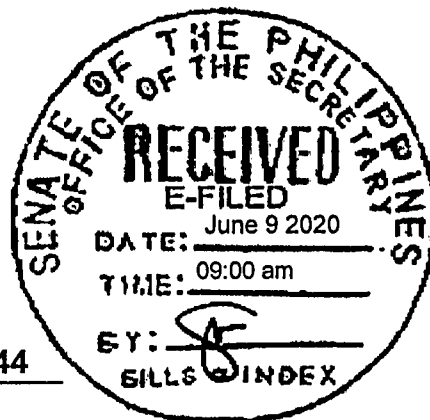


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

SENATE

Proposed Senate Resolution No. 444



Introduced by Senator FRANCIS N. PANGILINAN

RESOLUTION

DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE SUDDEN PROLIFERATION OF FAKE FACEBOOK ACCOUNTS, TO DETERMINE THE NECESSITY OF AMENDING REPUBLIC ACT NO. 10175, OTHERWISE KNOWN AS "THE CYBERCRIME PREVENTION ACT OF 2012," AND OTHER PERTINENT LAWS AND TO INTRODUCE POSSIBLE REGULATION OF SOCIAL MEDIA PLATFORMS, IN ACCORDANCE WITH THE POLICY THAT RESPECTS THE RIGHTS AND FREEDOMS OF ALL FILIPINOS GUARANTEED BY THE CONSTITUTION

WHEREAS, on 07 June 2020, thousands of fake accounts that bear the names of students, faculty, and alumni of various schools nationwide have been created on the social media giant, Facebook;

WHEREAS, it was initially thought the duplicate accounts were limited to activists in Cebu and Central Visayas. However, even non-students, non-activists and apolitical active accounts nationwide reported to have found dummy accounts made in their names;

WHEREAS, majority of these dummy accounts that have surfaced on the social media platform do not have a profile picture and friends, and their profile links have the same format: first name (dot) last name (dot) number;

WHEREAS, a university also reported a data breach wherein personal information and social media passwords of thousands of students were apparently accessed and released online;

WHEREAS, the sudden surge of dummy Facebook accounts came after the protests staged on the streets and online against the passage of the anti-terrorism bill;

WHEREAS, some Facebook users reported to have received threats from said dummy accounts using their names. The threats even go as far as calling said users "terrorists";

WHEREAS, the academe and several human rights advocates are concerned that the dummy Facebook accounts may be used as a tool to spread false information, cause harm, and even plant fake evidence to be used to frame users under the proposed law;

WHEREAS, following complaints regarding the sudden appearance of multiple fake Facebook accounts, the social media company said it is investigating reports of suspicious activity on its platform and taking action on any accounts that it finds to be in violation of its policies;

WHEREAS, Department of Justice (DOJ) Secretary Menardo Guevarra said the Department's Office of Cybercrime will investigate "the apparent proliferation of fake or dummy accounts on Facebook" in coordination with the National Bureau of Investigation (NBI) and Philippine National Police (PNP) cybercrime units;

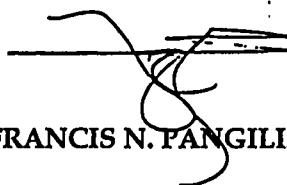
WHEREAS, computer-related identity theft or the unauthorized acquisition, use, misuse, transfer, possession, alteration or deletion of identifying information belonging to another, whether natural or juridical, is a punishable act under Chapter II, Sec. 4, of R.A. No. 10175 or the Cybercrime Prevention Act of 2012;

WHEREAS, it is the declared policy of the State to protect and safeguard the integrity of communications systems, networks, and databases, and the confidentiality, integrity, and availability of information and data stored therein, from all forms of misuse, abuse, and illegal access;

WHEREAS, there is a need to look into our existing laws to increase the extent of liability and possible regulation of service providers or content hosts such as Facebook and other social media platforms. Legislation must be carefully crafted so as to balance the rights and freedoms accorded to every Filipino by the Constitution and the public interest to be protected from dangerous acts online;

NOW, THEREFORE, BE IT RESOLVED, as it is hereby resolved to direct the appropriate Senate committee to conduct an inquiry, in aid of legislation, on the sudden proliferation of fake Facebook accounts, to determine the necessity of amending Republic Act No. 10175, otherwise known as "The Cybercrime Prevention Act of 2012," and other pertinent laws and to introduce possible regulation of social media platforms, in accordance with the policy that respects the rights and freedoms of all Filipinos guaranteed by the Constitution.

Adopted,



FRANCIS N. PANGILINAN