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Senate  
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SENATE  
P.S. RES. NO. 1662

RECEIVED BY: *J*

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Introduced by Senator Alan Peter "Compañero" S. Cayetano

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**RESOLUTION**

**DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY IN AID OF LEGISLATION ON THE INCIDENTS OF "LAGLAG-BALA" MODUS OPERANDI IN VARIOUS PHILIPPINE AIRPORTS, WITH THE END IN VIEW OF INSTITUTING IMMEDIATE DISCIPLINARY ACTION OF SUSPENSION OR DISMISSAL AFTER INVESTIGATION, FILING CRIMINAL AND ADMINISTRATIVE CHARGES AGAINST THE RESPONSIBLE OFFICIALS, INSTITUTING REAL CHANGE IN THE STATE OF SECURITY IN PHILIPPINE AIRPORTS, AND PROTECTING OVERSEAS FILIPINO WORKERS AND OTHER FILIPINO AND FOREIGN TRAVELLERS FROM ANY AND ALL EXTORTION, INEFFICIENCY, AND GRAFT AND CORRUPT PRACTICES IN OUR PHILIPPINE AIRPORT SYSTEM**

**WHEREAS**, the safety of Filipino and foreign travellers in the Philippines is of paramount importance;

**WHEREAS**, the State must ensure the safety of travellers not only during flight, but also in the airport terminals;

**WHEREAS**, the Office for Transportation Security (OTS) is the "single authority responsible for the security of transportation systems of the country";

**WHEREAS**, multiple tourists and Overseas Filipino Workers (OFW) have been accused of carrying or having one or two pieces of ammunition in their possession upon inspection;

**WHEREAS**, OFW Gloria Ortinez was barred from flying to Hong Kong after OTS personnel arrested her after allegedly finding a bullet in her hand carried luggage during the routine examination by the X-ray machine at the Ninoy Aquino International Airport (NAIA) Terminal 2 departure area, and was released after spending a few days in police detention;<sup>1</sup>

**WHEREAS**, American Missionary Lane Michael White claims he was framed by two OTS personnel by charging him with illegal possession of ammunition when he refused to pay the P30,000 allegedly demanded by them as settlement for allegedly finding a .22 caliber bullet in his bag; while another passenger, a wheelchair-bound Filipino-American woman, said she

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<sup>1</sup> <http://globalnation.inquirer.net/130096/tanim-bala-case-triggers-probe-call>

gave P500 to the OTS personnel so she would be cleared to fly home to California after two .22 caliber bullets were allegedly found in her suitcase;<sup>2</sup>

**WHEREAS**, just this Friday, 30 October 2015, sixty year old Augusto Dagan Y. Dorde of Quezon City was arrested inside the Francisco Bangoy International Airport in Davao City while proceeding to his return flight for Manila after security screening officer Arell Mark M. Villareal allegedly found two .9mm bullets in his luggage after initial screening with the x-ray machine. A similar incident at the same airport in Davao City occurred last September 2015, this time involving 58-year old Australian Ian Maxwell who was arrested for alleged possession of a disassembled and unlicensed .38 caliber pistol;<sup>3</sup>

**WHEREAS**, it appears that these instances are part of the "Laglag-Bala" *modus operandi* being done by unscrupulous airport employees and officials, particularly, personnel of the OTS, not only at the Ninoy Aquino International Airport (NIAA) terminals, but in other airports in the Philippines as well;

**WHEREAS**, such incidents result in tremendous embarrassment and disrepute for the country;

**WHEREAS**, such incidents adversely affect tourism and people's trust in the Government's integrity, credibility and ability to perform its mandate to provide for the safety and security of travelers in the Philippines;

**WHEREAS**, the National Association of Independent Travel Agencies complains that reports of the pervasiveness of this *modus operandi* for extortion allegedly committed by OTS personnel against OFWs, local and foreign travelers sends a chilling effect on the tourism industry as tourists no longer consider visiting our country;<sup>4</sup>

**WHEREAS**, despite the existence of concrete, practical and doable measures to immediately improve airport safety, security and surveillance like enhancing, upgrading, and increasing the number of airport CCTV security camera systems for uninterrupted footage, internet protocol, and institutionalizing rotation of OTS supervisors, among others, high ranking officials of the OTS continuously renege on their mandate to enhance the security and surveillance systems of airports of the country by failing to take these concrete and fast measures to resolve this issue;

**WHEREAS**, Section 1 of Executive Order No. 226 states that, "Any government official or supervisor, or officer of the Philippine National Police or that of any other law enforcement agency shall be held accountable for "Neglect of Duty" under the doctrine of "command responsibility" if he has knowledge that a crime or offense shall be committed, is being committed, or has been committed by his subordinates, or by others within his area of responsibility and, despite such knowledge, he did not take preventive or corrective action either before, during, or immediately after its commission;

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<sup>2</sup> *Ibid*; <http://www.gmanetwork.com/news/story/538675/news/metro/naia-personnel-in-laglag-bala-extort-modus-suspended#sthash.PbdShiAe.dpuf>,

<sup>3</sup> <http://www.mindanews.com/top-stories/2015/10/30/plane-passenger-in-davao-nabbed-for-bringing-live-ammo/>

<sup>4</sup> <http://dzrd981.sonshineradio.com/2015/10/laglag-bala-sa-airport-malaki-umano-anq-epekto-sa-industriya-ng-turismo/>

**WHEREAS**, while a huge majority of NAIA employees are dedicated and doing their jobs, actions of the corrupt minority and inaction of the accountable government officials of the NAIA leadership puts all NAIA public officers in a bad light;

**WHEREAS**, our OFWs, foreign and local travelers continuously suffer other problems while in our airports such as poor air-conditioning, poorly maintained restrooms, inadequate WI-FI provision and chairs, insufficient baggage trolleys and number and variety of food concessionaires, congestion, and the hassle and anxiety by the integration of the P550 terminal fee in the purchase of airline tickets;<sup>5</sup>

**WHEREAS**, we acknowledge their hardships by calling them "modern-day heroes". And yet, we do not give these heroes the treatment that they deserve. Despite having agencies to protect them, numerous problems and challenges confront OFWs and their families -- illegal recruitment; employer abuse; inadequate benefits; inefficient and ineffective delivery of services; repetitive processes and redundant requirement for obtaining an overseas employment certificate (OEC); reported shutdown of remittance firms in developed countries; and the recent Bureau of Customs' and Philippine Postal Service's directives to conduct random inspection of *balikbayan* boxes;

**WHEREAS**, the absence of a single agency to address foreign employment concerns has made it difficult for the government to focus on the needs and demands of OFWs. Hence, there is a pressing need to prioritize the creation of an agency that would manage, harmonize, and strengthen existing policies and programs to address the needs and protect Overseas Filipino Workers;

**NOW, THEREFORE, BE IT RESOLVED**, to direct the appropriate Senate Committee to conduct an inquiry in aid of legislation on the incidents of "Lag-Lag Bala" *modus operandi* in Philippine airports, with the end in view of instituting the immediate disciplinary action of suspension or dismissal after investigation, filing criminal and administrative charges against the responsible officials, instituting real change in the state of security in Philippine airports, and protecting OFWs and other Filipino and foreign travellers from any and all instances of extortion, inefficiency, and graft and corrupt practices in our Philippine airport system.

**RESOLVED, FURTHER**, that the OTS high ranking officials immediately conduct an investigation on the alleged incidents and submit its report of the investigation to the Senate within fifteen (15) days from notice of this Resolution;

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<sup>5</sup> [http://www.philstar.com/opinion/2014/10/22/1383009/philippines-airport-woes;](http://www.philstar.com/opinion/2014/10/22/1383009/philippines-airport-woes)  
<http://www.mb.com.ph/airport-woes/>

**RESOLVED, FINALLY,** that the OTS submit a report to the Senate on measures needed in order to improve airport security and to protect travellers to and from the Philippines.

*Adopted,*



**ALAN PETER "COMPAÑERO" S. CAYETANO**  
*Senator*