

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Twentieth Congress
First Regular Session

HOUSE BILL NO. 53



Introduced by **Representative RAYMOND ADRIAN SALCEDA**

AN ACT
PROTECTING THE RIGHT TO TRAVEL OF FILIPINO CITIZENS BY
INSTITUTING RIGHTS-BASED SAFEGUARDS IN OUTBOUND IMMIGRATION
PROCEDURES, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The right to travel is a fundamental liberty guaranteed by Article III, Section 6 of the 1987 Constitution. It is essential to the dignity, autonomy, and livelihood of millions of Filipinos – especially those seeking employment abroad, visiting family, or pursuing opportunities beyond our shores.

Yet, in practice, many Filipinos are denied this right at the last minute, at airport immigration counters, often based on vague suspicion or discretionary assessments. Offloading – though originally intended to protect against trafficking and illegal recruitment – has devolved into a system that punishes the innocent while failing to meaningfully deter organized criminal operations.

Ordinary travelers with valid documents are subjected to invasive questioning, economic profiling, and even humiliation – while sophisticated trafficking syndicates evolve faster than frontline protocols. The result is a system that burdens law-abiding citizens and drains public trust without significantly enhancing public safety.

This bill seeks to reaffirm the right to travel by institutionalizing clear, lawful, and transparent grounds for denying departure, while ensuring that immigration officers operate within objective standards of accountability. It mandates risk-based, intelligence-driven screening – not profiling or guesswork. It guarantees every Filipino the right to know why they are being offloaded, and the right to a timely appeal.

Importantly, the measure allows the Bureau of Immigration to reallocate its limited resources away from indiscriminate questioning of outbound travelers and toward the more urgent task of intercepting illegal aliens, identifying overstaying foreign nationals, and disrupting transnational criminal networks operating within our borders.

Border security is a serious responsibility—but it must not come at the cost of violating the rights of the very people it is supposed to protect.

In view of the foregoing, the immediate approval of this measure is earnestly sought.



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

SECTION 1. *Short Title.* – This Act shall be known as the “Filipino Travelers’ Rights Act.”

SEC. 2. *Declaration of Policy.* – It is the policy of the State to uphold the constitutional right of Filipino citizens to travel, as guaranteed under Section 6, Article III of the 1987 Constitution. The State shall ensure that outbound immigration procedures are clear, fair, and free from arbitrary or discriminatory implementation, while remaining consistent with national security, anti-trafficking, and law enforcement objectives. In formulating and enforcing outbound travel protocols, the State shall draw upon international best practices among similarly situated countries that ensure the right to travel is regulated through institutional coordination, legal safeguards, and data-driven risk assessment rather than arbitrary discretion.

SEC. 3. *Grounds for Denial of Departure.* – No Filipino citizen shall be prevented from departing the country unless there exists a lawful and clearly established ground to do so. These grounds shall be limited to the following:

(a) A Hold Departure Order, Watchlist Order, or Precautionary Hold Departure Order issued by a court of competent jurisdiction;

(b) A verified inclusion in an Inter-Agency Council Against Trafficking (IACAT)-endorsed list of persons under active investigation for human trafficking or related transnational crimes, supported by intelligence or case referral;

(c) A pending criminal case in the Philippines with an active warrant of arrest; and

(d) A formal referral from an appropriate government agency pursuant to anti-trafficking, child protection, or national security protocols, subject to the safeguards in Sections 4 and 5 of this Act.

No person shall be denied departure solely on the basis of discretion, profile, or suspicion, without a documented and verifiable basis in accordance with this section.

SEC. 4. *International Best Practices in Implementation.* – In implementing the provisions of this Act, the Bureau of Immigration and relevant agencies shall take into account international norms and practices adopted by countries with comparable development status, particularly in Southeast and South Asia. These include:

(a) Reliance on inter-agency coordination and referral mechanisms instead of discretionary interviews;

(b) The presumption of good faith in the absence of specific legal or intelligence-based indicators of trafficking or fraud;

(c) Maintenance of transparent documentation and public information campaigns on departure procedures and rights; and

(d) The avoidance of socioeconomic, gender-based, or occupational profiling as grounds for heightened scrutiny or denial of departure.

The Department of Justice shall incorporate these standards into the implementing rules and regulations of this Act.

SEC. 5. *Risk-Based Screening Protocols.* – The Bureau of Immigration shall adopt standardized, intelligence-driven risk profiling procedures developed in consultation with IACAT, the Department of Foreign Affairs, the Department of Justice, and civil society stakeholders. Screening protocols shall not be based solely on gender, age, financial status, travel history, or occupation.

SEC. 6. *Documentation of Offloading Decisions.* – All instances of denial of departure shall be documented in writing, with the specific legal or factual basis indicated. Affected individuals shall be given a copy of the denial slip and advised of their right to appeal.

SEC. 7. *Right to Administrative Review.* – A traveler who is denied departure shall have the right to file an appeal before a special administrative review board to be created by the Department of Justice, which shall resolve the case within ten (10) working days from filing.

SEC. 8. *Public Transparency.* – The Bureau of Immigration, in coordination with the Department of Tourism and the Department of Foreign Affairs, shall publish and update outbound travel requirements on its official website and through airport advisories. No travel requirement may be imposed unless publicly posted at least thirty (30) days in advance.

SEC. 9. *Training and Human Rights Orientation.* – Immigration officers assigned to departure areas shall undergo periodic training on human rights, gender sensitivity, and anti-trafficking procedures. The Commission on Human Rights and the Civil Service Commission shall assist in designing these modules.

SEC. 10. *Penalties.* – Any immigration officer who violates this Act shall, after due process, be subject to the following administrative sanctions, depending on the gravity of the offense:

(a) For simple abuse of authority – such as unjustified offloading or departure denial without lawful or factual basis – the penalty shall be suspension without pay for a period of thirty (30) to ninety (90) days for the first offense; and dismissal from service for the second offense; and

(b) For gross misconduct or repeated violations, including falsification of records or abuse of power involving multiple travelers, the penalty shall be immediate dismissal from service, without prejudice to the filing of civil, criminal, or administrative charges under existing laws.

The Bureau of Immigration shall maintain a formal record of all complaints filed under this Act, including their resolution status, for purposes of performance review and institutional accountability.

SEC. 11. *Implementing Rules and Regulations.* – Within sixty (60) days from the effectivity of this Act, the Department of Justice shall, in coordination with the Bureau of Immigration, IACAT, the Department of Foreign Affairs, the Department of Labor and Employment, and other relevant agencies, promulgate the necessary implementing rules and regulations.

SEC. 12. *Separability Clause.* – If any portion or provision of this Act is declared invalid or unconstitutional, other provisions hereof shall remain in full force and effect.

SEC. 13. *Repealing Clause.* – All laws, decrees, orders, rules, and regulations or other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 14. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,