

**NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)**

'22 AUG 11 P5 :20

RECEIVED BY: 

**SENATE
P.S. RES. No. 133**

Introduced by Senator WIN GATCHALIAN

**A RESOLUTION
DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN
INQUIRY IN AID OF LEGISLATION ON THE PROLIFERATION OF SPAM AND
PHISHING TEXT MESSAGES IN THE COUNTRY WITH THE END IN VIEW OF
PROTECTING THE CONSUMERS' RIGHTS TO PRIVACY AND SECURITY**

1 **WHEREAS**, it is the policy of the State to: i) "protect the fundamental human
2 rights of privacy, of communication while ensuring free flow of information to promote
3 innovation and growth"¹; and ii) "ensure that personal information in information and
4 communications system in the government and in the private sector are secured and
5 protected";²

6 **WHEREAS**, spam messages refer to "unsolicited usually commercial messages
7 (such as emails, text messages, or Internet posting) sent to a large number of
8 recipient or posted in a large number of places."³ Phishing refers to the "fraudulent
9 attempt to obtain a user's sensitive information such as usernames, passwords and
10 credit card details by disguising oneself as a trustworthy entity in an electronic
11 communication."⁴ Text message phishing also called as smishing is a phishing which
12 uses text message to carry out the fraudulent activity;⁵

¹ Republic Act No. (RA) 10173, otherwise known as the Data Privacy Act of 2012. Section 2.

² Republic Act No. (RA) 10173, otherwise known as the Data Privacy Act of 2012. Section 2.

³ Merriam-Webster Dictionary. Spam. Available at <https://www.merriam-webster.com/dictionary/spam>. Accessed on August 9, 2022.

⁴ Commonwealth of Massachusetts. SMS/Text Message Phishing. Available at <https://www.mass.gov/info-details/sms-text-message-phishing>. Accessed on August 9, 2022.

⁵ Commonwealth of Massachusetts. SMS/Text Message Phishing. Available at <https://www.mass.gov/info-details/sms-text-message-phishing>. Accessed on August 9, 2022.

1 **WHEREAS**, last year, there were various complaints from consumers on spam
2 messages and phishing messages they received from various sources. In fact, in
3 November 2021, Globe Telecom Inc., one of the leading telecommunications company
4 in the country, reported that it has deactivated 5,670 mobile phone numbers and
5 blocked 71 million spam messages in 2021 alone amidst numerous complaints it
6 received from the public of the dodgy job offers they receive on their mobile phones.⁶

7 **WHEREAS**, on November 23, 2021, the National Privacy Commission (NPC)
8 revealed that based on their initial investigation, the recent smishing activities in the
9 country are run by a global crime syndicate;⁷

10 **WHEREAS**, on November 26, 2021, recognizing the urgency of the matter, ten
11 government agencies have joined efforts through the creation of an interagency group
12 to address the recent surge of spam and phishing text messages in the country.⁸ The
13 group spearheaded by the Cybercrime Investigation and Coordinating Center (CICC)
14 is composed of CICC, NPC, Department of Information and Communications
15 Technology, National Telecommunications Commission, Department of Justice,
16 Department of Trade and Industry, Department of Labor and Employment, Bangko
17 Sentral ng Pilipinas, National Security Council and Anti-Money Laundering Council.⁹

18 **WHEREAS**, on November 28, 2021, the NPC has formally launched an
19 investigation to determine whether telecommunication companies exercised diligence
20 in transacting with data aggregators linked to the sending of text messages offering
21 spurious jobs and investment schemes;¹⁰

22 **WHEREAS**, despite the creation of the inter-agency group and the NPC's
23 initiatives to investigate the proliferation of spam and text messages in the country,
24 latest data reveals that this is still an on-going concern in the country. In June 2022,

⁶ Bloomberg. Millions of Spam Messages Blocked in Philippines as Scams Surge. Available at <https://www.bloomberg.com/news/articles/2021-11-22/millions-of-spam-messages-blocked-in-philippines-as-scams-surge#xj4y7vzkg>. Accessed on August 9, 2022.

⁷ National Privacy Commission. NPC: Global Syndicate Behind Scam Text Surge; Summons Telcos, Banks and E-Commerce Platforms. Available at <https://www.privacy.gov.ph/2021/11/npc-global-syndicate-behind-scam-text-surge-summons-telcos-banks-and-e-commerce-platforms/>. Accessed on August 9, 2022.

⁸ Manila Bulletin. Interagency group formed to catch scammers behind text spams. Available at <https://mb.com.ph/2021/12/05/interagency-group-formed-to-catch-scammers-behind-text-spams/>. Accessed on August 9, 2022.

⁹ National Privacy Commission. NPC probes telcos, bank and payment platform on smishing; inter-agency body formed to go after scammers. Available at <https://www.privacy.gov.ph/2021/12/npc-probes-telcos-bank-and-payment-platform-on-smishing-inter-agency-body-formed-to-go-after-scammers/>. Accessed on August 9, 2022.

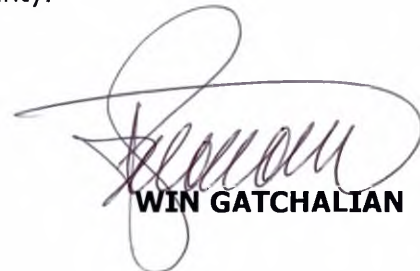
¹⁰ National Privacy Commission. NPC probes telcos, bank and payment platform on smishing; inter-agency body formed to go after scammers. Available at <https://www.privacy.gov.ph/2021/12/npc-probes-telcos-bank-and-payment-platform-on-smishing-inter-agency-body-formed-to-go-after-scammers/>. Accessed on August 9, 2022.

1 the Philippine Long Distance Corporation Inc. (PLDT), another leading
2 telecommunications company in the country reported that in just three days, i.e. June
3 11-14, 2022, PLDT blocked more than 23 million text messages that try to get
4 consumer's personal data.¹¹ According to PLDT, these malicious messages contains
5 phishing website that posed as legitimate organizations such as banks, tour operators
6 and recruitment agencies.¹² Moreover, from January to June 15, 2022, Globe has
7 already blocked over 138 million spam and scam text messages;¹³

8 **WHEREAS**, it is the duty of the government to ensure that the consumers'
9 right to privacy are protected and that they are not victimized by fraudulent activities
10 facilitated through spam and phishing messages. Hence, it is important that the
11 government through relevant government agencies come up with an effective
12 intervention to stop the proliferation of these unsolicited text messages in the country;

13 **NOW THEREFORE BE IT RESOLVED**, as it is hereby resolved, to direct the
14 appropriate Senate Committee to conduct an inquiry, in aid of legislation, on the
15 proliferation of spam and phishing text messages in the country with the end in view
16 of protecting the consumers' right to privacy and security.

Adopted,



WIN GATCHALIAN

¹¹ Yahoo Finance. Philippines' PLDT blocks 23 million texts in sign of scam threat. Available at <https://sg.finance.yahoo.com/news/philippines-pldt-blocks-23-million-texts-scam-063659673.html/>. Accessed on August 9, 2022.

¹² Yahoo Finance. Philippines' PLDT blocks 23 million texts in sign of scam threat. Available at <https://sg.finance.yahoo.com/news/philippines-pldt-blocks-23-million-texts-scam-063659673.html/>. Accessed on August 9, 2022.

¹³ Philippine News Agency. Globe blocks 138M spam, scam texts in first half of 2022. Available at <https://www.pna.gov.ph/articles/1177638>. Accessed on August 9, 2022.