

# 1540 COMMITTEE MATRIX OF PHILIPPINES

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1977 (2011). They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations. Information on voluntary commitments is for reporting purpose only and does not constitute in any way a legal obligation arising from resolution 1540 or its successive resolutions.

## OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

### STATE:

Date of Report

Date of First Addendum:

Date of Second Addendum:

Date of Third Addendum:

Date of Fourth Addendum:

Date of Committee Approval:

### PHILIPPINES

28 October 2004

28 October 2005

30 November 2005

6 February 2008

2 July 2013

Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues.		YES	if YES, relevant information (i.e. signing, accession, ratification, etc)	Remarks (information refers to the page of the English version of the national report or an official web site)
1	Nuclear Non-Proliferation Treaty (NPT)	X	Deposit 5 October 1972	
2	Nuclear Weapons Free Zone/ Protocol(s)	X	Treaty on the Southeast Asia Nuclear Weapon-Free Zone (The Bangkok Treaty) Deposit 21 June 2001	
3	Convention for the Suppression of Acts of Nuclear Terrorism	?	Signed 15 September 2005	

4	Convention on Physical Protection of Nuclear Material (CPPNM)	X	Deposit 22 Sep 1981	
5	2005 Amendment to the CPPNM			
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Deposit 23 February 2001	
7	Chemical Weapons Convention (CWC)	X	Deposit 11 December 1996	
8	Biological Weapons Convention (BWC)	X	Deposit 21 May 1973	
9	Geneva Protocol of 1925	X	Deposit 08 June 1973	
10	Other Conventions/Treaties	X	State party to 12 of 19 universal legal Instruments against terrorism including the following relevant to resolution 1540: 1997 International Convention for the Suppression of Terrorist Bombing 1999 International Convention for the Suppression of the Financing of Terrorism	
11	International Atomic Energy Agency (IAEA)	X	Since 2 September 1958	
12	Hague Code of Conduct (HCOC)	X	Subscribed 25 November 2002	
13	Other Arrangements	X	Proliferation Security Initiative (PSI) Global Initiative to Combat Nuclear Terrorism (GICNT)	
14	General statement on non-possession of WMD	X	State reports that it does not possess, develop nor intends to develop WMD	
15	General statement on commitment to disarmament and non-proliferation	X	State reports that it reaffirms its strong support to disarmament and non-proliferation	
16	General statement on non-provision of WMD and related materials to non-State actors	X	State reports that it is fully committed to preventing any form of support to non-State actors that seek WMD and their means of delivery.	
17	Other <sup>1</sup>		Member of the: World Customs Organization (WCO) and its Framework of Standards to Secure and Facilitate Global Trade (SAFE) Programme INTERPOL	

			World Health Organization (WHO) World Organisation for Animal Health (OIE) International Maritime Organization (IMO) The Association of Southeast Asian Nations (ASEAN) The ASEAN Regional Forum (ARF) Global Partnership Asia/Pacific Group on Money Laundering (APG)	
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1. Including, as appropriate, information with regard to membership in relevant international, regional or sub-regional organizations.

## OP 2 - Nuclear Weapons (NW), Chemical Weapons (CW) and Biological Weapons (BW)

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			if YES, source document of national implementation law	YES			if YES, source document	
		N W	C W	B W		N W	C W	B W		
1	manufacture/produce	X			<b>NW:</b> The 1987 Constitution of the Republic of the Philippines, Section 8 (the Philippines, consistent with the national interest, adopts and pursues a policy of freedom from nuclear weapons in its territory) The Bangkok Treaty, Art 3 Republic Act 5207, as amended by Presidential Decree No. 1484, also known as the Atomic Energy Regulatory and Liability Act of 1968, section 16 “Regulation and Licensing of Atomic Energy Materials” 4. Republic Act No. 2067 as amended by Republic Act No. 3589 also known as the Science Act of 1958, Section 16-a	X			<b>NW:</b> Republic Act 5207, as amended by Presidential Decree No. 1484, also known as Atomic Energy Regulatory and Liability Act of 1968, Part III, section 64	
2	acquire	X			<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968, section 16 Science Act of 1958, Section 16-a The Bangkok Treaty, Art 3	X			<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968, section 64	
3	possess	X			<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968, section 16 Science Act of 1958, Section 16-a The Bangkok Treaty, Art 3	X			<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968, section 64  <b>CW/BW:</b>	

								Civil Code of Philippines, Article 2188 (There is prima facie presumption of negligence on the part of the defendant if the death or injury results from his possession of dangerous weapons or substances, such as firearms and poison, except when the possession or use thereof is indispensable in his occupation or business.)	
4	stockpile/store	?			<b>NW:</b> The Bangkok Treaty, Art 3				
5	develop	?			<b>NW:</b> The Bangkok Treaty, Art 3				
6	transport	?			<b>NW:</b> The Bangkok Treaty, Art 3				
7	transfer	X			<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968, section 16 Science Act of 1958, Section 16-a	X		<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968, section 64	
8	use	X			<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968, section 16 The Bangkok Treaty, Art 3	X		<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968, section 64	
9	participate as an accomplice in abovementioned activities	X			<b>NW:</b> Revised Penal Code, Art. 16-19	X		<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968, section 64 Revised Penal Code, Art. 16-19	
10	assist in abovementioned activities	X			<b>NW:</b> Revised Penal Code, Art. 16-19	X		<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968, section 64	
11	finance abovementioned activities	X	X	X	<b>NW/CW/BW:</b> Republic Act No. 10168 of 2012 (The Terrorism Financing Prevention and Suppression Act of 2012)	X	X	<b>NW/CW/BW:</b> Republic Act No. 10168 of 2012 (The Terrorism Financing Prevention and Suppression Act of 2012)	

12	abovementioned activities related to means of delivery <sup>2</sup>									
13	involvement of non-State actors in abovementioned activities									
14	Other	X	X	X	<p><b>NW/CW/BW:</b> An Act to Prevent the Proliferation of Chemical, Biological, Radiological and Nuclear Weapons, as well as Conventional Weapons by Regulating the Transfer of Strategic Goods and Dual-Use Goods, and for Other Purposes (known as Non-Proliferation and Strategic Goods and Dual Use Goods Regulation Act Of 2010) is now pending review (15th Congress Senate Bill No. 115). An Act to Prevent the Proliferation of Weapons of Mass Destruction by Regulating the Transfer of Strategic Items/Good which are Being Used to Carry Out Acts of Terrorism, and for Other Purposes (known as "Weapons of Mass Destruction Non-Proliferation and Strategic Items/Goods Regulation Act" ) now pending review (15th Congress Senate Bill No. 2449).</p> <p><b>NW:</b> An Act to Regulate the Nuclear, Security and Safety Aspects in the Peaceful Utilization of Ionizing Radiation Sources through the Creation of the Philippine Nuclear Regulatory Authority Appropriating Funds Therefore, and For Other Purposes (known as Comprehensive Nuclear Regulation Act of 2010)) is now pending review (15th Congress Senate Bill No. 341).</p> <p><b>CW:</b> An Act Prohibiting the Development, Production, Stockpiling, Use of Chemical Weapons and on Their Destruction and Providing Penalties therefore and for Other Purposes (Known as Chemical Weapons Prohibition Act of 2013) is now pending review (16th Congress Senate Bill No. 1456 and Bill</p>	X	X	X	<p><b>NW/CW/BW:</b> An Act to Prevent the Proliferation of Chemical, Biological, Radiological and Nuclear Weapons, as well as Conventional Weapons by Regulating the Transfer of Strategic Goods and Dual-Use Goods, and for Other Purposes (known as Non-Proliferation and Strategic Goods and Dual Use Goods Regulation Act Of 2010) is now pending review (15th Congress Senate Bill No. 115). An Act to Prevent the Proliferation of Weapons of Mass Destruction by Regulating the Transfer of Strategic Items/Good which are Being Used to Carry Out Acts of Terrorism, and for Other Purposes (known as "Weapons of Mass Destruction Non-Proliferation and Strategic Items/Goods Regulation Act" ) now pending review (15th Congress Senate Bill No. 2449).</p>	

				No. 2042).					
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2. Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons, that are specially designed for such use.

**OP 3 (a) and (b) - Account for/Secure/Physically protect NW, CW and BW, including Related Materials<sup>3</sup>**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			if YES, source document	YES			if YES, source document	
		N W	C W	B W *		N W	C W	B W		
1	Measures to account for production	X	X		<b>NW:</b> Safeguard Agreement (INFCIRC 216 ) Atomic Energy Regulatory and Liability Act of 1968 Code of Philippine Nuclear Research Institute (PNRI) Regulations (CPR) Part 2Section 30  <b>CW:</b> Republic Act No. 6969 An Act To Control Toxic Substances and Hazardous and Nuclear Wastes, Providing Penalties For Violations Thereof, and For Other Purposes (known as the “Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990”), section 3 and 8 Department of Environment and Natural Resources (DENR) Administrative Order (DAO) No. 29 Series 1992 sec 3 and DAO No. 23 Series of 2007 sec 3	X	X		<b>NW:</b> Safeguard Agreement (INFCIRC 216 ) Atomic Energy Regulatory and Liability Act of 1968, Part VIII Section 64, 65 Code of Philippine Nuclear Research Institute (PNRI) Regulations (CPR)  <b>CW:</b> Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990, section14, and 15 DENR Administrative Order No. 29 Series 1992 sections 7, 14, 15, and DAO No. 23 Series of 2007, sections VI	
2	Measures to account for use	X	X	?	<b>NW:</b> Safeguard agreement (INFCIRC 216 ) CPR Parts 2-3, 7-8, 11-19 and 24  <b>CW:</b>	X	X		<b>NW:</b> Safeguard agreement (INFCIRC 216 ) Atomic Energy Regulatory and Liability Act of 1968, Part VIII Code of Philippine Nuclear Research Institute (PNRI) Regulations (CPR)  <b>CW:</b>	



				<p>Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990, section 3 DENR Administrative Order No. 29 Series 1992 sec 3 and DAO No. 23 Series of 2007</p> <p><b>BW:</b> Republic Act 4688 (Act Regulating the Operation and Maintenance of Clinical Laboratories and Requiring the Registration of the Same with the Department of Health, Providing Penalty for the Violation Thereof )</p>			<p>Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990, section 14a DENR Administrative Order No. 29 Series 1992 and DAO No. 23 Series of 2007</p>	
3	Measures to account for storage	X	X	<p><b>NW:</b> Safeguard agreement (INFCIRC 216 ) Atomic Energy Regulatory and Liability Act of 1968 CPR Parts 2-3, 7-8, 11-19 and 24"</p> <p><b>CW:</b> Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990, section 3 DENR Administrative Order No. 29 Series 1992 sec 3 and DAO No. 23 Series of 2007</p>	X	X	<p><b>NW:</b> Safeguard agreement (INFCIRC 216 ) Code of Philippine Nuclear Research Institute (PNRI) Regulations (CPR)</p> <p><b>CW:</b> Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990, section 14a DENR Administrative Order No. 29 Series 1992 and DAO No. 23 Series of 2007</p>	
4	Measures to account for transport	X	X	<p><b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968, sections 4 and 182. PNRI Administrative Order No. 1 series of 2000 (Adoption of ST-1 1996 Edition of the IAEA Regulations for the Safe Transport of Radioactive Material) PNRI Administrative Order No. 1 series of 2013 (Adoption of IAEA Safety Standards SSR-6 "Regulations for the Safe Transport of Radioactive Material " 2012 Edition) CPR Part 4 and 27</p> <p><b>CW:</b> Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990, section 3 DENR Administrative Order No. 29 Series 1992 sec 3 and DAO No. 23 Series of 2007</p>	X	X	<p><b>NW:</b> CPR 4 and 27</p> <p><b>CW:</b> Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990, section 14a DENR Administrative Order No. 29 Series 1992 and DAO No. 23 Series of 2007</p>	

5	Other measures for accounting									
6	Measures to secure production	X	X		<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968 CPR Parts 2-3 and 21 Nuclear Wastes and Hazardous Substances (Republic Act 6969)  <b>CW:</b> Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990, section 3 DENR Administrative Order No. 29 Series 1992 sec 3 and DAO No. 23 Series of 2007	X	X		<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968, Part VIII  <b>CW:</b> Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990 DENR Administrative Order No. 29 Series 1992 and DAO No. 23 Series of 2007	
7	Measures to secure use	X	X	?	<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968 CPR Parts 2-3, 7-8, 11-20 and 24  <b>CW:</b> Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990, section 3 DENR Administrative Order No. 29 Series 1992 sec 3 and DAO No. 23 Series of 2007  <b>BW:</b> Republic Act 4688 (Act Regulating the Operation and Maintenance of Clinical Laboratories and Requiring the Registration of the Same with the Department of Health, Providing Penalty for the Violation Thereof )	X	X		<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968, Part VIII  <b>CW:</b> Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990 DENR Administrative Order No. 29 Series 1992 and DAO No. 23 Series of 2007	
8	Measures to secure storage	X	X	?	<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968 CPR Parts 2-3, 7-8, 11-20 and 24  <b>CW:</b> Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990, section 3 DENR Administrative Order No. 29 Series 1992 and DAO No. 23 Series of 2007	X	X	?	<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968, Part VIII Implementing International Ship and Port Facility Security (ISPS) Code  <b>CW:</b> Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990, section 3 DENR Administrative Order No. 29 Series 1992 and DAO No. 23 Series of 2007	

					<b>BW:</b> Implementing International Ship and Port Facility Security (ISPS) Code				<b>BW:</b> Implementing International Ship and Port Facility Security (ISPS) Code	
9	Measures to secure transport	X	X	?	<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968 Section 18 CPR Part 4 and 27  <b>CW:</b> Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990, section 3 DENR Administrative Order No. 29 Series 1992 and DAO No. 23 Series of 2007  <b>BW:</b> Implementing International Ship and Port Facility Security (ISPS) Code	X	X	?	<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968 Section 18 CPR 4 and 27 Implementing International Ship and Port Facility Security (ISPS) Code  <b>CW:</b> Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990, section 3 DENR Administrative Order No. 29 Series 1992 and DAO No. 23 Series of 2007 Implementing International Ship and Port Facility Security (ISPS) Code  <b>BW:</b> Implementing International Ship and Port Facility Security (ISPS) Code	
10	Other measures for securing		X		<b>CW:</b> Executive order 522 of 1992 Amending EO No. 60 of 1967, prescribing rules and regulations for the control and supervision of the importation, sale and possession of chemicals	X			<b>NW:</b> The United States Department of Energy/National Nuclear Security Administration, through the Oak Ridge National Laboratory, put up the Transport Control Communication Centre at the Philippine Nuclear Research Institute. The Centre will monitor, control and coordinate the movement of category 1 and 2 sources within the country. A vehicle equipped with tracking and other security systems was provided to complement the Centre.	

					used as ingredients in the manufacture of explosives and for other purposes, section 4					
11	Regulations for physical protection of facilities/materials/ transports	X			<b>NW:</b> CPR Part 4,7, 8, 9 and 27 PNRI Administrative Order No. 2 series of 2002 (relative to the licensing of a particle accelerator facility for the production of radioisotopes)	X			<b>NW:</b> The United States Department of Energy/National Nuclear Security Administration, through the programme under the Global Threat Reduction Initiative, is assisting the Government of the Philippines, through the Philippine Nuclear Research Institute, in providing physical protection upgrades at all radiation facilities using high-risk radioactive sources (category 1). The Global Threat Reduction Initiative project will also extend the security upgrades to category 2 sources, especially industrial radiography.	
12	Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials	X	X		<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968 section 6 CPR Part 2,7,8  <b>CW:</b> Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990, section 6	X			<b>NW:</b> Atomic Energy Commission inspections, require remedial measures, suspend or revoke licenses  <b>CW:</b> Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990, section 14	
13	Reliability check of personnel	?			<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968 CPR Part 2 and part 9 Appendix A (General Criteria For Security Personnel)	?			<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968 CPR Part 2 and part 9 Appendix A (General Criteria For Security Personnel)	
14	Measures to account for/secure/ physically protect means of delivery									

3. Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

\* Information required in this section may also be available in the State's Confidence Building Measures report, if submitted to the BWC Implementation Support Unit (online at: [http://www.unog.ch/80256EE600585943/\(httpPages\)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument) )

**OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials (NW specific)**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National regulatory authority	X	Atomic Energy Regulatory and Liability Act of 1968, as amended, sec 4. Science Act of 1958, as amended, sec 16-18 Presidential Decree No. 606 of 1974 Executive Order No. 128 of 1987 Section 21	X	Philippine Nuclear Research Institute (PNRI)	
2	IAEA Safeguards Agreements	X	Safeguards Agreement in force 16 October 1974 - INFCIRC/216 Additional Protocol ratified in February 2010	X	Safeguards Agreement in force 16 October 1974 - INFCIRC/216 Additional Protocol ratified in February 2010	
3	IAEA Code of Conduct on Safety and Security of Radioactive Sources	X	Expressed support	X	PNRI Action Plan on the Safety and Security of Radioactive Material implemented	
4	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources					
5	IAEA Incident and Trafficking Database	X	Participates	X	Participates	
6	Other Agreements related to IAEA					

7	Additional national legislation/regulations related to nuclear materials including CPPNM	X	CPR Part 9 Nuclear Wastes and Hazardous Substances (Republic Act 6969)	?	Revising the National Radiological Emergency Preparedness and Response Plan (RADPLAN)	
8	Other	X	Amendments to Human Security Act of 2007 was included in the Legislative- Executive Development Advisory Council which would provide penal provisions under the International Convention for the Suppression of Acts of Nuclear Terrorism and the 2005 Amendment to the Convention on the physical Protection of Nuclear Material. The Philippine Nuclear Research Institute, under the supervision of IAEA, updated the Integrated Nuclear Security Support Plan (INSSP).	X	Part of the Asian Nuclear Safety Network	

**OP 3 (a) and (b) - Account for/Secure/Physically protect CW including Related Materials (CW specific)**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National CWC authority	X	Executive Order No. 39 of 2011 by the President of the Philippines, Section 1 (Designating the Anti-Terrorism Council as the Philippines National Authority on the Chemical Weapons Convention and other Disarmament Issues)	X	Anti-Terrorism Council (PNA-CWC)	
2	Reporting Schedule I, II and III chemicals to OPCW	X	Initial Declaration	X	Initial Declaration	
3	Account for, secure or physically protect "old chemical weapons"					
4	Other legislation/ regulations controlling chemical materials	X	Memorandum Order No. 37 (Providing for the 14 pillars of policy and action of the government against terrorism): law enforcement authorities are to exercise the strictest vigilance against the movement of toxic and biological materials.			
5	Other					

**OP 3 (a) and (b) - Account for/Secure/Physically protect BW including Related Materials (BW specific)**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	Regulations for genetic engineering work	X	Executive Order (EO) No. 514 Biosafety on GMO's 17 March 2006 establishing the national Biosafety framework, implementation guidelines EO No. 247 of 1995, prescribing guidelines and establishing a regulatory framework for the prospecting of biological and genetic resources, their by-products and derivatives, for scientific and commercial purposes Philippine Biosafety Guidelines (PBG) 1991 EO No. 430 of 1990 constituting the national Committee on Biosafety of the Philippines (NCBP) Republic Act 3720 as amended (Food, Drug, and Cosmetic Act )	X	National Committee on Biosafety of the Philippines (NCBP)	
2	Other legislation/ regulations related to safety and security of biological materials	X	Memorandum Order No. 37(Providing for the 14 pillars of policy and action of the government against terrorism): law enforcement authorities are to exercise the strictest vigilance against the movement of toxic and biological materials. PA 4688	?	The Department of Health has initiated the development of a joint administrative order with the Department of Agriculture and the Bureau of Animal Industry on a national policy on laboratory biosafety and biosecurity to establish a strategic framework for the implementation of a national programme on laboratory biosafety and biosecurity. Under the stewardship of the Department of Health, a manual on standards and a manual	



					<p>on guidelines and procedures on laboratory biosafety and biosecurity have already been published and disseminated.</p> <p>The Department of Health published an assessment tool on safe hospitals for disaster preparedness and response, with a chapter devoted to the safety and security of hospital laboratories.</p> <p>The Department of Health issued an administrative order on the framework for health sector response to terrorism to provide guidelines for responding to acts of terrorism that includes the aspect of laboratory biosafety and biosecurity.</p>	
3	Other	X	<p>Presidential Decree 1433 (Plant Quarantine Decree)</p> <p>Republic Act 9271 (Quarantine Act of 2004)</p> <p>Implementing Rules and Regulations of Quarantine Act of 2004</p>	X	<p>Philippine Biosafety and Biosecurity Association, Inc. is assisting government agencies in developing a national policy and implementation plan for biosafety and biosecurity. In line with promoting biosafety and biosecurity, key agencies, such as the Research Institute for Tropical Medicine, the Bureau of Animal Industry, the Philippine Animal Health Centre and the University of the Philippines Manila have undergone security upgrades. They are also currently formulating a national policy on laboratory biosafety and biosecurity.</p>	

**OP 3 (c) and (d) and related matters from OP 6 and OP 10 - Controls of  
NW, CW and BW, including Related Materials**

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials ? Can violators be penalized ?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc				Remarks
		YES			if YES, source document	YES			if YES, source document	
		N W	C W	B W		N W	C W	B W		
1	Border control	X	X	X	NW/CW/BW: Republic Act 1937 of 1957 (the Tariff and Customs Bureau of Customs / Philippine National Police Control Regulations	?	?	?	NW/CW/BW: Bureau of Customs and the National Police are coordinating the monitoring of WMD element flows and other border management agencies involved: Department of Foreign Affairs (DFA), National Economic Development Authority (NEDA), the National Intelligence Coordinating Agency (NICA) and the Philippine Center for Transnational Crime (PCTC)	
2	Technical support of border control measures	X	X	X	NW/CW/BW: The Government of the Republic of the Philippines received donated equipment to resolve incidents involving chemical, biological and radiological agents or weapons. The donated equipment includes a rapid response trailer, chemical detection equipment, air compressors, decontamination clothing kits, evidence collection equipment, hazardous material safety gear and various types of medical and triage tools.	X	X	X	NW/CW/BW: The Government of the Republic of the Philippines received donated equipment to resolve incidents involving chemical, biological and radiological agents or weapons. The donated equipment includes a rapid response trailer, chemical detection equipment, air compressors, decontamination clothing kits, evidence collection equipment, hazardous material safety gear and various types of medical and triage tools. The Bureau of Customs has acquired 30 Nuctech container X-rays and several smaller X-rays under its X-ray inspection project, a non-	

								intrusive container inspection project of the Office of the Commissioner, with the Commissioner as the overall project head to be assisted by an executive assistant and a project point person, who will oversee the operational and administrative functions of the project. Megaport Initiative	
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology								
4	Enforcement agencies/authorities	X	X	X	<b>NW/CW/BW:</b> Bureau of Customs Philippine National Police	X	X	X	<b>NW/CW/BW:</b> Bureau of Customs Philippine National Police  <b>CW:</b> Food and Drugs Administration (FDA) since 2009 Fertilizer and Pesticide Authority (FPA) (for all types of agricultural chemicals) DENR-Environment Management Bureau (industrial chemicals)
5	Export control legislation in place	X	?	?	<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968 CPR Part 2  <b>CW:</b> Republic Act No. 9165 of 2002 - Comprehensive Dangerous Drugs Act (An Act Instituting the Comprehensive Dangerous Drugs Act of 2002, repealing Republic Act No. 6425, otherwise Known As the Dangerous Drugs Act of 1972, as Amended, Providing Funds Therefore, And For Other Purposes) Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990  <b>BW:</b> Bureau of Customs / Philippine National Police	X	?	?	<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968, Section 64  <b>CW:</b> Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990  <b>BW:</b> Bureau of Customs / Philippine National Police

				Control Regulations			Control Regulations	
6	Licensing provisions	X		<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968 CPR Part 2	X		<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968, sections 64 and 4: modify, suspend or revoke licenses	
7	Individual licensing	X		<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968 CPR Part 2	X		<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968	
8	General licensing	X		<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968 CPR Part 2	X		<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968	
9	Exceptions from licensing	X	?	<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968 section 17 CPR Part 2  <b>CW:</b> DENR Administrative Order No. 29 of 1992, section 22	X		<b>NW:</b> CPR Part 2	
10	Licensing of deemed export/visa							
11	National licensing authority	X		<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968 as amended, sec 4. Science Act of 1958, as amended, sec 16-18 Presidential Decree No. 606 of 1974 Executive Order No. 128 of 1987 Section 21	X		<b>NW:</b> PNRI	
12	Interagency review for licenses							
13	Control lists	X	X	<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968 CPR Part 2 Consolidated List of Prohibited and Regulated Products for Export, by Agency as of Nov 2011,	X		<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968	

				as of Dec 2012 and as of Dec. 2013 (regulates nuclear and radioactive materials, and devices incorporating radioactive materials based on the above mentioned two legislations)  <b>CW:</b> DENR Administrative Order No. 29 of 1992, section 14-19: Philippine Inventory of Chemicals and Chemical Substances (PICCS) Pre-Manufacture and Pre-Importation Notification (PMPIN) process (for new chemicals) Priority Chemicals List (PCL)				
14	Updating of lists	X	X	<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968 CPR Part 2  <b>CW:</b> DENR Administrative Order No. 29 of 1992, section 14	X		<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968	
15	Inclusion of technologies	X		<b>NW:</b> CPR Part 2	X		<b>NW:</b> CPR 2	
16	Inclusion of means of delivery							
17	End-user controls							
18	Catch all clause							
19	Intangible transfers							
20	Transit control	X	X	?  <b>NW:</b> Republic Act No. 6969 Bureau of Customs / Philippine National Police Control Regulations  <b>CW:</b> Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990	?	?	?	<b>NW/CW/BW:</b> Bureau of Customs and the National Police are coordinating the monitoring of WMD element flows

					Bureau of Customs / Philippine National Police Control Regulations  <b>BW:</b> Bureau of Customs / Philippine National Police Control Regulations					
21	Trans-shipment control	?	?	?	<b>NW/CW/BW:</b> Bureau of Customs / Philippine National Police Control Regulations	?	?	?	<b>NW/CW/BW:</b> Bureau of Customs and the National Police are coordinating the monitoring of WMD element flows	
22	Re-export control	?	?	?	<b>NW/CW/BW:</b> Bureau of Customs / Philippine National Police Control Regulations	?	?	?	<b>NW/CW/BW:</b> Bureau of Customs and the National Police are coordinating the monitoring of WMD element flows	
23	Control of providing funds	X	X	X	<b>NW/CW/BW:</b> Republic Act No. 10168 of 2012 (The Terrorism Financing Prevention and Suppression Act of 2012)  <b>NW:</b> Republic Act 5207 Nuclear Wastes and Hazardous Substances (Republic Act 6969); applies to non-commercial hazardous substances	X	X	X	<b>NW/CW/BW:</b> Republic Act No. 10168 of 2012 (The Terrorism Financing Prevention and Suppression Act of 2012)	
24	Control of providing transport services	X			<b>NW:</b> Nuclear Wastes and Hazardous Substances (Republic Act 6969); applies to non-commercial hazardous substances Bureau of Customs / Philippine National Police Control Regulations Code of Regulations part 27	X			<b>NW:</b> Bureau of Customs and the National Police are coordinating the monitoring of WMD element flows Code of Regulations part 27	
25	Control of importation	X	X	?	<b>NW:</b> Republic Act No. 5207 Republic Act No. 6969	X	X	?	<b>NW:</b> Atomic Energy Regulatory and Liability Act of 1968 and Part VIII Bureau of Customs / Philippine National Police Control Regulations  <b>CW/BW:</b>	

					<b>CW:</b> Republic Act No. 6969  <b>BW:</b> Bureau of Customs / Philippine National Police Control Regulations				Bureau of Customs and the National Police are coordinating the monitoring of WMD element flows	
26	Extraterritorial applicability									
27	Other	X	X	X	<b>NW/CW/BW:</b> An Act to Prevent the Proliferation of Weapons of Mass Destruction, as well as Conventional Weapons, by Regulating the Transfer of Strategic Goods and for Other Purposes (known as the Strategic Trade Management Act) was submitted to the 16 <sup>th</sup> Congress of the Philippines for its consideration. Draft Executive Order to create a Strategic Goods Control Committee Participates in the implementation of the International Ship and Port Facility Security Code. The Philippines has concluded bilateral agreements with the Netherlands, Israel, and Russia establishing a legal basis for rendering assistance and exchange of information between the two countries to help ensure the proper application and enforcement of customs laws so as to prevent transnational crimes.  <b>CW:</b> Chemical Control Orders (CCOs)	X	X	X	<b>NW/CW/BW:</b> Temporary Secretariat is the Office of the Special Envoy on Transnational Crime, Office of the President of the Philippines National Single Window Project	

## OP 6, 7 and 8 (d) - Control lists, Assistance, Information

Can information be provided on the following issues ?		YES		Remarks
1	Control lists - items (goods/ equipment/ materials/ technologies)	X	Consolidated List of Prohibited and Regulated Products for Export, by Agency as of Nov 2011, as of Dec 2012 and as of Dec. 2013 (regulates nuclear and radioactive materials, and devices incorporating radioactive materials)	
2	Control lists - other			
3	Assistance offered			
4	Assistance requested	X	<p>Philippines (Date of Request: 28 October 2004 and 28 October 2005)</p> <p>Training for the Philippine's first responders for chemical, biological or nuclear emergency and consequence management response organization, e.g. in the following areas:</p> <ol style="list-style-type: none"> <li>1.National protection training course</li> <li>2.Chief Instructor Training programme (CITPRO)</li> <li>3.Live agent training</li> <li>4.Medical Defense against Chemical Weapons</li> <li>5."SEF-TRAD" international course</li> <li>6.Civil Protection course</li> <li>7.International protection course</li> </ol> <p>Border and Export control:</p> <ol style="list-style-type: none"> <li>1.Training and appropriate detection equipment for RN materials</li> <li>2. Enhancement and upgrade of container and cargo security in several seaports.</li> <li>3. Drafting of appropriate laws governing border monitoring.</li> <li>4.Physical protection of the Research Reactor ("PRR-1")</li> </ol>	
5	Point of Contact for assistance	X	<p>Mr. Jesus R.S. Domingo (National Focal Point, Assistant Secretary of United Nations and Other International Organizations, Department of Foreign Affairs)</p> <p>Mr. Raphael S.C. Hermoso (Alternate National Focal Point, Director of the Political and Security Affairs Division of United Nations and Other International Organizations,</p>	



			Department of Foreign Affairs)	
6	Assistance in place (bilateral/multilateral)	X	<p>1. Through the assistance of the IAEA, the Philippines has refined its National Nuclear Security Plan, and developed an Integrated Nuclear Security Support Plan.</p> <p>2. State reports that efforts in Biosafety and Biosecurity have in particular benefited from the assistance of the United States' Biosecurity Engagement Program, (BEP), while export controls have been the focus of several events with the US Department of Energy and the US Department of State 2007-2008</p>	
7	Work with and inform industry	X	Dialogue with industry initiated by the National Authority for WMD Inspection and Control	
8	Work with and inform the public			
9	Point of Contact	X	<p>Mr. Jesus R.S. Domingo (National Focal Point, Assistant Secretary of United Nations and Other International Organizations, Department of Foreign Affairs)</p> <p>Mr. Raphael S.C. Hermoso (Alternate National Focal Point, Director of the Political and Security Affairs Division of United Nations and Other International Organizations, Department of Foreign Affairs)</p>	
10	Other <sup>4</sup>			

4. Information may include references to voluntary implementation national action plan and visits to States, at their invitation, by the 1540 Committee.