Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1681

Introduced by Honorable Nerissa Corazon Soon-Ruiz

EXPLANATORY NOTE

We, Filipinos are known all over the world for hospitality and warmth in dealing with our foreign visitors. Coupled with our bountiful natural wonders and tourist destinations, we have attracted a good number of foreign tourists to visit our country, giving vigor to our tourism industry, providing income to our people and additional revenues to the government.

However, with the passage of time, we have seen a dramatic decline in the number of tourist arrivals into the country due to deteriorating peace and order situation. Not too long ago, the Philippines was at the limelight of international scorn against terrorism and kidnapping with the infamous Sipadan kidnapping incident and more recently, the dos Palmas raid perpetrated by the same band of ruthless bandits.

Every now and then, helpless foreign tourists are victimized by criminal elements in our society and these incidents are often magnified in local and international media. Many fall prey to thieves, snatchers, robbers, kidnappers and murderers. Foreigners have become favorite targets of home-grown criminals due to their unfamiliarity with the place, our laws, customs and the appropriate government agency where to seek help and protection.

All these have brought a lot of negative publicity to the country and its people. The Philippines has now become famous being the land of the Abu Sayaff, Ativan Gang and other criminal groups preying on defenseless foreigners.

Government must act with dispatch to arrest this problem. We must protect and promote our tourism industry which forms a vital part our economy. More importantly, it is our obligation to provide security to everybody especially foreign nationals while they are within our jurisdiction to avoid international embarrassment.

It is now high time that we enact a law that would discourage criminals from victimizing foreigners whose unfamiliarity with our place, laws, customs

and government agencies place them at a disadvantage in defending themselves from these criminal elements. Hence, it is urgent that we pass a bill declaring the foreign nationality of the victim as an aggravating circumstance in crimes against persons, property and liberty committed by Filipino citizens against foreign nationals, if only to discourage the former from taking advantage of the latter's vulnerability while staying in a place not their home.

With the necessity to grant special protection to foreign nationals residing or sojourning in the Philippines, however, should come a greater sense of responsibility and restraint on their part while they are subject to our jurisdiction. Conversely, their foreign nationality shall also be appreciated as an aggravating circumstance in case they commit crimes against Filipinos here in our own territory.

Foreigners who commit crimes against Filipino citizens despite all the handicaps discussed above show the moral depravity in their character. If they can commit a crime against our people within our own territory, there's no reason that we grant them special protection while they are here in our country, hence, the necessity of this reciprocity rule in this Act.

Discouraging criminals to victimize foreign nationals is only an aspect of our drive against criminality and maintaining an environment conducive not only to tourism and trade but also as home and destination to Filipinos and foreign nationals who chose to live and discover the wonders in this part of the globe. Its significance, however, cannot just be understated.

In view hereof, support and approval of this bill is earnestly sought.

NERISSA CORAZON SOON-RUIZ, M.D.
Representative
6th District, Cebu

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AN ACT DECLARING THE FOREIGN NATIONALITY OF THE VICTIM OR OF THE OFFENDER AS AN AGGRAVATING CIRCUMSTANCE IN CRIMES COMMITTED BY FILIPINO CITIZENS AGAINST FOREIGN NATIONALS AND VICE-VERSA

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

SECTION 1. The foreign nationality of the victim in crimes committed by Filipino citizens against foreign nationals; or of the offender in crimes committed by foreign nationals against Filipino citizens shall be appreciated as an aggravating circumstance in the application of penalties.

SECTION 2. The provisions of this Act shall be applicable on crimes against persons; personal liberty and security; and property and to principals, accomplices and accessories alike in the commission of the offense.

SECTION 3. Nothing in this Act however shall prevent the appreciation of justifying, exempting, mitigating and other aggravating circumstances in the application of penalties for crimes.

SECTION 4. All laws, decrees, acts, rules and regulations or parts whereof which are inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 5. This Act shall take effect after fifteen days following the completion of its publication in the Official Gazette and at least two (2) newspapers of general circulation in the Philippines.

Approved.