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SENATE
P.S. Resolution No. 260

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Introduced by: Senator Paolo Benigno "Bam" A. Aquino IV

RESOLUTION

***DIRECTING THE APPROPRIATE SENATE COMMITTEES TO CONDUCT AN INQUIRY,
IN AID OF LEGISLATION, INTO THE PROPER PROCEDURE OF DEPORTATION
OF FOREIGN NATIONALS WHO ATTEND OR PARTICIPATE IN POLITICAL RALLIES
IN ORDER TO PROTECT THE RIGHT OF FOREIGNERS TO FREEDOM OF EXPRESSION***

Whereas, based on international law, sovereign states shall recognize the application of basic human rights within their jurisdiction. However, international law does not impose a duty upon the states to liberally allow immigrants within their territories without any limitations. As sovereign states, nations have the right to decide who will be allowed to enter their territory or remain in the country and under what conditions;

Whereas, the Bureau of Immigration (BI) warned foreign tourist visa holders against joining rallies and other mass actions. In its official statement, the BI reiterated that tourist visa holders taking part in these rallies may face deportation for violating Philippine immigration laws. The BI further stated that foreigners have no business joining these rallies, as it is an act violating the conditions of their stay as tourists;

Whereas, under Commonwealth Act No. 613 otherwise known as "The Philippine Immigration Law of 1940", any alien who believes in, advises, advocates or teaches the overthrow by force and violence of the Government of the Philippines, or of constituted law and authority or who disbelieves in or is opposed to organized government shall be arrested upon the warrant of arrest of the Commissioner of Immigration and deported upon the warrant of the Commissioner of Immigration after a determination by the Board of Commissioners of the existence of the ground for deportation as charged against the alien

Whereas, immigration officials detained a Canadian student who had been placed on the BI watch list for joining the protest during the State of the Nation Address (SONA) of the President of the Philippines. Said student was allowed to leave after the Bureau issued a voluntary deportation and release order. Meanwhile, another Dutch national activist who also participated in a SONA rally was also arrested by immigration officers at the international airport in Manila and was later on detained by the BI. He was asked to get a clearance from the National Bureau of Investigation (NBI) before he can leave the country;

Whereas, there is a need to review the procedure on the deportation of foreign nationals in order to protect the basic universal human right of freedom of speech and expression, and of the constitutional right of the people to peaceably assemble and petition the Government for redress of grievances, while balancing the right of the State to protect its own sovereignty and national interest.

NOW, THEREFORE, BE IT RESOLVED, as it is hereby resolved to direct the appropriate Senate Committees to conduct an inquiry, in aid of legislation, into the proper procedure of deportation of foreign nationals who attend or participate in political rallies in order to protect the right of foreigners to freedom of expression.

Adopted,

Baron