

**SENATE**

**P.S. Res. No. \_\_\_\_\_**

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

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**RESOLUTION**  
**DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE REPORTED RAID CONDUCTED BY THE NATIONAL BUREAU OF INVESTIGATION AT FORT ILOCANDIA HOTEL AND RESORT FOR VIOLATION OF THE PROVISIONS OF THE CYBERCRIME PREVENTION ACT OF 2012, WHICH, HOWEVER, VERY DUBIOUSLY YIELDED NO ARREST DESPITE A LARGE NUMBER OF GADGETS USED FOR ILLEGAL ACTIVITIES HAVING BEEN SEIZED**

WHEREAS, Article II, Section 5 of the 1987 Philippine Constitution provides that “[t]he maintenance of peace and order, the protection of life, liberty, and property, and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy”;

WHEREAS, Republic Act No. 10175, also known as “Cybercrime Prevention Act of 2012,” states that “[t]he State also recognizes the importance of providing an environment conducive to the development, acceleration, and rational application and exploitation of information and communications technology (ICT) to attain free, easy, and intelligible access to exchange and/or delivery of information; and the need to protect and safeguard the integrity of computer, computer and 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 by making punishable under the law such conduct or conducts”;

WHEREAS, the same law mandates for the State to “adopt sufficient powers to effectively prevent and combat such offenses by facilitating their detection investigation, and prosecution at both the domestic and international levels, and by providing arrangements for fast and reliable international cooperation”;

WHEREAS, on 20 December 2021, it was reported that the National Bureau of Investigation (NBI) and local police raided Hotel B in Fort Ilocandia Hotel and Resort in Laoag City, Ilocos Norte where computers and other gadgets were seized for violation of Section 4(b)(2) of the Cybercrime Law, or computer-related fraud;<sup>1</sup>

WHEREAS, local police disclosed that they were able to confiscate 35 desktop computer units; 20 cellular phones; several SIM cards; two routers; and nine company identification cards;<sup>2</sup>

WHEREAS, despite the large number of gadgets and equipment which are suspected to be used for illegal online gambling as confirmed by DOJ Secretary Menardo Guevarra in news reports, it is highly dubious that there was no perpetrator arrested as revealed by the police;<sup>3</sup>

WHEREAS, Secretary Guevarra also stated that “many Chinese-looking persons were found in the premises” during the raid conducted by NBI. However, it is unclear if their target in the person of Yves L *alias* “Weng” was in the premises during the said operation;<sup>4</sup>

WHEREAS, Secretary Guevarra likewise conjectured that the activities conducted within the premises may be related to illegal online gambling;<sup>5</sup>

WHEREAS, this is not the first raid related to cybercrime activities in Fort Ilocandia. In 9 December 2016, the combined forces of the Philippine National Police-Criminal Investigation and Detection Group (PNP-CIDG) Ilocos Norte, Anti-Cybercrime Group, Bureau of Immigration Office, and Justice Department raided the same building owned by Jack Lam where a number of access devices, bank cards, flash drives, cellphones, photos and identification cards allegedly owned by Chinese individuals suspected to be used in cybercrime or fraudulent activities were also seized;<sup>6</sup>

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<sup>1</sup> Buan, L. (3 January 2021) *Laoag's Fort Ilocandia raided for alleged cybercrime, computers seized*. Retrieved 4 January 2021 from <https://www.rappler.com/nation/laoag-fort-ilocandia-raided-cybercrime-computers-seized-december-2021/>

<sup>2</sup> *Ibid*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> Alba, G. (10 December 2016) *Jack Lam's building in Fort Ilocandia Hotel raided*. Retrieved 4 January 2021 from <https://news.abs-cbn.com/news/12/09/16/jack-lams-building-in-fort-ilocandia-hotel-raided>

WHEREAS, there is an urgent need to address the continued proliferation of illegal gambling activities in the country and expeditiously implement measures to safeguard and put an end in making the country a hub of illegal online activities that breach our existing laws;

WHEREAS, it is imperative to investigate the continued operation of illegal online gambling activities in the country and hold the perpetrators accountable to the full extent of the law;

WHEREAS, it must be determined whether the previous seizure of materials related to illegal activities which even precipitated the closure of the premises led to arrests and prosecution. How the hotel was able to reopen and operate again is suspect at best, especially when juxtaposed with this most recent raid which apparently yielded no arrest;

WHEREAS, it is necessary to determine whether there are gaps in the law that are being taken advantage of by perpetrators that allow them to circumvent our existing laws;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE, to direct the appropriate Senate Committee to conduct an inquiry, in aid of legislation, into the reported raid conducted by the National Bureau of Investigation at Fort Ilocandia Hotel and Resort for violation of the provisions of the Cybercrime Prevention Act of 2012, which, however, very dubiously yielded no arrest despite a large number of gadgets used for illegal activities having been seized.

*Adopted,*

(Sgd.) **LEILA M. DE LIMA**