



Senate  
Office of the Secretary

SEVENTEENTH CONGRESS OF THE REPUBLIC  
OF THE PHILIPPINES  
*Second Regular Session*

)  
} 17 JUL 17 AIO :22

SENATE  
P. S. Res. No. 425

RECEIVED BY: \_\_\_\_\_

---

Introduced by Senator Richard J. Gordon

---

**RESOLUTION**  
**DIRECTING THE SENATE COMMITTEE ON ACCOUNTABILITY OF PUBLIC OFFICERS AND INVESTIGATIONS (BLUE RIBBON) TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE P6.4 BILLION WORTH OF SHABU SHIPMENT FROM CHINA, ON THE POSSIBLE MALFEASANCE, MISFEASANCE, AND NONFEASANCE OF BUREAU OF CUSTOMS (BOC) OFFICIALS AND EMPLOYEES**

*WHEREAS*, on May 26, 2017, the Operatives from the Bureau of Custom's (BOC) Intelligence and Investigation Service, the National Bureau of Investigation's Anti-Organized Transnational Crime Division and the Philippine Drug Enforcement Agency raided a warehouse in Paso De Blas, Valenzuela and recovered 604 kilos of shabu, with a street value of P6.4 billion;

*WHEREAS*, the raid was conducted because of an intelligence report from China's customs authorities regarding the P6.4 billion shabu shipment, allegedly owned by importer EMT Trading;

*WHEREAS*, the contraband placed inside five metal insulators or cylindrical rollers used for printing presses went through the Bureau of Customs' express or green lane, meaning the shipment passed through without undergoing inspection or x-ray examination;

*WHEREAS*, it was reported that EMT Trading was granted an express lane privilege by the Bureau of Customs (BOC) despite reported questionable credentials;

*WHEREAS*, the entry of a P6.4 billion shabu shipment into the country undetected makes us ask whether there is a total failure of the Bureau of Customs' system, or whether there criminal culpability of the agency's officials and employees;

*WHEREAS*, the ease of entry of the P6.4 billion shabu shipment is either a result of negligence, reckless imprudence, lack of foresight or lack of skill (culpa) on the part of the Bureau of Customs, or due to deliberate intent (dolo) on the agency's officials and employees.

*WHEREAS*, the value of the said shabu shipment is so huge that it is practically equivalent to the cost of three (3) C-130 planes or to the total cost for one Barangay election;

*WHEREAS*, the Bureau of Customs' officials and employees are either doing something that is legally or morally wrong from the beginning (malfeasance), or committing a wrong by mistake, negligence or inadvertence but not by intentional wrongdoing (misfeasance), or there is a failure on their part to execute or perform an act or duty required by position/office or law that results in injury (nonfeasance);

*WHEREAS*, this incident is a clear challenge thrown by audacious people against the Customs Commissioner, who, in July of 2016 said, "If I cannot touch them legally, I will have to start shooting them one by one," referring to corrupt BOC personnel;

*WHEREAS*, there is a need to immediately investigate this matter to determine whether we need to enact possible measures to stem the continuing misfeasance, malfeasance and nonfeasance of government officials;

*NOW THEREFORE, BE IT RESOLVED BY THE SENATE*, to direct the Senate Committee on Accountability of Public Officers and Investigations (Blue Ribbon) to conduct an inquiry, in aid of legislation, into the P6.4 billion worth of shabu shipment from China, on the possible malfeasance, misfeasance, and nonfeasance of the Bureau of Customs (BOC) officials and employees

Adopted,



**RICHARD J. GORDON**