



Republic of the Philippines  
**House of Representatives**  
Quezon City

**NINETEENTH CONGRESS**  
Third Regular Session



### **COMMITTEE REPORT NO. 1498**

Submitted by the Committees on Public Order and Safety, Information and Communications Technology, and Public Information on **June 10, 2025**

Re: Privilege Speeches delivered on the floor by Representative Robert Ace S. Barbers on December 4 and 16, 2024

Informing the House of their findings and recommendations

Sponsors: Representatives Dan S. Fernandez, Johnny Ty Pimentel, and Jose "Joboy" S. Aquino II

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#### **Mr. Speaker:**

The Committees on Public Order and Safety, Information and Communications Technology, and Public Information to which were referred the following:

Privilege Speech No. 425 of Rep. Robert Ace S. Barbers delivered on the floor on December 4, 2024, re: cybercrimes being committed relentlessly, particularly the online attacks and harassment from trolls and malicious vloggers, despite the passage of Republic Act 10175 or the Cybercrime Prevention Act of 2012; and

Privilege Speech No. 438 of Rep. Robert Ace S. Barbers delivered on the floor on December 16, 2024 re: fighting fake news and propaganda being peddled by China, specifically to defend its encroachments into Philippine waters and aggressions/harassments against Filipino fishermen and Philippine vessels; asking paid trolls and vloggers not to be blinded by money in exchange for spreading unfounded claims and instead join their fellow Filipinos' collective efforts to defend the country's sovereignty

have considered the same and submit their findings and recommendations as contained in the attached report.

Respectfully submitted:



DAN S. FERNANDEZ

*Chairperson*

Committee on Public Order and Safety



JOSE "JOBOY" S. AQUINO II

*Chairperson*

Committee on Public Information



JOHNNY TY PIMENTEL

*Vice Chairperson*

Committee on Information and  
Communications Technology

THE HONORABLE SPEAKER  
HOUSE OF REPRESENTATIVES  
Quezon City

## **PREFATORY STATEMENT**

The Committees on Public Order and Safety, Information and Communications Technology, and Public Information, (hereinafter referred to as the “Tri-Committee”), conducted public hearings on the proliferation of fake news and rampant posting of false and malicious content in social media platforms, to examine the pressing issue of fake news and its implications to society, democratic processes, and public discourse. In an age where information dissemination is swift and pervasive, the proliferation of false information poses significant challenges to informed decision-making and social cohesion.

This report aims to synthesize the insights gathered from various stakeholders during the hearings, including experts in media, law, technology, and public policy, as well as representatives from concerned government agencies, civil society, and citizens. It reflects the diverse perspectives expressed and underscores the importance of fostering an environment where accurate and reliable information flourishes and misinformation is effectively addressed.

The Tri-Committee acknowledges the urgency of the matter and the need for a balanced approach that not only seeks to combat the spread of false and harmful information but also upholds the fundamental principles of free speech and open dialogue. The recommendations outlined in the Committee Report are intended to guide policymakers in formulating strategies that protect the public from the pernicious effects of fake news while promoting a well-informed citizenry.

Further, the Tri-Committee extends its gratitude to all who participated in the public hearings and contributed their voices to the significant discourse. The Tri-Committee remains committed to ensuring that the legislative response is both thoughtful and effective in safeguarding the integrity of information within the society.

## STATEMENT OF ANTECEDENT FACTS

The antecedent facts of the hearings are as follows:

On 04 December 2024, Rep. Robert Ace S. Barbers delivered a Privilege Speech in plenary to highlight the proliferation of cybercrimes, particularly the online attacks and harassment from social media personalities allegedly funded by Philippine offshore gaming operators or POGOs. As enunciated by Rep. Barbers, such criminal and malicious acts committed by trolls and vloggers remain unabated, despite the passage of Republic Act 10175 or the Cybercrime Prevention Act of 2012.

On 16 December 2024, Rep. Barbers delivered another Privilege Speech in plenary on combating fake news and propaganda being peddled by China, specifically, to defend its encroachments into Philippine waters and aggressions/harassments against Filipino fisherfolks and Philippine vessels. He lambasted individuals whom he branded as "*Bagong Makapili*". He asserted anew that the trolls and vloggers who are spreading propaganda on the West Philippine Sea (WPS) are likely being funded by Chinese syndicates through illicit drug money and illegal POGO activities. Rep. Barbers exhorted trolls and vloggers not to be blinded by money in exchange for spreading unfounded claims and instead join their fellow Filipinos' collective efforts to defend the country's sovereignty.

The two Privilege Speeches were referred to the Committees on Public Order and Safety, Information and Communications Technology, and Public Information (chaired by Reps. Dan S. Fernandez, Tobias "Toby" M. Tiangco, and Jose "Joboy" S. Aquino II, respectively), otherwise known as the Tri-Committee, on 15 and 21 January 2025.

On 18 December 2024, Reps. Aurelio "Dong" D. Gonzales, Jr., David "Jay-Jay" C. Suarez, Manuel Jose "Mannix" M. Dalipe, Marcelino C. Libanan, Robert Ace S. Barbers, Bienvenido M. Abante, Jr., and Joseph Stephen "Caraps" S. Paduano filed House Resolution No. 2147, entitled "Resolution Authorizing the Committees on Public Order and Safety, Information and Communications Technology, and

Public Information, to Conduct a Joint Inquiry, In Aid Of Legislation, on the Rampant Posting of False and Malicious Content in Social Media Platforms, While Safeguarding Freedom of Speech and Ensuring Digital Safety. The House subsequently adopted the measure as Resolution No. 286.

The Tri-Committee conducted five (5) hearings on 4 February 2025, 18 February 2025, 21 March 2025, 8 April 2025, and 5 June 2025. During the conduct of these hearings, the Tri-Committee invited representatives from government agencies, social media platforms, the academe, broadcast industry and mainstream media, survey firms, advertising and marketing groups, cybersecurity experts, private media organizations, and civil society who testified and/or submitted documents. The Tri-Committee likewise invited journalists, victims of online attacks, and social media personalities. The following agencies and resource persons attended the hearings:<sup>1</sup>

### **GOVERNMENT AGENCIES:**

1. Anti-Money Laundering Council Secretariat - ATTY. EMMETT RODION O. MANANTAN - Director, Investigation and Enforcement Department; ATTY. ERANO A. DUMALE - Deputy Director, Investigation and Enforcement Department; ATTY. ADRIAN A. ARPON - Deputy Director, Investigation and Enforcement Department; ATTY. ROMMEL D. TRIJO - Deputy Director; and ATTY. MARIJOY R. FRANCISCO - Legal Officer III
2. Bureau of Internal Revenue - ATTY. RON MIKHAIL UY - Action Attorney, Legal and Legislative Division; and ATTY. TOBIAS GAVIN ARCILLA - Action Attorney, Legal and Legislative Division
3. Commission on Elections - DIR. JOHN REX LAUDIANGCO - Chairperson, COMELEC Taskforce KKK sa Halalan; DIR. ALBERT LEONARD C. RODRIGUEZ - Director III, Law Department; and ATTY. MARIA LOURDES FUGOSO-ALCAIN - Office of Commissioner Nelson J. Celis
4. Cybercrime Investigation and Coordinating Center - EXECUTIVE DIRECTOR ALEXANDER K. RAMOS - Undersecretary / Executive

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<sup>1</sup> The full list of invited resource persons is attached to this report (*refer to Annex "A"*) and is made an integral part hereof.

Director; ASEC. MARY ROSE MAGSAYSAY - Deputy Executive Director; ATTY. ALVIN M. NAVARRO - Director IV, Cybercrime Policy, Plans, Coordinating Office (CICC-CPPCO); DIR. ROJUN HOSILLOS - Director for Cybercrime Operations; and ATTY. JEUSHL WENSH TIU - Legal

5. Department of Information and Communications and Technology – SECRETARY IVAN JOHN E. UY; SECRETARY HENRY RHOEL R. AGUDA; ATTY. RENATO A. PARAISO - Assistant Secretary for Legal Affairs (DICT-OASLA); OIC Sec. PAUL JOSEPH V. MERCADO - former OIC – Secretary; USEC. JEFFREY IAN C. DY - Undersecretary for Infostructure Management, Cybersecurity, and Upskilling; and MS. CHRISTINE APPLE PRE - Division Chief, Critical Infostructure Evaluation and Cybersecurity Standards Division (CIECSD)
6. Department of Justice - ATTY RODAN G. PARROCHA - Office of Cybercrime; MS. INNA MARIE FELIZ PROTACIO-LADISLAO - Head Agent, Office of Cybercrime; ATTY. KHERSIEN Y. BAUTISTA - State Counsel, Office of Cybercrime; and ATTY. GERALD VINCENT SOSA - OIC Director, Office of Cybercrime
7. National Bureau of Investigation - ATTY. VAN HOMER ANGLUBEN - Executive Officer, Cybercrime Division; SRA RIA VANESSA DS. ASUNCION - Executive Officer, Cybercrime Division; and ATTY. JOSHUA S. RAYMUNDO - Chief, Technical Intelligence Division
8. National Intelligence Coordinating Agency - MR. GERICO M. CAUILAN JR. - Assistant Director General for Cyber intelligence and Countering Weapons of Mass Destruction; and DIR. LESTER GASTALA
9. National Security Council - ATTY. SHENA MARIE A. LOPEZ - National Security Specialist V
10. National Telecommunications Commission - ATTY. ANDRES D. CASTELAR, JR. - Deputy Commissioner; and ATTY. KATHLYN JAYLOU T. EGIPTO - OIC Chief, Consumer Welfare and Protection Division
11. Philippine Coast Guard – COMMODORE JAY TARIELA, Spokesperson for the West Philippine Sea
12. Philippine National Police - PGEN NICOLAS TORRE III - PNP Chief (former Acting Director, Criminal Investigation and Detection Group (PNP-CIDG); PBGEN BERNARD R YANG - Acting Director, Anti-Cybercrime Group (ACG); PCOL COLUMBO ALLAN A ABERIA - Chief, Operations Management Division; PCOL NOVA G DE CASTRO-AGLIPAY - Chief,

Legal Affairs Division; and PLTCOL ANACLETO I DALIVA JR - Assistant Chief, Legal Service Division ACG

13. Presidential Communications Office – SECRETARY JAY C. RUIZ; MR. MARK ANGELO C. MASUDOG – OIC - Office of the Assistant Secretary for Inter-Agency Communications Operations; and USEC. CLARISSA A. CASTRO

**PLATFORMS:**

1. ByteDance Philippines/TikTok PTE Ltd. – MS. PEACHY PADERNA, Public Policy Manager, Philippines
2. Google Philippines – ATTY. YVES GONZALEZ, Head of Government Affairs and Public Policy
3. META Platforms, Inc. – DIR. RAFAEL FRANKEL, PhD- Director for Public Policy, Southeast Asia and MR. ROB ABRAMS- Law Enforcement Outreach, APAC

**ACADEME:**

1. University of the Philippines – DR. RACHEL E. KHAN, Associate Dean, College of Media and Communication
2. University of the Philippines – DR. ENRICO BASILIO, Director, Center for Policy and Executive Development, National College of Public Administration and Governance
3. University of the Philippines – ATTY. MICHAEL T. TIU, JR., Assistant Professor, College of Law
4. University of Massachusetts Amherst – DR. JONATHAN CORPUS ONG, Professor in Global Digital Media

**BROADCAST INDUSTRY:**

1. MR. MANUEL “NOLI” DE CASTRO - Broadcast Journalist and former Vice President of the Philippines
2. Kapisanan ng mga Brodkaster ng Pilipinas - ATTY. RUDOLPH JULARBAL- Legal Counsel, ATTY. EDWARD CHICO – Legal Counsel
3. MBC Media Group - ATTY. RUDOLPH JULARBAL- Legal Counsel

**INDEPENDENT MEDIA ORGANIZATIONS:**

1. PressOne.PH - MR. FELIPE "IPE" F. SALVOSA II, Editor; MR. NICEFORO "NIKKO" BALBEDINA III; MR. JOHN HURT ALLAUGAN; and MS. LEIGH JENESSEN SAN DIEGO
2. VERA Files - MS. ELLEN TORDESILLAS, President and Co-Founder

**CIVIL SOCIETY AND PRIVATE SECTOR ORGANIZATIONS:**

1. Scam Watch Pilipinas - MR. JOCEL DE GUZMAN – Co-Convenor and Co-Founder, and MR. SONNY DAANOY
2. Digital Media Standards Coalition – MS. AYE UBALDO – Convenor
3. Ad Standards Council - ATTY. RUDOLPH JULARBAL- Legal Counsel
4. Creators and Influencers Council of the Philippines - MS. JEL DIRECTO - President
5. Digital Marketing Association of the Philippines - MR. MIKO DAVID - President
6. United Print Media Group - MS. VIVIENNE MOTOMAL - President
7. Cybersecurity Council of the Philippines - MS. MEL MIGRIÑO - President
8. Movement Against Disinformation - ATTY. GRACE SALONGA - Executive Director

**SOCIAL MEDIA PERSONALITIES:**

1. Ms. Krizette Laureta Chu;
2. Ms. Elizabeth Joie Cruz - Joie De Vivre;
3. Atty. Rose Beatrix "Trixie" Cruz-Angeles;
4. Dr. Ethel Pineda Garcia;
5. Ms. Malou Tiquia;
6. Mr. Mark Anthony Lopez – Mark Lopez;
7. Mr. Manuel Mata Jr. – Kokolokoy;
8. Dr. Richard Tesoro Mata - Dr. Richard and Erika Mata;
9. Mr. George Ahmed G. Paglinawan - Luminous by Trixie & Ahmed;
10. Mr. Aeron Peña - Old School Pinoy
11. Ms. Mary Jean Quiambao Reyes - MJ Quiambao Reyes;
12. Mr. Ramon Gerardo B. San Luis;
13. Mr. Elijah San Fernando- Eli;
14. Atty. Ricky Tomotorgo – Enzo Recto;
15. Ms. Suzanne Batalla;

16. Atty. Glenn Chong;
17. Ms. Ma Florinda Espenilla-Duque;
18. Mr. Claro Ganac;
19. Mr. Alven L. Montero;
20. Ms. Vivian Zapata Rodriguez;
21. Mr. Darwin Salcedo – Boss Dada;
22. Ms. Vicente Cunanan - Pebbles Talakera;
23. Mr. Ross Flores Del Rosario – Wazzup Pilipinas

## **VICTIMS OF SOCIAL MEDIA ATTACKS**

1. Mr. Noli De Castro;
2. Commodore Jay Tarriela, Philippine Coast Guard Spokesperson for the West Philippine Sea

On 04 February 2025, the Tri-Committee conducted its organizational meeting, approved the Ground Rules on the Conduct of Joint Meetings, and held its initial deliberation on the aforementioned measures.

During the initial hearing, the Tri-Committee discussed remedial regulations that seek to address the proliferation of fake news and misinformation on social media. Reps. Fernandez, Pimentel, and Aquino delivered their welcoming remarks and opening statements, emphasizing the need for a deeper and more elaborate dialogue on online safety and digital literacy for all Filipinos and innovative and appropriate policies to combat the spread of disinformation. This is in recognition of the fact that our existing laws and institutions are grossly inadequate and ill-equipped to combat well-orchestrated and well-funded campaigns to spread disinformation, manipulate public perception, and destabilize democratic institutions. Meanwhile, Rep. Fernandez raised concerns over how misinformation has affected public health and personal security, citing the COVID-19 pandemic as a prime example of how fake news can endanger lives. Additionally, Senior Deputy Speaker Gonzales Jr. emphasized the power and danger of social media, noting its ability to connect communities while also spreading harmful content.

For failure to appear, the following show cause orders were issued against the following personalities:

- 1) Ms. Elizabeth Joie Cruz (Joie De Vivre);
- 2) Mr. Ernesto S. Abines Jr. (Jun Abines);
- 3) Mr. Mark Anthony Lopez;
- 4) Atty. Trixie Cruz Angeles;
- 5) Dr. Richard Tesoro Mata (Dr. Richard and Erika Mata);
- 6) Mr. Aaron Peña (Old School Pinoy);
- 7) Ms. Krizette Lauretta Chu;
- 8) Ms. Suzanne Batalla – IamShanwein;
- 9) Ms. Ethel Pineda.

On the same day, social media personalities Ernesto S. Abines, Jr., Atty. Glenn Chong, Mark Anthony Lopez, Mary Jean Q. Reyes, Dr. Richard T. Mata, Mary Catherine Diaz Binag, Ethel Pineda Garcia, Krizette Laureta Chu, Jonathan A. Morales, Lorraine Marie Tablang Badoy-Partosa, Rose Beatrix “Trixie” L. Cruz-Angeles, Aeron S. Peña, Nelson U. Guzmanos, Elizabeth Joie Cruz, Suzanne Batalla, Kester John Tan, and George Ahmed G. Paglinawan filed before the Supreme Court a *Petition for Certiorari and Prohibition with Urgent Prayer for the Issuance of a Temporary Restraining Order and Writ of Preliminary Injunction* dated 4 February 2025 (“Petition”) against the House of Representatives. In the *Petition*, the aforementioned social media personalities claimed that the creation of the Tri-Committee was nothing more than a witch hunt and to muzzle the free speech of modern-day truth-tellers. Consequently, the aforementioned social media personalities prayed that the Supreme Court issue an order terminating the inquiry. The Tri-Committee resolved, however, that the existence of the *Petition* is not a ground to suspend the conduct of the Tri-Committee hearings.

On 11 February 2025, the Supreme Court issued a *Resolution* of even date requiring the respondent House of Representatives to file a comment on the petition within a non-extendible period of fifteen (15) days from receipt thereof. Accordingly, the Office of the Solicitor General timely filed the *Comment* dated 11 March 2025 on behalf of the House of Representatives.

On 18 February 2025, the second Tri-Committee hearing was held. Rep. Romeo M. Acop delivered his opening remarks, stating that the point of focus would be the presentation of the social media platform Google, a proposal to establish a

framework for content creators, as well as the legal position of the Department of Justice (DOJ) on the doctrine of the duality of crime. On his part, and in light of the filing of the *Petition*, Rep. Barbers reiterated that the Tri-Committee inquiry is not intended to suppress free speech but to ascertain the best practices to govern the dissemination of information on social media. In support thereof, Rep. Acop reiterated that the probe is to identify the gaps in legislation, review existing laws, and ensure that all proposed legislative measures align with the constitutional guarantees of freedom of speech and of expression.

Notably, during the second Tri-Committee hearing, several social media influencers still failed to attend the congressional hearings, despite receiving show cause orders for the same. Most, if not all, cited the pending petition for certiorari before the Supreme Court as their reason for non-compliance. Some of these vloggers include, among others, Trixie Cruz-Angeles, Krizette Laureta Chu, Sass Rogando Sasot, Mark Anthony Lopez, Lorraine Marie Badoy-Partosa, Jeffrey Almendras Celiz (Eric Celiz), Dr. Richard Mata, Ethel Pineda Garcia, Joie De Vivre (Elizabeth Joi Cruz), Aaron Peña, and Mary Jean Reyes. Accordingly, the Committee ordered all unserved show cause orders to be reissued. Similarly, show cause orders were likewise issued to the Philippine offices of Facebook and TikTok for not attending the Tri-Committee hearings, despite a lack of a valid reason to do so. Accordingly, a show cause order was issued to Ms. Peachy Paderna of TikTok Philippines and Mr. Genixon David of Facebook Philippines.

In the course of the hearing, the Philippine Coast Guard (PCG) spokesperson for the WPS, Commodore Jay Tarriela, likewise warned that pro-China vloggers are actively spreading disinformation in an attempt to distort the realities of the WPS and mislead the Filipino people. In so stating, Commodore Tarriela stressed the need to hold these influencers accountable for misleading content that weakens national unity and benefits foreign interests. Furthermore, he opined that there is a false sense of security created during the previous administration when the public was made to believe that China had ceased enforcing its rights over the same through aggressive actions. In summary,

Commodore Tarriela noticed that their disinformation efforts follow five (5) key arguments:<sup>2</sup>

- a) Challenging the Philippines' Legal Standing – Undermining the 2016 arbitral ruling and falsely asserting that China's 10-dash line has historical legitimacy;
- b) Twisting the Narrative on Maritime Incidents – Repeating China's claims that confrontations at sea were provoked by the Philippines, including vessel collisions;
- c) Accusing the Philippines of being a U.S. Puppet – Framing transparency efforts as dictated by the United States and coordinated by foreign actors;
- d) Spreading a Defeatist Mentality – Claiming that the Philippines is powerless against China and that asserting its rights will only lead to war;
- e) Blaming the Marcos Administration for Tensions – Suggesting that tensions only escalated under the current government, while ignoring years of Chinese expansionism.

Furthermore, Commodore Tarriela highlighted the fact that he himself has become a victim of pro-China disinformation campaigns, which are aimed at discrediting him through fabricated allegations such as labelling him as a lapdog of the United States and a recruit of its Central Intelligence Agency, among others.<sup>3</sup> This emphasizes how pro-China vloggers have begun to target individuals who speak out against Chinese aggression, in a coordinated effort to silence them and further their agenda.

On 21 March 2025, the Tri-Committee conducted its third hearing. Anent the *Petition* filed by several social media vloggers and influencers, the Supreme Court did not grant their prayer for the issuance of a temporary restraining order (TRO) to stop the congressional investigation. Hence, several social media personalities were constrained to attend the Tri-Committee hearing, which includes, among others:

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<sup>2</sup> Transcript of Stenographic Notes TRICOM021825, pages 99-103, February 18, 2025.

<sup>3</sup> Transcript of Stenographic Notes TRICOM021825, pages 99-103, February 18, 2025

Trixie Cruz-Angeles, Krizette Laureta Chu, Ahmed Paglinawan, Elizabeth Joie Cruz, Ethel Pineda Garcia, Mark Anthony Lopez, Mary Jane Quiambao Reyes, Marc Louie Gamboa, and Richard Tesoro Mata. Nonetheless, a few others still failed to attend including, among others, Lorraine Marie Tablang Badoy-Partosa, Jeffrey Almendras Çeliz, and Allan Troy “Sass” Rogando Sasot. Additionally, the Tri-Committee ordered the issuance of subpoena against Alex Destor, Alven L. Montero, Claire Eden Contreras, Claro Ganac, Cyrus Preglo, Darwin Salcedo, Edwin Jamora, Elmer Jugalbot, Ernesto S. Abines Jr., Atty. Glenn Chong, Jeffrey G. Cruz, Joe Smith Medina, Jonathan Morales, Julius Melanosi Maui, Kester Ramon John Balibalos Tan, Lord Byron Cristobal, Ma. Florinda Espenilla-Duque, Maricar Serrano, Suzanne Batalla, Mary Catherine Binag, and Vivian Zapata Rodriguez.

During the hearing, Reps. Ramon Rodrigo L. Gutierrez and France Castro focused on the social media posts making false claims that China owns the world-famous group of islands of Palawan, highlighting the dangerous spread of disinformation. Consequently, Rep. Gutierrez referred the issue to the representative of ByteDance or TikTok, Ms. Paderna, due to the prevalence of these types of posts on their platform. In response, Ms. Paderna assured that TikTok employs proactive measures to tackle harmful content and relies heavily on community reports to identify violations of its community guidelines. On his part, Rep. Gutierrez emphasized that the approach seems more reactive, considering that the flagged posts can still be reposted, thereby allowing disinformation to spread further. Nonetheless, Ms. Paderna assured that from July to September, it removed almost four (4) million videos that violated its community guidelines, ninety-eight percent (98%) of which were taken down in less than an hour.<sup>4</sup>

Additionally, during the interpellation of Rep. Acop, Atty. Ron Mikhail Uy, the lawyer representing the BIR during the hearing, informed the Tri-Committee that it has already created a task force to audit social media influencers for tax registration compliance and tax payments. The Tri-Committee has given the BIR a list of twenty-seven (27) social media personalities. This comes as a welcome development in

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<sup>4</sup> Transcript of Stenographic Notes TRICOM032125, page 103, March 31, 2025.

light of their agency's previous admission that the tax payments of social media influencers were entirely dependent on their declarations.<sup>5</sup>

One of the most critical aspects of the committee hearings was the direct and unequivocal admission made by vloggers of spreading false narratives, which had a substantial impact on the proceedings. **First**, Ms. Krizette Laureta Chu made an implied admission that her post regarding the mass resignation of PNP or military officers due to the arrest of former President Rodrigo Roa Duterte was false and unverified. To justify her Facebook post, Ms. Chu argued that she used the Tagalog word “daw”, even though she later confirmed that she did not, in fact, have firsthand information on it.<sup>6</sup> **Second**, during the interpellation of Rep. Abante, Ms. Mary Jane Reyes was likewise confronted about her social media post which labeled victims of extrajudicial killings under former president Duterte as a “massive hoax”, especially in light of the recent joint inquiry of the Committees on Dangerous Drugs, Public Order and Safety, Human Rights and Public Accounts (“Quad Committee”) confirming the killings during the Duterte presidency. Initially, Ms. Reyes stood by her statement, but later retracted the same and apologized for making unverified claims.<sup>7</sup> **Lastly**, Mr. Mark Lopez likewise made a bold claim that Philippine forces were conducting water cannon attacks, similar to what China's vessels did in the WPS.<sup>8</sup> Notably, Mr. Lopez immediately retracted his statement when asked about the source of his information, especially since Commodore Tarriela was likewise present. Ultimately, Mr. Lopez apologized to the Tri-Committee and admitted to spreading fake news.<sup>9</sup>

Notably, on the same hearing, former Presidential Communications Office Secretary Trixie Cruz-Angeles admitted that they attended a state-sponsored seminar in China. Upon further probe by Deputy Speaker Suarez, Atty. Cruz-Angeles confirmed that the seminar was conducted by the National Radio and Television Administration (NRTA) of China, and the travel, accommodation, and seminar costs were all sponsored by the Chinese government. Pertinently, this

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<sup>5</sup> Transcript of Stenographic Notes TRICOM032125, page 126, March 31, 2025.

<sup>6</sup> Transcript of Stenographic Notes TRICOM032125, page 67, March 31, 2025.

<sup>7</sup> Transcript of Stenographic Notes TRICOM032125, page 67, March 31, 2025.

<sup>8</sup> Transcript of Stenographic Notes TRICOM032125, page 136, March 31, 2025.

<sup>9</sup> Transcript of Stenographic Notes TRICOM032125, page 138, March 31, 2025.

state-funded activity was aimed at training media practitioners. This seminar was likewise attended by several vloggers, including, among others, Mr. Lopez, who also confirmed his attendance at the seminar during the Tri-Committee hearing.

On 08 April 2025, the Tri-Committee conducted its fourth hearing and issued subpoena to several social media personalities. In addition, the Tri-Committee unanimously cited in contempt Ms. Lorraine Marie Tablang Badoy-Partosa, Mr. Jeffrey Almendras Celiz, and Ms. Allan Troy “Sass” Rogando Sasot, for their refusal without legal excuse to obey summons, in violation of Section 11, paragraph (a) of the Rules Governing Inquiries in Aid of Legislation. Likewise, Mr. Lopez was cited in contempt for acts maligning the ongoing inquiry, in violation of paragraph (f) of the same rule. Ms. Badoy-Partosa, Mr. Celiz, and Ms. Sasot were ordered to be detained at the HREP detention facility until the termination of the joint inquiry, while Mr. Lopez shall be detained in the said facility for ten (10) days.

During this hearing, tech giant Meta Platforms, Inc. expressed strong support for congressional efforts to create an anti-fake news regulatory body. In the same vein, former Vice President Manuel “Noli” De Castro, having been a victim of manipulated content on social media, echoed that social media platforms should be held accountable for spreading fake news and misinformation, especially since they provide the means for disinformation to spread.

In the same hearing, a social media influencer known as Ms. Vicente Bencalo “Pebbles” Cunanan came forward and accused former presidential spokesperson Atty. Herminio Harry Roque of orchestrating the release of a controversial video, which allegedly shows President Ferdinand “Bongbong” R. Marcos Jr. using illegal drugs, claiming that it was part of a deliberate campaign to bring down the administration. According to Ms. Cunanan, during a private dinner held on 7 July 2024 in Hong Kong, China, shortly after a pro-Duterte event called the Maisug Rally, Atty. Roque revealed that he had received a screenshot from a relative of a politician showing a man who appeared to be President Marcos, allegedly using cocaine. Pertinently, Ms. Cunanan testified that during the private dinner, Atty. Roque led the discussion on how to leak the video to the public without exposing themselves to liability. She stated that Atty. Roque was the first to bring up

the video and played a central role in its planned dissemination, even boasting that he was skilled at bringing down governments.

In the concluding hearing on 05 June 2025, the Tri-Committee had prioritized in its agenda the recommendations of the Presidential Communications Office (PCO), the Department of Information and Communications Technology (DICT), various civic society groups, and private sector organizations on how to effectively combat fake news in the digital space.

Sec. Henry Rhoel R. Aguda of DICT highlighted the socio-economic dangers of fake news as digital tools such as artificial intelligence being used by malevolent actors in carrying out scams, promoting illegal gambling, and eroding the public's trust in the country's financial system. Sec. Aguda afterwards mentioned that the DICT has been proactively taking steps against fake news by cultivating local talent to develop anti-information disorder software as well as constantly coordinating with operators of social media platforms on the removal of posts indicative of fake news. He mentioned the latest with Meta, wherein it will implement a "demotion" system that considerably lessens the reach of content flagged as fake news. The DICT's position is to adopt a proactive rather than a reactive approach in fighting information disorder.

On the part of the PCO, Sec. Jay Ruiz is pushing for the designation or creation of an official fact-checker for all social media platforms operating in the Philippines. There was mention of how inefficient the current system is, whereby these social media platforms either rely on community reports or on their respective third-party fact checkers. Sec. Ruiz also lamented the seeming red tape he faces when requesting takedowns with social media platforms due to the latter's need to verify with their own fact-checkers before acting on the same. Sec. Ruiz urged the Tri-Committee to look at, as a reference, the regulatory measures on social media in Singapore and the European Union when coming up with new measures.

On the matter of fact-checking, Rep. Acop asked Sec. Aguda and Sec. Ruiz about which party has the primordial responsibility to conduct fact-checking. For Sec. Aguda, it is the social media platforms' responsibility. On the other hand, Sec.

Ruiz believes in the necessity of regulation, such as in the form of penalties, over social media platforms that fail to do their fact-checking duties, once again echoing his previous reference regarding Singapore and the European Union's regulatory laws on social media. Both Sec. Aguda and Sec. Ruiz advocated for the regulation of social media platforms. Additionally, Sec. Ruiz proposed for harsh punitive sanctions to compel them to act promptly on content identified as fake news.

In response, Rep. Acop says that there is a need to balance regulation and free speech. When he asked both cabinet officials how to do so, Sec. Ruiz reiterated his position to look at the examples of Singapore and the European Union. When Rep. Acop asked the rest of the resource persons the same question – how to regulate without stifling free speech – Atty. Rudolph Jularbal, the legal counsel for the KBP, responded against government regulation. He used the analogy of social media platforms as a weapon; as such, he advocates for punishing the wielder of the weapon and not the weapon itself. In other words, he supports self-regulation for social media personalities.

Atty. Yves Gonzalez, Head of Government Affairs and Public Policy of Google Philippines, contributed to the discussion, stating that if Congress can pass specific laws covering certain content, then Google, as well as other social media platforms, may be able to expedite the taking down of content violative of legislated standards. Other resource persons, such as Atty. Grace Salonga, Executive Director of the Movement Against Disinformation (MAD), agrees with the Google representative that social media platforms tend to act faster to take down fake news when there are existing laws and guidelines from the government, citing a Commission on Elections (COMELEC) memorandum related to disinformation during the recently concluded mid-term elections. Sec. Aguda echoes the resource persons' sentiment on this issue, adding that the DICT can better do law enforcement in the digital space when it has sufficient legal basis to do so.

The resource persons from civic society and the private sector were then requested to present their views and contribute to the inquiry. Atty. Salonga of the MAD, Ms. Jel Directo of the Creators and Influencers Council of the Philippines (CICP), Ms. Aye Ubaldo of the Digital Media Standards Coalition (DMSC) and Ms.

Catherine Jalandoni of the Global AI Council of the Philippines (GACPh) were all united in favor of self-regulation for social media platform users and for the regulation only of social media platforms themselves, should there be any regulation at all. Rep. Geraldine Roman, the main proponent for the measure that supports the creation of a self-regulating Digital Council of the Philippines, agreed with their sentiments. She added that any regulation over social media will be questioned by default in the Supreme Court on the grounds of unconstitutionality, specifically the right to free speech and expression.

Commodore Jay Tarriela of the PCG was again invited to speak about the dangers of fake news on matters of national sovereignty. He reiterated from the previous hearings that disinformation campaigns, attributed to the People's Republic of China, aim to erode the trust of the Filipino people in the government's handling of the WPS issue, thus weakening Philippine sovereignty as a consequence. Commodore Tarriela's statement became the jump-off point of Rep. Barbers' presentation on foreign interference by the People's Republic of China through InfinitUS Marketing Solutions, Inc. (InfinitUS).

InfinitUS is a public relations firm incorporated in the Philippines in March 2019. It has five (5) incorporators: three (3) Filipinos and two (2) Chinese. Rep. Barbers then showed a service contract between the Embassy of the People's Republic of China and InfinitUS, wherein the latter will facilitate the creation and management of "keyboard warriors" to propagate the interests of the former in the Philippines. The alleged signatory of the said service contract is Ms. Myka Isabel Basco Poynton, one of the incorporators as well as the concurrent treasurer, marketing director, and corporate secretary. The presentation of Rep. Barbers expanded on the hearing of Senator Francis Tolentino in the latter's inquiry in the Senate on foreign interference. InfinitUS representatives were invited to the hearing but declined the same.

Rep. Barbers' presentation on the ties between the Embassy of the People's Republic of China and InfinitUS showed that there appears to be coordinated disinformation campaigns by the former to compromise Philippine security and sovereignty.

The Tri-Committee thereafter terminated the inquiry and approved the Committee Report, subject to style.

## PERTINENT LAWS ON FREE SPEECH AND RELEVANT CONCEPTS

### **Freedom of Speech**

The right to free speech is enshrined in Section 4, Article III of the 1987 Constitution, which states: "No law shall be passed abridging the freedom of speech, of expression, or of the press, or the right of the people peaceably to assemble and petition the government for redress of grievances."

The importance of this provision in a democratic society is evident in the express constitutional prohibition against the detention of any individual based on their political beliefs: "No person shall be detained solely by reason of his political beliefs and aspirations."<sup>10</sup>

Nevertheless, the right to free speech is not absolute and is subject to limitations to balance individual liberties with societal interests including national security, public order, public health or morals, and the rights of others.<sup>11</sup>

Speech can be categorized as follows:

- Protected Speech – The doctrine on freedom of speech was formulated primarily for the protection of "core" speech" or speech which communicates political, ideological, or religious ideas.
- Less-protected speech, such as commercial speech, receives constitutional protection but not at the same high level as other forms of protected speech, as the protection accorded to it is anchored on its informative character.<sup>12</sup>
- Unprotected Speech – These are libelous statements, obscenity or pornography, false or misleading advertisements, insulting or 'fighting

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<sup>10</sup> Sec. 18, paragraph (1), Article III of the 1987 Constitution.

<sup>11</sup> Article 19 (1), International Covenant on Civil and Political Rights.

<sup>12</sup> **Disini Jr. v. Secretary of Justice**, G.R. No. 203335, 18 February 2014; **Loida Nicolas-Lewis v. Commission on Elections**, G.R. No. 223705, 14 August 2019.

words', i.e., those which by their very utterance inflict injury or tend to incite an immediate breach of peace and expression endangering national security.

The U.S. Supreme Court held that "there are certain well-defined and narrowly limited classes of speech, the prevention and punishment of which has never been thought to raise any constitutional problem. These include the lewd and obscene, the profane, the libelous, and the insulting or "fighting" words – those which, by their very utterance, inflict injury or tend to incite an immediate breach of the peace. It has been well observed that such utterances are not an essential part of any exposition of ideas. They are of such slight social value as a step to truth that any benefit that may be derived from them is clearly outweighed by the social interest in order and morality. Resort to epithets or personal abuse is not in any proper sense communication of information or opinion safeguarded by the Constitution, and its punishment as a criminal act would raise no question under that instrument."<sup>13</sup>

## **Libel**

Article 353 of the Revised Penal Code (RPC) defines libel as a public and malicious imputation of a crime, vice, or defect, real or imaginary, or any act, omission, condition, status, or circumstance tending to cause dishonor, discredit or contempt of a natural or juridical person, or to blacken the memory of one who is dead. Article 354 of the RPC provides that every defamatory imputation is presumed to be malicious, even if it be true, if no good intention and justifiable motive for making it is shown. The exceptions to this presumption of malice apply in the following cases: 1) A private communication is made to another in the performance of a legal, moral, or social duty; or 2) A fair and true report, made in good faith, without any comment or remarks, of any non-confidential judicial, legislative or other official proceedings, or of any statement, report or speech delivered in said proceedings, or of any other act performed by public officers in the exercise of their functions.

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<sup>13</sup> *Disini Jr. v. Secretary of Justice*, G.R. No. 203335, 18 February 2014, citing *Chaplinsky v. New Hampshire*, 315 U.S. 568 (1942).

Libel by means of writing or similar means is punishable under Article 355 of the RPC when the offense is committed by means of writing, printing, lithography, engraving, radio, phonograph, painting, theatrical exhibition, cinematographic exhibition, or any similar means.

### **Cyberlibel**

Republic Act No. 10175, otherwise known as the Cybercrime Prevention Act of 2012 punishes libel as a content-related offense when “the unlawful or prohibited acts of libel as defined in Article 355 of the Revised Penal Code, as amended, (are) committed through a computer system or any other similar means which may be devised in the future.”<sup>14</sup>

The Supreme Court upheld the abovementioned provision, ruling that “cyberlibel is actually not a crime since Art. 353, in relation to Art. 355 of the Revised Penal Code already punishes it. In effect, Section 4 (c) (4) above merely affirms that online defamation constitutes ‘similar means’ for committing libel.”

Under RA 10175, cyberlibel is punishable by one degree higher than ordinary libel, ranging from *prisión correccional* in its maximum period to *prisión mayor* in its minimum period<sup>15</sup>, or a fine ranging from Php40,000 to Php1.5 million.<sup>16</sup>

The prescription period for cyber libel is one (1) year, starting from the discovery of the offense by the aggrieved party of the allegedly libelous remarks.<sup>17</sup> An aggrieved party can file a complaint for cyber libel with the Prosecution Offices under the DOJ, the Cybercrime Division of the National Bureau of Investigation (NBI), or the Anti-Cybercrime Group of the Philippine National Police (PNP), as provided under R.A. 10175. Additionally, R.A. 10175 created two offices: 1) the Office of Cybercrime within the DOJ as the central authority in all matters related to international mutual assistance and extradition, and 2) the Cybercrime

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<sup>14</sup> Sec. 4, paragraph (c), sub-paragraph (4) of R.A. 10175.

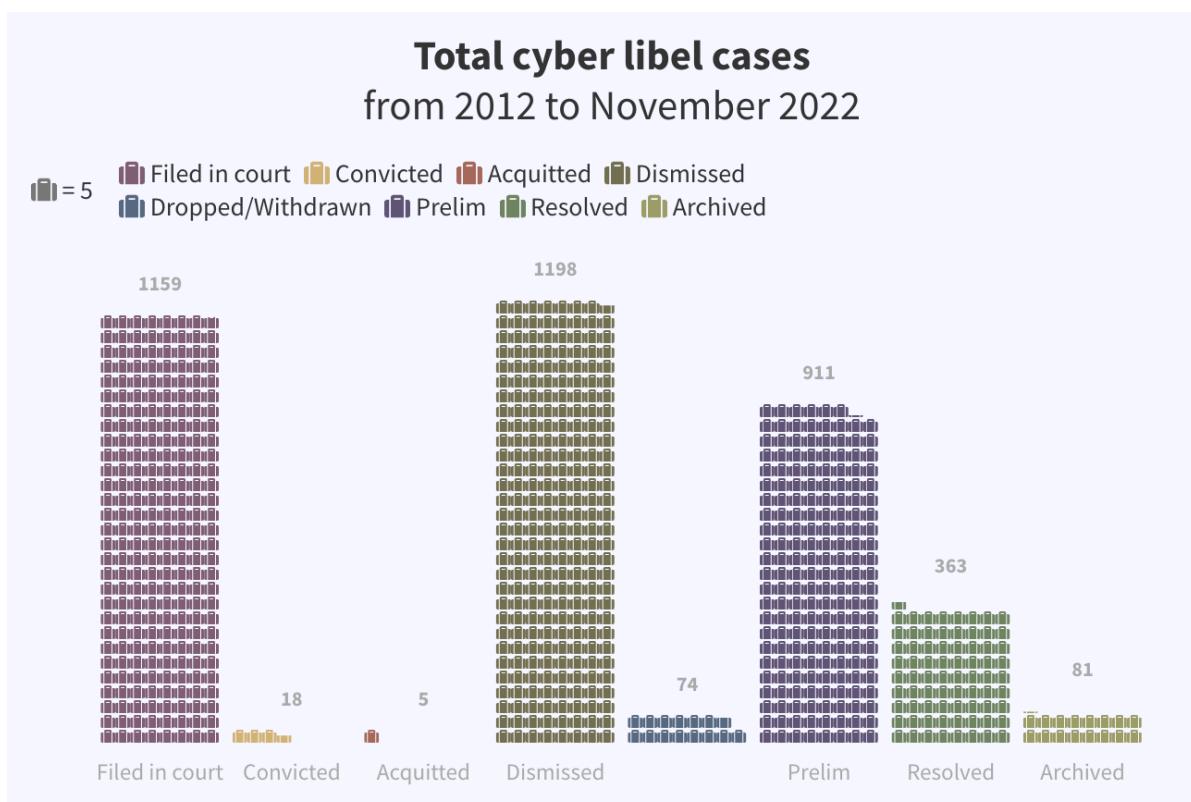
<sup>15</sup> Implementing Rules and Regulations of R.A. 10175, Sec. 5, paragraph 3.

<sup>16</sup> **People v. Soliman**, G.R. No. 256700, 25 April 2023.

<sup>17</sup> **Causing v. People** G.R. No. 258524, 11 October 2023.

Investigation and Coordinating Center (CICC)<sup>18</sup> as an inter-agency body chaired by the DICT Secretary, tasked to coordinate the preparation of anti-cybercrime measures and to monitor cybercrime cases being handled by law enforcement and prosecution agencies.

As of November 2022, data obtained from the Office of Cybercrime indicates that since the enactment of the Cybercrime Prevention Act in September 2012, a total of 3,809 cyber libel cases have been filed in the Philippines. The majority of these cases have either been dismissed (1,198) or are currently filed in court (1,159). Other cases are at various stages, including preliminary investigation, resolution outside of court, or acquittal. Notably, conviction rates remain low, increasing marginally from 0.32 percent in May 2022 to 0.47 percent in November 2022. In summary, while the number of cyber libel cases filed in the Philippines has been substantial since 2012, the conviction rates remain below one percent (1%).<sup>19</sup>



<sup>18</sup> R.A. 10175 as amended by Sec. 15 paragraph (a) sub-paragraph (3) of R.A. 10844 otherwise known as the Department of Information and Communications Technology Act of 2015.

<sup>19</sup> <https://www.rappler.com/philippines/november-2022-cyber-libel-conviction-rates-remain-low/> (Last accessed on 21 May 2025).

## Social Media

The term “social media” refers to forms of electronic communication (such as websites for social networking and microblogging) through which users create online communities to share information, ideas, personal messages, and other content (such as videos).<sup>20</sup>

The legal definition of social media covers “internet-based platforms which allow for interactions between individuals or the broadcast of content to the wider world and which are far more interactive than traditional broadcast media.”<sup>21</sup>

## Misinformation and Disinformation

*“By merely having access to social media, private individuals could publish their thoughts without need of self-policing or adhering to the ethical standards required of the press. As a result, content could be created and shared with abandon, purely for clout or for “likes,” and even in disregard of the truth. Worse, its audience is so wide, certainly way above that of traditional media, unconstrained by physical reach. This has inevitably led to a glut in disseminated information, a large part of which is disinformation – the “verifiably false or misleading information that is created, presented and disseminated for economic gain or to intentionally deceive the public, and may cause public harm” on the internet.”<sup>22</sup>*

- Justice Marvic

Leonen

“Misinformation is false information that is not intended by the author to cause harm, such as satire or a result of an error in reportage. Disinformation, on

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<sup>20</sup> Merriam-Webster Dictionary. <https://www.merriam-webster.com/dictionary/social%20media>

<sup>21</sup> LexisNexis. <https://www.lexisnexis.co.uk/legal/glossary/social-media>

<sup>22</sup> A.M. No. 22-09-16-SC, 15 August 2023 and Domingo v. Badoy-Partosa, G.R. No. 263384.

the other hand, is ‘false and deliberately created to harm a person, social group, organization or country’.<sup>23</sup>

The United Nations General Assembly has highlighted “the global concerns about the rapid spread and proliferation of disinformation, thereby increasing the need for the dissemination of factual, timely, clear, accessible, multilingual and evidence-based information, and emphasizing the need for all relevant stakeholders to address the challenge of disinformation”.<sup>24</sup> The UN General Assembly called upon all States “to counter all forms of disinformation through policy measures, including education, capacity-building for prevention and resilience to disinformation, advocacy and awareness-raising.”<sup>25</sup>

The European Union has adopted a legal framework for digital regulation with the end goal of ensuring the safety of users online, establishing governance with the protection of fundamental rights at the forefront, and maintaining a fair and open online platform environment. Under this framework, the Digital Services Act (DSA) and the Digital Market Act (DMA) are two related pieces of legislation aimed at regulating the digital sector. The DSA, which entered into force in November 2022, applies to all online intermediaries and platforms in the EU and includes very specific rules for very large online platforms and search engines whose average users reach or exceed ten percent (10%) of the EU population or around 45 million users per month.<sup>26</sup>

On the other hand, the Association of Southeast Asian Nations (ASEAN) has introduced several initiatives to combat harmful online content. This includes the ASEAN 2035 vision on the information and media sector and the 2024 ASEAN Guideline on the Management of Government Information on Combating Fake

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<sup>23</sup> Khan, Rachel E. and Yvonne T. Chua (2023). *Countering disinformation tools and initiatives in the Philippines*. Background Paper presented during the International Media Support Asia Disinformation Learning Forum, 16-17 May 2023. Retrieved from <https://www.mediasupport.org/publication/countering-disinformation-tools-and-initiatives-in-the-philippines/> (Last accessed on 21 May 2025).

<sup>24</sup> United Nations General Assembly resolution 76/227 of 24 December 2021, p.2.

<sup>25</sup> Ibid, p. 4.

<sup>26</sup> European Commission. *The Digital Services Act Package*. Retrieved from <https://digital-strategy.ec.europa.eu/en/policies/digital-services-act-package> (Last accessed on 24 May 2025).

News and Disinformation in the Media<sup>27</sup>, which is a framework in developing governments' responses to the harmful effect of fake news and disinformation in the media and on social media platforms.<sup>28</sup> The Philippines case study mentions that the Presidential Communications Office is still institutionalizing its process (finetuning) to fight fake news and disinformation. Additionally, third-party checkers outside the government, mostly private media organizations, have taken the initiative to do their own fact-checking. Examples are Rappler's Fact Check, Vera Files' Fact Check, Fact Check Philippines, and Tsek.ph, which was activated for the 2022 presidential elections.<sup>29</sup>

## Social Media Platforms

As of February 2025, social media usage penetration in the Philippines was at seventy-eight percent (78%).<sup>30</sup> Social media penetration rate refers to the percentage of a population that actively uses social media platforms.

The most common social media platforms used in the Philippines are Facebook, Messenger, Threads, and Instagram (Meta Platforms Inc.), TikTok (Bytedance), YouTube (Google), and X (X Holdings Corp.) formerly known as Twitter.

A survey conducted on digital news in the Philippines between January and February 2024 showed that sixty-one percent (61%) of respondents used Facebook as a news source. Other popular social media platforms for consuming news were

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<sup>27</sup> Endorsed during the 16<sup>th</sup> Conference of ASEAN Ministers Responsible for Information in 2023.

<sup>28</sup> Rapha, Albert Jehoshua (2024). *Surfing the Web for Effective Content Regulation in Southeast Asia*. Retrieved from East Asia Forum website <https://eastasiaforum.org/2024/07/18/surfing-the-web-for-effective-content-regulation-in-southeast-asia/> (Last accessed on 21 May 2025).

<sup>29</sup> Republic of Indonesia, Ministry of Communications and Informatics. *ASEAN Guideline on the Management of Government Information on Combating Fake News and Disinformation in the Media* (March 2024), p.68.

<sup>30</sup> Source: Statista.com. Social Media Penetration Rates in Southeast Asia as of February 2025, by country. Retrieved from <https://www.statista.com/statistics/487981/social-penetration-in-southeast-asian-countries/> (Last accessed on 22 May 2025).

YouTube and Facebook Messenger, used by forty-five percent (45%) and twenty-six percent (26%) of respondents, respectively.<sup>31</sup>

In September 2024, the COMELEC promulgated Resolution No. 11064 entitled: “Guidelines on the Use of Social Media, Artificial Intelligence, and Internet Technology, for Digital Election Campaign, and the Prohibition and Punishment of Its Misuse for Disinformation, and Misinformation, in Connection with the 2025 National and Local Elections and the Bangsamoro Autonomous Region in Muslim Mindanao Parliamentary Elections.”

COMELEC Resolution No. 11064, as amended<sup>32</sup> sought to regulate the digital election campaigns for the 2025 Philippine elections and outlined requirements for candidates and political parties regarding their use of social media. The resolution includes key definitions for terms such as “algorithm”, “artificial intelligence (AI) technology”, “astroturfing”, “deepfakes”, “softfakes”, “cheapfakes”, “disinformation”, and “fake news”. Prohibited acts include the use of false amplifiers such as fake accounts or bots, coordinated inauthentic behavior, creation and dissemination of deepfakes, cheapfakes, softfakes, fake news, and non-compliance with AI-generated content disclosure requirements.

The COMELEC resolution further provides that the Task Force KKK (Katotohanan, Katapatan, Katarungan) sa Halalan (Truth, Honesty and Justice in the Elections) was formed to monitor and regulate posted and published content on mass media. The Task Force is empowered to file complaints motu proprio against erring candidates, parties, individuals, and other entities, to submit requests to technology platforms for the takedown of fake accounts and content in violation of the guidelines, and to report and coordinate with the NBI and PNP for the preservation of information necessary to investigate and prosecute those involved in the commission of prohibited acts under the guidelines or relevant special laws.

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<sup>31</sup> Source: Statista.com. Leading social media and messaging platforms for consuming news in the Philippines in 2024. Retrieved from <https://www.statista.com/statistics/1219853/philippines-leading-social-media-news-source/> (Last accessed on 22 May 2025).

<sup>32</sup> COMELEC Resolution No. 11064-A amended the guidelines and removed certain persons or entities from the coverage of social media regulation.

Misinformation and disinformation remain to be one of the top global risks for 2025, underscoring their persistent threat to societal cohesion and governance by eroding trust and exacerbating divisions within and between nations.<sup>33</sup>

The proliferation of false or misleading content is perceived as the top risk in 2027, further complicating the geopolitical environment, based on the Global Risks Perception Survey conducted by the World Economic Forum.<sup>34</sup>

## **DISCUSSION**

**A**

**WHETHER OR NOT THERE IS RAMPANT AND PERVERSIVE INFORMATION DISORDER, i.e. MISINFORMATION, DISINFORMATION, AND MALINFORMATION, ONLINE THAT ADVERSELY IMPACTS THE COUNTRY'S DEMOCRATIC PROCESSES AND NATIONAL SECURITY.**

**B**

**WHETHER OR NOT SOCIAL MEDIA PLATFORMS SHOULD BE REGULATED.**

**C**

**WHETHER OR NOT ONLINE CONTENT AND SOCIAL MEDIA CONTENT CREATORS SHOULD BE REGULATED.**

**D**

**WHETHER OR NOT THERE IS A NEED TO STREAMLINE AND STRENGTHEN THE FUNCTIONS OF RELEVANT AGENCIES TO EFFECTIVELY ADDRESS THE RAMPANT PROLIFERATION OF**

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<sup>33</sup> World Economic Forum. *Global Risks Report 2025: Conflict, Environment and Disinformation Top Threats*. 15 January 2025. Retrieved from <https://www.weforum.org/press/2025/01/global-risks-report-2025-conflict-environment-and-disinformation-top-threats/> (last accessed on 21 May 2025).

<sup>34</sup> Ibid., p. 7.

**A. WHETHER OR NOT THERE IS RAMPANT AND PERVERSIVE INFORMATION DISORDER, *i.e.* MISINFORMATION, DISINFORMATION, AND MALINFORMATION ONLINE THAT ADVERSELY IMPACTS THE COUNTRY'S DEMOCRATIC PROCESSES AND NATIONAL SECURITY.**

There has been a notable spread of false information across various critical issues in the Philippines, which includes, among others, the WPS, extra-judicial killings, and other false information against public officials and democratic institutions. This is elaborated in the following affirmative points gathered during the Tri-Committee hearings as seen below:

1. The Philippines has consistently ranked among the world's most internet-active nations, with Filipinos spending an average of almost eight (8) hours and fifty-two (52) minutes online daily, which is significantly higher than the global average of six (6) hours and thirty-eight (38) minutes.<sup>35</sup> Despite challenges such as slower internet speeds, the country remains one of the most chronically online societies, owing this extensive internet usage primarily to social media engagement.<sup>36</sup>

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<sup>35</sup> “[Pinoys remain among world's most internet-savvy users — 2025 report](https://interaksyon.philstar.com/trends-spotlights/2025/02/26/292410/pinoys-among-worlds-internet-savvy-users-2025-report/)” access at <https://interaksyon.philstar.com/trends-spotlights/2025/02/26/292410/pinoys-among-worlds-internet-savvy-users-2025-report/>.

<sup>36</sup> [Social media, internet craze keep PH on top 2 of world list | Inquirer News](https://newsinfo.inquirer.net/1589845/social-media-internet-craze-keep-ph-on-top-2-of-world-list) access at <https://newsinfo.inquirer.net/1589845/social-media-internet-craze-keep-ph-on-top-2-of-world-list>.

2. Further to this point, during the course of the Tri-Committee hearings, Undersecretary Jeffrey Ian C. Dy of the DICT likewise gave an overview of the Philippine social media landscape. He stated that “the Philippines is ranked No. 2 in terms of social media usage and that the total number of social media users is approximately 86.75 million, which comprises 73.4 percent of the population. According to him, an average daily time spent on social media is three (3) hours and 34 minutes. The following are the most popular applications used: Facebook with 94.6 percent; Messenger with 92.1 percent; TikTok with 80.0 percent; Instagram with 72.5 percent, and X (formerly Twitter) with 51.6 percent. He added that most Filipinos even maintain several social media accounts. Based on the surveys by World Economic Forum and the United Nations, as regards misinformation and data concerns, there are 43.9 percent Filipino social media users who follow influencers; 63.8 percent of users signified concerns about what is real or fake on the internet; and seventy percent (70%) of Filipinos on social media bought a product due to an influencer’s recommendation.”<sup>37</sup>

### **On Information Disorder**

3. High internet usage increases exposure to fake news, making people more vulnerable to misinformation, especially if they lack media literacy. Without the necessary skills to verify sources, users may accept false narratives as the truth. Expanding this discussion, resource persons from the academe were invited to discuss how information disorder operates in the country and clarified multiple key concepts in relation to information disorder.

4. Dr. Rachel E. Khan, Professor at the University of the Philippines' College of Media and Communication, and co-founder of a fact-checking organization, Tsek.Ph, presented an overview of the three types of information disorder: misinformation, disinformation, and malinformation. She defined misinformation as unintentional errors, such as inaccurate photo captions, incorrect dates, misleading statistics, and translation mistakes. Disinformation, on the other

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<sup>37</sup> Transcript of Stenographic Notes TRICOM020425, pages 57-58, February 4, 2025

hand, refers to intentionally fabricated or manipulated audio and visual content, including the creation of conspiracy theories or rumors. Lastly, malinformation involves the deliberate alteration of the context, date, or time of genuine content.<sup>38</sup>

5. Pertinently, at the very core of the misinformation crisis is a coordinated network that deliberately amplifies false narratives to manipulate public perception. Dr. Jonathan Corpus Ong, professor of Global Digital Media at the University of Massachusetts Amherst, disclosed that political trolls are not tech-brainwashed, uneducated, poor voters in rural areas. “Some of them are from middle-class families, and they see political trolling as just a side gig or a hustle to make ends meet.”<sup>39</sup> He also mentioned that the “elites” in advertising and public relations (PR) industries are on top of the disinformation campaign operations. He stressed that aside from the low-level workers, the masterminds should all the more be held accountable.

6. By way of example, one of the resource speakers, Mr. Niceforo Balbedina II of PressOnePH, confirmed that there is a coordinated network of Chinese-linked social media accounts actively pushing anti-President Ferdinand “Bongbong” R. Marcos Jr. content, while simultaneously amplifying pro-Vice President Sara Duterte narratives. This investigation was coined as the Foreign Influence Operations (FIO) and Foreign Information Manipulation and Interference (FIMI) in the Philippines. Per Mr. Balbedina, the Chinese state media has been actively spreading questionable narratives about the WPS dispute while simultaneously promoting social media content related to Vice President Duterte. He pointed out that these accounts were Chinese in nature, but the content is all couched in the Filipino language. Pertinently, these accounts kept resurfacing the debunked “polvoron video”, which falsely alleged that the President was using illegal drugs. In total, over 107 accounts were identified to have been spreading anti-Philippine sentiments regarding the WPS efforts, and at the same time actively promoting content that favored Duterte.

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<sup>38</sup> Transcript of Stenographic Notes TRICOM020425, page 44-45, February 4, 2025

<sup>39</sup> Transcript of Stenographic Notes TRICOM020425, page 40, February 4, 2025

7. Beyond identifying the key actors, equally important is uncovering the mechanisms which they employ to amplify falsehoods and the medium that perpetuates it. Atty. Michael T. Tiu, Jr., Professor at the University of the Philippines College of Law, said that perpetrators of information disorder employ methods that change or transform the context of social media online content through the use of technology. He emphasized social media companies' responsibility in preventing the proliferation of false information online. More importantly, he said that social media companies should be able to see disinformation networks precisely because these accounts are interconnected. Quoting Prof. Tiu:

*xxx "...So often because of analytics and the technology that they use, they will be able to spot patterns in their platforms and that should be visible to them and especially when these disinformation networks cross platforms. So, for example, in the case of Meta, where you have Facebook and Instagram, they can cross platforms and, therefore, it should also be visible to those companies given that they also use algorithms and artificial intelligence to spot those."*<sup>40</sup> xxx

### **On The West Philippine Sea Issue**

1. One of the most pressing areas where misinformation thrives is the ongoing dispute over the WPS. During the hearings, Commodore Jay Tarriela, PCG Spokesperson for the WPS and one of the leading advocates against fake news in government, used the WPS issue as an example of how fake news is purveyed across social media platforms.

2. Based on the PCG's monitoring and experience with information disorder campaigns against the Philippines' unquestionable sovereignty over the WPS, they came up with three (3) levels of fake news purveyors: 1. **Initiators** – known and popular social media personalities who blatantly spread fake news to weaken the Philippines' claim over contested areas in the South China Sea, including the WPS; 2. **Disseminators** – "troll accounts" that magnify the messaging of the previously mentioned initiators; and 3. **Reposters** – those that sustain the virality of fake news online by regularly reposting the same. Due to these fake news

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<sup>40</sup> Transcript of Stenographic Notes TRICOM020425, page 51, February 4, 2025

purveyors, the general public's opinion on the WPS issue has not been universally in favor of the Philippines, with certain sectors of the population deceived and seemingly sympathetic to foreign actors.<sup>41</sup>

3. Regarding the Initiators, their usual narrative is that the Philippines "has no legal basis" over the WPS, downplaying the 2016 Arbitral Award. Secondly, a prevailing notion among them is that the WPS is the least of the Philippines' concerns, shifting the issue to other socio-economic matters such as poverty, corruption, inflation, and the like. Thirdly, these Initiators antagonize their own government by stating that it is the Philippines that is escalating tensions in the South China Sea by laying claim on the WPS. Fourth is fearmongering by way of scaring the general population with the threat of war against the People's Republic of China (PRC). Lastly, that the Philippines is being used by the United States of America in the latter's geopolitical agenda in the Indo-Pacific.<sup>42</sup>

4. During the interpellation by Rep. Ernesto "Ernix" Dionisio, Jr. to Commodore Tarriela, the former asked the Commodore to differentiate opinion from fake news in the context of the WPS issue. Commodore Tarriela responded by stating that the Philippines' sovereignty over the WPS is **not subject to contrary opinion**. Rather, it is factual and undisputable. The Commodore added that while everybody is entitled to their own opinion, such must be backed by factual data. For example, the viral post emanating from the PRC that Palawan was part of Imperial China in the past does not have a legal and historical basis. Instead, it is part of a disinformation campaign to weaken the Philippines' hold over areas that comprise the WPS.<sup>43</sup>

5. On a related note, in the fight against misinformation, disinformation, and malinformation surrounding the WPS issue, Commodore Tarriela noted the difficulty of identifying fake news purveyors, many of whom are "trolls" or whose identities are either questionable or fictional. The PCG is not even sure that they are Filipinos or if these accounts emanate from the PRC itself, which ironically, had

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<sup>41</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, pages 104-105, April 8, 2025

<sup>42</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 105-106, April 8, 2025

<sup>43</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 109, April 8, 2025

banned Facebook, Google, Instagram, and the like from operating within the country's jurisdiction.<sup>44</sup>

6. Deputy Speaker Suarez, during his interpellation, suggested to Commodore Tarriela that the ongoing information disorder campaigns on the WPS might be backed by a foreign actor, implied to be the PRC, to sow discord and split support among the Filipino people.<sup>45</sup> With over 500 social media videos spreading this claim, some originating from China Daily (a state-funded media outlet), strong evidence points to a coordinated attempt to manipulate public perception. This reinforces the narrative that foreign governments are actively shaping narratives surrounding the WPS dispute.

7. Evidently, the impact of the disinformation campaign surrounding the WPS has extended beyond both social media and public discourse as it has even infiltrated the halls of Congress. On that note, Rep. Rodante D. Marcoleta shared the negative backlash he received on social media following his statement in the last meeting that "there is no such thing as West Philippine Sea," particularly from Commodore Tarriela's post allegedly labelling him as a traitor. Rep. Marcoleta clarified that his statement is premised on the international concept that the area is known as South China Sea on all international maps, which is what is officially registered under the International Hydrographic Organization. He stressed that labeling the area the WPS was a Philippine government action and identifying the area officially as South China Sea does not equate to conceding ownership to China.<sup>46</sup>

8. Commodore Tarriela denied calling Rep. Marcoleta a traitor, explaining that his post on "X" (formerly Twitter) was a reaction to the President's pronouncements. However, Rep. Marcoleta said Commodore Tarriela's post initiated a negative backlash against him, with people labeling him a traitor and pro-China. Rep. Marcoleta attributed this backlash to a misunderstanding of his WPS

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<sup>44</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 111, April 8, 2025

<sup>45</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 116, April 8, 2025

<sup>46</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, pages 45-48, February 18, 2025

remark by the Commodore, which he said has negatively impacted his senatorial campaign.<sup>47</sup>

9. Similarly, Commodore Tarriela answered the accusations of Ms. Malou Tiquia of Publicus Asia after he labeled her as a Makapili. In his statement, he said<sup>48</sup>:

xxx "The Global Times is a known propagandist of the Chinese Government. If you're going to look at those personalities na in-interview ng Global Times, you're going to doubt what is the objective of why such personalities are being interviewed. If you're going to look at the posts of those people who were interviewed and who gave comments about our fight in the West Philippine Sea, I think, that's where I'm getting that kind of assertion.

Again, this is just an opinion, but those opinion is guarded on what I have seen so far in their social media posting about how they reacted on our responses in the West Philippine Sea, about how they downplayed the level of aggression that the Armed Forces of the Philippines (AFP) and the PCG is experiencing in the West Philippine Sea, not to mention, the abuses of the Chinese Coast Guard against the Filipino fishermen in Bajo de Masinloc.

I am not labeling anybody as Makapili unless you're going to support and toe the line for our fight in the West Philippine Sea. Ang laban po natin sa West Philippine Sea requires amplification of truth and factual narrative. Let us not distort the messaging of the Philippine Government. Ang laban po ng West Philippine Sea hindi lamang po ito laban ni Pangulong Bongbong Marcos, laban po nating lahat ito bilang Pilipino." xxx

10. The disinformation campaign surrounding the WPS has also found a very powerful vehicle to forward the agenda of social media personalities. Influencers or content creators, whether knowingly or not, have continued amplifying misleading narratives, effectively shaping public perception through viral posts and videos containing false and unverified information. Their coordinated efforts have led to further complicating efforts to uphold the correct factual narrative anent the territorial dispute.

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<sup>47</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, pages 49-50, February 18, 2025

<sup>48</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, pages 60, February 18, 2025

11. In this regard, Rep. Raoul Dannie A. Manuel addressed the social media personalities present, highlighting the growing tension surrounding the WPS issue. He pointed out that as the debate intensifies, conflicting narratives from various sides are emerging. He noted that some social media content suggests that the primary solution to the issue is through provoking war. Furthermore, Rep. Manuel raised concerns about Facebook pages using AI-generated content to manipulate public opinion. He cited a page called "Key to Good Luck" that posts AI-generated images of sea-based warships and military equipment, featuring distorted flags of the Philippines and the US. While these images are clearly manipulated, he warned that they could easily incite war sentiments among ordinary citizens. One such post garnered 27,000 reactions, which may include fake accounts or bots designed to artificially boost engagement. Rep. Manuel stressed that unchecked misuse of AI, particularly on sensitive topics like the WPS, poses a serious risk of misleading and misinforming the public.<sup>49</sup>

12. During his interpellation, Rep. Gutierrez highlighted a social media post showing the historical claim of the PRC on Palawan. Upon Rep. Gutierrez' query, Commodore Tarriela expressed awareness of this post and stated that it is the first time the PRC is pushing this false narrative. He said that in reaction to this false claim, the national government asked the National Historical Commission of the Philippines to directly debunk the historical claim of the PRC or the purveyors of that particular post. Per the Philippine government position, Palawan and the entire island of Luzon have long been part of the Philippine archipelago.<sup>50</sup>

13. As misinformation continues to shape public discourse on the WPS, attention must also be given to the role of social media platforms in regulating false propaganda. With regard to the posts on the PRC's claim over Palawan, TikTok representative Ms. Paderna stated that TikTok has taken down similar posts, proactively and reactively. She invited the Tri-Committee to secure the links in question for endorsement to the appropriate teams within TikTok. She likewise urged the public to report fake news postings on its platform for proper action.<sup>51</sup>

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<sup>49</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, pages 72-73, February 18, 2025

<sup>50</sup> Transcript of Stenographic Notes TRI032125FINALTSNs, pages 35-36, March 21, 2025

<sup>51</sup> Transcript of Stenographic Notes TRI032125FINALTSNs, page 43, March 21, 2025

14. On the alleged suppression of WPS-related content on TikTok, Ms. Paderna said that TikTok does not silence voices that advocate for greater awareness on these issues, adding that it welcomes diversity of political expressions. She explained that TikTok's moderation technology can detect violations of intellectual property rights and of its community guidelines. Such violations are often the reason why some TikTok content gets muted or deleted.<sup>52</sup>

15. Rep. Gutierrez countered with anecdotal evidence of a muted video posted on TikTok wherein a Filipino journalist had an altercation with a Chinese counterpart on the WPS issue. He stressed that there was no music playing, hence no violation of intellectual property that necessitated the muting. Ms. Paderna replied that it possibly had background ambient audio, adding that TikTok's technology for content moderation is very sensitive to audio.<sup>53</sup>

16. In the fight against information disorder surrounding the WPS issue, Commodore Tarriela noted that the difficulty in holding purveyors of fake news accountable stems from the fact that many of them are "trolls" whose identities are either questionable or fictional. The PCG is not even sure that they are Filipinos or if these accounts emanate from the PRC itself, which ironically, had banned Facebook, Google, Instagram, and the like from operating within their country's jurisdiction.<sup>54</sup>

### **On Foreign Information Manipulation And Interference**

1. Recognizing the growing concerns over foreign information manipulation and interference, several civil society organizations that have been actively conducting investigations and studies on the issue were likewise invited. Messrs. Felipe Salvosa II and Niceforo Balbedina III of PressOne.PH informed the Body that their organization is an online fact checker and member of the International Fact Checking Network (IFCN), however, they are moving beyond fact-checking and towards monitoring of Foreign Information Manipulation and

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<sup>52</sup> Transcript of Stenographic Notes TRI032125FINALTSNs, pages 45-46, March 21, 2025

<sup>53</sup> Transcript of Stenographic Notes TRI032125FINALTSNs, page 46, March 21, 2025

<sup>54</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 111, April 8, 2025

Interference (FIMI) and Foreign Influence Operations (FIO) made by state and non-state actors in the country. They uncovered malicious activities done by AI-bolstered propaganda classified as FIMI and FIO, such as those done by China Daily and Chinese State Media Unlocked. To quote Mr. Balbedina's testimony:

xxx "MR. BALDEDINA: ... Ito po iyong latest nating story, 'no. Mayroon po kaming na-identify na 107 accounts as of 11:00 a.m. this morning, na nagpapakalat ho ng mga anti-Philippine sentiment on Twitter. Iyong mga accounts po na ito, iyong iba sa kanila Chinese ang pangalan. Karamihan sa kanila, sabay-sabay ginawa at iyong mga posting activity po nila ay very questionable. Ito pong ipinapakita kong tatlong grupo ng mga screenshots, iyan po iyong mga posts na na-identify namin para i-connect itong mga accounts na ito. So, iyong una po, ipinakalat po nila ang screenshot ng napabulaanan na polvoron video.

CHAIRPERSON FERNANDEZ. So, this is our...these are anti-Philippine sentiments...

MR. BALBEDINA. Anti-Philippine sentiments po.

CHAIRPERSON FERNANDEZ. ...against West Philippine Sea?

MR. BALBEDINA. Against the West Philippine Sea efforts ng Pilipinas at against our President.

CHAIRPERSON FERNANDEZ. So, saan nag-originate ito?

MR. BALBEDINA. Some of the accounts have Chinese names. So, for example po, iyong unang screenshot sa far left po ng ating presentation, Chinese po iyong pangalan noong account. Tapos, iyong same group of accounts, nagse-share po sila ng mga screenshots ng mga story na published in Chinese, 'no, Chinese characters, Chinese iyong website, Chinese iyong caption. Tapos, nagse-share din po sila ng content na pertaining naman, 'no, or containing Sara Duterte's criticisms against the current Administration. Doon po sa first screenshot very crucial po, 'no, kasi Chinese in nature iyong accounts pero iyong sine-share po nilang picture ay may Tagalog na mga kataga, 'no. So, next slide po natin.

"Iyan. Ito po iyong unang istorya na nilabas namin, 'no. Nakita po namin na iyong posting activity po nila ay very reactionary sa oras, 'no, at sa mga developments sa ating bansa. So, for example, iyong Polvoron video, sobrang dami po nilang beses nilabas iyon right after na pirmahan iyong Maritime Zones Law and

iyong Baselines Law, 'no."<sup>55</sup> xxx

2. Expanding on that point, Dr. Ong underscored the importance of monitoring foreign interference, such as tracking bot accounts operated overseas and how they interfere in national issues. He further informed the Body that through Facebook's own investigation, it was discovered that Chinese accounts are pushing PRC propaganda around the WPS. Aside from the WPS issue, Dr. Ong stressed the need to fund local investigative research that can probe the transnational labor networks to expose financial transactions during campaigns, especially during elections. He said that:

xxx "... So, for example, during the 2019 elections, we found, at least, one example of a Chinese Mainland business tycoon funding a local politician's digital operations for a mayoral race dahil may personal business interests siya sa lugar na iyon at naisip niya na matulungan itong local politician. This should also count as foreign interference and ways of circumventing campaign finance *regulations in the country*. So, kasama na din sa pag-discuss ng foreign interference ang...we need to understand how it can come from many different countries, including from our allied countries, such as the United States... United States. Reuters journalists last year exposed the Pentagon's acceding to anti-vaccine memes in our country at the height of COVID. We need to pursue an unanswered question from this exposé including identifying possible local Filipino collaborators who participated in the translation and dissemination of this US-funded disinformation campaign."<sup>56</sup> xxx

3. PressOne.PH disclosed to the Tri-Committee that they had identified multiple attempts from a website originating in China, which aimed to damage the credibility of the President, as well as other politicians. They also noted the existence of other websites from China promoting different politicians or candidates. This points to foreign interference in the country's political affairs, which should not be permitted.<sup>57</sup>

4. During his interpellation, Rep. Barbers recalled the revelation of PressOne PH during the previous hearing about China's interference in the country's social media activities. Mr. Balbedina told the Body that they are also part

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<sup>55</sup> Transcript Stenographic Notes TRICOM020425TSFINAL, pages 121-122, February 4, 2025

<sup>56</sup> Transcript Stenographic Notes TRICOM020425TSFINAL, pages 41-42, February 4, 2025

<sup>57</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, pages 104-105, February 18, 2025

of International Fact Checkers, which checks fake news online. He stated that they observe the Code of Ethics of Journalists, being a member of the National Union of Journalists of the Philippines. In his statement, he said<sup>58</sup>:

xxx "I am Nico Balbedina from PressOne.PH. I'm the multimedia editor. PressOne.PH po is a news and fact-checking organization. We are also a member of the IFCN, the International Fact-Checking Network. Regarding po doon sa story na iyon that we reported, I think that was two weeks ago, it is a network of X or Twitter accounts. During that hearing, nabanggit po namin na that time, we found 107 accounts pero ngayon, it is upwards of 140 na, iyong namonitor namin, and these accounts have been spread...have been coordinated. Simultaneous silang nagpo-post at nagse-share ng mga content na: number one, iyong Polvoron Video that has already been debunked—iyong video ng ating Pangulo; number two, nagse-send sila...nagse-share sila sabay-sabay ng series of news articles that are published in Chinese language websites. And since Chinese language siya, Chinese din iyong lenguwahe po noong article, sine-share nila iyon sabay-sabay and, at the same time, nagse-share po sila ng content related to the Vice President. And iyong timing po ng pagti-tweet nila, noong sabay-sabay na paglalabas ng mga tweets na ito, coincides with the news dito sa Pilipinas. So, for example, iyong lumabas na Polvoron Video na sabay-sabay po nilang tinwit (tweet) noong November 11, "11/11," these are...this activity happened a few days after pinirmahan iyong batas on the West Philippine Sea—iyong Maritime Baselines Law and Sea Lanes Act.

"Also, we are thinking 'no—although inaarial pa namin iyong idea na iyon pero "11/11" is a strong day for social media use. So, perhaps, they were trying to ride on that. Iyong links and screenshots of the news articles written in Chinese are also...also follows iyong ganoong style ng pagpo-post, iyong timing. At the same time, pati iyong related to the Vice President also follows that—noong kasabay noong mga discoveries and iyong mga pangyayari doon sa QuadCom hearing regarding the OVP and the Department of Education.

"So, ngayon po, ongoing pa rin iyong aming investigation into that. We have released five stories tungkol doon. And as of 11:00 a.m. kaninang umaga, we have found again 140 accounts and 1,734 tweets. These Tweets...ito po iyong pinakacommon na question na nakukuha ko about the story. Iyong tweets, wala silang masyadong ano, wala silang nakukuha masyadong engagement pero it's the attempt that we are measuring. So, right now, iyong measurement is at 1,734 tweets. Iyon po, Mr. Chair" xxx

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<sup>58</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, pages 128-129, February 18, 2025

5. During the concluding hearing of the Tri-Committee on 05 June 2025, Rep. Barbers made a presentation of what appears to be an example of foreign interference by a malevolent actor in the Philippines through the conduct of disinformation campaigns.

6. He presented a service contract allegedly signed by InfinitUS Marketing Solutions, Inc. (InfinitUS), a public relations firm incorporated in the Philippines, and the Embassy of the People's Republic of China. The service contract includes a provision for the recruitment and management of "keyboard warriors" for coordinated online activities. Rep. Barbers surmised that this can only mean trolling activities to discredit persons and Philippine government agencies deemed by the People's Republic of China to be impediments to their claim in the West Philippine Sea.

xxx "Ngayon, we come to the more important part. If we look at the Service Agreement, makikita po natin sa isang bahagi nito ang pagbanggit ng tinatawag nilang mga "keyboard warrior" na tinagurian pa nilang "dedicated" dapat at "loyal" sa kanilang organization. Now, the use of this term raises several questions, dahil klaro po to this body that there is no other interpretation for this word. Alam naman po siguro nating lahat na ang salitang ito ay commonly used to refer to "trolls" in the internet o yung mga taong aggressively and abusively posts on the internet. And the fact that this is being used in a contract in relation to an "issue management project" points directly to coordinated online behavior.

"Kataka-taka rin po ang paggamit ng term na "issue management project" ano po. While this can mean any number of things, pero paired with keyboard warrior, nagmumukha po talaga itong isang deliberate effort to shape narratives online. And since this is a contract with the Chinese Embassy, medyo concerning po Talaga kung ano mang political narrative o campaign ang nais nilang iparating sa publiko."<sup>59</sup> xxx

7. Rep. Barbers then showed the intimate connection between InfinitUS and the Chinese Embassy, highlighting the numerous events that InfinitUS organized for the former. In fact, InfinitUS is an accredited public relations firm of the Embassy of the People's Republic of China.

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<sup>59</sup> Transcript of Stenographic Notes, 05 June 2025.

"Obviously, they are not denying their connection with the Chinese Embassy, however, itong mga recent findings po natin ay nagpapakita na ang ugnayang ito ay hindi simpleng partnership lang. These recent revelations shed light on just how deep, how embedded, and possibly how coordinated this relationship truly is. At base sa nilalaman ng mga dokumentong hawak natin ngayon, then this is no longer just a corporate arrangement – this touches on national interest and security."<sup>60</sup>

### **On The “Polvoron Video” - Ms. Vicente “Pebbles” Cunanan Affidavit**

1. Public officials, especially elective officials, are in fact one of the most susceptible to fall victim to false narratives. Given their role in government, they are considered as prime targets for coordinated disinformation efforts to sway public opinion about them.

2. On the viral “polvoron video” published last July 22, 2024, and went viral on social media, former DDS vlogger Ms. Vicente “Pebbles” Cunanan stated in her *Affidavit* dated 8 April 2025 that the said video, which depicted a person with the likeness of President Ferdinand R. Marcos, Jr. taking what appears to be crystal methamphetamine or cocaine, is **fake**. She added that the subject video was part of a grand conspiracy involving former Presidential Spokesperson Atty. Harry Roque and other vloggers allied with the Duterte family to bring down the present administration. In the words of Ms. Cunanan: “...pabagsakin ang gobyerno.”<sup>61</sup>

3. The “polvoron video,” as attested by Ms. Cunanan, is a fake, likely generated by AI to superimpose the likeness of President Marcos Jr. over someone else who actually took cocaine. As testified to by Ms. Cunanan, the video was first posted on the social media pages of Atty. Roque, before being reposted and republished by several other Duterte-affiliated vloggers, including the controversial US-based Claire Contreras alias “*Maharlika Boldyakera*.” It was also suggested that Ms. Contreras, or alias *Maharlika*, heavily publicized the “polvoron video” over her social media accounts.<sup>62</sup>

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<sup>60</sup> Transcript of Stenographic Notes, 05 June 2025.

<sup>61</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 174, April 8, 2025

<sup>62</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 175, April 8, 2025

4. Relevantly, the “polvoron video” was confirmed by the PNP Anti-Cybercrime Group and the NBI to be fake based on their technical screening and spectral analysis. In addition, the video clearly looked fake, and the subject person bears no resemblance to President Marcos, Jr. The Members of the Tri-Committee, voiced by Deputy Speaker Suarez, expressed alarm at the wanton use of AI technologies to alter videos to spread false narratives over social media. Deputy Speaker Suarez also conveyed his concern about whether the same should be done to ordinary Filipinos who most probably will be technically and politically powerless against this kind of personal attack.<sup>63</sup>

5. In connection with that, Rep. Acop manifested that according to the PNP Anti-Cybercrime Group and the NBI, which conducted the video spectral analysis, parts of the ear of the man in the video did not match those of PBBM. Likewise, the independent fact-checking organizations which conducted the verification and deepfake analysis, insofar as the video is concerned, all confirmed that the person in the “polvoron video” is not President Marcos Jr.<sup>64</sup>

6. Usec. Dy said that the “polvoron video” clearly demonstrates an intent to malign public officers of government and inflict hate or revenge on public officials. This is further supported by the fact that the “polvoron video” was edited and released on the day of the State of the Nation Address to create criticism and controversy against the current sitting president.

7. Accordingly, Deputy Speaker Suarez underscored that it is precisely because of these revelations that make the Tri-Committee hearings relevant, to wit:

"This is precisely the reason why we conduct these hearings like this. Ito halatang halata peke. But of course, upang mag-instigate ng disgust, mag-instigate ng galit at ipahiya ang isang nakapwesto, and for this case our President, some people would go to the extent of using AI to edit videos and come out with fake news. xxx

This is the reason why we really need to come up with clear legislation and policies para hindi na po maulit ang ganitong pamemeke ng video para manira ng tao".

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<sup>63</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, pages 179-180, April 8, 2025

<sup>64</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, pages 179, April 8, 2025

**On False Information Against Public Officials And Democratic Institutions**

1. Rep. Jude A. Acidre questioned Ms. Krizette Laureta Chu's post for presenting a scenario that gravely affects national security. In her post, Ms. Chu implied a mass resignation within the PNP and the Armed Forces of the Philippines following the arrest of former President Rodrigo Roa Duterte. When asked, PNP-Criminal Investigation and Detection Group (PNP-CIDG) head PMGen. Nicolas Torre III denied the alleged mass resignation.<sup>65</sup>

2. Ms. Chu explained that her post was not phrased as news and was only stating her opinion based on social media posts she had seen. She claimed that in her journalism training, the use of "daw" is important.<sup>66</sup>

3. Rep. Acidre remarked that Ms. Chu appears to present herself as a journalist when it is convenient and as a private individual when it suits her interests. Rep. Acidre contended that given Ms. Chu's thousands of online followers, she should have a certain degree of responsibility and exercised due diligence by verifying the information before posting her opinion. He said that this problem arises because certain individuals can amplify issues without adhering to journalistic principles, allowing them to spread and sensationalize news or rumors without accountability.<sup>67</sup>

4. Rep. Bienvenido M. Abante Jr. inquired about Ms. Mary Jane Quiambao Reyes' statement alleging that the extrajudicial killings (EJKs) during the Duterte administration were a massive hoax and that certain anti-Duterte propagandists were deliberately attempting to manipulate the global narrative.<sup>68</sup>

5. In response, Ms. Quiambao Reyes explained that her claim was based on statements made by the parents of alleged EJK victims, who asserted that

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<sup>65</sup> Transcript of Stenographic Notes TRI032125FINALTSNs, page 65, March 21, 2025

<sup>66</sup> Transcript of Stenographic Notes TRI032125FINALTSNs, page 65, March 21, 2025

<sup>67</sup> Transcript of Stenographic Notes TRI032125FINALTSNs, pages 65-69, March 21, 2025

<sup>68</sup> Transcript of Stenographic Notes TRI032125FINALTSNs, pages 89-90, March 21, 2025

their children either did not die because of EJKs or were not deceased at all. She emphasized, however, that her posts merely reflected her personal reactions and opinions on current events.<sup>69</sup>

6. As Chairperson of the House Committee on Human Rights, Rep. Abante stressed that his committee has enough supporting documents to prove that EJKs indeed happened, as confirmed by the Commission on Human Rights. Rep. Paduano echoed Rep. Abante's statements, citing that valuable information was uncovered during the meetings of the Quad-Committee.<sup>70</sup>

7. Ms. Quiambao Reyes conceded that her statements were based on social media and admitted that she did not have any supporting documents to substantiate her claims.

8. In addition, Rep. Acop noted that although Ms. Quiambao Reyes claimed to be non-partisan, her social media posts revealed a clear bias. He further recalled a prior incident where she failed to attend a Tri-Committee hearing and subsequently made a post referring to the Members as "dimwits", pointing out that she was, in fact, the first to make disparaging remarks against the Tri-Committee.<sup>71</sup>

9. All told, the unchecked spread of misinformation by vloggers, who conveniently shield themselves behind the guise of "merely stating their opinion", is an undeniable and glaring abuse of the right to freedom of speech. Pertinently, when these false narratives are deliberately shared and posted without regard for their consequences, they become more than just misguided statements; they become powerful tools of manipulation that cannot be left unregulated.

## **B. WHETHER OR NOT SOCIAL MEDIA PLATFORMS SHOULD BE REGULATED.**

Social media platforms have become powerful tools for manipulation, exploited by both individuals and foreign governments alike to shape narratives and

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<sup>69</sup> Transcript of Stenographic Notes TRI032125FINALTSNs, page 92, March 21, 2025

<sup>70</sup> Transcript of Stenographic Notes TRI032125FINALTSNs, pages 94-95, March 21, 2025

<sup>71</sup> Transcript of Stenographic Notes TRI032125FINALTSNs, page 172, March 21, 2025

influence public opinion. The growing misuse of social media underscores the urgent need for stronger regulations to prevent the unchecked spread of misinformation on these platforms. In fact, despite their reach, these social media platforms have adopted a reactive approach by addressing false content only after it has circulated and only after it has become too late to mitigate its impact. Thus, implementing stricter oversight and accountability is key to ensure that social media serves as a space for factual discourse. Regulation is a viable legislative mandate and the reasons for the same may be derived from the following discussion:

10. Several social media platforms also presented their respective content moderation systems and processes to the Tri-Committee hearings.

11. Atty. Gonzalez presented to the Tri-Committee how YouTube combats the spread of misinformation using its "4Rs of Responsibility" framework, *i.e.*, removing the content that violates YouTube's policy; raising authoritative voice when people are looking for breaking news and information; rewarding trusted, eligible creator and artists; and reducing the spread of content that brushes right up against YouTube policy line. He added that while YouTube protects videos that meet Educational, Documentary, Scientific, and Artistic (EDSA) criteria, YouTube removes general misinformation which includes technically manipulated content that can cause real-world harm (e.g. deepfakes); election misinformation which provides content that may negatively impact free and fair democratic elections; and medical misinformation which includes content that poses a serious risk of harm by contradicting official guidance.<sup>72</sup>

12. Ms. Paderna of TikTok explained that every post on their platform goes through machine technology vetting before publication and that they work with independent fact-checkers to verify the accuracy of information posted on TikTok. She also mentioned that TikTok relies on reports to determine which posts violate the platform's community guidelines.<sup>73</sup>

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<sup>72</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, pages 8-11, February 18, 2025

<sup>73</sup> Transcript of Stenographic Notes TRI032125FINALTSNs, page 43, March 21, 2025

13. On the other hand, Meta Platforms, Inc., the owner and operator of social media platforms Facebook, Instagram, and WhatsApp, among others, began their presentation to the Tri-Committee with a summary of their programs and initiatives for Filipino users.<sup>74</sup> These include promoting digital entrepreneurship; investing in infrastructure, particularly subsea cables to increase accessibility to Meta's online applications; and pouring considerable resources towards the development of their own proprietary artificial intelligence (AI), which has Tagalog as one of its language media.

14. Dr. Rafael Frankel and Mr. Rob Abrams, representatives from Meta, explained to the Tri-Committee the way content is regulated in their social media platforms. They recognize the delicate task of balancing freedom of expression with community safety. Meta primarily relies on community reporting of instances of violations against their community standards. These reports are properly scrutinized prior to the removal or retention of a subject post. In some instances, such as when there is imminent danger to life, Meta may take down such posts *motu proprio*.<sup>75</sup>

15. Essentially, Meta's social media applications are self-regulating. This much was admitted by Dr. Frankel when he was asked by Members of the Tri-Committee if Meta regulates itself. Dr. Frankel added that AI supplements their content review process, especially when it comes to considerably scaling up said process.<sup>76</sup>

16. In summary, Meta's regulatory process involves the following: a) content review by proprietary moderators and third-party fact checkers accredited by the International Fact Checking Network (IFCN); b) pre-post screening with the use of AI; and c) user-generated reports.<sup>77</sup> Dr. Frankel and Mr. Abrams likewise affirmed that Meta has been responsive to take-down requests of several government agencies, notably the NBI, the CICC, the PNP, and the PCG. In fact, hundreds of thousands of spurious social media accounts have been deleted by

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<sup>74</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 8, April 8, 2025

<sup>75</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 11-14, April 8, 2025

<sup>76</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 11-14, April 8, 2025

<sup>77</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, pages 10-14, April 8, 2025

Meta as a result of its close coordination with pertinent Philippine government agencies.<sup>78</sup>

17. Meta admits the inherent difficulty of regulating content perceived to be false by others due to context – what may be false for some may be true for others, considering a particular context.<sup>79</sup> Nevertheless, their approach has always been to immediately take down posts that may result in imminent physical harm against persons. Otherwise, such as purportedly false content, Meta would merely limit the scope of a subject's posts' distribution and reach, labeling the same as misinformation.<sup>80</sup>

18. Meta tapped three (3) media organizations in the Philippines as its independent third-party fact checkers: a) VERA Files, b) Rappler, and c) Agence France Presse (AFP).<sup>81</sup>

19. During Rep. France Castro's interpellation of Dr. Frankel and Mr. Abrams of Meta, she mentioned that her official Facebook account was taken down due to the grounds of impersonation, one of the violations of Facebook's community standards. Rep. Castro questioned the said move by Facebook, with Dr. Frankel responding that it might have been possible for the subject account to have been hacked and subsequently flagged as an impersonator. Suffice it to say that in this instance, impersonation is a legitimate ground for taking down an account or profile. Other grounds are recidivism or repeated violations of community standards.

20. Dr. Frankel clarified the apparent misconception around coordinated mass reporting by "online trolls" or "troll farms." Coordinated mass reporting does not necessarily result in the taking down of a profile or a post. Furthermore, he emphasized that coordinated mass reporting is another violation of Facebook's community standards.<sup>82</sup>

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<sup>78</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 16, April 8, 2025

<sup>79</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, pages 10-11, April 8, 2025

<sup>80</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, pages 12-14, April 8, 2025

<sup>81</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 18, April 8, 2025

<sup>82</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 24, April 8, 2025

21. With respect to regulating AI-generated images and videos on Facebook, Meta is refining its AI detection processes given the rapid development of the artificial intelligence space in recent years among tech companies worldwide.

22. On the matter of data disclosure (i.e., identities and other personal information of Filipino account holders, etc.), Meta stated that the same is covered by United States of America Federal Law, given that the servers of their social media platforms are physically based in the US.<sup>83</sup> As such, any request to disclose personal data must abide by the pertinent US laws.

23. On accountability, Meta practices shared accountability in the Philippines with relevant government agencies.<sup>84</sup> Dr. Frankel mentioned how Facebook worked with the COMELEC to help preserve the integrity of the 2022 National Elections by being an effective medium to spread information on voters' education and other related matters. In addition, Meta publishes its transparency report every six (6) months, comprising data on information disorder and the actions taken against the same.

24. Meta expressed its willingness to engage with the Philippine government on any policymaking initiative that allows the latter's pertinent agencies to regulate Facebook, Instagram, and the like.<sup>85</sup> Dr. Frankel noted that local nuance is important in developing regulation that caters specifically to Filipino users. Rep. Gutierrez, however, expressed his concern that since the servers of Meta are in the US, there is essentially no local entity that represents Meta in the Philippines. Meta's Facebook office in the Philippines merely covers the advertising side of the business and is in no way capable of answering technical queries.<sup>86</sup> As a consequence, the Philippine government may find it difficult to hold Meta accountable for any abuse of its social media platforms.

25. Dr. Frankel reiterated that just because Meta is an American company with its servers located in the United States, it does not mean that they do not

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<sup>83</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, pages 29-30, April 8, 2025

<sup>84</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, pages 37-39, April 8, 2025

<sup>85</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 38, April 8, 2025

<sup>86</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, pages 51-57, April 8, 2025

comply with the laws of the jurisdictions they operate in. On the contrary, Meta puts precedence on local laws and only applies US law when the issues are jurisdictional, such as data disclosure. Mr. Abrams added that despite the geographical issues that Rep. Gutierrez raised, he remains in close contact with Philippine government agencies, allaying any concerns that Meta may not be able to react promptly when issues arise. Meta is reachable by the Philippine government informally, through Dr. Frankel and Mr. Abrams, and formally, through the reporting channels on their social media platforms.

26. The CICC testified that the turnaround time of their takedown requests to Meta is at six (6) to twenty-four (24) hours.<sup>87</sup> For CICC, despite the lack of a Meta-affiliated entity in the Philippines, Meta remains responsive and reachable. Rep. Gutierrez, however, wants to put in place a system for easier coordination, and crucial to this is not only relevant legislation but also a local Meta-affiliated entity that is figuratively within arm's reach.

27. On the issue of authenticating users over the Facebook platform, Meta acknowledged that RA 11934, otherwise known as the SIM Registration Act, aided in their user authentication process. Mr. Abrams, however, emphasized that using phone numbers is not the sole manner Meta authenticates user identities, given that the said law, as stated by Rep. Gutierrez' anecdote on the continued proliferation of dubious SIM registrations, has not been able to completely curb instances of cybercrimes and "trolling behavior" in the Philippines.<sup>88</sup> There are other technical means Meta utilizes to determine the authenticity of user identities, including tapping AI.

28. Given the lack of a Meta-affiliated entity in the Philippines to directly address concerns on information disorder, Rep. Acop is mulling requiring accreditation and registration of social media platforms operating in the country as part of government efforts to regulate this medium. There must be a readily accessible point of contact that understands and complies with Philippine law.<sup>89</sup> He

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<sup>87</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 58, April 8, 2025

<sup>88</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, pages 63-64, April 8, 2025

<sup>89</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 65, April 8, 2025

also asserted that Meta should bear a share of the responsibility for fake news being posted on their social media platforms, precisely because of their position as the vehicle used to spread misinformation. Meta, however, disagrees, noting that users are primarily responsible for the content they post.<sup>90</sup> Meta justified that they do not want to have the overarching power to determine what should be posted on their social media platforms, as that would be tantamount to abridging their users' freedom of speech and expression. Meta wishes to remain as neutral as possible, thus their tapping of third-party fact-checkers. Meta also reiterated the value of contextualizing content deemed by some as fake news, in the sense that what some may perceive as misinformation may be true to others when put in a certain context or narrative.

29. Meta asserted that it has the duty to remove content that violates the community standards of its social media platforms. Regarding categorizing certain content as fruits of information disorder, Meta would rather be neutral and leave that task to their third-party fact-checkers. Dr. Frankel referred to a question of Rep. Acop on whether Meta bears some responsibility over fake news, responding that Meta is responsible for keeping their social media platforms safe for all Filipinos. Without directly answering Rep. Acop's question, Dr. Frankel merely implies that their users are principally responsible for whatever they post on their social media platforms. The best Meta can do is to uphold its community standards in keeping with their policy of non-abridgment of the freedom of speech and of expression.

30. One of the ways Meta regulates its social media platforms is through content monetization. Creators can monetize their content in various ways, but once a content violates the community standards of Meta's social media platforms, such content is demonetized. Demonetization runs parallel to Meta's practice of taking down or limiting the audience of posts violative of its community standards.

31. Rep. Geraldine Roman advocated for setting up local offices of social media platforms operating in the Philippines to resolve jurisdictional questions on accountability and tax levying purposes. She also espoused for regulation not only

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<sup>90</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 66, April 8, 2025

to protect the rights of Filipino social media users but also to oversee the relationships of social media platforms to their other stakeholders outside of their consumers – content creators, traditional media, digital advertisers, and the government, among others.<sup>91</sup>

32. During the interpellation by Rep. Jefferson Khonghun of former Vice President Manuel “Noli” de Castro, the latter compared their fact-checking process in broadcast media to that of social media platforms. Notably, fact-checking in broadcast media is much more expedient as well as centralized with their editors and producers.<sup>92</sup> Former Vice President de Castro’s current employer, ABS-CBN Corporation, has its proprietary fact checkers, in contrast to Facebook, which taps third-party fact checkers.<sup>93</sup> Mr. De Castro was invited to the Tri-Committee hearing to share his experience as a victim of fake news.

33. Kapisanan ng mga Brodkaster ng Pilipinas (KBP) Legal Counsel Atty. Rudolph Jularbal shared that the success of both the KBP and ASC is founded on self-regulation. He agreed that there should also be regulatory policies governing the use of social media platforms in the country. He added that membership in these organizations is voluntary, which is why members willingly adhere to their respective codes of ethics.<sup>94</sup>

34. Rep. Barbers noted that the resource persons share a consensus on the need for a code of ethics or conduct for actors on social media platforms. He emphasized that the hearing aims to develop regulatory policies that promote the responsible use of social media, not to restrict freedom of speech. To this end, he requested that the resource persons submit their suggestions via email to assist the Tri-Committee in crafting such policies. He further underscored the importance of establishing ethical standards and proper decorum across social media platforms, like those enforced by the KBP for traditional media such as radio and television.<sup>95</sup>

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<sup>91</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 87, April 8, 2025

<sup>92</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 81, April 8, 2025

<sup>93</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 83, April 8, 2025

<sup>94</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, pages 137, February 18, 2025

<sup>95</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, page 103, February 18, 2025

35. When asked about YouTube's accountability as a platform in cases where a channel spreads fake news, Atty. Gonzalez explained that the platform's liability depends on the jurisdiction governing the content. He noted that in the Philippines, the expanded Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Acts specifically impose liability and accountability on digital platforms like YouTube.<sup>96</sup>

36. Rep. Barbers raised the possibility of requiring online social media platforms to secure congressional franchises for regulatory purposes.<sup>97</sup>

37. Atty. Gonzalez explained that each platform operates under its own set of community guidelines. While there is technical coordination among platforms, particularly those covered by the OSAEC and CSAEM laws, for the removal of abusive, harmful, or violative content, this coordination does not extend to all types of content or all violations. As a result, some harmful material may still be uploaded or shared across platforms.<sup>98</sup>

38. Atty. Rudolph Jularbal of the KBP shared that the success of both the KBP and the Ad Standards Council (ASC) is founded on self-regulation. He agreed that there should also be regulatory policies governing the use of social media platforms in the country. He added that membership in these organizations is voluntary, which is why members willingly adhere to the Code of Ethics.<sup>99</sup>

39. Rep. Barbers noted that the resource persons present at the Tri-Committee hearing appeared to share a consensus on the need for a Code of Ethics or conduct for actors on social media platforms. He emphasized that the hearing aims to develop regulatory policies that promote the responsible use of social media, not to restrict freedom of speech. To this end, he requested that the resource persons submit their suggestions via email to assist the Tri-Committee in crafting such policies. He further underscored the importance of establishing ethical

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<sup>96</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, pages 20-21, February 18, 2025

<sup>97</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, pages 22-23, February 18, 2025

<sup>98</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, pages 24-26, February 18, 2025

<sup>99</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, pages 137, February 18, 2025

standards and proper decorum across social media platforms, like those enforced by the KBP for traditional media such as radio and television.<sup>100</sup>

40. Rep. Barbers mentioned an accreditation system for social media platforms, holding them responsible for monitoring and removing harmful content. He also raised concerns about the role of so-called “troll farms” or disinformation networks in spreading disinformation, speculating on possible illicit funding sources such as POGO operations.<sup>101</sup>

41. Rep. Acop mulled over requiring accreditation and registration of social media platforms operating in the country as part of government efforts to regulate this medium. He stressed the need to have a readily accessible point of contact that understands and complies with Philippine laws.<sup>102</sup> He also asserted that Meta should bear a share of the responsibility over fake news being posted on their social media platforms, precisely because of their position as the vehicle being used to spread misinformation, disinformation, and malinformation.

42. However, Meta is of the opinion that users are primarily responsible for the content they post.<sup>103</sup> Meta justified that they do not want to have the overarching power to determine what should be posted on their social media platforms, as that would be tantamount to abridging their users’ freedom of speech and expression. Meta wishes to remain as neutral as possible, thus their tapping of third-party fact-checkers. Meta also reiterated the value of contextualizing content deemed by some as fake news, in the sense that what some may perceive as false may-be true to others when put in a certain context or narrative.

43. Rep. Joseph Stephen “Caraps” S. Paduano sought confirmation from the National Telecommunications Commission (NTC) on whether online social media platforms are classified as public utilities under the Public Service Act (PSA). NTC representative Atty. Kathlyn Jaylou Egipto responded in the negative. Rep. Paduano then expressed the need to amend the PSA to regulate all social media

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<sup>100</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, page 103, February 18, 2025

<sup>101</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, pages 22-23, February 18, 2025

<sup>102</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 65, April 8, 2025

<sup>103</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 66, April 8, 2025

platforms. Additionally, he emphasized that since these platforms operate in the Philippines, they should be required to pay the appropriate taxes.<sup>104</sup>

44. For the PCO, Sec. Ruiz called for some form of regulation of social media platforms like Meta, TikTok, and YouTube, noting that these are foreign entities.

45. Rep. Acop mentioned the possibility of benchmarking regulations from other countries, such as the 2017 Germany Network Enforcement Act, which requires social media platforms to remove hate speech or fake news within 24 hours or face heavy penalties. He also highlighted the 2018 France Anti-Fake News Law, which allows authorities to remove fake news during election periods, with courts able to block false information swiftly. He also referred to the 2019 Singapore Protection from Online Falsehoods and Manipulation Act, which grants the government the power to order the correction and removal of false statements online. While all three laws share a common criticism, that they could be used to silence dissent, Rep. Acop assured the Body that when the Philippines drafts its own law on fake news, it will aim to strike a fair balance.<sup>105</sup>

46. Rep. Acop asked Sec. Henry Aguda of the DICT and Sec. Jay Ruiz of the PCO on who is primordially responsible for fact-checking. Both Secretaries mentioned that the social media platforms bear that responsibility, with Sec. Ruiz adding that there should be a law or regulation in place wherein the social media platforms may be penalized should they fail to promptly fact-check and consequently take down content flagged as fake news.<sup>106</sup> Both Sec. Aguda and Sec. Ruiz are open to the idea of an official fact-checker, whether it be government or non-governmental, they leave it to Congress to decide. However, Sec. Ruiz prefers it to be a government-led initiative.<sup>107</sup>

47. Sec. Ruiz implored the Tri-Committee, as he has done in previous hearings, to look at the possibility of crafting a law similar to Singapore's social

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<sup>104</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, pages 38-39, February 18, 2025

<sup>105</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, page 156, February 18, 2025

<sup>106</sup> Transcript of Stenographic Notes, 05 June 2025.

<sup>107</sup> Transcript of Stenographic Notes, 05 June 2025.

media regulations or the European Union's Digital Services Act.<sup>108</sup> He said that when it comes to having clear-cut guidelines, social media platforms are quick to comply. He further mentioned that the lack of regulation or a clear law on fake news in the country creates red tape when it comes to government requests for take-down action from social media platforms.

48. Atty. Gonzalez supported the sentiments of Sec. Ruiz, in that if there are specific laws on fake news, Google will definitely comply.<sup>109</sup> This was echoed by Atty. Grace Salonga of the MAD, citing the example of a COMELEC memorandum issued to social media platforms against fake news content during the campaign period of the last preceding midterm elections.<sup>110</sup>

49. While the resource persons from civic society and private organizations were vehemently against regulation of social media personalities as the same would amount to an abridgment of the right to free speech, they presented no objection on the possible regulation of social media platforms as long as said regulation is limited only to the social media platforms themselves and not to their users.

50. The DICT through Sec. Aguda and ASec. Renato Paraiso mentioned that they are willing to be the lead agency in regulating social media platforms but emphasized the need for the appropriate laws for them to have that mandate.

### **C. WHETHER OR NOT ONLINE CONTENT AND SOCIAL MEDIA CONTENT CREATORS SHOULD BE REGULATED.**

Online content and social media content creators should be regulated to ensure accountability, curb the spread of misinformation, uphold ethical standards, and align with existing laws on libel, cybersecurity, and taxation, without unduly infringing on the constitutionally protected freedom of expression. While it is paramount to protect the constitutionally protected rights to freedom of speech and

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<sup>108</sup> Transcript of Stenographic Notes, 05 June 2025.

<sup>109</sup> Transcript of Stenographic Notes, 05 June 2025.

<sup>110</sup> Transcript of Stenographic Notes, 05 June 2025.

of expression, the same are not absolute. The Tri-Committee aims only to regulate those content that are identified as fake news, as seen in the succeeding points.

1. Social media platforms Meta, YouTube, and TikTok emphasized that they regulate online content primarily through internal community standards enforced by AI and third-party fact-checkers but acknowledged gaps in local enforcement as these mechanisms are largely managed offshore.

2. In relation to Meta's regulation of its social media platforms, Dr. Rafael Frankel and Mr. Rob Abrams highlighted that Facebook self-regulates content by taking down any posts and accounts that violate its community standards (i.e., bullying, human trafficking, child abuse, terrorism, acts of violence, etc.). However, content deemed libelous or malicious must be assessed within its specific context, thus requiring a more careful and nuanced review.<sup>111</sup>

3. Building on this, Meta explained to the Tri-Committee the distinction between Facebook's internal content moderators and the locally-engaged third-party fact checkers, such as VERA Files, Rappler, and Agence France Presse.<sup>112</sup> While moderators are responsible for monitoring and removing content that violates community standards, third-party fact-checkers independently assess whether specific content constitutes misinformation.

4. In response to questions on real-time content regulation, Meta reiterated the distinction between content moderation and fact-checking. For example, Facebook is capable of real-time moderation, especially prioritizing content that poses a risk of imminent offline physical harm. In contrast, fact-checking is carried out independently by third-party partners, who operate with discretion and autonomy, without direction or interference from any of Meta's social media platforms.<sup>113</sup>

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<sup>111</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, pages 10-14, April 8, 2025

<sup>112</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 35, April 8, 2025

<sup>113</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 36, April 8, 2025

5. During Rep. Arlene Brosas' interpellation, Dr. Frankel categorically stated that posts amounting to "red-tagging" violate Facebook's community standards. Accordingly, such content may be taken down promptly upon complaint or report, subject to verification by Meta's third-party fact-checkers.<sup>114</sup>

6. Rep. Gutierrez's interpellation of Meta raised a significant concern on local accountability in content regulation. Meta admitted that its content moderators are not based in the Philippines,<sup>115</sup> but operate from its regional hub in Singapore or its headquarters in the United States. This admission drove Rep. Gutierrez's point about the apparent lack of accountability due to the absence of Filipino content regulators or moderators who can contextualize, and filter misinformation tailored to local culture and language. In essence, there is no Philippine-based legal entity of Meta that may be held directly liable for potential abuses on its platforms within the country.

7. During Rep. Jefferson Khonghun's interpellation of former Vice President Manuel "Noli" de Castro, a comparison was drawn between fact-checking in traditional broadcast and on social media. Former Vice President de Castro explained that fact-checking in broadcast media is much more expedient and centralized, typically handled by editors and producers within the same organization.<sup>116</sup> He noted that his current employer, ABS-CBN Corporation, maintains proprietary fact-checkers, whereas Facebook outsources this responsibility to independent entities or third-party fact-checkers.<sup>117</sup>

8. Rep. Roman, during her interpellation of former Vice President Manuel "Noli" de Castro, asserted that existing laws already provide a framework for regulating online content. She specifically cited RA 10175, otherwise known as the Cybercrime Prevention Act of 2012, which contains provisions against the

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<sup>114</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 44, April 8, 2025

<sup>115</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 57, April 8, 2025

<sup>116</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 81, April 8, 2025

<sup>117</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 83, April 8, 2025

publication of online libelous content. Said regulation does not contravene the 1987 Constitution's protections on free speech and expression.<sup>118</sup>

9. The boundaries of free speech were again tested during the exchange between Rep. Abante and Ms. Joie "Joie de Vivre" Cruz. Rep. Abante questioned Ms. Cruz over alleged malicious and demeaning posts against him. Ms. Cruz acknowledged using expletives but clarified that her comments were directed not at Rep. Abante personally, but at his performance as a public servant, specifically during the Quad Committee hearings.<sup>119</sup> As ruled by the Supreme Court in the case of *Yabut v. Ombudsman*, public figures "...should not be onion skinned. Strict personal discipline is expected of an occupant of a public office because a public official is a property of the public. He is looked upon to set the example how public officials should correctly conduct themselves even in the face of extreme provocation. Always he is expected to act and serve with the highest degree of responsibility, integrity, loyalty and efficiency and shall remain accountable for his conduct to the people."<sup>120</sup> As further explained by Ms. Cruz, her expletives were expressions of frustration over Rep. Abante's performance, rather than a personal attack.<sup>121</sup>

10. The recent incident of livestreamed harassment of Filipino citizens by Russian-American "nuisance vlogger," Mr. Vitaly Zdorovetskiy, sparked further calls for regulation. Mr. Zdorovetskiy is currently detained by Philippine law enforcement and faces multiple criminal charges.<sup>122</sup> This incident highlights harmful content creation.

11. Rep. Zia Alonto Adiong supported Rep. Roman's view that a community or society must uphold truth as a foundation for justice. He cautioned that unchecked falsehoods, when repeated, could eventually be accepted as

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<sup>118</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 94, April 8, 2025

<sup>119</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 126, April 8, 2025

<sup>120</sup> ***Nemesio Arturo S. Yabut and Ricardo M. Tamargo v. Office of the Ombudsman and Dr. Paul Doran***, G.R. No. 111304, June 17, 1994

<sup>121</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 144, April 8, 2025

<sup>122</sup> Transcript of Stenographic Notes TRI040825FINALTSNs, page 186, April 8, 2025

truth.<sup>123</sup> He also noted that social media, as an emerging industry, lacks self-regulation and ethical standards for content creators, unlike journalists who follow the KBP's guidelines. He thus suggested that, in the absence of a self-governing body, the government should step in to regulate social media and control the spread of fake news.<sup>124</sup>

12. PCO Sec. Ruiz echoed this sentiment, recommending the adoption of internationally accepted policies and standards for content moderation across social media platforms.<sup>125</sup>

13. To counter the apparent map expansion disinformation tactics of the PRC, Commodore Tarriela emphasized that social media influencers must recognize the limits of freedom of speech, particularly in relation to matters of national security. He added that the government can be more successful in creating awareness and providing the correct information to the Filipino people by implementing safeguards that will prevent the proliferation of fake news on social media platforms.<sup>126</sup>

14. VERA Files President Ellen Tordesillas stressed that opinions should be based on verified facts. She expressed support for the proposal to establish a registry of social media content creators and form a governing body to oversee their conduct and accountability.<sup>127</sup>

15. On the subject of monetization, Atty. Gonzalez explained YouTube's revenue-sharing model. He explained that to be eligible for monetization, a creator must first be accepted into the YouTube Partner Program (YPP), comply with YouTube's monetization policies, and meet specific technical requirements—namely, having at least 1,000 subscribers and 4,000 valid public watch hours within the past 12 months.<sup>128</sup>

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<sup>123</sup> Transcript of Stenographic Notes TRICOM020425, pages 204-205, February 4, 2025

<sup>124</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, pages 152-154, February 18, 2025

<sup>125</sup> Transcript of Stenographic Notes TRI032125FINALTSNs, pages 27-28, March 21, 2025

<sup>126</sup> Transcript of Stenographic Notes TRI032125FINALTSNs, page 40, March 21, 2025

<sup>127</sup> Transcript of Stenographic Notes TRI032125FINALTSNs, page 122, March 21, 2025

<sup>128</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, pages 11 and 20, February 18, 2025

16. According to Atty. Gonzalez, YouTube enforces advertiser-friendly guidelines for all content monetized through ads, prohibiting inappropriate language, shocking material, hateful or derogatory remarks, and incendiary or demeaning content. Creators are required to comply with these standards, and violations may lead to restricted or revoked monetization, suspension from the YouTube Partner Program, or even termination of the channel.<sup>129</sup>

17. Atty. Gonzalez explained that Google employs a combination of human reviewers and AI-assisted technologies, including machine learning, to review and fact-check content for potential violations. He highlighted that proactive enforcement measures are in place, with ninety-seven percent (97%) of removed videos automatically detected by AI or machine learning systems, two percent (2%) flagged by users, and one percent (1%) reported by organizations. While YouTube does not conduct pre-upload reviews, Atty. Gonzalez assured the Body that fifty-nine percent (59%) of the videos removed had zero views, indicating they were taken down before anyone could watch them.<sup>130</sup>

18. In discussing the taxation of revenue earned through YouTube monetization, Atty. Gonzalez clarified that YouTube does not monitor whether its content creators pay taxes. Atty. Arcilla from the BIR responded by explaining that the BIR operates on a self-reporting system, where social media influencers are expected to voluntarily declare their taxable income. He acknowledged, however, that there are challenges in collecting taxes from content creators, particularly foreign ones who lack a physical presence in the Philippines. Rep. Acop reiterated the BIR's mandate to enforce Revenue Memorandum Circular 97-2021, which outlines the tax obligations of social media influencers.<sup>131</sup>

19. Rep. Paduano reminded content-creators earning through social media to pay appropriate income taxes.<sup>132</sup>

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<sup>129</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, pages 13 and 15, February 18, 2025

<sup>130</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, pages 9, 34-35, 37, February 18, 2025

<sup>131</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, page 20pages 18-19, 40, February 18, 2025

<sup>132</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, pages 18-19, 40, February 18, 2025

20. Social media influencers present during the Tri-Committee hearings expressed general openness to regulation, provided that clear, fair, and transparent parameters are set.

21. Lawyer and podcaster Atty. Claire Castro proposed requiring content creators to register with an appropriate regulatory body to address issues related to troll armies and fake accounts.<sup>133</sup>

22. Mr. Marc Louie Gamboa, a political vlogger and social media personality, proposed the creation of a Government-Owned and Managed 24/7 Fake News Monitoring Office to oversee and verify news and information. He pointed out that there is currently no centralized body where the public can report or verify the legitimacy of online information, emboldening fake news purveyors.<sup>134</sup>

23. Rep. Adiong reiterated that, unlike journalists, social media content creators do not follow established ethical codes like the KBP's guidelines. In the absence of a self-regulatory body, he argued, government regulation is necessary to mitigate the spread of disinformation.<sup>135</sup>

24. Mr. Ross Flores Del Rosario of Wazzup Pilipinas shared that an informal self-regulatory organization of vloggers already exists. While they regularly host workshops and gatherings, he clarified, upon being questioned by Rep. Manuel, that the group does not maintain a formal membership or roster, and that they invite individuals from various organizations.<sup>136</sup>

25. While most of the vloggers invited during the Tri-Committee hearings invoked their right to freedom of speech in creating content and posting opinions on social media, several Members and resource persons expressed their belief that a line should be drawn between free speech and social responsibility.

26. Rep. Geraldine B. Roman proposed the establishment of a Digital Council of the Philippines (DCP) to institutionalize self-regulation in the digital

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<sup>133</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, pages 82, February 18, 2025

<sup>134</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, page 98, February 18, 2025

<sup>135</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, pages 152-154, February 18, 2025

<sup>136</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, pages 154, 156-157, February 18, 2025

sphere. Modeled after the KBP and the ASC, the DCP would include representatives from the DICT, academe, PR industry, and associations of content creators. Rep. Roman envisions an apolitical and impartial Council responsible for developing ethical standards, monitoring content, and detecting harmful material.<sup>137</sup> The DCP would also certify and accredit legitimate content creators and influencers. Furthermore, it would have a legal mandate to promote accountability and truthfulness in the digital space, particularly among Filipino social media users, including vloggers and content creators. Rep. Roman likewise highlighted the Council's role in advancing digital education as part of its broader mission.<sup>138</sup>

27. Aptly summarizing the dilemma in content and creator regulation on social media platforms, Rep. Acidre said “social media platforms, algorithms, and virality amplify repetition at unprecedented speeds. At the heart of this ecosystem are individuals, influencers, who shape the opinion, values, and even the beliefs of millions. That influence carries weight and with that weight comes responsibility.”<sup>139</sup>

28. Rep. Roman led the dissent on the regulation of online content and social media creators. She, together with the DMSC, MAD, CICP, GACPh, and Cyber Security Council of the Philippines, are all for self-regulation. Rep. Roman once again emphasized in the concluding hearing of the Tri-Committee that any regulation of online content and social media creators through regulation will be questioned by default to the Supreme Court of the Philippines on the ground of unconstitutionality – being violative of the right to free speech and expression. She implored her colleagues to give self-regulation a chance and support the creation of a non-governmental Digital Council of the Philippines akin to the KBP.<sup>140</sup>

### **On Social Media Earnings And Taxes**

1. Deputy Speaker Suarez inquired with the BIR regarding the contributions of social media platforms to the National Treasury, noting that these platforms are widely used for online selling.

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<sup>137</sup> Transcript of Stenographic Notes TRI032125FINALTSNs, pages 109-110, March 21, 2025

<sup>138</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, pages 121-126, February 18, 2025

<sup>139</sup> Transcript of Stenographic Notes TRI032125FINALTSNs, pages 48-49, March 21, 2025

<sup>140</sup> Transcript of Stenographic Notes, 05 June 2025.

2. In response, Atty. Ron Michael Uy of the BIR Legal and Legislative Division clarified that platforms such as TikTok, Facebook, Twitter, and Instagram are treated as non-resident foreign corporations. As such, they are subject to taxation only on income derived from sources within the Philippines.<sup>141</sup>

3. When asked whether or not Google pays taxes to the BIR and whether records of such payments exist, Atty. Gonzalez explained that advertisers on YouTube pay advertising fees directly to the platform's operator, Google LLC – a foreign entity. He further clarified that taxes remitted to the BIR by Google Philippines pertain only to the operations of its local entity and do not include taxes on advertising revenue earned by the parent company.<sup>142</sup>

4. In response to whether the BIR monitors the volume of advertisements on YouTube and other online platforms, Atty. Tobias Gavin Arcilla of the BIR responded in the negative.<sup>143</sup>

5. Regarding the taxation of revenue earned from YouTube monetization, Atty. Gonzalez clarified that YouTube does not monitor whether its content creators comply with tax obligations in their respective jurisdictions.<sup>144</sup>

6. Expanding on this point, Atty. Arcilla explained that the BIR relies on a self-reporting system, under which social media influencers are expected to declare and pay taxes on their earnings voluntarily. He acknowledged the difficulty in enforcing tax compliance, particularly when dealing with foreign influencers who lack a physical presence in the Philippines.<sup>145</sup>

7. Relevantly, Rep. Acop emphasized the BIR's mandate to enforce Revenue Memorandum Circular 97-2021, which outlines the tax obligations of social media influencers and serves as the basis for enforcement actions.<sup>146</sup>

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<sup>141</sup> Transcript of Stenographic Notes TRI032125FINALTSNs, page 124, March 21, 2025

<sup>142</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, page 22, February 18, 2025

<sup>143</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, page 23, February 18, 2025

<sup>144</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, page 17, February 18, 2025

<sup>145</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, page 18, February 18, 2025

<sup>146</sup> Transcript of Stenographic Notes TRI021825FINALTSNs, page 20, February 18, 2025

**D. WHETHER OR NOT THERE IS A NEED TO STREAMLINE AND STRENGTHEN THE FUNCTIONS OF RELEVANT AGENCIES TO EFFECTIVELY ADDRESS THE RAMPANT PROLIFERATION OF MISINFORMATION, MALINFORMATION, AND DISINFORMATION.**

While testimonies during the hearings show that while several agencies are currently addressing various aspects of online misinformation and cybercrime, there remains jurisdictional limitations, insufficient coordination, and resource constraints that hinder the full effectiveness of such initiatives employed by the relevant agencies. These impediments can be gleaned from the ensuing discourse.

1. During the March 21, 2025, Tri-Committee hearing, Rep. Adiong inquired into the role of agencies such as the DICT, PNP, and the NBI in investigating and addressing crimes committed online.

2. Rep. Adiong emphasized the need to examine existing gaps and legal loopholes in order to formulate effective countermeasures against spreading fake news. Rep. Adiong expressed concern over the trend of emotionally charged social media posts supplanting fact-based civil discourse. He also asked whether law enforcement action against such posts requires a formal complaint.

3. In response, NBI Special Investigator Anthony Alfred Vita explained that complainants may file directly with either the PNP-Anti Cybercrime Group (ACG) or the NBI. DICT Cybersecurity Bureau Asst. Dir. Rodil Aniban added that complaints may also be filed with the CICC, which will be endorsed to the PNP-ACG or the NBI.<sup>147</sup>

4. PNP-ACG Assistant Chief PLtCol. Anacleto Daliva Jr. clarified that a complaint is necessary for the docketing and initiation of a formal investigation. Lacking one, the PNP can still request that the content to be taken down, but the grant of such a request will depend on the platforms where the content is posted.<sup>148</sup>

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<sup>147</sup> Transcript of Stenographic Notes TRI032125FINALTSNs, pages 146-149, March 21, 2025

<sup>148</sup> Transcript of Stenographic Notes TRI032125FINALTSNs, page 154, March 21, 2025

5. PNP-ACG Deputy Director PCol. Andres Simbajon Jr. added that the agency also monitors and conducts cyber-patrolling to identify posts that threaten national security. If such a post is found, the PNP-ACG may request a preservation order to compel providers, including social media platforms, to preserve data relevant to a cybercrime investigation.<sup>149</sup>

6. Upon further questioning, Rep. Adiong clarified with resource persons that Philippine law enforcement may investigate cybercrime under Republic Act No. 10175 and the Revised Penal Code, provided: (1) the crime is committed within the territory of the country; (2) the offender is a Filipino citizen; (3) the computer system is located in the Philippines; or (4) any element of the crime was committed within the country.

7. Rep. Adiong also asked whether the PNP and other concerned agencies have the tools to detect and combat troll farms. Resource persons from the NBI and the PNP assured him that although they cannot divulge the information publicly, such tools are available and are being used by the country's law enforcement agencies.

8. In response to Rep. Adiong's inquiry about leveraging technology to address cyber libel and spreading fake news, Asst. Chief PLtCol. Daliva explained that rules on cybercrime warrants are already in place. He also assured the Tri-Committee that the PNP possesses the necessary tools and equipment, albeit confidentially.

9. Rep. Adiong emphasized the need to empower relevant government agencies to combat not only disinformation but also broader national security threats, which he described as "third-generation warfare". These tactics are employed to incite civil unrest, promote sedition, and encourage distrust in government.

10. Regarding the process of identifying fake accounts and troll farms, Dep. Dir. PCOL. Simbajon committed to submit relevant documents to the Tri-

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<sup>149</sup> Transcript of Stenographic Notes TRI032125FINALTSNs, page 152, March 21, 2025

Committee, citing the confidentiality of the procedure, which Mr. Vita of the NBI confirmed.

11. For DICT, Asst. Dir. Aniban reported that the DICT has entered into a Memorandum of Agreement (MOA) with the social media platforms, allowing the agency to request the takedown of false or misleading posts.<sup>150</sup>

12. Commodore Tarriela added that the PCG, through its WPS Transparency Group, has begun monitoring disinformation related to the WPS. He added that it is part of the evolving mandate of the PCG and is aligned with the national government's transparency initiative on WPS issues.<sup>151</sup>

13. DICT Sec. Henry Aguda, during the concluding hearing of the Tri-Committee, said that while they are capable of controlling social media platforms in the country, they lack the appropriate legal framework to do so. He then asked Congress to enact laws that will not only empower the DICT to perform this additional regulatory mandate but also to delineate the parameters so as not to abridge the freedom of speech and of expression of the users of the covered social media platforms.<sup>152</sup>

14. PCO Sec. Jay Ruiz, on the other hand, seeks to have a law that defines what "fake news" is and the mandate for government to impose the necessary penalties on social media platforms that fail to promptly perform their fact-checking and take down responsibilities.<sup>153</sup>

#### **On Agency Capacity, Legal Authority, And Inter-Agency Coordination**

1. During the February 4, 2025 Tri-Committee hearing, Rep. Fernandez noted CICC's apparent delays in fulfilling its mandate.

2. CICC Executive Director Alexander Ramos explained that while the agency was established in 2012 by Republic Act No. 10175, or the Cybercrime Prevention Act of 2012, the law's implementing rules and regulations (IRR) were

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<sup>150</sup> Transcript of Stenographic Notes TRI032125FINALTSNs, page 107, March 21, 2025

<sup>151</sup> Transcript of Stenographic Notes TRI032125FINALTSNs, page 37, March 21, 2025

<sup>152</sup> Transcript of Stenographic Notes, 05 June 2025.

<sup>153</sup> Transcript of Stenographic Notes, 05 June 2025.

completed only in 2014. However, when the DICT was created in 2016, another IRR had to be issued to transfer CICC to DICT. Hence, the CICC became operational only in 2019, and even then, it had a slow start because of the pandemic. It was initially focused on addressing the rise of child abuse cases online, but slowly and steadily expanded its operations to address complaints involving online scams, Philippine offshore gaming operations, and the recovery of stolen accounts.<sup>154</sup>

3. Responding to the query of Rep. Fernandez on whether the CICC has subpoena powers, DICT Undersecretary Dy confirmed that neither the CICC nor the PNP-ACG currently possesses subpoena powers.

4. Rep. Abante Jr. pointed out that the CICC may initiate investigations *motu proprio*. Atty. Van Homer Angluben, Executive Officer of the NBI's Cyber Crime Division, affirmed that the NBI, by virtue of its charter, has subpoena powers but not contempt powers. As such, failure to appear upon subpoena is simply noted in their recommendation to the prosecutor, in coordination with the CIDG.

5. Asked to expound on whether the principle of *in flagrante delicto* can be used to go after libelous online posts, as suggested by Rep. Gerville "Jinky Bitrics" R. Luistro during the February 4, 2025, Tri-Committee hearing, NTC Deputy Commissioner Andres Castelar, Jr. explained that the regulation of social media platforms is beyond their jurisdiction and mandate. Complaints concerning content and similar issues are instead forwarded to the telecommunications providers and the concerned law enforcement agencies. He then cited an opinion by the Office of the Solicitor General that only courts, via judicial warrants, may issue takedown orders. Rep. Barbers proposed that social media platforms be required to secure franchises from the NTC to operate within the Philippines.

6. Atty. Parrocha, referring to Rep. Luistro's earlier query, emphasized that jurisprudence considers libel a non-continuing crime. In response to Rep. Acop's question, Atty. Parrocha affirmed that the prescriptive period for cyber libel is one (1) year.

#### **On Recommendations For Policy And Legislative Reform**

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<sup>154</sup> Transcript of Stenographic Notes TRICOM020425FINALTSNs, page 239, February 4, 2025

1. To aid the Tri-Committee in crafting responsive legislation, several agencies presented their recommendations.

2. In particular, Sec. Ruiz of the PCO urged Congress to strengthen the Cybercrime Prevention Act and encouraged the Members to consider the framework of the Digital Services Act, a recently adopted regulation of the European Union. He also suggested the creation of an operational system composed of the PCO, the DOJ, and the DICT that will identify fake news and take down posts that compromise national security.<sup>155</sup>

3. The DICT proposed the following amendments to RA 10175:

- a) Include provisions on the immediate disclosure of data;
- b) Formulate parameters for auto-blocking of content;
- c) Preservation and retention of data;
- d) Recommend the following for cyber warrant: 1) subpoena powers for the Director of PNP-ACG and the Executive Director of the CICC, 2) reinvestigate subpoena being ignored, obstruction of justice may be resorted to; 3) implementation of a one-warrant framework;
- e) Increase the resources for case build-up, investigation, and regionalization;
- f) Provide additional workforce to investigate and analyze incidents and cases;
- g) Ensure social media platforms will have representation in all pertinent proceedings.

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<sup>155</sup> Transcript of Stenographic Notes TRI032125FINALTSNs, pages 27-28, March 21, 2025

## **FINDINGS AND CONCLUSIONS**

After judicious evaluation of the records of the proceedings and the testimonies of the resource persons involved, the Tri-Committee finds the following conclusions:

### **On Information Disorder**

1. The hearings established the rampant and pervasive spread of online misinformation, disinformation, and malinformation, with far-reaching effects on democratic processes, national security, individual reputations, and privacy.
2. While local disinformation campaigns are prevalent, foreign influence operations have also been observed. Notably, some accounts linked to China have been reported to promote anti-Philippine sentiments on X while simultaneously pushing content favorable to the Vice President.

### **On Social Media Content**

3. There is a perceived lack of discipline, code of conduct, and ethical standards in the social media ecosystem compared to traditional media like broadcast or print journalism.
4. Some vloggers and social media influencers are known to spread harmful narratives without verifying facts or being held accountable.

### **On Social Media Platforms**

5. While social media has democratized access to public discourse, it has also become a tool for the deliberate and systematic dissemination of falsehoods, destruction of reputations, and manipulation of public opinion.
6. There is a perceived lack of uniform regulation across different social media platforms, as each platform has its own community guidelines and rules.

Content violating guidelines on one platform could be uploaded to another due to independent community guidelines.

7. Problematic content is often not taken down promptly and may simply be reposted through another user account or an alternative platform.

8. Social media platforms' heavy reliance on user reports for oversight or content moderation is insufficient, particularly in addressing organized disinformation networks such as troll farms.

9. Platforms like Facebook, TikTok, and YouTube are foreign-owned and do not maintain a physical office or legal entity in the Philippines, creating several regulatory and enforcement challenges:

- a) There is no readily accessible and responsible point of contact for coordination regarding violative content.
- b) The NTC does not treat foreign social media platforms as public utilities partly because they are not situated in the Philippines, thereby limiting regulatory oversight.
- c) Philippine courts generally lack jurisdiction over foreign social media platforms because they operate under different jurisdictions and their servers are outside Philippine territory.
  - Requests for data from these platforms are often subject to the dual criminality requirement. While a cyber warrant might compel platforms to provide computer data or information related to a specific case already in court, this does not grant jurisdiction over the social media platform itself.
- d) The foreign incorporation and lack of physical presence in the Philippines raise questions about whether these platforms are paying corresponding taxes on the revenue generated within the Philippines.

#### **On Enforcement of Existing Laws and Regulations**

10. Existing mechanisms are insufficient in addressing online misinformation, disinformation, and malinformation.

11. There are challenges in law enforcement's ability to respond effectively to online crimes, including obtaining information and evidence, due to jurisdictional issues, such as when the alleged crime is committed outside the Philippines and is not considered a crime in that jurisdiction.

12. The Philippines does not have automatic data retention policies for social media content, which makes it difficult to preserve evidence as posts may be deleted before a case can be filed.

13. The automatic takedown power of the Secretary of Justice for websites or platforms with criminal intent, originally in Section 5 of Republic Act No. 10175, was struck down by the Supreme Court in the case of *Disini v Secretary of Justice*. The case was perceived as balancing freedom of expression and the need to regulate harmful online activity.

14. The agencies expected to address the issues currently lack the necessary powers to do so effectively.

- a) The DICT does not regulate social media platforms and has no oversight powers over them.
- b) The CICC is primarily a coordinating body and lacks subpoena and contempt powers.
- c) The subpoena power of the CIDG is limited to cases it has exclusively investigated and filed.
- d) The NBI has subpoena power but has no contempt power.
- e) The power of the NTC to issue cease and desist orders is limited to entities requiring a Certificate of Authority, such as telecommunications entities. Social media platforms do not require such authority, limiting the NTC's direct power over them.

15. Agencies lacking subpoena powers may seek assistance from those with such powers when an investigation leads to needing one, but this bureaucratic process causes delays.

16. While law enforcement agencies can investigate *motu proprio*, filing a case generally requires a complaint from the injured party, which discourages the public as it entails a lengthy legal process. However, for content amounting to national security threats or inciting civil unrest, investigations can be initiated even without an actual formal charge, and the agency itself can potentially be the complainant in some instances.

## **RECOMMENDATIONS**

The Tri-Committee recommends the following measures to effectively address the proliferation of false and malicious content online:

- 1. Review and amend Republic Act No. 10175 (Cybercrime Prevention Act of 2012)** to address challenges posed by emerging technologies and harmful online content by explicitly defining social media platforms, prescribing penalties for their participation in content-related offenses, and incorporating provisions on disclosure of data, parameters for auto-blocking of content, and preservation and retention of data. It is further recommended to grant subpoena powers to the Director of PNP-ACG and the Executive Director of the CICC for the issuance of cyber warrants in aid of investigation.
- 2. Consider enacting a law establishing the responsibilities of social media platforms and other platform providers as avenues through which user-generated content is exhibited.** It is recommended that platforms be mandated to adopt practices such as content oversight, user authentication, and proactive monitoring of prohibited content or practices on their platforms. It is further recommended that a Task Force composed of representatives from the DICT, DOJ, and NBI Cybercrime Division be created to monitor and implement the provisions of this Act, without prejudice to the inclusion of other relevant agencies that may exercise control or supervision over emerging platform providers through which user-generated content is made available.
- 3. Consider enacting a law establishing a comprehensive legal framework to protect the public and to penalize the creation, publication, and financing of false or harmful online content.** It is recommended to cover malinformation and disinformation campaigns, especially within the context of electoral interference

and foreign information manipulation and interference, as well as the establishment and operation of troll farms/accounts. It should likewise protect user data, mandate foreign-based social media companies to set up local offices, and authorize government agencies to issue takedown, rectification, and block access orders.

- 4. Consider establishing through legislation a multi-stakeholder Digital Council of the Philippines** to function similarly as the KBP and the NUJP to establish a regulatory framework for social media actors, set ethical standards for digital content, combat fake news/disinformation, promote digital literacy and responsible online behavior, ensure coordination between government agencies and private stakeholders, and launch public education campaigns. It is recommended to include in its powers and functions (1) content moderation; (2) monitoring and reporting of harmful content; (3) certification and accreditation of influencers and marketers; (4) public education; and (5) investigation and sanctions.
- 5. Consider legislation on AI** with provisions for AI-related cyber threats like automated phishing, deepfake-driven misinformation, and AI-powered intrusions. The law would establish ethical guidelines for AI-generated threats as well as introduce regulatory and liability frameworks for AI developers and deployers to ensure accountability in case of security breaches. It is recommended to forge public-private-partnerships for information sharing mechanisms to combat emerging cyber threats effectively.
- 6. Align the Data Privacy Act with international practices in AI-driven data security**, establish strict guidelines on AI data processing consent mechanisms and redressal procedures for data misuse, and encourage investments in indigenous AI technologies to reduce dependence on foreign AI systems in ensuring digital sovereignty.

- 7. Increase platform accountability by requiring social media platforms to secure a franchise, accreditation, or registration to operate in the Philippines.** It is recommended that the platforms improve content moderation and reporting systems, implement safeguards against vicious algorithms, and improve fact-checking mechanisms and flagging of false or harmful content.
- 8. Implement a data retention and cyber evidence preservation policy for social media platforms** to ensure evidence is preserved for future investigations, with retention periods as recommended by the DICT.
- 9. Strengthen legal frameworks and mandates of the agencies** involved in combating mis/mal/disinformation by granting them the necessary powers.
- 10. Institutionalize media and information literacy** in the curricula for young students to equip them to discern credible information.
- 11. Promote digital literacy and responsible online behavior** by involving various stakeholders, including government agencies, technology companies, civil society organizations, and academic institutions in developing and implementing strategies to educate the public.
- 12. Strengthen tax compliance of digital content creators and social media platforms** by enhancing the Bureau of Internal Revenue's enforcement capabilities. While Revenue Memorandum Circular No. 97-2021 outlines the tax obligations of social media influencers, its implementation has been limited due to reliance on voluntary declarations. It is recommended to establish systems for verifying income earned from digital platforms and supporting inter-agency mechanisms to track online earnings, including those paid by foreign entities. To facilitate effective tax levying, social media

platforms generating income from Philippine-based users or advertisers should also be required to establish a legal presence in the country. It is further recommended that the government enter into cross-border data sharing agreements with digital platforms and relevant jurisdictions to aid in tax enforcement and compliance monitoring.

13. A copy of this Committee Report shall be furnished to the BIR, DICT, DOJ, NBI, NTC, PCG, PCO, PNP, and other relevant agencies for their appropriate action.

(PO – Deputy Speaker Singson-Meehan)

#### RESUMPTION OF SESSION

*At 3:00 p.m., the session was resumed with Deputy Speaker Kristine Singson-Meehan presiding.*

THE DEPUTY SPEAKER (Rep. Singson-Meehan). Session is resumed.

*(Gavel)*

Majority Leader.

#### PRIVILEGE HOUR

REP. REVILLA (B.). Madam Speaker, with leave of the House, I move that we open Privilege Hour.

THE DEPUTY SPEAKER (Rep. Singson-Meehan). There is a motion to open the Privilege Hour. Is there any objection? *(Silence)* The Chair hears none; the motion is approved. *(Gavel)*

Majority Leader.

REP. REVILLA (B.). Madam Speaker, I move that we recognize Representative Robert Ace Barbers of the Second District of Surigao del Norte to avail of this Privilege Hour.

THE DEPUTY SPEAKER (Rep. Singson-Meehan). The Honorable Robert Ace Barbers from the Second District of Surigao del Norte is recognized for his privilege speech. *(Gavel)*

#### PRIVILEGE SPEECH OF REP. BARBERS

REP. BARBERS. Thank you, Madam Speaker. Thank you, Mr. Majority Leader.

Mr. Speaker, distinguished colleagues, I rise today on a matter of personal and collective privilege. My subject, the trolls and our adventures with them—personal, as I am their victim; collective, as we have all been victims in one way or the other.

The only thing necessary for evil to triumph is that good men do nothing, thus says Edmund Burke.

Republic Act No. 10175 or the Cybercrime Prevention Act of 2012 was enacted 12 years ago. Some of the more important provisions of the law, specifically Section 9, mandated that the National Bureau of Investigation, the Philippine National Police, as well as the Department of Justice to implement the provisions of the law, and Section 10 gave them the powers for this purpose. Section 26 of the same law created the Cybercrime Investigation and Coordinating Center or the CICC, under the Office of the President, for the same purpose and enumerated its Powers and Functions under Section 27.

Alas, despite these provisions, Madam Speaker, cybercrimes are committed every single minute, unabated, and seemingly unstoppable. The lack of visible active prevention, intervention, suppression, and prosecution of the perpetrators is felt by the aggrieved citizenry. Despite the powers given to these agencies, Madam Speaker, criminals are having a heyday everyday in the web. We seem to be helpless.

To state the obvious, Madam Speaker, dozens or hundreds if not thousands of trolls probably paid by POGO and drug money, relentlessly attack

personalities with total impunity. This has been happening for years without letup, Madam Speaker. They get away with it, that is why they continue to thrive. It is a business that has become so profitable, without having to pay taxes, no liability, and with the pleasure of being able to ruin reputations of people without having to worry about getting caught and punished.

The ultimate goal of the trolls, Madam Speaker, is to create chaos and disorder by sowing false information, confusion, fear, and slander their subjects. We must not let them win. Law and order must be preserved to ensure peace and stability in our society. Trolling is the means to destroy this peace and create chaos. These trolls get paid, and we all know that. The sheer number of trolls and the amount of false information that they flood the web with will give you an idea on the value or amount of money needed to pay them. Who is the innocent person who is bound to benefit from their trolling? Will this innocent person disburse enormous amount of money and laugh out loud at the false information being disseminated? Obviously, Madam Speaker, the ones funding these malicious campaigns are the ones hurting the most. They are also the ones who have the vast financial resources to pay these trolls. And who could they be? One thing is for sure, Madam Speaker, the money involved is staggering, which can only, probably, come from illegal POGOs and drug syndicates operating in the country. Madaling ubusin ang hindi pinaghirapan, 'ika nga.

I rise to represent the aggrieved parties which include, no less than, the President, government officials, including myself, ...

*/rmm*

(PO – Deputy Speaker Singson-Meehan)

REP. BARBERS. ... government officials, including myself, and ordinary citizens who have been victims of these cybercrimes.

I call to action all our agencies in charge of investigating these crimes to be more active and make their presence felt, so that our people may be protected by the civil servants who draw salaries from their taxes. Do not be passive and wait for complaints to be filed before you act on the obvious transgressions of the law.

I am filing my complaint here now, Madam Speaker, and I hope everybody's listening. We have been targets of these possibly POGO and drug money-sponsored trolls and vloggers. I was just watching in the sidelines waiting for some action from the PNP, the NBI, and the CICC. But I waited too long, Madam Speaker. I hope I am not waiting in vain.

Today, I am telling every peace-loving, truth-believing, and God-fearing good men and women of this country. Let us not allow evil to triumph. Let us do everything for good to always reign on this land.

To all you, trolls, and malicious vloggers, let me say this. It is all right to criticize us politicians. Kasama po sa trabaho at sa hazards ng public service 'yan. Puwede n'yo kaming i-criticize hanggang magsawa kayo because we cannot be onion-skinned. You can criticize us all you want, as long as your criticisms are anchored on the discharge of our official duties and functions. But when you cross the line, Madam Speaker, and impute malice on what we do and attack our persons, you ceased to be protected by your constitutional rights. Even the Supreme Court ruled that when your statements are done with malice, you are liable under the law.

Panindigan na lang ninyo ang paninira ninyo. Hindi naman puwede na porke politiko ay puwede mo nang akusahan ng lahat ng krimen at kasinungalingan, tapos wala ka ring pananagutan. Ano ka, sinusuwerte? Matapang ka manira, matapang kang mangutya, tapos ayaw mo sumagot? E papaano kung, halimbawa, kami naman ang magsabi na ang pangit mo, o ang baho ng hininga mo, o iniwan ka ng kinakasama mo na napakaputi kasi ang itim-itim mo, at ang liit-liit ... ng tenga mo. O wala ka namang kuwentang abogado, puro ka lang media at pasikat sa media, pero sa korte, kulata ka naman. Kita n'yo? Paninirang puri na ang ginagawa ninyo. Hindi na 'yan protektado ng mga batas.

Ang batas ay para sa lahat, hindi lang para sa iilan. Kung may nalalaman kayo na freedom of speech, e wala namang pong freedom to defame, freedom to insult, or freedom to slander. Lahat ng freedom at karapatan ay hindi po absolute o walang katapusan. Kahit nga ang pinakauna at pinakaimportanteng right to life at liberty ay puwedeng alisin ng Estado upang pangalagaan ang buong lipunan at mga mamamayan nito. You may be imprisoned or executed upang panagutan ang mga kasalanan sa lipunan.

No, Madam Speaker. Enough is enough. We will not stand idly by anymore and allow your evil to triumph. We will do everything to make sure that you are brought to your senses, and punished for your abuses and wanton disregard of the laws that safeguard everyone equally.

In closing, Madam Speaker, I would like to extend my regards to all the trolls and the malicious vloggers out there, and wish them the best of luck as they journey into another dimension called reality.

Thank you, Madam Speaker. (*Applause*)

THE DEPUTY SPEAKER (Rep. Singson-Meehan). Salamat.

Majority Leader.

REP. REVILLA (B.). Madam Speaker, I move that we refer the speech of the Honorable Ace Barbers to the Committee on Rules for its appropriate action.

THE DEPUTY SPEAKER (Rep. Singson-Meehan). There is a motion. Is there any objection? (*Silence*) The Chair hears none; the motion is approved. (*Gavel*)

Majority Leader.

REP. REVILLA (B.). Madam Speaker, I move that we terminate the Privilege Hour.

THE DEPUTY SPEAKER (Rep. Singson-Meehan). There is a motion to terminate the Privilege Hour. Is there any objection? (*Silence*) The Chair hears none; the motion is approved. (*Gavel*)

Majority Leader.

REP. VELOSO-TUAZON. Madam Speaker, I move to take up Additional Reference of Business and direct the Secretary ...

*/amc*

THE DEPUTY SPEAKER (Rep. Frasco). Is there any objection?  
(Silence) The Chair hears none; the privilege speech of the Honorable Raoul Manuel is hereby referred to the Committee on Rules. (Gavel)

Majority Leader.

REP. ADVINCULA. Mr. Speaker, I move that we recognize the Honorable Robert Ace Barbers of the Second District of Surigao del Norte to avail of the Privilege Hour.

THE DEPUTY SPEAKER (Rep. Frasco). The Honorable Robert Ace Barbers is recognized to avail of the Privilege Hour. (Gavel)

#### PRIVILEGE SPEECH OF REP. BARBERS

REP. BARBERS. Thank you, Mr. Speaker. Thank you, Majority Leader.

Mr. Speaker, distinguished colleagues, I rise today on a question of personal and collective privilege.

I will deliver most of my speech in Tagalog so that more people will understand what I am going to talk about, Mr. Speaker.

Mr. Speaker, as we all remember, it started in the early 2000s when China sought permission from the Philippine government for joint exploration for mineral resources in our territorial seas. Nagulat na lamang tayo isang umaga paggising natin noong 2012 dahil inokupa na ng China ang Scarborough Shoal na nasa loob ng ating territorial seas. Ang sabi nila, kanila daw 'yon at ang basehan ay ang historic rights. Historic rights daw na ang ibig sabihin ay mula pa noong unang panahon, nangingisda, dumadaan, at naglalayag sila sa ating karagatan kung kaya't kanila daw ang Scarborough Shoal. Maraming lahi ang nangingisda, dumadaan, at naglalayag sa

karagatang ito mula pa noong unang panahon, hindi lamang mga Tsino, Mr. Speaker.

Hindi po maaaring maging basehan ng Tsina o ng China ang tinatawag na historic rights. Lahat po ito ay napalitan na ng mga batas at tratado o treaties sa makabagong panahon. Lahat itong mga batas at treaties ay kinakailangan upang maglagay ng kaayusan sa buong mundo at mahinto ang mga kaguluhan.

Isa sa mga treaties na ito ay ang United Nations Convention on the Law of the Seas o ang tinatawag nating UNCLOS. Ito po ay sinalihan at nilagdaan ng maraming bansa kabilang tayo at ang China. Dito itinakda na ang bawat bansa kamukha natin ay may tinatawag na 12-nautical mile territorial sea. At bukod dito, binigyan din ang mga bansa na katulad natin na napapaligiran ng dagat ng 200 milyang karagatan na tinawag natin na exclusive economic zone.

Ang ibig sabihin po nito, Mr. Speaker, ay sa atin lamang eksklusibo ang lahat ng lamang-dagat at likas-yaman ...

/amc

(PO – Deputy Speaker Frasco)

REP. BARBERS. ... ang lahat ng lamang-dagat at likas-yaman kasama na ang mga langis at iba pang makukuha sa loob at ilalim ng territoryong ito. Inuulit ko, ang Pilipinas at Tsina ay parehong sumang-ayon at lumagda sa kasunduang ito.

Bukod sa UNCLOS, Mr. Speaker, ang Pilipinas ay nagwagi sa International Arbitral Tribunal sa The Hague, Netherlands, kung saan pinagtibay ang sinasabi ng UNCLOS. Hindi lamang 'yan, sinabi pa ng Arbitral Tribunal na kathang-isip lamang ang nine-dash Line ng China. Kaya ngayon, dalawang katibayan na ang ating pinanghahawakan sa mata ng buong mundo at sa mata ng batas.

Dahil dito, Mr. Speaker, nararapat na ipaglaban natin ang ating mga karapatan na pinagtibay ng mga kasulatang ito. Ngayon, ang tanong, sa tuloy-tuloy na panggugulo, panghihimasok, pambu-bully at pananakit sa atin ng China sa loob ng mga territoryong nabanggit, ano ang dapat nating gawin?

Ang pinaka-minimum na magagawa natin ay ipahayag ng malaya at walang takot ang ating mga karapatan ayon sa mga batas. Ikalawa, magkaisa tayo sa pagkondena ng mga karahasan na ginagawa sa atin ng China. Hindi tayo dapat magsawa sa pagkondena at pagpapahayag sa buong mundo ng kanilang mga hindi tamang gawain at panghihimasok sa ating territoryo, mula sa pag-angkin ng mga lupain at territoryo sa West Philippine Sea hanggang sa pananakit nila sa ating mga kababayan na nangingisda at naglalayag doon, at sa kanilang pambu-bully at paninira ng ating mga sasakyang pandagat. Ilang taon

na tayong nagtitiis, Mr. Speaker. Hindi na nga natin mabilang ang kanilang paninira at pananakit na ginagawa.

Noong isang linggo lamang, ilang mga barko ng ating gobyerno na pag-aari ng Bureau of Fisheries and kanilang sinira sa pamamagitan ng water cannon at laser. Walang katumbas sa salita ang mga hindi makataong ginagawa nila sa atin.

Walang katapusang pagtataboy sa ating mga manggingisda sa sarili nating territoryo. Ang pagsira ng kanilang mga maliliit na bangka na hindi naman threat o banta sa kanila. Ang palaging pagbangga, pagsira, at pag-water cannon sa ating mga sasakyang pandagat na naglalayag at nagbabantay lamang sa ating territoryo.

Ilang uniporme na ng mga sundalong Tsino ang natatagpuan at nakukuha ng ating mga awtoridad mula sa mga inuupahang apartments at gusali ng mga Tsinong sinasabing empleado ng POGO, at kamakailan lamang, sa mga barko naman na kunwari ay nagde-dredging sa ating mga karagatan. Lahat ng ito, Mr. Speaker, ay nangyayari kasabwat ang marami nating mga kababayan.

Ang pinakamasakit sa lahat, Mr. Speaker, mismong mga kababayan natin ang nagtatanggol pa sa kanila. Mayro'n sa ating paligid ang mga tinatawag na mga bagong Makapili. Sa pansariling kadahilanan, mariin nilang sinasabi na walang masama sa ginagawa ng Tsina sa pag-angkin ng mga territoryo natin at dapat daw ay makipagdayalogo tayo upang malutas ng mahinahon ang usaping ito. Hindi ba nila nakita ang ilang beses na pakikipag-usap natin sa mga lider ng China? Ano ba ang naging tugon nila? Iisa lamang, amin ang buong karagatan,

pati ang buong Pilipinas amin 'yan base sa historic rights, ang tugon ng China. At ang gusto ng China ay ibasura natin ang Arbitral Award bago nila tayo kausapin at harapin.

Kung kaya naman po, Mr. Speaker, ako ay nananawagan, lalo na sa inyong mga bayarang trolls at vloggers who until this time prefer to take the side of China, let us all unite, set all our sights towards the enemy, and have a common narrative for our freedom, sovereignty and love of country. Hindi po tayo kinakailangang makipagdigmaan sa Tsina upang mapanindigan natin ang ating mga karapatan. We only need to speak with one strong voice, take a common stand, a strong conviction, believe in ourselves, ...

/cass

(PO – Deputy Speaker Frasco)

REP. BARBERS. ... a strong conviction, believe in ourselves, not for our individual selfish interests, but for the country, for our people, and for peace and prosperity of the future generations.

‘Wag na kayong biglaang magpanggap na experts in international law, o kaya e biglang naging magagaling na mga political analysts, o kaya e biglang nabuhay ang matagal nang nanahimik na career sa media at biglang naging expert analyst. Lahat ay naging de-susi, Mr. Speaker. Makonsensiya naman sila. Ang kapalit ng pera-pera n’yo ay ang buong bayan natin.

Kayong mga trolls at vloggers na binabayaran ng mga sindikato ng China, alam n’yo bang galing sa ilegal na droga at POGO ang mga binabayad sa inyo para lamang ipakalat ninyo ang mga fake news? Droga at POGO na sumisira sa ating mga kabataan, kababayan, at sa buong bayan. Wala ba kayong konsensiya na kasama kayo sa mga sumisira sa ating lahat? Mas naniniwala pa kayo sa propaganda ng China kaysa sa nakikita nang inyong mga mata na kasamaang kanilang ginagawa sa ating mga kababayan. ‘Yong mga ilegal na droga na pinapakalat dito sa atin, sa China nanggagaling. ‘Yong mga POGO, puro pag-aari din nila at kunwari ay totoo ‘yon pala ay sentro ng krimen at hugasan ng pera mula sa iligal na aktibidades, lalong-lalo na ang ilegal na droga. Sa ginagawang ninyong pagtataksil sa bayan, I am certain, Mr. Speaker, that our heroes are turning in their graves.

Kung ayaw ninyong tawagin kayong traydor o bagong Makapili, patunayan ninyo na kayo ay hindi bayaran ng mga sindikato ng China. Imbes na fake news at propaganda ng China ang pinapakalat ninyo, sila ang kalabanin ninyo. Araw-araw mababasa ninyo ang mga ginagawang pang-

aapi sa atin. ‘Wag kayong magbulag-bulagan o masilaw sa salapi saan man galing ang mga ‘yan. Mahalin natin ang ating bayan dahil iisa lamang po ito.

Mr. Speaker, I do not believe that China will rage war against us because we sided with our western allies. This is the propaganda of the bagong Makapili. As a matter of fact, we achieved quite the opposite. We are now actually benefitting from the alliance as we have received modern defense equipment, training, and protection. Just recently, we almost surrendered our sovereignty to China and almost pleaded with them to annex us as a province. It is good that this did not happen, Mr. Speaker, perhaps due to lack of material time. Otherwise, we could be engaged in a bloody civil war by now.

Suwerte tayo na mayroon tayong Diyos at hindi n’ya tayo pinapabayaan. Subalit kasabihan nga—nasa Diyos ang awa at nasa tao ang gawa.

‘Wag po tayong tutulog-tulog, Mr. Speaker. Let us be vigilant, kung hindi ay baka magising na lamang tayo isang umaga na hindi lang ang Scarborough Shoal ang kanilang kinuha kundi ang ating buong bansa.

With that, Mr. Speaker, thank you very much for the opportunity.

Isa lamang po ang aking panawagan, bangon Pilipinas!

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Frasco). Daghang salamat.

Majority Leader.

REP. ADVINCULA. Mr. Speaker, I move to refer the speech of the Honorable Robert Ace Barbers to the Committee on Rules for its appropriate action.

THE DEPUTY SPEAKER (Rep. Frasco). Is there any objection?  
(Silence) The Chair hears none; the privilege speech of the Honorable Ace Barbers is hereby referred to the Committee on Rules. (Gavel)

Majority Leader.

REP. ADVINCULA. Mr. Speaker, I move that we recognize the Honorable Loreto Acharon of the Lone District of General Santos City to avail of the Privilege Hour.

THE DEPUTY SPEAKER (Rep. Frasco). The Honorable Loreto Acharon is recognized to avail of the Privilege Hour. (Gavel)

#### PRIVILEGE SPEECH OF REP. ACHARON

REP. ACHARON. Thank you, Mr. Speaker. Thank you, Majority Leader.

Mr. Speaker, distinguished colleagues, guests, ladies and gentlemen, magandang hapon po sa ating lahat.

In April 14, 2008, the *Philadelphia Inquirer*, a newspaper based in Pennsylvania, USA, published a transcript of an interview with then Senator Barrack Obama on the question of whether an Obama administration would seek to prosecute officials ...

/jrb/



Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila

19th Congress  
Third Regular Session

**JOINT COMMITTEE**

**COMMITTEES ON PUBLIC ORDER & SAFETY, INFORMATION &  
COMMUNICATIONS TECHNOLOGY, AND PUBLIC INFORMATION**

**ANNEX A**

**TABLE OF RESOURCE PERSONS INVITED TO THE JOINT COMMITTEE HEARINGS HELD ON  
FEB 4, 2025, FEB 18, 2025, MAR 21, 2025, APR 8, and JUN 5 2025:**

Institution/ Organization	Invited	Attended
Anti-Money Laundering Council	1. GOV. ELI M. REMOLONA, JR.	1. ATTY. ADRIAN A. ARPON 2. ATTY. ERANO A. DUMALE 3. ATTY. EMMET RODION O. MANANTAN 4. ATTY. ROMMEL D. TRIJO 5. ATTY. MARIJOY R. FRANCISCO
Bureau of Internal Revenue	1. COMR. ROMEO D. LUMAGUI JR.	1. ATTY. TOBIAS GAVIN ARCILLA 2. ATTY. RON MIKHAIL V. UY
Commission on Elections	1. CHAIRPERSON GEORGE ERWIN M. GARCIA	1. ATTY. MARIA LOURDES FUGOSO-ALCAIN 2. DIR. JOHN REX C. LAUDIANGCO 3. DIR. ALBERT LEONARD C. RODRIGUEZ
Cybercrime Investigation and Coordination Center	1. USEC. ALEXANDER K. RAMOS	1. USEC. ALEXANDER K. RAMOS 2. ASEC. MARY ROSE MAGSAYSAY 3. DIR. ROJUN HOSILLOS 4. MS. CHRISTINE FLORES 5. ATTY. ALVIN NAVARRO 6. ATTY. JEUSHL WENSH TIU 7. ATTY. CHRISTOPHER TIU
Department of	1. SEC. HENRY RHOEL R. AGUDA	1. SEC. HENRY RHOEL R.

<b>Information and Communications Technology</b>	2. SEC. IVAN JOHN E. UY	AGUDA 2. SEC. IVAN JOHN E. UY 3. MR. PAUL JOSEPH V. MERCADO 4. DIR. RODIL ANIBAN 5. MR. RENATO DEL ROSARIO 6. USEC. JEFFREY IAN C. DY 7. ATTY. RENATO A. PARAISO 8. MS. CHRISTINE APPLE PRE 9. DIR. JOSE CARLOS REYES
<b>Department of Justice</b>	1. SEC. JESUS CRISPIN C. REMULLA 2. ATTY. RODAN G. PARROCHA	1. ATTY. KHERSIEN Y. BAUTISTA 2. ATTY. RODAN G. PARROCHA 3. ATTY. INNA MARIE FELIZ PROTACIO-LADISLAO 4. ATTY. GERALD VINCENT SOSA
<b>National Bureau of Investigation</b>	1. JUDGE JAIME B. SANTIAGO 2. ATTY. JEREMY C. LOTOC	1. ATTY. VAN HOMER ANGLUBEN 2. SRA RIA VANESSA DS. ASUNCION 3. MR. ISRAELI MCPENNY F. BAISA 4. MR. CHRISTOPHER N. GODINEZ 5. ATTY. JEREMY C. LOTOC 6. ATTY. JOSHUA S. RAYMUNDO 7. MR. ANTHONY ALFRED I. VITA
<b>National Intelligence Coordinating Agency</b>	1. DIRECTOR GENERAL RICARDO F. DE LEON, PhD	1. DIR. LESTER GASTALA 2. ASST. DIR. GEN. GERICO M. CAUILAN JR.
<b>National Security Council</b>	1. DIRECTOR GENERAL EDUARDO M. ANO	1. ATTY. SHENA MARIE A. LOPEZ
<b>National Telecommunications Commission</b>	1. COMR. ELLA BLANCA B. LOPEZ	1. ATTY. ANDRES D. CASTELAR, JR 2. ATTY. KATHLYN JAYLOU T. EGIPTO
<b>Philippine Coast Guard</b>	1. COMMO. JAY TARRIELA	1. COMMO. JAY TARRIELA
<b>Presidential Communications Office</b>	1. SEC. JAYBEE C. RUIZ	1. SEC. JAYBEE C. RUIZ 2. USEC. CLARISSA A. CASTRO 3. MR. MARK ANGELO C. MASUDOG
<b>Philippine National</b>	1. PGEN. ROMMEL FRANCISCO MARBIL	1. PCOL. COLUMBO ALLAN

<b>Police</b>	2. PLTCOL. ANACLETO DALIVA JR. 3. PGEN. NICOLAS TORRE III 4. PBGEN. BERNARD R. YANG	ABERIA 2. PCOL. NOVA G DE CASTRO-AGLIPAY 3. PLTCOL. ANACLETO DALIVA JR. 4. PGEN. NICOLAS TORRE III 5. PBGEN. BERNARD R. YANG
<b>Supreme Court of the Philippines</b>	1. ATTY. MICHAEL JOBERT I. NAVALLO 2. ATTY. RAUL B. VILLANUEVA	
<b>University of the Philippines</b>	1. DR. ARIES A. ARUGAY 2. DR. ENRICO BASILIO 3. DR. RACHEL E. KHAN 4. DR. JONATHAN CORPUS ONG 5. PROF. MICHAEL T. TIU, JR. 6. ATTY. JOAN DE VENECIA-FABUL 7. ATTY. JOSE JESUS M. DISINI, LLM 8. USEC. NICHOLAS FELIX L. TY	1. DR. ENRICO BASILIO 2. DR. RACHEL E. KHAN 3. DR. JONATHAN CORPUS ONG 4. PROF. MICHAEL T. TIU, JR. 5. USEC. NICHOLAS FELIX L. TY
<b>De La Salle University</b>	1. DR. JASON VINCENT A. CABANES	
<b>Agence France-Presse</b>	1. MR. CHAD WILLIAMS	
<b>Philippine Entertainment Portal (PEP.ph)</b>	1. MS. JO-ANN Q. MAGLIPON	
<b>PressOne.PH</b>	1. MR. FELIPE "IPE" F. SALVOSA II	1. MR. FELIPE "IPE" F. SALVOSA II 2. MR. JOHN HURT ALLAUGAN 3. MR. NICEFORO "NIKKO" BALBEDINA III 4. MS. LEIGH JENESSEN SAN DIEGO
<b>Rappler</b>	1. MS. MARIA RESSA	
<b>VERA Files</b>	1. MS. ELLEN TORDESILLAS	1. MS. ELLEN TORDESILLAS
<b>Former VP and Broadcast Journalist</b>	1. FMR. VP MANUEL "NOLI" DE CASTRO	1. FMR. VP MANUEL "NOLI" DE CASTRO
<b>Kapisanan ng mga Brodkaster ng Pilipinas</b>	1. MR. NOEL C. GALVEZ 2. HERMAN BASBAÑO	1. MR. NOEL C. GALVEZ 2. ATTY. RUDOLPH JULARBAL 3. ATTY. EDWARD CHICO
<b>MBC Media Group (Manila Broadcasting Company)</b>	1. MR. RUPERTO S. NICDAO JR.	1. ATTY. RUDOLPH JULARBAL 2. ATTY. RHINA SECO
<b>Philippine Daily Inquirer</b>	1. ATTY. RUDYARD S. ARBOLARDO 2. MR. JOSEPH VOLTAIRE L. CONTRERAS 3. MS. JULIETA L. JAVELLANA	1. MS. JULIETA L. JAVELLANA

<b>Philippine Star</b>	1. MR. MIGUEL G. BELMONTE 2. MS. ANA MARIE T. PAMINTUAN	
<b>Ad Standards Council</b>	1. MR. ROBBIE ALIGADA	1. ATTY. RUDOLPH JULARBAL
<b>Creator and Influencer Council of the Philippines</b>	1. MS. JEL DIRECTO	1. MS. JEL DIRECTO
<b>Digital Marketing Association of the Philippines</b>	1. MR. MIKO DAVID	1. MR. MIKO DAVID
<b>Media Specialists Association of the Philippines</b>	1. MS. REGINE FRANCISCO	
<b>Philippine Association of National Advertisers</b>	1. CHRISTINE ROA	
<b>United Print Media Group</b>	1. MS. VIVIENNE MOTOMAL	1. MS. VIVIENNE MOTOMAL
<b>Movement Against Disinformation</b>	1. ATTY. RICO V. DOMINGO	1. ATTY. GRACE SALONGA
<b>Scam Watch Pilipinas</b>	1. MR. JOCEL DE GUZMAN	1. MR. JOCEL DE GUZMAN 2. MR. SONNY DAANOY
<b>Digital Media Standards Coalition</b>	1. MS. AYE UBALDO	1. MS. AYE UBALDO
<b>Cybersecurity Council of the Philippines</b>	1. MS. MEL MIGRIÑO	1. MS. MEL MIGRIÑO
<b>Global AI Council</b>	1. DR. DONALD PATRICK LIM	1. MR. ANTONILO MAURICIO 2. MS. CATHERINE JALANDONI
<b>Pulse Asia Research Inc.</b>	1. DR. RONALD D. HOLMES	
<b>Social Weather Station (SWS)</b>	1. MS. LINDA LUZ B. GUERRERO	1. MR GERARDO SANDOVAL
<b>ByteDance Philippines</b>	1. MS. PEACHY PADERNA	1. MS. PEACHY PADERNA
<b>Facebook PH Representative Office</b>	1. MR. GENIXON DAVID	
<b>Meta Platforms Inc.</b>	1. DR. RAFAEL FRANKEL, PhD	1. DR. RAFAEL FRANKEL, PhD 2. MR. ROB ABRAMS
<b>Google Philippines</b>	1. ATTY. YVES GONZALEZ	1. ATTY. YVES GONZALEZ
<b>InfinitUS Marketing Solutions, Inc.</b>	1. MR. PIN LI A.K.A PAUL LI 2. MS. CHRISTINE BERGANTINOS LI 3. MIN LI 4. MYKA ISABEL BASCO-POYNTON 5. RUBY BENIG GESTIADA	

<b>Social Media Personalities</b>	<ol style="list-style-type: none"> <li>1. MR. ERNESTO S. ABINES JR.</li> <li>2. MS. LORRAINE MARIE TABLANG BADOY-PARTOSA</li> <li>3. MS. SUZANNE BATALLA</li> <li>4. MS. MARY CATHERINE BINAG</li> <li>5. MR. JEFFREY ALMENDRAS CELIZ</li> <li>6. ATTY. GLENN CHONG</li> <li>7. MS. KRIZETTE LAURETA CHU</li> <li>8. MS. CLAIRE EDEN CONTRERAS</li> <li>9. MR. LORD BYRON CRISTOBAL</li> <li>10. MS. ELIZABETH JOIE CRUZ</li> <li>11. MR. JEFFREY G. CRUZ</li> <li>12. ATTY. ROSE BEATRIX L. CRUZ-ANGELES</li> <li>13. MS. VICENTE CUNANAN</li> <li>14. MR. ALVIN CURAY</li> <li>15. MS. MA. KHRISTINE CLAUD CURAY</li> <li>16. MR. ROSS FLORES DEL ROSARIO</li> <li>17. MR. ALEX DESTOR</li> <li>18. MS. MA FLORINDA ESPENILLA-DUQUE</li> <li>19. MR. MARC LOUIE GAMBOA</li> <li>20. MR. CLARO GANAC</li> <li>21. DR. ETHEL PINEDA GARCIA</li> <li>22. MR. EDWIN JAMORA</li> <li>23. MR. ELMER JUGALBOT</li> <li>24. MR. EPIPANIO LABRADOR</li> <li>25. MR. MARK ANTHONY LOPEZ</li> <li>26. MR. MANUEL MATA JR.</li> <li>27. DR. RICHARD TESORO MATA</li> <li>28. MS. JULIUS MELANOSI MAUI</li> <li>29. MR. JOE SMITH MEDINA</li> <li>30. MR. ALVEN L. MONTERO</li> <li>31. MR. JONATHAN MORALES</li> <li>32. MR. ADOLFO Q. PAGLINAWAN</li> <li>33. MR. GEORGE AHMED G. PAGLINAWAN</li> <li>34. MR. AERON PENA</li> <li>35. MR. CYRUS PREGLO</li> <li>36. MS. MARY JEAN QUIAMBAO REYES</li> <li>37. MS. VIVIAN ZAPATA RODRIGUEZ</li> <li>38. MR. DARWIN SALCEDA</li> <li>39. MR. ELIJAH SAN FERNANDO</li> <li>40. MR. RAMON GERARDO B. SAN LUIS</li> <li>41. MS. ALLAN TROY "SASS" ROGANDO SASOT</li> <li>42. MARICAR SERRANO</li> <li>43. JAY YUMANG SONZA</li> <li>44. KESTER RAMON JOHN BALIBALOS TAN</li> <li>45. MS. MARIA LOURDES N. TIQUIA</li> <li>46. ATTY. RICKY TOMOTORGO</li> </ol>	<ol style="list-style-type: none"> <li>1. MS. SUZANNE BATALLA</li> <li>2. ATTY. GLENN CHONG</li> <li>3. MS. KRIZETTE LAURETA CHU</li> <li>4. MS. ELIZABETH JOIE CRUZ</li> <li>5. ATTY. ROSE BEATRIX L. CRUZ-ANGELES</li> <li>6. MS. VICENTE CUNANAN</li> <li>7. MR. ROSS FLORES DEL ROSARIO</li> <li>8. MS. MA FLORINDA ESPENILLA-DUQUE</li> <li>9. MR. MARC LOUIE GAMBOA</li> <li>10. MR. CLARO GANAC</li> <li>11. DR. ETHEL PINEDA GARCIA</li> <li>12. MR. MARK ANTHONY LOPEZ</li> <li>13. MR. MANUEL MATA JR.</li> <li>14. DR. RICHARD TESORO MATA</li> <li>15. MR. ALVEN L. MONTERO</li> <li>16. MR. JONATHAN MORALES</li> <li>17. MR. ADOLFO Q. PAGLINAWAN</li> <li>18. MR. GEORGE AHMED G. PAGLINAWAN</li> <li>19. MR. AERON PENA</li> <li>20. MS. MARY JEAN QUIAMBAO REYES</li> <li>21. MS. VIVIAN ZAPATA RODRIGUEZ</li> <li>22. MR. DARWIN SALCEDA</li> <li>23. MR. ELIJAH SAN FERNANDO</li> <li>24. MR. RAMON GERARDO B. SAN LUIS</li> <li>25. MS. MARIA LOURDES N. TIQUIA</li> <li>26. ATTY. RICKY TOMOTORGO</li> </ol>
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