

PHILIPPINE EMBASSY LAUDS DOJ ADVISORY ON DRUG MULES

16 June 2011 – The Philippine Embassy in Mexico welcomed the issuance by the Department of Justice (DOJ) of an advisory opinion on illegal drug couriers.

Inline with the earlier call of the Department of Foreign Affairs (DFA) for a comprehensive, coordinated campaign against illegal drug smuggling syndicates, the Embassy stated that the advisory is most helpful in the Philippine Government's information and awareness campaign on drug smuggling and the victimization of Filipinos as drug couriers.

Justice Secretary Leila de Lima stated that the advisory opinion, which was issued on April 29, "seeks to explain to the public the issues surrounding the recruitment, arrest, detention and conviction in foreign countries of Filipinos who are caught transporting illegal drugs."

The advisory opinion outlined 10 recommended points for the Filipino public. These are the following:

- Carry at your own risk
- Knowledge is immaterial and intent is not a requirement in drug trafficking.
- Be vigilant of the modus operandi of drug courier syndicates
- In the unfortunate event of arrest or detention for drug trafficking, have presence of mind and do not resist arrest
- Assert your legal rights, inquire on the legal remedies and request for consular assistance
- Presumption of innocence will always apply
- The laws of country of arrest apply
- If sentenced, the government can only be of limited assistance
- "Blood money" cannot be paid to erase the liability of a person convicted of a crime involving illegal drugs
- Take full responsibility of your actions

Secretary de Lima said that it is not a valid legal defense that the carrier of a package did not know it contains illegal drugs or that he had no intention to commit a crime.

Therefore, she advised Filipinos to be always on-guard when dealing with strangers and when dealing with request for carrying of packages.

Secretary de Lima also stated that the Philippine Government can only offer limited assistance to arrested persons. She said that the government cannot interfere in the internal affairs of the countries.

"The best the government can do for you is to assist in protecting your rights and arranging your legal defense. Outside of this, the government cannot insist that you be given a different treatment than that which the laws of other countries provide," said Secretary de Lima.

The DFA has called for personal vigilance and responsibility on the part of Filipinos who travel overseas. They should not agree to carry any packages or luggage for strangers, even supposed friends or employers, or consent to carry packages in exchange for money. Our people can take fuller responsibility for their actions by always being on guard such inducements.