



Regional
Enforcement Network
in South Asia, North
Asia and Southeast
Asia

Info Sheet Basel, Rotterdam and Stockholm Conventions Philippines 2008



Compliance
Assistance
Programme

INTRODUCTION

The aim of this Country Information Sheet for the Basel, Rotterdam Stockholm Conventions is to facilitate the national and international cooperation on enforcement and allow countries to identify quickly

- relevant national laws, regulations and rules,
- the national institutional enforcement structure,
- the power of different enforcement authorities in enforcement and investigation and
- which agency to contact in specific situations where bilateral information exchange between enforcement agencies is needed.

NATIONAL LAW CONCERNING IMPORT AND EXPORT OF HAZARDOUS CHEMICALS AND WASTE

Designate in the table below the name and number of the national regulation concerning import and export of

- waste concerning the Basel Convention,
- hazardous chemicals concerning the Rotterdam Convention,
- Persistent Organic Pollutants concerning the Stockholm Convention.

Designate the date when the regulation entered into force. If needed, please add several rows.

National regulation concerning import and export of waste covered by the Basel Convention	Date when the regulation entered into force	Website to the regulation	Remarks
Republic Act (RA) 6969 Toxic Substances and Hazardous and Nuclear Wastes Control Act	1990	www.emb.gov.ph	
DAO 29, series of 1992	1992	www.emb.gov.ph	
DAO 28, series of 1994	1994	www.emb.gov.ph	
DAO 28, series of 1997	1997	www.emb.gov.ph	
DAO 27, series of 2004	2004	www.emb.gov.ph	
DAO 66, series of 2004	2004	www.emb.gov.ph	
National regulation concerning import and export of hazardous chemicals covered by the Rotterdam Convention	Date when the regulation entered into force	Website to the regulation	Remarks
RA 6969 (Toxic and Hazardous Waste Management Act)	1990	www.emb.gov.ph	
PD 1144: Fertilizer and Pesticide Authority (FPA)	May 30, 1977	www.fpa.da.gov.ph	
- DAO 1997-38: CCO for Mercury	December 23, 1997	www.emb.gov.ph	
- DAO 2000-02: CCO for Asbestos	January 6, 2000	www.emb.gov.ph	
- DAO 2004-01: Chemical Control Order (CCO) for PCB	February 16, 2004	www.emb.gov.ph	
- DAO 2005-27: Revised Priority Chemical List (PCL)	July 31, 2005	www.emb.gov.ph	

National regulation concerning import and export of Persistent Organic Pollutants covered by the Stockholm Convention	Date when the regulation entered into force	Website to the regulation	Remarks
RA 6969 (Toxic and Hazardous Waste Management Act) for PCBs	1990	www.emb.gov.ph	
DAO 2004-01 (CCO for PCB)	February 16, 2004	www.emb.gov.ph	

NATIONAL REGULATION ON OFFENCES AND PENALTIES CONCERNING ILLEGAL IMPORT AND EXPORT OF HAZARDOUS CHEMICALS AND WASTE

Designate in the table below the name and number of the national regulation on offences and penalties concerning illegal import/export of hazardous chemicals and waste. Designate the date when the regulation entered into force. If needed, please add several rows. For import/export offences, the Customs Laws would also be relevant, and could be mentioned here and under PENALTIES

National regulation on offences and penalties concerning illegal trans-boundary shipment waste covered by the Basel Convention	Date when the regulation entered into force	Website to the regulation	Remarks
RA 6969	1990	www.emb.gov.ph	
DAO 36, series of 2004	2004	www.emb.gov.ph	

National regulation on offences and penalties concerning illegal import and export of hazardous chemicals covered by the Rotterdam Convention	Date when the regulation entered into force	Website to the regulation	Remarks
Section 15 of RA 6969	1990	www.emb.gov.ph	
Sec. 43 of DAO 29	1992	www.emb.gov.ph	
Memorandum Circular No. 2005-003	April 21, 2005	www.emb.gov.ph	

National regulation on offences and penalties concerning illegal import and export of Persistent Organic Pollutants covered by the Stockholm Convention	Date when the regulation entered into force	Website to the regulation	Remarks
Section 15 of RA 6969	1990	www.emb.gov.ph	
Sec. 43 of DAO 29	1992	www.emb.gov.ph	
Memorandum Circular No. 2005-003	April 21, 2005	www.emb.gov.ph	

PENALTIES

Designate Offences and Penalties under the National Law concerning illegal import and export of hazardous chemicals and waste concerning the Basel, Rotterdam and Stockholm Conventions.

If needed, please add several rows.

Under the column "Convention" designate if the offence is related to Basel Convention (BC), Rotterdam Convention (RC) or Stockholm Convention (SC).

Offence	Related to convention (BC/ RC/ SC)	Penalty Units	Minimum - Maximum Fine (PhP 48 = US \$ 1)	Minimum - Maximum Prison Term
Importing recyclable materials containing hazardous substances w/out proper documentation from DENR-EMB	BC		PhP 50,000.00	
Exporting hazardous wastes w/out proper documentation from DENR-EMB	BC		PhP 50,000.00	
Importation of hazardous wastes	BC		PhP 500,000.00	Min. 12 yrs. & 1 day Max. 20 years

INSTITUTIONAL STRUCTURE OF INVOLVED ORGANISATIONS AND RESPONSIBILITIES

After the name of the authority, please designate if the authority's power is restricted on national (N), regional (R) or local (L) level.

	NAME OF AUTHORITIES RESPONSIBLE FOR			
	Grant permission	Inspection	Criminal Intelligence	Criminal Investigation
Import and export of waste covered by the Basel Convention	Department of Environment and Natural Resources – Environmental Management Bureau (DENR-EMB) (N)	Office of the Commissioner – Bureau of Customs (OCom-BOC) (N)		
Transit of waste shipments covered by the Basel Convention	DENR-EMB (N)	-		
Import and export of Industrial Chemicals covered by the Rotterdam Convention	DENR-EMB (Import only) (N)	Environmental Protection Unit (EPU) – BOC (Import only) (N)	-	
Import and export of Pesticides covered by the Rotterdam Convention	DA-FPA (N)	BOC (N)		
Import and export of Persistent Organic Pollutants covered by the Stockholm Convention	DENR-EMB (Import only) (N) Department of Agriculture – Fertilizer and Pesticide Authority DA-FPA (Import only) (N)	BOC (Import only) (N)		

POWERS FOR DIFFERENT ENFORCEMENT OFFICERS, INCLUDING ENVIRONMENT INSPECTORS, CUSTOMS, POLICE IN ENFORCEMENT AND INVESTIGATION

BASEL CONVENTION

Legal Power	Environmental Enforcement Authority (DENR-EMB)	Customs	Police	Prosecutor
Carry out inspection	Yes	yes		
Open containers	Yes	yes		
Inspect documents	Yes	yes		
Sampling	Yes	Yes		
Analyses the samples	Yes	Yes		
Detain shipments for closer investigation	Yes	Yes		
Block shipments	Yes	Yes		
Seize goods	Yes	Yes		
Arrest	No	No		
Administrative measures (withdrawal of permissions, etc)	Yes	Yes		
Decide to re-send an illegal shipment to exporting country	Yes	Yes		
Report for further criminal investigation	Yes	Yes		
Issue a fine/penalty	Yes	Yes		
Legal proceeding	Yes	Yes		
Other (Please specify)	DAO 94-28 and DAO 97-28			

POWERS FOR DIFFERENT ENFORCEMENT OFFICERS, INCLUDING ENVIRONMENT INSPECTORS, CUSTOMS, POLICE IN ENFORCEMENT AND INVESTIGATION

ROTTERDAM CONVENTION

State with **yes** or **no** in the table below the legal powers concerning enforcement for respective authorities involved in the enforcement of the control of import and export of hazardous chemicals covered by the Rotterdam Convention

Legal Power	Environmental Enforcement Authority (DENR-EMB)	Customs	Police	Prosecutor
Carry out inspection	No	No		
Open containers	No	No		

Legal Power	Environmental Enforcement Authority (DENR-EMB)	Customs	Police	Prosecutor
Inspect documents	Yes	Yes		
Sampling	No	No		
Analyses the samples	No	No		
Detain shipments for closer investigation	No	No		
Block shipments	yes	Yes		
Seize goods	No	No		
Arrest	No	No		
Administrative measures (withdrawal of permissions, etc)	Yes	Yes		
Report for further criminal investigation	Yes	No		
Issue a fine/penalty	Yes	No		
Legal proceeding	Yes	No		
Other (Please specify)	CCO Registration and Importation Clearance (DAO 97-38 and DAO 2000-02) PCL Compliance Certificate (DAO 2005-27)			

POWERS FOR DIFFERENT ENFORCEMENT OFFICERS, INCLUDING ENVIRONMENT INSPECTORS, CUSTOMS, POLICE IN ENFORCEMENT AND INVESTIGATION

STOCKHOLM CONVENTION

State with **yes** or **no** in the table below the legal powers concerning enforcement for respective authorities involved in the enforcement of the control of import and export of persistent Organic Pollutants covered by the Stockholm Convention

Legal Power	Environmental Enforcement Authority (DENR-EMB)	Customs	Police	Prosecutor
Carry out inspection	Yes (for transformers only)	Yes		
Open containers	Yes	Yes		
Inspect documents	Yes	Yes		

Legal Power	Environmental Enforcement Authority (DENR-EMB)	Customs	Police	Prosecutor
Sampling	Yes	Yes		
Analyses the samples	Yes	Yes		
Detain shipments for closer investigation	Yes	Yes		
Block shipments	Yes	Yes		
Seize goods	Yes	Yes		
Arrest	No	No		
Administrative measures (withdrawal of permissions etc)	Yes	Yes		
Report for further criminal investigation	Yes	Yes		
Issue a fine	Yes	Yes		
Legal proceeding	Yes	Yes		
Other (Please specify)	CCO for PCB (DAO 2004-01)			

COUNTRY CONTACTS

Category	Functions	Contact Information
Competent Authority for Basel Convention	Governmental authority designated by a Party to be responsible within such geographical area as the Party may think fit, for receiving the notification of a trans boundary movement of hazardous wastes or other wastes, and any information related to it, and for responding to such a notification, as provided in Article 6, Basel Convention	Engr. Julian D. Amador Director Environmental Management Bureau Department of Environment and Natural Resources (EMB-DENR) DENR Compound, Visayas Ave., Diliman, Quezon City, Philippines Contact No.: 632-927-1517/ 632-927-1518 Email Ad: jdamador@emb.gov.ph
Basel Convention Focal Point	The entity of a Party referred to in Article 5 responsible for receiving and submitting information as provided for in Articles 13 and 16, Basel Convention.	Mr. Geri-Geronimo R. Sanz Chief, Hazardous Waste Management Section Environmental Management Bureau Department of Environment and Natural Resources (EMB-DENR) DENR Compound, Visayas Ave., Diliman, Quezon City, Philippines Contact no.: 632-928-1212(telefax)/ 632-920-2263 Email Ad: geri_sanz@yahoo.com.ph

Category	Functions	Contact Information
Supervisory authority for the control of trans-boundary movements of waste covered by the Basel Convention	Responsible for enforcement of trans-boundary waste shipments	Mr. Geri-Geronimo R. Sanz Chief, Hazardous Waste Management Section Environmental Management Bureau Department of Environment and Natural Resources (EMB-DENR) DENR Compound, Visayas Ave., Diliman, Quezon City, Philippines Contact no.: 632-928-1212(telefax)/ 632-920-2263 Email Ad: geri_sanz@yahoo.com.ph
Rotterdam Convention Chemical Designated National Authority (C DNA)	Responsible for industrial chemicals	Engr. Julian D. Amador Director Environmental Management Bureau Department of Environment and Natural Resources (EMB-DENR) DENR Compound, Visayas Ave., Diliman, Quezon City, Philippines Contact No.: 632-927-1517/ 632-927-1518 Email Ad: jdamador@emb.gov.ph
Rotterdam Convention Pesticide Designated National Authority (P DNA)	Responsible for pesticides	Dr. Norlito Gicana Executive Director Fertilizer and Pesticide Authority FPA Bldg., BAI Cpd., Visayas Ave., Diliman, Quezon City, Philippines Contact No.: 632-920-8173
Rotterdam Convention Chemical and Pesticide Designated National Authority (CP DNA)	Responsible for pesticides and industrial chemicals	Engr. Julian D. Amador Director Environmental Management Bureau Department of Environment and Natural Resources (EMB-DENR) DENR Compound, Visayas Ave., Diliman, Quezon City, Philippines Contact No.: 632-927-1517/ 632-927-1518 Email Ad: jdamador@emb.gov.ph
Supervisory authority for the control of import and export of hazardous chemicals covered by the Rotterdam Convention	Responsible for enforcement of import and export of hazardous chemicals covered by the Rotterdam Convention	Ms. Emmanuelita D. Mendoza Supervising EMS Chemical Management Section-Environmental Quality Division (CMS-EQD) Environmental Management Bureau Department of Environment and Natural Resources (EMB-DENR) DENR Compound, Visayas Ave., Diliman, Quezon City, Philippines Contact No.: 632-920-2263/ 632-928-8892 (telefax) Email Ad: edmendoza@emb.gov.ph

Category	Functions	Contact Information
Stockholm Convention National Focal Point	Focal Point for the exchange of information relevant to: (a) The reduction or elimination of the production, use and release of persistent organic pollutants; And (b) Alternatives to persistent organic pollutants, including information relating to their risks as well as to their economic and social costs.	Engr. Julian D. Amador Director Environmental Management Bureau Department of Environment and Natural Resources (EMB-DENR) DENR Compound, Visayas Ave., Diliman, Quezon City, Philippines Contact No.: 632-927-1517/ 632-927-1518 Email Ad: jdamador@emb.gov.ph
Supervisory Authority for the control of import and export of Persistent Organic Pollutants covered by the Stockholm Convention	Responsible for enforcement of import and export of Persistent Organic Pollutants (POPs)	Ms. Angelita T. Brabante Chief, Chemical Management Section- Environmental Quality Division (CMS-EQD), Environmental Management Bureau Department of Environment and Natural Resources (EMB-DENR) DENR Compound, Visayas Ave., Diliman, Quezon City, Philippines Contact No.: 632-920-2263/ 632-928-8892 (telefax) Email Ad: altbrabante@emb.gov.ph
Customs National Focal Point	National focal point within the Customs that deals with control related to Multilateral Environmental Agreements (Basel, Stockholm, Rotterdam Convention and the Montreal Protocol) and combating environmental crime.	Maj. Nicomedes Enad Chief, Environmental Protection Unit Bureau of Customs (BoC) Port Area, Manila, Philippines Contact No.: 632-527-4643 (telefax) Email Ad: nickpenad974@yahoo.com
Interpol National Central Bureau (NCB)	National focal point for international exchange of information via Interpol's Eco-message that covers all major environmental crime, including illegal trans-national environmental crime. NCB is normally located at a national police headquarters. NCBs are the only authority that can send an Eco-message via Interpol's information channel.	Maj. Faustino Ramos Chief, Special Crimes Division Philippine Center on Transnational Crime (PCTC) Camp Crame, Quezon City, Philippines Contact No.: +632-727-3866/ +63906-4611-670