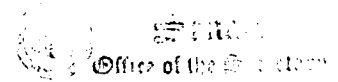


**NINETEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES**  
*Second Regular Session*



23 AUG 30 P3:00

**SENATE**

RECEIVED BY

**P. S. Res. No. 771**

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**Introduced by Senator Jinggoy Ejercito Estrada**

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**RESOLUTION**

**DIRECTING THE APPROPRIATE SENATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE TIGHTER RULES ISSUED BY THE INTER-AGENCY COUNCIL AGAINST TRAFFICKING (IACAT) FOR FILIPINO PASSENGERS TRAVELING OVERSEAS AMID CRITICISMS THAT THE MODIFIED RULES POTENTIALLY VIOLATE FILIPINOS' FREEDOM OF MOVEMENT AND RIGHT TO TRAVEL**

WHEREAS, the 1987 Philippine Constitution is explicit in its declaration in safeguarding Filipino citizens' fundamental freedom of movement, specifically in Article III, Section 6 which states that, "The liberty of abode and of changing the same within the limits prescribed by law shall not be impaired except upon lawful order of the court. Neither shall the right to travel be impaired except in the interest of national security, public safety or public health, as may be provided by law";

WHEREAS, the Inter-Agency Council Against Trafficking (IACAT) issued the 2023 Revised Guidelines on Departure Formalities for International-Bound Filipino Passengers, which will take effect on September 3, to supposedly protect suspected victims from being trafficked abroad;

WHEREAS, IACAT said that in addition to basic travel documents — valid passports, appropriate visas, boarding passes, roundtrip tickets if needed — immigration officers may require tourists to answer more questions and ask for other supporting documents such as confirmed return or roundtrip ticket, hotel booking, financial capacity or source of income consistent with the passenger's declared purpose of travel, and proof of employment and other equivalent documents;

WHEREAS, OFWs traveling to other countries apart from the Philippines while

they are on vacation will be treated as tourists if they plan to come back to the Philippines before returning to their host countries. If the OFW is touring in another country, and then going straight to their jobs in their host country, they must present an Overseas Employment Certificate (OEC);

WHEREAS, an OFW will be endorsed to the DMW-MWAAC for further inspection if there are issues with the worker's OEC, or the OFW has incomplete or questionable documents;

WHEREAS, the 2023 Revised Inter-Agency Council Against Trafficking (IACAT) Guidelines on Departure Formalities for International-Bound Filipino passengers enumerated the various documentary requirements for other passengers;

WHEREAS, the said IACAT Guidelines also defined the scenarios where travel will require Department of Social Welfare and Development (DSWD) Certificates of Clearance or Exemption;

WHEREAS, further, the said IACAT Guidelines enumerated the required documents from other categories of passengers;

WHEREAS, travelers and critics blasted the stricter pre-departure rules, saying these would not only unduly burden them with additional bureaucratic requirements before going abroad but also potentially impinge on their right to travel which is regarded as integral to personal liberty;

WHEREAS, the new travel rules makes passengers—even after getting their boarding passes—a potential person of interest or a suspect of trafficking if they do not produce the required documents;

WHEREAS, law professor and former law dean Atty. Mel Sta. Maria pointed out that the provision on traveling minors if the parents are not married and the minor is traveling with the biological father who has the sole parental authority or legal custody of the minor is patently absurd, "dangerous" and runs contrary to law;

WHEREAS, social media sites were bursting with experiences shared by first-time travelers and even frequent outbound passengers telling their stories of delays and offloading, usually at the hands of Immigration officers who hold them for hours without even a single question that result in offloading, in an apparent show of lack of compassion for citizens and anathema to the country's quest for good public services and tourism;

WHEREAS, the tougher guidelines could result in far-reaching implications and may give Immigration officials blanket authority to intensively interrogate and hold travelers for hours, thereby unduly interfering with Filipinos' right to travel;

WHEREAS, the right to travel is a constitutional right and possible restrictions on such right in the guise of stricter pre-departure guidelines which act as a watchlist against outbound Filipino travelers wanting to travel in the whims of Immigration officers may be illegal and should be thoroughly reviewed;

WHEREAS, a 45-second screening time per passenger had been promised by the Immigration bureau but in reality, there are long queues in Immigration counters particularly in Manila's gateways because passengers were asked to submit their yearbook, bank statements and family photos, among other ridiculous requirements which are highly irrelevant to their travel;

WHEREAS, it is important to note that a special trend worldwide is being practiced in which immigration checks are loosened to revive the once vibrant travel and tourism industry, which has been greatly devastated by movement restrictions due to the pandemic;

WHEREAS, Immigration checks in other countries are usually seamless as they only ask passengers what are their destination, but it is a stark contrast in the Philippines where the bureaucracy gets in the way and causes additional stress and anxiety among passengers;

WHEREAS, now that tourism is starting to pick-up and citizens are excited to travel after reaching the end of the pandemic, here comes the new Philippine immigration guidelines which, in effect, cause so much stress to travelers who have booked and prepared in advance using their hard-earned money;

WHEREAS, as the Philippine government bids to be an essential travel destination in the world because of its pristine waters and highly attractive tourist spots, what authorities should focus on are airport delays, long queues and a dire lack of employees in immigration counters—longstanding problems that have beset the airport pre-departure area for decades;

NOW, THEREFORE BE IT RESOLVED, as it is hereby resolved by the Senate, to direct the appropriate Senate Committees to conduct an investigation, in aid of legislation, into the tighter rules issued by the Inter-Agency Council Against Trafficking

(IACAT) for Filipino passengers traveling overseas amid criticisms that the modified rules potentially violate the Filipinos' freedom of movement and right to travel.

*Adopted,*



**JINGGOY EJERCITO ESTRADA**