



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

23 JUL 17 A9:02

SENATE

RECEIVED BY: \_\_\_\_\_

P. S. RES. No. 679

**Introduced by SEN. WIN GATCHALIAN**

**RESOLUTION**

**DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE INVOLVEMENT OF PHILIPPINE OFFSHORE GAMING OPERATORS (POGOs) AND/OR ITS ACCREDITED SERVICE PROVIDERS ON THE ALLEGED CRIMES OR OFFENSES, PARTICULARLY HUMAN TRAFFICKING, KIDNAPPING FOR RANSOM, AND AIDING FOREIGN FUGITIVES, WITH AN END VIEW OF CRAFTING A LEGISLATION OR POLICY RECOMMENDATION, AS MAY BE NECESSARY**

1 WHEREAS, POGO-related crimes have been prevalent in the Philippines from  
2 2019<sup>1</sup> to present, of which majority involves violations of Anti-Trafficking in Persons  
3 Act, kidnapping for ransom, and of recent, its alleged participation in aiding foreign  
4 fugitives;

5 WHEREAS, on 27 June 2023, the National Capital Region Police Office (NCRPO)  
6 conducted a raid on the premises of Xinchuang Network Technology, Inc. (formerly  
7 known as "Hong Tai"), a PAGCOR-accredited POGO service provider<sup>2</sup>, located in Las  
8 Piñas City. The raid led to the rescue of 2,724 alleged victims of human trafficking, of  
9 which 1,534 are Filipinos, 604 are Chinese, 183 are Vietnamese, 137 are Indonesians,  
10 134 are Malaysians, 81 are Thais, 21 are Taiwanese, 7 are Nigerians, 5 are

<sup>1</sup> PAGCOR: "*Press statement on Pagcor's Efforts to Curb POGO-Related Crimes*", available at: <https://www.pagcor.ph/press-releases/press-statement-on-pagcors-efforts-to-pogo-related-crimes.php> (Date last accessed: 11 July 2023).

<sup>2</sup> PAGCOR: "*List of Accredited Service Providers*", available at: <https://www.pagcor.ph/regulatory/pdf/offshore/list-of-accredited-service-providers.pdf> (Date last accessed: 29 June 2023).

1 Singaporeans, 5 are Burmese, 4 are Yemenis, 2 are Pakistanis, 2 are Africans, and 1  
2 each from India, Somalia, Sudan, Cameroon, and Iran<sup>3</sup>;

3 WHEREAS, the raid was based on search and seizure warrants for computer  
4 data at a POGO hub for the alleged violation of Republic Act (RA) No. 10364, or the  
5 Expanded Anti-Trafficking in Persons Act<sup>4</sup>;

6 WHEREAS, Xinchuang Network Technology Inc. has already been involved last  
7 10 December 2021 for serious illegal detention in Tambo, Parañaque City<sup>5</sup>;

8 WHEREAS, the recent massive police raid is already the second incident wherein  
9 a POGO accredited service provider has been involved in allegedly facilitating the  
10 commission of human trafficking; and it has the largest number of human trafficking  
11 victims rescued in the Philippines so far, this year<sup>6</sup>;

12 WHEREAS, on earlier date, 04 May 2023, another police raid was conducted at  
13 a POGO Hub located in Clark Sun Valley Hub which led to the rescue of 1,090 victims  
14 of Human Trafficking<sup>7</sup>;

15 WHEREAS, in both incidents of police raid in Clark and in Las Piñas, it was  
16 discovered that foreign fugitives were employed by POGO accredited service providers  
17 (*i.e.*, seven (7) fugitives in the Clark raid and seven (7) fugitives in the Las Pinas raid)<sup>8</sup>;

18 WHEREAS, the chief of Philippine National Police (PNP), Gen. Benjamin Acorda,  
19 Jr., has commented that there is a possibility that there may be more foreign fugitives

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<sup>3</sup> Tupas, E. and Galvez, D., "2,724 POGO workers rescued in Las Piñas", available at: <https://www.philstar.com/nation/2023/06/28/2277042/2724-pogo-workers-rescued-las-pias> (Date last accessed: 29 June 2023).

<sup>4</sup> Abarca, C., "Cops Rescue 2,714 Workers During POGO Complex Raid in Las Piñas", available at: <https://newsinfo.inquirer.net/1793795/cops-rescue-2714-workers-after-pogo-complex-raid-in-las-pinas> (Date last accessed: 29 June 2023).

<sup>5</sup> Retrieved from the data submitted by the PNP dated 01 February 2023 under the attachment of PNP-Directorate for Operations re: Senate Committee on Ways and Means Request for Data on POGO Apprehensions Made by PNP.

<sup>6</sup> The Associated Press, "2,700 People Tricked into Working for Cybercrime Syndicates Rescued in the Philippines" (27 June 2023), available at: <https://apnews.com/article/philippines-cybercrime-raids-china-indonesia-malaysia-vietnam-de16f11954700ffd432377267f571892> (Date last accessed: 29 June 2023).

<sup>7</sup> Cabalza, D., "Human Trafficking Firm Busted in Clark" (06 May 2023), available at: <https://newsinfo.inquirer.net/1765387/human-trafficking-firm-busted-in-clark> (Date last accessed: 29 June 2023).

<sup>8</sup> Sunstar Cebu, "PNP Alarmed Over Discovery of Foreign Fugitives in Pogo Hubs" (10 July 2023), available at: <https://www.sunstar.com.ph/article/1966386/cebu/local-news/pnp-alarmed-over-discovery-of-foreign-fugitives-in-pogo-hubs> (Date last accessed: 11 July 2023).

1 employed in POGO-related operations with practice or modus operandi of hiding in  
2 POGO hubs<sup>9</sup>;

3 WHEREAS, on the same day of 27 June 2023, through a referral letter from  
4 Consul Cao Kaiwen of the Chinese Embassy requesting for law enforcement action for  
5 the rescue of a Chinese national<sup>10</sup>, an entrapment/rescue operation which led to the  
6 successful rescue of the victim and the arrest of three (3) Chinese nationals<sup>11</sup>, some  
7 of which were former POGO employees<sup>12</sup>, was conducted in Pasay City wherein foreign  
8 nationals, were involved in a kidnap-for-ransom of another POGO employee working  
9 as an operator, with allegation of torture and illegal possession of firearm<sup>13</sup>;

10 WHEREAS, based on the PAGCOR Offshore Gaming Regulatory Manual dated  
11 03 July 2018, one of the qualifications of POGOs and Service Providers is to be of good  
12 repute, considering character, honesty, and integrity; yet PAGCOR has failed to act on  
13 the illegal activities of its accredited service provider;

14 WHEREAS, there is a need to review the power of PAGCOR to regulate the  
15 POGO industry as well as the capability of other law enforcement agencies to abate  
16 the commission of POGO-related crimes in the country;

17 WHEREAS, the failure to stop these POGO-related crimes in the country has  
18 put to naught the state policy that recognizes "the dignity of every human person and  
19 guarantees full respect for human rights"<sup>14</sup>;

20 WHEREAS, under the Expanded Anti-Trafficking in Persons Act, it is the policy  
21 of the State to protect the people from any threat of violation and exploitation,  
22 eliminate trafficking in persons, and mitigate pressures for involuntary migration and  
23 servitude of persons;

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<sup>9</sup> Mangosing, E., Gascon, M., and Santos G., "*More Fugitives May Be Working for POGOs – PNP*" (11 July 2023), available at: <https://newsinfo.inquirer.net/1799884/pnp-more-fugitives-may-be-working-for-pogos/amp> (Date last accessed: 11 July 2023).

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> Kabagani, L., "*Gatchalian Slams Accredited POGO for Employing Foreign Fugitives*" (10 July 2023), available at: [https://tribune.net.ph/2023/07/10/gatchalian-slams-accredited-pogo-for-employing-foreign-fugitives/?utm\\_source=rss&utm\\_medium=rss&utm\\_campaign=gatchalian-slams-accredited-pogo-for-employing-foreign-fugitives](https://tribune.net.ph/2023/07/10/gatchalian-slams-accredited-pogo-for-employing-foreign-fugitives/?utm_source=rss&utm_medium=rss&utm_campaign=gatchalian-slams-accredited-pogo-for-employing-foreign-fugitives) (Date last accessed: 11 July 2023).

<sup>13</sup> Investigation Report of NBI Anti-Organized and Transnational Crime Division (AOTCD) dated 28 June 2023 submitted to the Inquest Prosecutor.

<sup>14</sup> 1987 Philippine Constitution, Article II, Section 11.

1           WHEREAS, based on the foregoing, there is a dire need to immediately act on  
2 these criminal incidents being linked to POGOs; otherwise, it will be a great disservice  
3 to the people, as well as dereliction of duty in international treaties and conventions  
4 to which Philippines is a signatory or a member thereof, if the government will turn a  
5 blind eye on the serious encroachment on human rights;

6           WHEREAS, the increase in POGO-related crimes necessitates a close review of  
7 the country's POGO policies and assess whether the economic benefits still outweigh  
8 the social costs related to the incidents involving POGOs and its accredited service  
9 providers;

10          RESOLVED BY THE SENATE, as it is hereby resolved by the Senate, to direct  
11 the appropriate Senate committee to conduct an inquiry, in aid of legislation, on the  
12 involvement of POGOs and/or its accredited service providers on the alleged POGO-  
13 related incidents of human trafficking, kidnapping-for-ransom, and aiding foreign  
14 fugitives, with an end view of crafting a legislation or policy recommendation, as may  
15 be necessary.

*Adopted,*



**WIN GATCHALIAN**