

By The President Of The Philippines

EXECUTIVE ORDER NO. 265

DEFINING THE APPROACH AND INSTITUTIONAL MECHANISM FOR THE GOVERNMENT'S COMPREHENSIVE PROGRAM ON COMBATING TRANSNATIONAL CRIME

WHEREAS, the globalization of the world's economies and advances in information technology have significantly contributed to the growing sophistication of transnational crimes and their continuing threat to our nation's political, economic and socio-cultural stability and security;

WHEREAS, the United Nations Convention against Transnational Organized Crime, which the Philippines signed on 14 December 2000 and ratified on 28 May 2002 encourages the formulation of coordinated national policy, legislative, administrative, and law enforcement approaches to prevent and combat transnational crime more effectively;

WHEREAS, the ASEAN Declaration on Transnational Organized Crime and its implementing instruments, the ASEAN Plan of Action to Combat Transnational Organized Crime and its Work Programme, call on all Member-States of the ASEAN to solidify governmental efforts in areas of information exchange, training, legislation, law enforcement, institution-building, and extra-regional cooperation;

WHEREAS, to address the range of transnational crimes affecting our country, Executive Order No. 62 was issued on 15 January 1999 creating the Philippine Center on Transnational Crime to formulate and implement a concerted program of action of all law enforcement intelligence and other agencies for the prevention and control of transnational crime;

WHEREAS, current realities demand a comprehensive, focused concerted and synchronized effort which should be orchestrated at the highest echelons of policy and decision-making, not only to underscore the importance of combating transnational crime in establishing and sustaining our Strong Republic, but also to ensure proper guidelines for the various instrumentalities of government which have different mandates in dealing with transnational crime;

WHEREAS, given the nature and extent of transnational crime, the establishment of an oversight body is necessary to provide the critical link between and among local, national, regional and international agencies and



PGMA Hologram # 24002



organizations in forging agreements, concretizing cooperation and harmonizing action;

WHEREAS, under Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987, the President has the continuing authority to reorganize the administrative structure of the Office of the President.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Principles. – The approach to combating transnational crime shall be governed by the following principles:

- a. A comprehensive approach to combating transnational crime shall cover money laundering and other financial crimes, trafficking in persons, piracy and armed robbery against ships, illicit trade in small arms and light weapons, illegal trafficking of drugs and psychotropic substances, fraud, cyberspace crime, intellectual property rights violations, smuggling, and other crimes that have an impact on the country's stability and security.
- b. A comprehensive approach to combating transnational crime strictly adheres to the doctrine of the rule of law. All agencies involved in the campaign against transnational crime shall enforce the law without fear or favor, and at the same time accord full respect to the constitutional rights of those suspected or accused of transgressing the law.
- c. A comprehensive approach to combating transnational crime systematically orchestrates the convergence of local agency efforts. The nature and dynamics of transnational crime require a multi-faceted response system that necessarily involves offices and units under different departments or agencies of government. Thus, these entities shall, in the exercise of their specific mandates on certain transnational crimes, regularly consult and coordinate with one another in order to focus and synchronize actions, resources and interventions.
- d. A comprehensive approach to combating transnational crime actively engages community participation at the grassroots level. The most effective hindrance to criminality is a vigilant citizenry. Therefore, all agencies involved in the campaign against transnational crime shall



PGMA Hologram # 24003



endeavor to educate and empower communities as information networks, anti-crime advocates, and force multipliers.

- e. A comprehensive approach to combating transnational crime vigorously pursues mutual assistance and cooperation among regional and international partners. As a member of the community of nations, the Philippines shall support all regional and international agreements on transnational crime to which it is a signatory, and proactively seek other forms of bilateral or multilateral cooperation. In this light, all instrumentalities of government that are concerned with transnational crime shall align their programs and projects with the provisions of such agreements.

SECTION 2. Components. – The Comprehensive Program on Combating Transnational Crime shall henceforth include, but shall not be limited to, the following components:

- a. Strengthening information and intelligence gathering. – This component shall include the establishment of a central shared database on national and international laws on transnational crime, case files, profiles of groups and personalities engaged in transnational crime, and other related information that will assist in the prevention and detection of transnational crime and the apprehension and prosecution of persons engaged in transnational crime.
- b. Strategic research. – This component shall involve the conduct of studies on the structure and dynamics of transnational crime in all its forms and assessments of the vulnerability of certain areas and sectors of transnational crime, towards the formulation of more effective strategies, policies and legislations against such crimes.
- c. Intensifying law enforcement operation. – This component shall include the development and adoption of synergistic implementation plans and operating procedures among various law enforcement agencies that address both the supply and demand side of any transnational crime.
- d. Capacity-building and empowerment for major stakeholders. – This component shall involve the design and implementation of training and other programs to enhance the capacity of law enforcement agencies, local government units, non-government organizations, civil society groups and community leaders in combating transnational crime and their consequences.



GMA Hologram # 24004



- e. Reinforcing regional and international cooperation. – This components shall include providing technical assistance and information exchanges, participation in regional and international fora on transnational crime, forging of agreements, and other similar activities to address more effectively the various aspects of crimes having a regional or international dimension.

SECTION 3. *Institutional Mechanism.* – The institutional mechanism for implementing the Program shall be:

- a. The Presidency. – The President shall provide the active leadership in the campaign against transnational crimes.
- b. Special Envoy on Transnational Crime. – The Special Envoy on Transnational Crime (SETC) shall be mandated to set policy directions and program design standards. He shall advise the President on all matters regarding the transnational crime. He shall represent the Philippine government in regional and international for a that deal with transnational crime. He shall serve as the focal point for coordinating, integrating and evaluating the efforts of law enforcement & other government agencies involved in the campaign against transnational crime. He shall be appointed by the President and shall have the rank and remuneration of an Ambassador Extraordinary and Plenipotentiary.
- c. Transnational Crime Councils and Boards. – The various Councils and Boards created under existing laws to address specific transnational crimes, such as the Anti-Money Laundering Council, Anti-Trafficking Council, Dangerous Drugs Board and other similar agencies that may be created by legislation or executive fiat, shall continue to perform their functions in the campaign against the specific transnational crimes as mandated but must work closely with the SETC to harmonize and integrate all government efforts against transnational crime. A periodic report of the Councils and Boards shall be submitted to the President through the SETC.
- d. Secretariat. – In addition to its mandated functions, the Philippine Center on Transnational Crime (PCTC) shall also provide technical, operational and administrative support also to the SETC. The PCTC shall continue to be headed by an Executive Director.

SECTION 4. *Funding.* – The budget of the SETC shall be sourced from available funds as may be identified by the Secretary of Budget and



Management. The Office of the SETC and the PCTC's total annual appropriations for the succeeding years shall be incorporated in the budget proposal of the Office of the President.

SECTION 5. Agency Support. – The SETC is authorized to call on all departments, agencies and instrumentalities of the government, including government-owned or controlled corporations, to actively assist in the effective and efficient implementation of the Comprehensive Program on Combating Transnational Crime. Such authority also covers agencies, councils or boards mentioned in Section 3(c) hereof.

SECTION 6. Repeal. – All orders, rules, regulations and issuances, or parts thereof, which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 7. Effectivity. This Executive Order shall take effect immediately.

City of Manila, **JAN 23 2004**

Gloria Arroyo



By the President:

Alberto G. Romulo

ALBERTO G. ROMULO
Executive Secretary



PGMA Hologram # **24006**