


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SENATE
P.S. Res 1539

RECEIVED BY: 

Introduced by Senator Poe

RESOLUTION

URGING THE SENATE COMMITTEES ON WAYS AND MEANS AND ON LABOR, EMPLOYMENT AND HUMAN RESOURCES DEVELOPMENT TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ANNOUNCEMENT AND PLANNED STRICTER RANDOM INSPECTION OF BALIKBAYAN BOXES BY THE BUREAU OF CUSTOMS WITH THE INTENTION OF STRIKING A BALANCE BETWEEN THE GOVERNMENT'S ANTI-SMUGGLING CAMPAIGN AND THE PROTECTION OF PROPERTIES AND THE RIGHTS OF OVERSEAS FILIPINOS WORKERS

Whereas, social justice is the hallmark of the 1987 Philippine Constitution:

- The State shall promote social justice in all phases of national development (Article II, Section 10);
- The State values the dignity of every human person and guarantees full respect for human rights (Article II, Section 11);

Whereas, social justice is supplemented by strong provisions of good governance and transparency in our country's supreme law:

- The State shall maintain honesty and integrity in the public service and take positive and effective measures against graft and corruption (Article II, Section 27);
- Subject to reasonable conditions prescribed by law, the State adopts and implements a policy of full public disclosure of all its transactions involving public interest (Article II, Section 28);
- Public office is a public trust. Public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest lives (Article XI, Section 1);

Whereas, labor, including overseas Filipino workers (OFWs), is a special group of our citizens that deserve protection and in fact, hailed and specifically mentioned in the 1987 Philippine Constitution:

- The State shall afford full protection to labor, local and overseas, organized and unorganized and promote full employment and equality of employment opportunities for all (Article XIII, Section 3);

Whereas, the Bureau of Customs (BoC) is the government's second largest revenue agency, after the Bureau of Internal Revenue;

Whereas, the BoC is tasked to raise P436.4 billion in revenues, from an earlier forecast of P456.4 billion¹;

Whereas, according to the agency, an average of 1,000 containers of balikbayan boxes (with 400 boxes per container) arrive each month in various Philippine ports²;

Whereas, Customs Chief Alberto D. Lina announced the policy of random inspection of balikbayan boxes sans an official agency memorandum spelling out rules on the conduct of the inspection and absent of consultations with stakeholders;

Whereas, balikbayan boxes are granted duty-free status as long as their contents do not exceed \$500 in value;

Whereas, while the BoC dismissed concerns of possible tax hikes on balikbayan boxes³, the agency's new proposal was met with stiff opposition, pointing out that the plan is subject to abuse;

Whereas, 78,695 already signed an online petition⁴ as of 11 a.m., August 24, 2015 calling on the BoC to stop imposing stricter rules on balikbayan boxes, with some who signed the petition saying the contents of the balikbayan boxes are "personal properties" of overseas Filipinos living or working abroad, that there are "bigger issues to deal with" and Customs should focus on addressing rampant corruption and large-scale smuggling;

Whereas, the balikbayan boxes are a symbol of hardwork and simple joy of Filipinos living or working abroad for their families in the Philippines, with much containing small items such as toys for their children, chocolates for relatives and other personal effects for their loved ones;

Whereas, the latest statistics yielded that OFWs remittances totalled \$26.92 billion (roughly P1.20 trillion) and represents 8.5% of the country's Gross Domestic Product (GDP)⁵;

Whereas, the contribution of our Filipinos abroad to keep the economy afloat through billions of dollars in foreign remittances and their lonely sacrifices in foreign lands should be recognized;

Whereas, per latest record, the total value of smuggled commodities in the Philippines is estimated at almost \$20 billion annually⁶;

Whereas, the new policy of imposing stricter examination of balikbayan boxes must be scrutinized succinctly as it may be more prejudicial to the OFWs, it will breed more corruption, it indicates the failure of BOC's intelligence service, it may be an indicia of ineptness in addressing smuggling, and it may be a reflection of the agency's ineffectiveness to fight big-time smugglers; Now therefore be it

RESOLVED BY THE SENATE OF THE PHILIPPINES to urge the Senate Committees on Ways and Means and on Labor, Employment and Human Resources Development to

¹ <http://www.mb.com.ph/customs-surpasses-collection-target-in-june/>

² <http://globalnation.inquirer.net/127594/customs-hit-hands-off-ofw-boxes-of-goodies>

³ <http://globalnation.inquirer.net/127621/boc-no-hike-in-balikbayan-box-tax-but-strict-checks-to-continue>

⁴ <https://www.change.org/p/miriam-defensor-santiago-stop-philippine-customs-to-impose-tighter-rules-for-balikbayan-boxes>

⁵ Gmanews, June 2015

⁶ Statement of former Finance Secretary Roberto de Ocampo in Arangkada Forum Philippines, February 26, 2013

conduct an inquiry, in aid of legislation, on the announcement and planned stricter random inspection of balikbayan boxes by the Bureau of Customs with the intention of striking a balance between the government's effective anti-smuggling campaign and the protection of properties and the rights of overseas Filipino workers.

Adopted,


GRACE POE