Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Third Regular Session

HOUSE RESOLUTION NO. 2292

Introduced by KABATAAN PARTY-LIST Representative Sarah Jane I. Elago,
ACT TEACHERS PARTY-LIST Representative France L. Castro,
BAYAN MUNA PARTY-LIST Representatives Carlos Isagani T. Zarate,
Ferdinand Gaite and Eufemia C. Cullamat,
and GABRIELA WOMEN’S PARTY Representative Arlene D. Brosas

RESOLUTION
DIRECTING THE APPROPRIATE COMMITTEE TO INVESTIGATE, IN AID OF
LEGISLATION, THE CYBER-ATTACKS COMMITTED AGAINST PHILIPPINE
ALTERNATIVE MEDIA SITES, AND DETERMINE WHETHER PUBLIC FUNDS AND
INFRASTRUCTURE WERE UTILIZED TO COMMIT SUCH PATENTLY
UNCONSTITUTIONAL AND CRIMINAL ACTS

WHEREAS, Article III Section 4 of the Philippine Constitution 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.”
As such, the Constitution puts a premium on the freedom of speech and considers press
freedom as sacrosanct and part and parcel of a working democracy;

WHEREAS, on June 22, 2021, Sweden-based digital forensics group Quirium Media
Foundation released a forensics report noting that it has recorded “brief but frequent
denial of service attacks” against Philippine alternative media sites Bulatlat and
Altermidya Network, along with the website of human rights group Karapatan. The attacks
spanned from May to June 2021. Quirium noted that several digital footprints were bared
by their investigation that directly link the attacks to the Department of Science and
Technology (DOST) and the Philippine Army, with the e-mail acepcionecjr@army.mil.ph
turning up in its digital forensics investigation. The investigation further revealed that a
machine using an IP address registered to the DOST conducted a “vulnerability scan” on
Bulatlat after one of the denial of service (DDoS) attacks;

WHEREAS, DDoS is a malicious form of cyber-attack that sends millions of packets of
data requests to overload a targeted server. Once a server is saturated, the target website
will become inaccessible. In simpler terms, DDoS – when aimed at news websites –
becomes a new way to censor these news sites, literally denying access to their reporting
costing oversaturation. As such, launching a series of DDoS cyber-attacks
impinges on the freedom of expression and of the press – and is not only a criminal act but also patently unconstitutional;

**WHEREAS**, in July 2021, human rights group Karapatan also experienced similar cyber attacks on their website. Quirium Media Foundation was able to trace the attacks, which it estimated to cost at least PhP13 million or US$260,000 to Israeli IT firm Bright Data, an Israeli company that offers proxy networks and data services to corporate clients. According to the digital forensics report, the attacks took place amid Karapatan’s online campaign to press for justice for victims of extrajudicial killings;

**WHEREAS**, the recent spate of cyber-attacks were not the first time these were committed against the Philippine alternative media. Similar attacks were reported as early as December 2018, and continued well into 2020, with digital forensics experts noting that the attacks were being done each time the said news sites reported on critical developments in the human rights situation in the country;

**WHEREAS**, despite Quirium Media Foundation’s detailed digital forensics report, the DOST and even the Philippine Army continually deny that their agencies are involved in the cyber attacks. In a statement, DOST Undersecretary Rowena Cristina Guevarra explained that while the IP addresses cited by Quirium Media Foundation were indeed under DOST, the agency is said to provide such IP addresses to other governmental agencies. Meanwhile, Army Spokesperson Col. Ramon Zagala also flat-out denied the Army’s involvement in the attacks, saying that the Philippine Army “respects freedom of expression and per policy, will never infringe that freedom.”

**WHEREAS**, the victims of the cyber-attacks – alternative media groups Bulatlat and Altermidya – have reported the incidents to the Computer Emergency Response Team (CERT-PH) under the Department of Information and Communications Technology. After two months, the CERT-PH shared its findings with Bulatlat and Altermidya and officially confirmed that the IP included in Quirium Media Foundation’s attack logs **was assigned to the Philippine Army**. The CERT-PH report was dated August 11th and is marked **TLP:AMBER**, implying that the information should be restricted to the parties involved. However, Bulatlat and Altermidya deemed it necessary to publish its full content stating “there is no reason to keep it confidential especially if state agents used public funds and resources to infringe upon our right to publish and the people’s right to information;”

**WHEREAS**, in the said report, CERT-PH disclosed that it initiated the analysis and investigation on the alleged unauthorized scan on the websites. It noted:

“CERT-PH called DOST [Department of Science and Technology] ,and confirmed the IP was assigned to the Philippine Army. This IP was also seen in the provided log file by bulatlat/altermidya which is 202.90.137[.].42;”

**WHEREAS**, the DOST has earlier promised to conduct an internal investigation on the matter, yet Bulatlat and Altermidya Network noted that they “have not received any communication from the DOST regarding its investigation, which we requested a copy
of.” Added to that, DOST Secretary Fortunato Dela Peña wrote Altermidya Network and Bulatlat, saying that “given that the DICT is conducting the investigation, the DOST believes it is prudent that they should be the one to disclose any findings on the investigation. However, while the investigation is ongoing, we do not condone any illegal network activity using resources under our Department...;"

WHEREAS, the aggrieved parties noted that DOST Secretary Dela Peña’s curt reply was devoid of answers to several questions hounding the issue, particularly whether actions were done to exact accountability, especially as regards the IP address in question;

WHEREAS, during the plenary budget deliberation of the 2022 General Appropriations Bill last September 29, upon questioning by Kabataan Party-list Rep. Sarah Elago, the Department of National Defense admitted that the e-mail “acepcionecjr@ army.mil.ph” that was found in the digital forensics report of Quirium Media Foundation was indeed belonging to one of its personnel, a certain “Sergeant Acepcion” who was supposedly an administrator of the Philippine Army’s Sophos Server, thus further verifying the links between the cyber-attacks and the military;

WHEREAS, there has yet to be a conclusive investigation on this matter of great public interest where the freedom of expression and of the press are at stake. If and when it is proven that government resources are being used to fund these cyber-attacks, accountability and justice must be exacted. Rough estimates by several digital experts in the world note that launching such “dark web” operations such as DDoS attacks can reach several millions of dollars, funds that could instead have been allocated and spent for the pandemic response of the government and not in acts that violate constitutional principles;

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE PHILIPPINE HOUSE OF REPRESENTATIVES, that the appropriate committee conduct an investigation, in aid of legislation, on the cyber-attacks committed against Philippine alternative media sites and determine whether public funds and infrastructure were utilized to commit such patently unconstitutional and criminal acts.

BE IT FURTHER RESOLVED, that this Resolution be forwarded to the concerned agencies, particularly the DOST, DICT, and the Philippine Army, with instructions to prepare a conclusive report to the House of Representatives on the matter at hand, and provide Congress with all documents pertaining to the matter at the most immediate time.

BE IT FURTHER RESOLVED, that as the Philippine House of Representatives begins its investigation on this issue, the House Speaker be directed to, by all means, summon the concerned individuals, heads of corporations, heads of agencies, and all concerned parties in the issue to enable legislators to conduct a proper inquiry.
Adopted,

Rep. SARAH JANE I. ELAGO  
Kabataan Party-list

Rep. CARLOS ISAGANI T. ZARATE  
Bayan Muna Party-list

Rep. FRANCE L. CASTRO  
ACT Teachers Party-list

Rep. FERDINAND GAITE  
Bayan Muna Party-list

Rep. ARLENE D. BROSAS  
Gabriela Women’s Party

Rep. EUFEMIA C. CULLAMAT  
Bayan Muna Party-list