

[EXECUTIVE ORDER NO. 265, January 23, 2004]

**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 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 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