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PHILIPPINE MISSION TO THE
UNITED NATIONS

Note No. 000190 - 2020

The Permanent Mission of the Republic of the Philippines to the United Nations presents its compliments to the Chair of the 1540 Committee of the Security Council of the United Nations, and, with reference to the latter's Note No. SCA/5/18 (01) dated 14 August 2018, has the honor to submit its national implementation report pursuant to Security Council resolution 1540 (2004) covering the period 2018-2019.

The Permanent Mission of the Republic of the Philippines to the United Nations avails itself of this opportunity to renew to the Chair of the 1540 Committee of the Security Council of the United Nations the assurances of its highest consideration.

5 March 2020

The Chair of the 1540 Committee
Security Council, United Nations
Email: sc-1540-committee@un.org



**PHILIPPINE NATIONAL IMPLEMENTATION REPORT, 2018-2019
UNITED NATIONS SECURITY COUNCIL RESOLUTION 1540 (2004)**

PH AGENCY	OPERATIVE PARAGRAPH	TREATY TEXT	SPECIFIC IMPLEMENTATION MEASURE	ACTIONS UNDERTAKEN BY PH AGENCIES
Department of Finance				No trainings and equipment related to chemical, biological or nuclear emergency and consequence management response organization were offered or undertaken by this Department
National Security Council				<ul style="list-style-type: none"> • Strongly pushing for the amendments to the Human Security Act (main legislation of the country dealing with terrorism) <ul style="list-style-type: none"> ○ Only reached second reading in the House of Representatives before the 17th Congress closed ○ Tagged as priority for NSC and the agency is resolute to refile the proposed amendments upon resumption of the lower house in the 18th Congress
Department of Trade and Industry – Strategic Trade Management Office	OP 3	<p><i>Decides that all States shall take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery, including by establishing appropriate controls over related materials and to this end shall:</i></p> <ul style="list-style-type: none"> • Develop and maintain appropriate effective measures to account for and secure such items in production, 		<ul style="list-style-type: none"> ✓ Publication of secondary legislation The STMA Implementing Rules and Regulations (STMA IRR) was published in the Official Gazette last 25 September 2018. ✓ Whole of government approach in STMA implementation The National Security Council – Strategic Trade Management Committee (NSC-STMCom) identified the roles of each government agencies in implementing the STMA, and established permanent subcommittees and technical working group:

		<p>use, storage or transport;</p> <ul style="list-style-type: none"> • Develop and maintain appropriate effective border controls and law enforcement efforts to detect, deter, prevent and combat, including through international cooperation when necessary, the illicit trafficking and brokering in such items in accordance with their national legal authorities and legislation and consistent with international law; • Establish, develop, review, and maintain appropriate effective national export and trans-shipment controls over such items, including appropriate laws and regulations to control export, transit, trans-shipment and re-export and controls on providing funds and services related to such export and trans-shipment such as financing, and transporting that would contribute to proliferation, as well as 		<ol style="list-style-type: none"> 1. The Subcommittee on Technical Reachback for the classification of strategic goods <ul style="list-style-type: none"> ▪ Department of Trade and Industry (DTI) ▪ Department of Science and Technology (DOST) ▪ Department of Environment and Natural Resources (DENR) ▪ Department of Health (DOH) ▪ Department of National Defense (DND) ▪ Department of Information and Communications Technology (DICT) ▪ Philippine National Police (PNP) 2. The Subcommittee on Risk Assessment for the determination and analysis to potential security risks in the trade of strategic goods; <ul style="list-style-type: none"> ▪ Department of Trade and Industry (DTI) ▪ Department of Foreign Affairs (DFA) ▪ Department of National Defense (DND) ▪ National Security Council (NSC) ▪ National Intelligence Coordinating Agency (NICA) ▪ Office of the Special Envoy on Transnational Crime (OSETC) ▪ Philippine Center on Transnational Crime-Interpol (PCTC-Interpol) ▪ Philippine National Police Directorate for Intelligence (PNP-DI) ▪ National Bureau of Investigation (NBI) ▪ Anti-Terrorism Council-Program Management Center (ATC-PMC)
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		<p>establishing end-user controls; and establishing and enforcing appropriate criminal or civil penalties for violations of such export control laws and regulations</p>		<p>3. The Subcommittee on Enforcement for ensuring compliance and investigate potential STMA violations;</p> <ul style="list-style-type: none"> ▪ Department of Trade and Industry (DTI) ▪ Department of Justice (DOJ) ▪ Philippine National Police (PNP) ▪ Philippine Coast Guard (PCG) ▪ Bureau of Customs (BOC) ▪ National Bureau of Investigation (NBI) <p>4. The Technical Working Group with the Customs and the Economic Zones to establish notification mechanisms on approved licenses and properly identifying strategic goods in export shipments.</p> <ul style="list-style-type: none"> ▪ Department of Trade and Industry (DTI) ▪ Philippine Economic Zone Authority (PEZA) ▪ Bureau of Customs (BOC)
	<p>OP 6</p>	<p>Recognizes the utility in implementing this resolution of effective national control lists and calls upon all Member States, when necessary, to pursue at the earliest opportunity the development of such lists</p>		<ul style="list-style-type: none"> • Publication of the Philippine National Strategic Goods List <p>The National Strategic Goods List (NSGL) was published in the Official Gazette along with the STMA IRR last 25 September 2018. It is composed of three annexes: (1) Military Goods List, (2) Dual-use Goods List, and (3) National Controlled Goods List.</p> <p>The NSGL will be updated annually based on the latest version of EU's Common Military List and Dual-Use Goods List.</p>

	OP 8	<p><i>Calls upon all States:</i></p> <ul style="list-style-type: none"> To develop appropriate ways to work with and inform industry and the public regarding their obligations under such laws 		<ul style="list-style-type: none"> Industry Outreach on STMA Implementation <p>The Strategic Trade Management Office (STMO) conducted twenty-six (26) outreach activities thru company visits, industry consultations, and seminars for government agencies, industry associations and economic zones last 2018. This is a continuous program of the STMO. These outreaches target exporters of strategic goods to familiarize them and ensure compliance with the law.</p> <ul style="list-style-type: none"> Publication of Guidelines for Industry Stakeholders <p>The STMO published and distributed compliance guidelines to our industry stakeholders with the following topics:</p> <ul style="list-style-type: none"> STMA Overview Regulatory Process Overview Registration Guidelines Strategic Goods Commodity Classification Guide Internal Compliance Program Set-Up Guide
Research Institute for Tropical Medicine				<ul style="list-style-type: none"> Trainings, Conferences Attended International Federation of Biosafety Associations (IFBA) Professional Certification in Biorisk Management Training Workshop and Examination: 17-20 April 2017 Introduction Course for Biological Safety Cabinet (BSC) Technology: 4-6 July 2017

				<ul style="list-style-type: none">○ 2017 Asia Pacific Biosafety Association Conference: 20-26 August 2017○ Introduction Course for Biological Safety Cabinet (BSC) Technology (Course 2-2): 14-15 September 2017○ BSC Certification Workshop: A Certifier's Intermediate Course (Course 3-1): 18-22 September 2017○ Protecting and Improving Public Health Globally: Building and Strengthening Public Health Impact, System, Capacity and Security: 4-7 December 2017○ First Conference for the Establishment of the Biosafety and Biosecurity Framework of the Philippines and Launching of the National Training for Biosafety and Biosecurity: 16-18 April 2018○ Asia-Pacific Biosafety Association (APBA) 13th Annual Scientific Conference: Strategizing Biosafety and Biosecurity in Today's Advancing Technological Era and Changing Security Landscape: 28-31 August 2018○ Course on the Medical Aspects of Assistance and Protection Against Chemical Weapon: 1-5 October 2018○ American Biological Safety Association (ABSA) Annual Biological Safety Conference: 14-17 October 2018○ Project kick-off and Coordination Meeting of the ASEAN-Canada's Global Partnership Programme on Mitigation on Biological Threats Phase-2: 29-30 January 2019
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				<ul style="list-style-type: none"> ○ Attendance to the Regional Meeting to Strengthen Public Health Laboratory Systems for Health Security: 12-14 March 2019 ○ 4th Meeting of National Control Laboratories for Biologicals in the Western Pacific: 27-28 June 2019
Department of Science and Technology			Adherence to legally binding instruments, membership of organizations, participation in arrangements and statements made	<ul style="list-style-type: none"> • The Philippines has both comprehensive safeguards agreement and additional protocol in force • Ratification to the 2005 Amendment to the CPPNM is underway • The Philippines joined the Global Initiative to Combat Nuclear Terrorism (GICNT) in 2010 and has been actively participating in the GICNT Implementation and Assessment Group (IAG) • Cooperation with the USDOE/NNSA, Defense Nuclear Nonproliferation Radiological Security Program, formerly Global Threat Reduction Initiative (GTRI) – security upgrade for facilities of high activity sources already finished and sustainability program has been discussed with the facility operators. The next program is focused on capacity-building for regulators and Front-Line Officers or first responders • Cooperative Agreement with the Global Partnership Program of the Department of Foreign Affairs, Trade and Development Canada (DFATD) – assistance to the installation of physical protection system (PPS) at the Philippine Research Reactor. The PPS already finished. • Megaports Initiative/ Nuclear Smuggling Detection and Deterrence,

				<p>Second Line of Defense Program, US Department of Energy's National Nuclear Security Administration (USDOE/NNSA) – Radiation Portal Monitors (RPMs) at the Port of Manila are due of upgrades, including Cebu Port.</p> <ul style="list-style-type: none"> • Cooperation with IAEA on nuclear security through INSSP – continue the implementation and updating of activities for the next phase which include nuclear energy • Member, ASEANTOM • Member, Asia-Pacific Safeguards Network (APSN) • Member, ASIAN Nuclear Safety Network (ANSN)
			National Legislation which prohibits persons or entities to engage in activities set out in the text and its enforcement	<ul style="list-style-type: none"> • RA 5207 – establish and issue regulation and orders with respect to atomic energy facilities and materials for the protection of the health and safety of workers and the general public; and to make inspections to ensure compliance with the requirements • Comprehensive Nuclear Law – creating an independent regulatory body is not acted upon in the 17th Congress, to refile in the 18th Congress for approval • RA 10697 – Strategic Trade Management Act
	OP 3 (A & B)		Measures to establish domestic controls to prevent the proliferation of NW, CW, BW, and their means of delivery, controls over related materials	<ul style="list-style-type: none"> • Adopted the IAEA Code of Conduct on the Safety and Security of Radioactive Sources and the Supplementary Guidance on the Import and Export of Radioactive Sources through and Administrative Order

				<ul style="list-style-type: none"> • Member of the IAEA Incident and Trafficking Database • Philippines' Integrated Nuclear Security Support Plan (INSSP) has been updated • Hosted IPPAS Mission in 2003 and share good practices with other Member States identified during the IPPAS mission and make the database available in the IAEA Nuclear Security Information Portal (NUSEC0 • Hosted International Nuclear Security Advisory Service (INSSERV) Mission in 2008 • Two regulations on nuclear security being implemented: CPR Part 26, "Security of Radioactive Sources" and CPR Part 27, "Security Requirements in the Transport of Radioactive Material" •
	OP 3 (C & D)	Border controls and export and trans-shipment controls to prevent the proliferation of nuclear, chemical, and biological weapons and their means of delivery including related materials	Border control to detect, deter, prevent, and combat illicit trafficking, law enforcement in combatting in border control	<ul style="list-style-type: none"> • The Port of Manila has 18 Radiation Portal Monitors (RPMs) and 2 RPMs in Cebu Port. <ul style="list-style-type: none"> ○ Although the RPMs in Port of Manila are not working and due for upgrades of the system with assistance from USDOE/NSDD, continuing trainings are conducted with the Bureau of Customs for the operation of the RPM on how to deter and detect real alarms, Philippine National Police in response to any loss, theft of radioactive sources and response from alarms at the hospitals with security alarm systems. • Training is also conducted for Phil. Navy, Armed Forces, Coast Guards, and Air Force on border controls and

				other related activities in nuclear security.k
				Implementation of RA 10697, "Strategic Trade Management Act" – adoption of national control list and other control provisions in the Act
Philippine Coast Guard	OP 3	<p><i>Decides also</i> that all States shall take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery, including by establishing appropriate controls over related materials and to this end shall:</p> <ol style="list-style-type: none"> a) Develop and maintain appropriate effective measures to establish domestic controls to account for and secure such items in production, use, storage, or transport b) Develop and maintain appropriate effective physical protection measures c) Develop and maintain appropriate effective border controls and law enforcement efforts to detect, deter, prevent, and combat, including through international cooperation when 	<p>For 3A &3B</p> <ul style="list-style-type: none"> • Measures to establish domestic controls to prevent the proliferation of NW, CW, BW, and their means of delivery; controls over related materials <ul style="list-style-type: none"> ○ National Regulatory Authority, licensing of nuclear installations/entities/use of materials, IAEA Safeguards Agreements, IAEA Code of Conduct on Safety and Security of Radioactive Sources, Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources, IAEA Incident and Trafficking Database, Integrated Nuclear Security Support Plan (INSSP)/International Physical Protection Advisory Service 	<p>The Philippine Coast Guard is taking specific measures to curb terrorism and other illegal activities through the following activities:</p> <ul style="list-style-type: none"> • Implementation of Safety, Security and Environmental Numbering Systems for all Philippine-registered vessels and/or watercrafts to prevent potential abductors from boarding ships • PCG further intensified its Sea Marshall Program with composite security forces composed of AFP, PNP, and PCG elements to protect voyages of passenger-laden vessels in domestic routes • Establishment of 21 coastal surveillance radar stations • PCG as focal point/contact point of the Regional Cooperation Agreement on Combating Piracy and Armed Robbery Against Ships in Asia Information Sharing Center (ReCAAP ISC) for the Philippines on incidents of piracy and armed robbery against ships perpetrated in Philippine maritime jurisdiction and one coordinating ReCAAP activities involving maritime stakeholders in the country. • Use of PCG K9 units to search for bombs, firearms, and illegal drugs concealed inside baggage and cargo containers as a pre-departure measure in ports and as a continuing security

		<p>necessary, the illicit trafficking and brokering in such items in accordance with their national legal authorities and legislation and consistent with international law</p> <p>d) Establish, develop, review, and maintain appropriate effective national export and trans-shipment controls over such items, including appropriate laws and regulations to control export, transit, trans-shipment, and re-export and controls on providing funds and services related to such export and trans-shipment, such as financing and transporting that would contribute to proliferation, as well as establishing end-user controls, establishing and enforcing appropriate criminal or civil penalties for violations of such export control laws and regulations</p>	<p>(IPAS), Applying the physical protection recommendations in INFCIRC/225/Rev.5, Other Agreements related to IAEA, National legislation and regulations related to nuclear material including CPPNM</p> <p>For 3C & 3D</p> <ul style="list-style-type: none"> • Border controls and export and trans-shipment controls to prevent the proliferation of nuclear, chemical, and biological weapons and their means of delivery including related materials ○ Border control to detect, deter, prevent, and combat illicit trafficking; law enforcement to detect, deter, prevent, and combat illicit trafficking; border control detection measures; control of brokering; export control legislation in place; licensing provisions and authority; control lists of materials, equipment, and technology; intangible technology transfers; inclusion of means of delivery; end-user controls; catch-all 	<p>measure on board the vessel while it is underway</p> <ul style="list-style-type: none"> • Deployment of the PCG floating assets, which consists of ten 44-m multi-role response vessel, four 56-m search and rescue vessels, four 35-m patrol vessels, ten 30-m vessels, four 24-m fast patrol boats and for 7-m surveillance vessels, over a wide area to maximize presence while retaining the ability to converge in actual crisis incidents in order to achieve the highest level of response • Deployment of the Aviation Force (airborne assets) to support the PCG floating assets. It is equipped with fixed-wing islander aircrafts and helicopters and provides active maritime surveillance and early detection • Continuing and expanded intelligence training programs through its own intelligence training facility and through cross-training with the AFP and PNP
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			clause; transit control; trans-shipment control; re-export control; control over financing of exports/trans- shipments that would contribute to proliferation; control over services related to exports/trans- shipments that would contribute to proliferation including transportation	