

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



Senate
Office of the Secretary

'13 SEP 17 P3:56

SENATE
S. No. 1700

RECEIVED BY: *ji*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 2, Section 5 provides:

The maintenance of peace and order, the protection of life, liberty and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy.

Our people are more concerned about illegal drugs and crimes associated with such use than any other current social problem. Illegal drug use is harmful and wrong. Illegal drug use can kill the individuals involved or cause the individuals to hurt or kill others, and such use strips the individuals of their moral sense and with it, everything in life that is important and worthwhile.

The purpose of this bill is to reduce the supply of drugs by stopping illegal drugs from entering the Philippines.*

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
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* This bill was re-filed during the Thirteenth Congress, First Regular Session.



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SENATE
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1 AN ACT

2 SECURING THE PHILIPPINE'S BORDERS TO MAKE MORE EFFECTIVE THE
3 PROHIBITION AGAINST THE ENTRY OF ILLEGAL DRUGS INTO THE COUNTRY

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

4 SECTION 1. *Short Title.* – This Act shall be known as the “Drug-Free Philippines Act.”

5 SECTION 2. *Increased Resources for Interdiction.* –

6 (A) *Customs.* – In addition to other amounts appropriated for the Bureau of Customs
7 for a fiscal year, there is authorized to be appropriated Fifteen Million Pesos (P15,000,000.00)
8 for each of the three (3) succeeding fiscal years following the passage of this Act to be used to
9 monitor border ports of entry to stop the flow of illegal drugs into the Philippines, of which not
10 less than 20 percent of such funds shall be used to provide assistance to local law enforcement
11 entities.

12 (B) *Coast Guard.* – In addition to other amounts appropriated for the Philippine Coast
13 Guard for a fiscal year, there is authorized to be appropriated, Ten Million Pesos
14 (P10,000,000.00) for each of the three (3) succeeding fiscal years following the passage of this
15 Act to be used to expand activities to stop the flow of illegal drugs into the Philippines.

16 (C) *Department of National Defense.* – In addition to other amounts appropriated for
17 the Department of National Defense for a fiscal year, there is authorized to be appropriated,
18 Thirty Million Pesos (P30,000,000.00) for each of the three (3) succeeding fiscal years following
19 the passage of this Act to be used to expand activities to stop the flow of illegal drugs into the
20 Philippines, of which not less than 20 percent (20%) of such funds shall be used to provide
21 assistance to local law enforcement entities.

1 SECTION 3. *Felony Punishment for Violence Committed Along Philippine Border.* –
2 Violence while eluding inspection or during violation of arrival, reporting, entry or clearance
3 requirements—

4 (A) *In General.* – Whoever attempts to commit or commits a crime of violence during
5 and in relation to—

6 (1) Attempting to elude or elude customs, immigration, or agriculture inspection
7 or failing to stop at the command of an officer of customs, immigration or
8 animal and plant and health inspection services; or

9 (2) An intentional violation of arrival, reporting, entry, or clearance requirements,
10 as set forth in appropriate laws;

11 shall be fined under this Act or imprisoned for not more than five (5) years, or both, except that if
12 bodily injury results, the maximum term of imprisonment is ten (10) years, and if death results,
13 the offender may be imprisoned for any term of years or for life, in accordance with the pertinent
14 provisions of the Revised Penal Code and other special laws.

15 (B) *Conspiracy.* – If two (2) or more persons conspire to commit an offense under
16 subsection (A), and 1 or more of such persons do any act to effect the object of the conspiracy,
17 each shall be punishable as a principal.

18 SECTION 4. *Border Patrol Pursuit Policy.* – A Philippine Coast Guard may not cease
19 pursuit of an alien who the agent suspects has unlawfully entered the Philippines, or an
20 individual whom the agent suspects has unlawfully imported a narcotic into the Philippines, until
21 local law enforcement authorities are in pursuit of the alien or individual and have the alien or
22 individual in their visual range.

23 SECTION 5. *Separability Clause.* – If any provision or part thereof is held invalid or
24 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
25 valid and subsisting.

1 SECTION 6. *Repealing Clause.* – Any law, presidential decree or issuance, executive
2 order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent
3 with the provisions of this Act is hereby repealed, modified, or amended accordingly.

4 SECTION 7. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
5 publication in at least two (2) newspapers of general circulation.

Approved,