristine Joy. PhilStar. *Uson: ‘Fake news’ post under NBI probe an ‘honest mistake’*. 18 May 2020. Retrieved from <https://www.philstar.com/headlines/2020/05/18/2014833/uson-fake-news-post-under-nbi-probe-honest-mistake>

¹³ Supra foot note #1

¹⁴ Supra foot note #1

1 certain Pia and Lourd De Veyra) during a livestream of a Mindanao Hour briefing
2 attended by media¹⁵;

3 WHEREAS, in 2016, way before Uson was appointed as OWWA Deputy
4 Administrator, she posted a meme on her blog defining “presstitute”, a play on words
5 “press” and “prostitute”. Minutes later, President Duterte spokesperson Peter Tiu
6 Lavina used the term in another post and made it viral¹⁶;

7 WHEREAS, all these attacks, both online and offline, against the media made
8 the Philippines rank at 134 out of the 180 countries in the 2019 World Press Freedom
9 Index¹⁷;

10 WHEREAS, supposedly at the helm of communications of the Office of the
11 President and the Executive department, PCOO is expected to set the standard by
12 exercising due diligence in the exercise of their functions;

13 WHEREAS, the PCOO, with an approved budget of ₱1.698 billion, 12% higher
14 than their previous budget, must be accountable to the people, serve them with utmost
15 responsibility and integrity and must not aid in the spreading of fake news in any of
16 their channels, especially online, considering their influence and reach;

17 WHEREAS, the erring agencies and government officials and employees must
18 be held accountable for their acts and they should end this culture of spreading fake
19 news and of targeting members of the media using government platforms. They must
20 be reminded that their operations are fueled by taxpayer’s money and they must use it
21 effectively and efficiently to avoid wastage of public funds;

22 WHEREAS, as co-equal branch of government, Congress, through relevant and
23 appropriate legislation, must end this unscrupulous practice of using government
24 platforms to disseminate baseless, biased and misleading information online and to
25 target members of the media which creates a strong culture of online impunity;

¹⁵ CNN Philippines. *LOOK: Comment from Presidential Spokesperson's Facebook page insults journalists*. 27 October 2017. <https://cnnphilippines.com/news/2017/10/27/Presidential-Spokesperson-Abella-Pia-Ranada-Lourd-De-Veyra.html>

¹⁶ Rappler. *Philippine media under attack. Press freedom after 2 years of Duterte*. 29 June 2018. Retrieved from <https://www.rappler.com/newsbreak/investigative/206017-attacks-against-philippine-press-duterte-second-year>

¹⁷ Cepeda, Mara. *Philippines down 1 spot in 2019 World Press Freedom Index*. 18 April 2019. Retrieved from <https://www.rappler.com/nation/228451-philippines-ranking-2019-world-press-freedom-index>

1 WHEREAS, with Filipinos spending most of their time on social media at four
2 hours and 12 minutes on average per day¹⁸, it is undeniable that online platforms such
3 as Facebook now plays an important role in dissemination of information and it is so
4 powerful that it can actually trample on Constitutionally-guaranteed freedom of the
5 press in our country;

6 WHEREAS, it is the interest of the State to protect its people from falsehood
7 and defamation in our official social media accounts and in all government platforms,
8 done under the color of authority by any government agency, official, or employee,
9 who are tasked to enrich the quality of public disclosure on all matters of governance
10 and to serve as a tool for educating the public and further inspiring the citizenry to
11 practice civic engagement but instead seems to do otherwise;

12 **NOW THEREFORE, BE IT RESOLVED AS IT IS HEREBY**
13 **RESOLVED**, to direct the appropriate Senate Committee to conduct an inquiry, in
14 aid of legislation, into the alleged massive use and abuse of authority of Government
15 social media platforms to spread false information and to target members of the
16 Media, with the end in view of crafting legislation that shall hold the purveyors and
17 perpetrators of falsehood accountable and responsible for their wrongdoings and
18 ensuring that freedom of speech and of the press are not suppressed during a global
19 health crisis.

Adopted,


LEILA M. DE LIMA

¹⁸ CNN Philippines. *PH takes top spot as heaviest internet users worldwide – report*. 1 February 2019. Retrieved from <https://cnnphilippines.com/lifestyle/2019/02/01/2019-digital-hootsuite-we-are-social-internet-philippines-facebook.html>