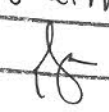


Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

SEVENTEENTH CONGRESS  
First Regular Session

HOUSE BILL No. 1982

HOUSE OF REPRESENTATIVES	
<b>RECEIVED</b>	
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Introduced by Representatives HORACIO P. SUANSING, JR.  
and ESTRELLITA B. SUANSING

**AN ACT  
SECURING THE PHILIPPINES' BORDERS  
TO MAKE MORE EFFECTIVE THE PROHIBITION  
AGAINST THE ENTRY OF ILLEGAL DRUGS  
INTO THE COUNTRY**

**EXPLANATORY NOTE**

From a broad perspective, illegal drugs such as but not limited to heroin, cocaine, shabu (methamphetamine) and ecstasy should be condemned as evil-like because they destroy the social and economic sides of the abuser. Worse, the social impact can even extend to one's family, health, education and even employment resulting in the complete loss of his/her moral sense.

Further, crime and drugs are related in several ways<sup>1</sup>, none of them simple. First, illicit production, manufacture, distribution and possession of drugs constitute as criminal acts. Second, drugs may be used to make money with intention to commit money-laundering; and third, drugs may be closely linked to other serious problems such as illegal use of guns, various forms of violence and terrorism.


We must never forget the principle enshrined by the 1987 Philippine Constitution, to wit:

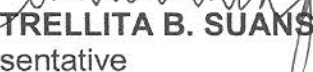
*"Article II. Declaration of Principles and State Policies.*

*"SECTION 5. 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."*

In light of the foregoing, the resources of government agencies such as the Department of National Defense, Bureau of Customs and Coast Guard should be increased to better formulate policies that will augment existing ones aimed at preventing the flow of illegal drugs in the country. The more stringent monitoring of our border *ports-of-entry* is included in the perspective.

As such, immediate passage of this bill is earnestly sought.

  
**HON. HORACIO P. SUANSING, JR.**  
Representative  
2<sup>nd</sup> District of Sultan Kudarat

  
**HON. ESTRELLITA B. SUANSING**  
Representative  
1<sup>st</sup> District of Nueva Ecija

<sup>1</sup> United Nations International Drug Control Programme, *The Social Impact of Drug Abuse* (www.unodc.org)

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and ESTRELLITA B. SUANSING

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AN ACT  
SECURING THE PHILIPPINES' BORDERS  
TO MAKE MORE EFFECTIVE THE PROHIBITION  
AGAINST THE ENTRY OF ILLEGAL DRUGS  
INTO THE COUNTRY

*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 "Drug-Free Borders Act."

SECTION 2. *Increased Resources for Interdiction.* --

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

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

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

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

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

- (1) Attempting to elude or elude customs, immigration, or agriculture inspection or failing to stop at the command of an officer of customs, immigration or animal and plant and health inspection services; or
- (2) An intentional violation of arrival, reporting, entry, or clearance requirements, as set forth in appropriate laws;

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

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

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

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

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

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

Approved,