



Republika ng Pilipinas
KAGAWARAN NG KATARUNGAN
Department of Justice
Manila

DEPARTMENT CIRCULAR NO. 003

TO : The Undersecretaries/Assistant Secretaries
Heads of Bureaus and Offices attached to the DOJ
The Prosecutor General
Regional/Provincial/City Prosecutors
Records Management Section
DOJ Library
All Concerned

SUBJECT : ADVISORY ON "MOMO CHALLENGE"

DATE : 15 March 2019

Attached is a copy of the above-captioned Advisory, which aims to provide guidance to the general public in affording special protection to children against all forms of abuse, in light of the recent social media phenomenon known as the "Momo Challenge".

For information and guidance.


MENARDO I. GUEVARRA
Secretary

Department of Justice
CN: 0201903302





Republika ng Pilipinas
KAGAWARAN NG KATARUNGAN
Department of Justice
Manila

DEPARTMENT OF JUSTICE – OFFICE OF CYBERCRIME
ADVISORY OPINION NO. 01 (SERIES OF 2019)
01 MARCH 2019

ADVISORY ON “MOMO CHALLENGE”

INTRODUCTION

This Advisory is issued to provide guidance to the general public in affording special protection to children from all forms of abuse, in light of the recent social media phenomenon involving the “Momo Challenge”.

Based on information gathered online by the Office of Cybercrime (OOC), this Department, the “Momo Challenge” involves the representation of the Mother Bird, which is actually of a sculpture created by Link Factory currently on display at Tokyo’s Horror Art Vanilla Gallery.

Similar with the “Blue Whale Challenge” which was prevalent in 2017, the “Momo Challenge” is spread through various social media platforms and aims to engage a child in a conversation. It may also pop up in the middle of random videos on YouTube and attracts viewers to engage. Once engaged, “Momo” (administrator/curator) will instruct the child to inflict self-harm and worse, to commit suicide. “Momo” also warns the child to keep the activities to him-or herself or else, he or she will be threatened that something bad will happen to his or her parents.

Recently, the “Momo Challenge” was linked to the death of an eleven (11)-year-old boy due to drug overdose. It was alleged that the boy was “tasked by “Momo” to consume all the medicines of his father, or else something worse will happen to his parents.¹

In line with the State’s Constitutional duty to promote and protect the physical, moral, spiritual, intellectual, and social well-being of the youth, this Advisory aims to apprise the general public with useful information to prevent the proliferation of the “Momo Challenge” and to provide instructions in reporting to the proper authorities those who serve as “administrator” or “curator” who may be found guilty of child abuse.

LEGAL FRAMEWORK

Every effort shall be exerted to promote the welfare of children and enhance their opportunities for a useful and happy life². Their best interest shall be the paramount

¹ Momo Challenge goes viral: Beware! By manilastandard.net. Retrieved on 01 March 2019 from <http://manilastandard.net/news/top-stories/288955/-momo-challenge-goes-viral-beware-.html>.

² Section 2, Republic Act (R.A.) No. 7610.

consideration in all actions concerning them, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities, and legislative bodies, consistent with the principle of First Call for Children as enunciated in the **United Nations Convention on the Rights of the Child (UNCRC)**³.

Children should also be protected from all types of child abuse including psychological and physical abuse, neglect, cruelty, sexual abuse and emotional maltreatment⁴, or any act by deeds or words which debases, degrades or demeans their intrinsic worth and dignity as a human being⁵. **Republic Act (R.A.) No. 7610 or the "Special Protection of Children Against Abuse, Exploitation and Discrimination Act"** provides sanctions against those who abuse, exploit or discriminate against children.

Furthermore, **R.A. No. 10175 or the "Cybercrime Prevention Act of 2012"** increases the penalty for the crime of child abuse committed through a computer system⁶ by one (1) degree higher than that provided under R.A. No. 7610⁷.

ADVISORY

In view of the foregoing, the following points are stated:

1. **PARENTS AND SCHOOL AUTHORITIES ARE ENCOURAGED TO PROMOTE AND IMPLEMENT PROPER NETIQUETTES TO BE OBSERVED BY CHILDREN UNDER THEIR SUPERVISION**

In the case of *Vivares, et al. v. St. Theresa's College, et al.*⁸, even the Supreme Court, ruled that there's no substitute for parental involvement and supervision when it comes to digital literacy and good cyber citizenship, to wit:

Responsible social networking or observance of the "netiquettes" on the part of teenagers has been the concern of many due to the widespread notion that teenagers can sometimes go too far since they generally lack the people skills or general wisdom to conduct themselves sensibly in a public forum.

X X X

Considering the complexity of the cyber world and its pervasiveness, as well as the dangers that these children are wittingly or unwittingly exposed to in view of their unsupervised activities in cyberspace, the participation of the parents in disciplining and educating their children about being a good digital citizen is encouraged by these institutions and organizations.

Parents and guardians should conscientiously guide their children and wards, respectively, in their online activities. This includes their capacity to teach them how to

³ Retrieved on 30 January 2018 from <http://www.ohchr.org/Documents/ProfessionalInterest/crc.pdf>.

⁴ Section 3 (b) (1), R.A. No. 7610.

⁵ Section 3 (b) (2), R.A. No. 7610.

⁶ Section 4 (c) (2), R.A. No. 10175.

⁷ Section 8, *Ibid.*

⁸ G.R. No. 202666, 29 September 2014.

discern information online and to provide guidance on how to implement safety measures to prevent becoming a victim of cybercrimes.

Equally important is to let the children know by heart what digital literacy and digital citizenship mean. "Digital literacy" is the ability to use information and communication technologies to find, evaluate, create, and communicate information, requiring both cognitive and technical skills⁹, while "digital citizenship" refers to the norms of appropriate, responsible behavior with regard to technology use¹⁰. Understanding and teaching the philosophy behind these concepts to the children will empower them with the required insights and know-how to help them navigate the web both safely and effectively¹¹.

It is, thus, incumbent upon the parents and guardians to instill to their children and wards the exercise of due diligence in their online dealings and activities, respectively.

2. PROMOTE THE UTILIZATION OF CHILD-FRIENDLY APPLICATIONS

There are available platforms that use safe search technology and advanced filtering tools on web content designed specifically to help kids search the Internet in an appropriate, safe, and secure ways.

The following may serve as references:

GOOGLE FAMILY LINK	This application lets parents set digital ground rules to help guide their children by guiding them to good content, managing their applications, and keeping an eye on screen time, among others. https://families.google.com/familylink/ .
KIDDLE	Sites appearing in Kiddle search results satisfy family friendly requirements, as it filters sites with explicit or deceptive content and it offers kids-oriented results. https://www.kiddle.co/
KIDTOPIA	Kidtopia is a Google custom student safe search engine for preschool and elementary students, indexing only educator approved web sites. https://www.kidtopia.info/
KIDREX	KidRex searches emphasize kid-related webpages from across the entire web. https://www.alarms.org/kidrex/
YOUTUBE KIDS	A search engine for child-friendly online videos that is being operated by a whole suite of parental controls to ensure a safer online experience for kids. https://www.youtube.com/yt/kids/

In addition, in July 2016, the DOJ-OOC issued the advocacy material entitled "**Securing All Filipino children from Exposure to harmful online contents**" or **SAFE**¹², in order to provide the public, the parents in particular, with an easy step-by-step

⁹Retrieved on 01 March 2019 from <https://www.edweek.org/ew/articles/2016/11/09/what-is-digital-literacy.html>
¹⁰ Retrieved on 01 March 2019 from www.digitalcitizenship.net/nine-elements.html
¹¹ Retrieved on 01 March 2019 from <https://www.educatorstechnology.com/2018/01/11-great-kids-safe-search-engines.html>.
¹² Retrieved on 01 March 2019 from http://doj.gov.ph/files/cybercrime_office/Safer%20use%20of%20Smartphones-01.pdf.

procedure on how to keep their mobile phones, be it iOS or Android, from displaying explicitly unsuitable materials and mobile applications for the Filipino children.

3. ANY PERSON WHO HAS KNOWLEDGE OF PERSONS ACTING AS ADMINISTRATORS OR CURATORS OF THE “MOMO CHALLENGE” SHALL IMMEDIATELY REPORT TO THE PROPER AUTHORITIES

PHILIPPINE NATIONAL POLICE – ANTI-CYBERCRIME GROUP	Email Addresses:	info@acq.pnp.gov.ph pnp.anticybercrimegroup@gmail.com
	Mobile No.:	(+63) 998-568-9082
	Telephone Nos.:	(+632) 726-1575 (+632) 414-1560 (+632) 723-0401 local 5313
	Website:	www.acq.pnp.gov.ph
NATIONAL BUREAU OF INVESTIGATION – CYBERCRIME DIVISION	Email Address:	ccd@nbi.gov.ph
	Telephone No.:	(+632) 523-8231 to 38 local 3455
	Website:	www.nbi.gov.ph
DEPARTMENT OF JUSTICE – OFFICE OF CYBERCRIME	Email Address:	cybercrime@doj.gov.ph
	Telephone No.:	(+632) 524-8216
	Website:	www.doj.gov.ph/office-of-cybercrime.html

4. ANY PERSON WHO NEEDS ASSISTANCE IN THE REHABILITATION OF A CHILD WHO IS GRAVELY THREATENED OR ENDANGERED BY THE “MOMO CHALLENGE” MAY CONTACT HEALTH CARE PROVIDERS

DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT	(+632) 931-8101 to 07
DEPARTMENT OF HEALTH	(+632) 804-4673 (+63) 917 558-4673

This Advisory is issued by the DOJ-OOC in line with its duty to issue and promulgate guidelines, advisories, and procedures in all matters related to cybercrime investigation. All are enjoined to disseminate and faithfully observe this Advisory.


MENARDO I. GUEVARRA
 Secretary