

Report of the Republic of the Philippines On the Implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons (SALW) in All Its Aspects

A.) National level

1. National coordination agency

President Gloria Macapagal-Arroyo issued Executive Order No.265 entitled “Defining the Approach and Institutional Mechanism for the Government’s Comprehensive Program on Combating Transnational Organized Crime” on 23 January 2004. This established the Office of the Special Envoy on Transnational Crime (OSETC) as “an oversight body to provide the critical link between and among local, national, regional and international agencies and organizations in forging agreements, concretizing cooperation and harmonizing action” regarding transnational organized crimes. This includes overseeing **policy developments** related to small arms and light weapons.

Heading the OSETC is Ambassador Florencio D. Fianza, who was designated by the President as Special Envoy on Transnational Crime (SETC).

The Comprehensive Programme to Combat Transnational Crime (CPCTOC) is a program that serves as an instrument to guide relevant national and local bodies in helping ensure the synergy and efficacy of approaches and initiatives in combating transnational crime in the country. Following its submission to the Chief Executive, laws and programs that aim to address the eleven (11) transnational crimes covered by the CPCTOC have gained more attention and support. These are:

- Terrorism – *Republic Act No. 9372 or the Human Security Act of 2007* and the creation of the *Anti-Terrorism Council* and an *Anti-Terrorism Task Force*; ratification of the *Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation*, *Convention on the Making of Plastic Explosives for the Purpose of Identification*, *International Convention for the Suppression of Terrorist Bombing*, and the *International Convention for the Suppression of the Financing of Terrorism*
- Illegal drug trafficking – *Republic Act No. 9165 or the Comprehensive Dangerous Drugs Act of 2002 (amending the Dangerous Drugs Act of 1972)*
- Trafficking in persons – ratification of the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime* and the *Protocol Against the Smuggling of Migrants by Land, Sea and Air* and *Republic Act No. 9208 or the Anti-trafficking in Persons Act of 2003*; creation of the *Inter-Agency Council on Anti-Trafficking of Persons*, *Presidential Decree No. 2018 or Further Amending Articles 38 and 39 of the Labor Code by Making Illegal Recruitment a Crime of Economic Sabotage and Punishable with Life Imprisonment*
- Arms smuggling – *Republic Act 8294 or the Firearms Law of 1997 (amending Presidential Decree 1866)*, the *National Firearms Control Program (started in 2009; please refer to page 14)*, and other memorandum circulars and programs
- Sea piracy – *Presidential Decree No. 532 or the Anti-Piracy and Anti-Robbery Law of 1974*; ratification of the *Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation*
- Money laundering – *Republic Act No. 9160 or the Anti- Money Laundering Law* and the creation of the *Anti-Money Laundering Council*, *Republic Act No. 9194 or an amendment to RA 9160 (2003)*
- Intellectual property theft – *Republic Act No. 8293 or the Intellectual Property Code of the Philippines (1997)*
- Cultural property theft – *Republic Act No. 4846 or An Act to Repeal Act Numbered Thirty Eight Hundred Seventy Four, and to Provide for the Protection and Preservation of Philippine Cultural Properties (as amended by P.D. 374)*; creation of the *National Commission for Culture and the Arts*

- Cybercrime – *Republic Act No. 8792 or the Electronic Commerce Act of 2000* and the creation of the *Information Technology and E-Commerce Council*; in addition, a Cybercrime Bill is being reviewed in Congress
- Economic crime – *Republic Act No. 7394 or the Consumer Act of the Philippines (1992)*
- Environmental crime – *Republic Act No. 9003 or the Ecological Solid Waste Management Act of 2000, Republic Act No. 9275 or the Clean Water Act of 2004, Republic Act No. 8749 or the Clean Air Act of 1999, Republic Act No. 6969 or An Act to Control Toxic Substances and Hazardous and Nuclear Waste of 1990*

The Special Envoy, as head of the OSETC, shall advise the President on all matters regarding transnational crimes.

The chief agency responsible for the **implementation and operations** aspect of firearms and explosives laws, rules and regulations in the country is the Firearms and Explosives Division of the Civil Security Group, Philippine National Police (FED-PNP). The FED-PNP was created pursuant to the Revised Administrative Code and Sec 42 (a6) of Republic Act 6975. The division also takes charge of the storage of all confiscated, captured, surrendered/seized, deposited, abandoned and forfeited firearms and ammunition.

Other agencies that are involved as well in operations concerning Transnational Crime and specifically Small Arms and Light Weapons are the Department of the Interior and Local Government (DILG) and the Philippine Center on Transnational Crime (PCTC). The government also sends representatives to the Senior Officials Meeting on Transnational Crime (SOMTC), and the ASEAN Ministerial Meeting on Transnational Crime (AMMTC). The SOMTC, in conjunction with the AMMTC, promotes “cooperation and coordination with other ASEAN bodies dealing with transnational crime such as ASOD (ASEAN Senior Officials on Drug Matters), ASEANAPOL, ASEAN Directors-General of Customs and the ASEAN Directors-General of Immigration Departments and Heads of Consular Divisions of the Ministries of Foreign Affairs.” The PNP and PCTC are under the DILG.

2. National point of contact

Ambassador Extraordinary and Plenipotentiary Florencio D. Fianza
Special Envoy on Transnational Crime

3. Legislation, regulations, administrative procedures

i) What national laws, regulations and administrative procedures exist to exercise effective control over SALW in the following areas? (II.2)

- production
- export
- import
- transit
- retransfer

National Laws, Regulations and Decrees		
<i>Area:</i>	<i>Law/ Regulation/ Decree</i>	<i>Date</i>
Production	<i>Republic Act (RA) 8294 namely "An Act Amending the Provisions of Presidential Decree (PD) No. 1866, as Amended, Entitled 'Codifying the Laws on Illegal/Unlawful Possession, Manufacture, Dealing in, Acquisition or Disposition of Firearms Ammunition or Explosives or Instruments Used in the Manufacture of Firearms, Ammunition or Explosives and Imposing Stiffer Penalties for Certain Violations Thereof, and for Relevant Purposes'"</i>	<i>PD 1866 was promulgated on 29 June 1983</i> <i>RA 8294 was approved on 6 June 1997</i>
	<p>PD 1866 was passed for the purpose of suppressing crimes affecting public order and safety due to the proliferation of illegal firearms, ammunition, and explosives. The law provides grounds for penalizing illegal or unlawful possession, manufacture, dealing in, acquisition or disposition of firearms, ammunitions, and explosives.</p> <p>RA 8294 includes stiffer penalties for violators of the Firearms Law.</p>	
	<p>http://www.fed.org.ph/fed/download/penalties/REPUBLIC%20ACT%20NO.%208294.pdf</p>	
Export Import Transit Retransfer	<i>RA No. 1937 namely the "Tariff and Customs Code of the Philippines"</i>	<i>Promulgated on 11 June 1978</i>
	<p>RA 1937 states that all articles, when imported from any foreign country into the Philippines, shall be subject to duty upon each importation. Under Section 102, the importation into the Philippines of articles such as dynamite, gunpowder, ammunition and other explosives, firearms and weapons of war, and detached parts thereof, is prohibited except when authorized by law.</p> <p>Under Section 885 of the same law, an additional license is required to keep firearms in excess of amount permitted under original license.</p>	
	<p>http://www.chanrobles.com/tariffandcustomslaws.html</p>	

Administrative Procedures		
<i>Area:</i>	<i>Administrative Procedures</i>	<i>In place since</i>
Production Export Import Transit Retransfer	<i>The Revised Administrative Code (RAC) of the Philippines on the Basic Firearms Law</i>	25 July 1987
	The RAC covers all administrative aspects necessitated for the implementation of PD 1866 as amended by RA 8294. Penalties are given for illegal and unlawful possession, manufacture, dealing in, acquisition or disposition of firearms, ammunition and explosives. Some of the noteworthy sections are the following:	
	Under Section 878 of the RAC, it shall be unlawful for any person to import, manufacture, deal in, receive, acquire, buy, sell, dispose of, or possess any firearms, detached parts of firearms or ammunition, or any instrument to implement used, or intended to be used in the manufacture of firearms, parts of firearms or ammunitions.	
	Under Section 2692 of RAC, any person who commits the above mentioned offence shall be punished by imprisonment and fine.	
	Under Section 2690, it shall be unlawful for any dealer of firearms or ammunition to sell or deliver any firearms or ammunition or any parts of a firearm to a purchaser or other person until such purchaser or other person shall have obtained the necessary license.	
	<i>Circular Number 02 or the "Annual Verification of Firearms"</i>	<i>Promulgated on 11 September 1990</i>
	The Chief of the Philippine National Police (PNP) is authorized to conduct an annual inspection of firearms in the police force. Annual inspections help determine the actual existence of firearms, licensed and unregistered. Failure of the gun holder to present his firearms for annual verification shall be considered a violation and be deemed sufficient ground for the cancellation of the firearms license and confiscation of the firearm.	
<i>COMELEC Resolution Number 2735 or the "Gun Ban Policy During Election Period."</i>	<i>Promulgated 27 December 1994</i>	
During the election period, no person shall carry or transport firearms or other deadly weapons in public places, including any building, street, park, private vehicle or public conveyance, even if licensed to possess or carry the same, unless authorized in writing by the Commission on Elections (COMELEC). The issuance of firearms licenses shall be suspended during the election period.		
<i>COMELEC Resolution Number 8714 or the "Rules and Regulations on the Bearing, Carrying or Transporting of Firearms or other deadly weapons and Employment, Availment or Engagement of the Services of Security Personnel or Bodyguards during the Election Period for the 10 May 2010 National and Local Elections"</i>	<i>Promulgated on 06 January 2010</i>	

	<p>In conjunction with the National Firearms Control Program (NFCP) (please refer to page 14), Resolution Number 8714 of the Commission on Elections (COMELEC) has the same principles as the Gun Ban Policy. It states that during the election period, no person shall carry or transport firearms or other deadly weapons in public places, including any building, street, park, private vehicle or public conveyance, even if the gun holder is licensed to possess or carry the firearm, unless authorized in writing by the COMELEC. Only persons listed in the PNP-AFP plantilla are allowed to carry, but only upon the following conditions:</p> <ul style="list-style-type: none"> • All security personnel, bodyguards, members of police force and armed forces, and licensed protection agents must register their names, licensed firearms including make, calibre and license number to the plantilla • Security personnel, bodyguards and other armed personnel must wear distinct uniforms for identification • Security personnel and bodyguards temporarily assigned to protect political candidates must coordinate with the regional joint firearms control center in areas where political candidates will visit <p>Violation will result in confiscation of firearms.</p>	
	<p><i>Memorandum Order (MO) Number 47, prescribing the uniform procedure on the disposition of firearms, part of firearms, ammunition, instrument used in the manufacture thereof.</i></p>	<p><i>Promulgated on 7 November 1986</i></p>
	<p>MO No. 47 provides a uniform procedure on the disposition of firearms, parts, ammunition or instrument used in their manufacture, and explosives and their ingredients coming from abroad, except those specifically imported by and belonging to the Armed Forces of the Philippines.</p>	
	<p><i>Philippine National Police Circular Number 07, Recognition/Operation of Gun Clubs.</i></p>	<p><i>Issued on February 1993</i></p>
	<p>The Circular provides for controlling and monitoring the transport of firearms and ammunition by members of a "gun club." It also helps in determining if such gun club and club members are following the rules and regulations under the PNP Circular. Penalty for failure by the gun clubs to comply with the requirements of the Circular shall be the withdrawal of recognition of the gun club by the PNP.</p>	
	<p><i>General Order Number 6, Carry/Transport Firearms</i></p>	<p><i>Promulgated on 22 September 1972</i></p>
	<p>Persons are prohibited to keep firearms without license and for carrying such firearms outside the residence of the gun owner without a permit to do so.</p>	

ii) What national measures exist to prevent the manufacture, stockpiling, transfer and possession of unmarked or inadequately marked SALW? How have these been implemented? (II.8)

The Philippine government formed the National Law Enforcement Coordinating Committee (NALECC) to coordinate and evaluate the efforts of all law enforcement and intelligence agencies involved in preventing the illicit trade in SALW. Each member agency passes information to other agencies and identifies and entraps smugglers even at local inter-island ports of entry and exit. Intensified

information gathering by appointed intelligence agents and informants is likewise being undertaken. Searches by the Coast Guard and Bureau of Customs officials are conducted on suspected carriers.

Stricter Implementation and Enforcement of Firearms Laws, Rules and Regulations are being undertaken. The FED-PNP had built up their Inspectorate Branch purposely to intensify the campaign against illicit trade by legitimate dealers. This is done through surprise inspections of stores, detailed inventory, manufacturing sight visits and stricter pass or transport control. Escorts from the police service are utilized to monitor movements and transport of firearms from one facility to other warehouses.

Regular training, information and education of concerned personnel are conducted to provide them the knowledge and skills on how to prolong the serviceability of firearms. The proper accounting of all government firearms is a continuing activity for future audit and inventory.

At present, there are pending firearms-related bills in the Philippine Senate which include a bill on firearms smuggling and preventing children from accessing firearms (Senate Bill No. 48 and Senate Bill 1218, respectively).

iii) Please describe how national laws, regulations and procedures that impact on the prevention, combating and eradication of the illicit trade in SALW in all its aspects are made public. (II.23)

The Philippine government communicates its efforts and developments in matters related to SALW through several channels.

The FED-PNP constantly solicits the support and active involvement of civil society by conducting conferences through regional and provincial sorties with owners of private security agencies and company guard forces, recognized gun clubs, dealers and manufacturers of firearms and explosives, businessmen and other civic and non-governmental organizations on matters relative to new or updated rules and regulations on firearms and explosives. Likewise, the OSETC conducts regular seminars among members of the police force and delivers lectures in universities and conferences in the Philippines and abroad regarding the country's laws and programs in combating illicit trade in SALW.

Information campaigns are done through periodic appearances at different television and radio programs. A publication of all the updated and related Laws, Rules and Regulations of the FED-PNP manual on "Firearms and Explosives Laws, Rules and Regulations" is published regularly.

4. Law enforcement/criminalization

i) What national legislative or other measures exist to make the illegal manufacture, possession, stockpiling and trade of SALW criminal offences under domestic law? How have these measures been implemented? (II.3)

National criminal measures relating to illicit SALW		
<i>Area:</i>	<i>Law/ other measure</i>	<i>Date</i>
Manufacture Possession Stockpiling Trade	<i>Republic Act (RA) 8294 "An Act Amending the Provisions of Presidential Decree No. 1866, as Amended, Entitled 'Codifying the Laws on Illegal/Unlawful Possession, Manufacture, Dealing in, Acquisition or Disposition of Firearms Ammunition or Explosives or Instruments Used in the Manufacture of Firearms, Ammunition or Explosives and Imposing Stiffer Penalties for Certain Violations Thereof, and for Relevant Purposes"</i>	<i>Presidential Decree (PD) 1866 was promulgated on 29 June 1983 RA 8294 was approved in 6 June 1997</i>

<p>PD 1866 was passed for the purpose of suppressing crimes affecting public order and safety due to the proliferation of illegal firearms, ammunitions, and explosives. The law provides grounds for penalizing illegal or unlawful possession, manufacture, dealing in, acquisition or disposition of firearms, ammunitions, and explosives.</p> <p>RA 8294 includes stiffer penalties for violators of the Firearms Law.</p>	
<p>http://www.fed.org.ph/fed/download/penalties/REPUBLIC%20ACT%20NO.%208294.pdf</p>	
<p><i>Executive Order 256: Revising Executive Order No. 58, S. 1987, by Rationalizing the Fees and Charges on Firearms, Ammunition, Spare Parts, Accessories, Components, Explosives, Explosive Ingredients, Pyrotechnics and Firecrackers</i></p>	<p><i>Promulgated on 21 December 1995</i></p>
<p>EO 256 sets the fees and charges involved in obtaining licenses and permits in the annual registration of firearms, ammunition, spare parts, accessories, components, explosives, explosive ingredients, pyrotechnics and firecrackers.</p>	
<p><i>Executive Order 580: Amending Executive Order No. 256 dated 21 December 1995 and Executive Order No. 197 dated 13 January 2000 on the Imposition of Administrative Fine for Loss of Firearm</i></p>	<p><i>Promulgated on 21 November 2006</i></p>
<p>EO 580 includes an administrative fine for the loss of any firearm, regardless of its type and calibre. It disqualifies any citizen of the Philippines from possessing firearms in the future if the person has lost a firearm thrice.</p>	

ii) Have those groups and individuals engaged in the illegal manufacture, trade, stockpiling, transfer, possession, as well as financing for acquisition, of illicit SALW been identified, where applicable? What action has been taken under appropriate national law against such groups and individuals? (II.6)

Illegal manufacturers include individuals or groups that manufacture home-made firearms called “paltik.” A “paltik”, or a locally manufactured gun in the Philippines, is an illegally manufactured firearm in clandestine backyard or cottage industries manned by family members. Law enforcement agencies are exerting all efforts to arrest illegal gun manufacturers for violation of our firearms law. In the final **firearms amnesty** (please refer to page 15) that ran from October to November 2009, “firearms drop boxes” were set up in all PNP offices to provide for the surrender of all illegally manufactured and loose firearms, including *paltik* weapons, without threat of prosecution. Manufacture and possession of *paltik* are punishable by law.

iii) What national measures have been taken, including legal or administrative means, against activity that violates a United Nations Security Council arms embargo in accordance with the Charter of the United Nations? (II.15)

<p>National measures for the enforcement of UN Security Council arms embargoes</p>		
<i>Area:</i>	<i>Legal means</i>	<i>Date</i>

Enforcement of UN arms embargoes	The Philippine government abides by the United Nations Security Council on arms embargo in accordance with the United Nations Charter. The Philippines' existing policies and regulations pertaining to firearms are all based on Presidential Decree NO. 1866 as amended by RA 8294.
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5. Stockpile management and security

i) What national standards and procedures exist for the management and security of SALW stocks held by armed forces, police or other authorized bodies? (II.17)

National standards and procedures for stockpile management and security		
<i>Group:</i>	<i>Standards / procedures</i>	<i>Date N/A</i>
Armed forces, Police, and other authorized bodies	<p>The FED-PNP is the sole repository of all imported and locally manufactured firearms and ammunition. All firearms that are being deposited at the Storage Branch of the FED-PNP are required for ballistics. All confiscated, captured, surrendered, deposited, abandoned and forfeited (CCSDAF) firearms by the Local Police Units and the Armed Forces of the Philippines are turned over to the Storage Branch of the FED-PNP to be recorded and tagged as to their types, kind, calibre, make and category. The information obtained is recorded at the Firearms Information Management System (FIMS), a database of all firearms in the repository. The FIMS allows the identification and verification of an individual SALW's path and destination.</p> <p>In addition to the FIMS, the Firearms Records Verification (FRV) tallies the total number of firearms in the possession of an agency, especially those that own multiple firearms. The FRV indicates which and how many firearms need renewal of license. Once application for renewal has been completed, while a license is being produced, a certification is given to the concerned agency indicating that the renewal for license has been completed and the firearms in possession are registered. This is automatically updated in the FRV.</p> <p>The Storage Branch of the FED-PNP is mandated to inspect all firearms, firearm accessories, spare parts and ammunition both purchased abroad and locally manufactured before storing them in their respective vaults. Stockpiled and safeguarded are commercial firearms, evidence firearms and CCSDAFs. The storage is inside the PNP National Headquarters in Camp Crame and as such is well guarded and protected.</p> <p>In addition, a memorandum issued on 15 January 1996 imposes strict guidelines to attain maximum security within the storage. The guidelines are:</p> <ul style="list-style-type: none"> • The storage vault shall only be used for safekeeping of firearms and ammunition. It shall not be used as an office, sleeping quarters, dining and snack area, smoking area, loitering area and others. The complement of a storage space is steel vaults, the stocks consisting of firearms and ammunition and fire extinguisher. Office tables, chairs, typewriters, computers and voluminous records are not allowed inside storage vaults. Only the store man and armorer of each dealer shall be allowed to stay inside the storage vaults; • The storage vaults shall be opened at 9 am and closed at 5 pm, Monday to Friday. After 5 pm, no transaction shall be entertained except for the delivery of firearms from the Ninoy Aquino International Airport-Customs or local factories; 	

	<ul style="list-style-type: none"> • Only licensed gun dealers with designated storage vaults shall be allowed inside the storage vaults. The number of storage personnel per dealer shall depend on the size of their business. Identification cards shall be issued for this purpose; • Only limited personnel and employees of firearms and ammunition dealers will be allowed to enter the storage vault area. In this regard, dealers are classified according to their volume of importation. Dealers whose total importation exceeds one thousand (1,000) firearms shall be classified as big dealers while those dealers whose importation is less than 1,000 down to 500 firearms shall be considered as medium. Those dealers with importation of less than 500 firearms and those without any importation are considered small dealers. Dealers with several branches but owned by a single proprietor shall be considered as one dealer. Each big dealer is authorized five (5) identification cards to be issued to them and their storage personnel. Medium dealers are authorized four (4) identification cards and small dealers are authorized three (3) identification cards; and • Dealers in the provinces without any vault inside the storage shall be entitled to one (1) representative each. <p>To protect and secure the Storage Area, the following guidelines, based on a memorandum issued on 20 June 1995, are strictly observed:</p> <ul style="list-style-type: none"> • A "No I.D., No entry" policy shall be implemented within the storage area • Only Storage Branch personnel and legitimate firearm dealers or their respective representatives duly issued corresponding identification cards (I.D.) will be allowed inside the storage vaults • FED organic personnel and other PNP members having official business with the Storage Branch shall be allowed up to the storage office only. The storage vaults are declared off-limits to them • Retired PNP or AFP personnel securing clearance must transact business at the window designated • All persons transacting business with any firearm dealer or representative must transact business outside the storage office. The storage vault is absolutely off-limits to customers of firearm dealers • Strictly no smoking. Bringing in of highly combustible objects such as gasoline, paint thinner, alcohol, liquor to include gun powder and the accumulation of fire hazards such as stacks of cloth, papers and cartons are strictly prohibited • Only vehicles of FED personnel shall be allowed inside the storage parking area <p>To claim the firearms imported by licensed dealers and stored in their designated storage vaults, each licensed firearms dealer must bring the appropriate license cards (including permit to possess, or, if no permit exists, an application must be made then and there and the permit must be issued before any claim is made) and identification cards. If the claimant is a duly assigned and identified representative of a government agency, the representative must bring with him, in addition to the above-mentioned requirements, an appointment order from his government agency.</p>
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ii) How often are stocks of SALW held by armed forces, police and other authorized bodies reviewed? (II.18)

Physical inventories are done at least once a year by the Philippine National Police on their assets. This includes firearms in the custody of any command for safe keeping or evidences. The policy is pursuant to Memorandum Circular No. 9 of the PNP.

iii) How are those stocks of SALW held by armed forces, police and other authorized bodies that are surplus to requirements identified? (II.18)

Several means have been adopted by the Philippine government to ensure that firearms in possession of the armed forces, police, and other authorized bodies can be identified and traced.

The FIMS of the FED-PNP contains all records of firearms and firearms possessor and can be traced and updated. This includes the firearms owned by the Armed Forces of the Philippines, the Philippine National Police and other authorized bodies.

The National Firearms Control Program (please refer to page 14) provides for the proper accounting, inventory, and registration (AIR) of illicit firearms. The PNP is responsible for conducting a comprehensive AIR of firearms and accounting, inventory and disposal of confiscated, captured, deposited, abandoned and forfeited (CCSDF) firearms of its agency, the AFP and other Law Enforcement Agencies (LEAs), government owned and controlled corporations (GOCCs) and other juridical entities.

6. Collection and disposal

i) Please give details of any national programmes that have been established and implemented for the responsible disposal of surplus stocks of SALW held by armed forces, police and other authorized bodies. (II.18)

CCSDF firearms and ammunition are disposed of in accordance with the Philippine National Police Directorate for Logistics Circular Number 14 dated 25 May 1993. Such disposal applies to abandoned firearms if no such claim is presented within five (5) years and which by operation of Section 896 of the Revised Administrative Code (RAC) on the Basic Firearms Law will be reverted to government ownership.

Destruction through burning of small arms and light weapons are held regularly, especially after amnesty programs. Burned firearms are cut into pieces by acetylene torch that completely renders them unserviceable and unusable. Some are destroyed by means of road roller. The remnants are properly disposed of in accordance with existing rules and regulations.

ii) Is destruction the means used to dispose of such stocks? (II.18)

Yes, the final mode of destruction is based on PNP Circular No. 5, which prefers "smelting" as the final mode of destruction of SALW.

iii) What national measures exist to safeguard such stocks prior to their disposal? (II.18)

The FED-PNP is mandated to stockpile and safeguard surplus stocks of SALW representing the confiscated, captured, deposited, abandoned and forfeited (CCSDF) firearms and ammunition. Destruction and disposal of CCSDFs are usually done inside camp, except those which were approved for smelting.

The PNP Circular No. 5 Series of 2005 dated 10 December 2005, prescribes the policies and procedures in reporting, turn-in and disposition of CCSDF firearms, explosives and ammunition. With this, the national law enforcement agency has adopted "smelting" as the mode of final disposition of SALW.

iv) Subject to the exceptions set out in paragraph II.16 of the UN Programme of Action, are all confiscated, seized or collected SALW destroyed? (II.16)

The CCSDF firearms and ammunition are disposed of in accordance with the Philippine National Police Directorate for Logistics Circular No. 14 dated 25 May 1993. The PNP only destroys those unserviceable, obsolete and beyond economic repair (BER) firearms. Serviceable firearms are being

re-issued to PNP personnel and the Armed Forces of the Philippines pursuant to Section 896 of the Revised Administrative Code (RAC) of the Philippines on the Basic Firearms Law.

v) What methods has your country used to destroy surplus stocks of SALW designated for destruction? (If appropriate, please make reference to the report of the UN Secretary-General (S/2000/1092) of 15 November 2000.) (II.19)

In the past, burning (ceremonial destruction), smelting, crushing, cutting have been used to dispose of surplus stocks designated for destruction. However, in accordance with PNP Circular No. 5, smelting is the preferred mode of disposition of SALW.

vi) Please give details of any information on SALW confiscated or destroyed within your jurisdiction that is submitted to relevant regional and international organizations. (II.23)

N/A

7. Export controls

i) Please describe the system of export and import licensing or authorization, as well as measures on international transit, used by your country for the transfer of all SALW. (II.11)

Republic Act No 1937 – “Tariff and Customs Code of the Philippines” embodies the procedures on exports and imports of Philippine goods. The Bureau of Customs (BoC) has the power and jurisdiction over this function. As mentioned in Section 602 (f) of the Code, the Bureau of Customs “supervises and controls all import and export cargos, landed or stored in piers, airports, terminal facilities, including container yards and freight stations, for the protection of government revenue.” As to exportation of SALW, it is based on current laws and regulations prescribed above.

All imported SALW are inspected by the BoC and the FED-PNP at the point of entry. After payment of appropriate customs duties, the SALW are then transported to the FED-PNP Storage with adequate police escorts where it will remain until the appropriate licenses to possess firearms are processed and approved. The country of origin or the source country will release the export authority and the firearms to the recipient country. The uniform procedure states that upon arrival at the port of entry or when the firearms, parts of firearms, ammunition, or instruments used or intended to be used in the manufacture thereof entered through the Bureau of Customs or Bureau of Posts, the articles shall be deposited by the consignee or possessor with the Collector of Customs/Postmaster who shall issue a receipt thereof. The claimant shall then notify the FED-PNP of such deposits, and request the transfer and deposit thereof to the FED-PNP enclosing therewith a copy of the receipt issued by the Collector of Customs. A duly authorized representative of the FED-PNP shall be sent who shall receive the articles from the Collector of Customs, and who shall deposit the articles with the FED-PNP storage.

On the export of SALW, authorized firearms manufacturers can only export their products to countries with whom the Philippines has diplomatic relations, in accordance with Memo Circular No. 99-009 dated 16 March 1999 of the PNP. An export shall be prohibited when it has an adverse effect on Philippine foreign relations. Also, the requirements of the PNP and the AFP for any defense/military items sought to be exported shall have top priority over export of the same items.

An Export Control Bill that aims to prevent the proliferation of weapons of mass destruction and its parts through regulation is currently being reviewed in Congress and in the Senate. The bill, called, “An Act Preventing the Proliferation of Weapons of Mass Destruction by Regulating the Transfer of Strategic Goods and Items Providing Penalties for their Violations Thereof and for other Purposes,” (House Bill 6268 for the Lower House and Senate Bill 3268 for the Senate) aims to regulate the export of weapons of mass destruction and its parts, including dual-use goods that have legitimate use in other applications or that may be further used in illegal activities such as in illegal manufacture of SALW. The Senate Bill has undergone technical working groups, while the House Bill has passed the second reading in the Lower House.

In addition to this, the Philippine government controls the volume of firearms being produced by legal arms manufacturers in the country through the imposition of a production quota. Importation of firearms from other countries is to be approved, by the Chief of the PNP alone. Application goes through the following processes: the dealer concerned writes a letter to the Chief of PNP upon recommendation of the FED-PNP requesting for the issuance of Import Authority with the attachments of (1) license to operate, (2) importation records for the past twelve (12) months; (3) end-user certification/letter of intent; (4) and purchase order.

ii) Please describe the national laws, regulations and administrative procedures used by your country to ensure effective control over the export and transit of SALW. How are these measures implemented? (II.12)

National laws, regulations and administrative procedures used to ensure effective control over SALW export and transit		
<i>Area:</i>	<i>Laws / regulations / procedures</i>	<i>Date</i>
Export Transit	<i>Republic Act No. 1937 the "Tariff and Customs Code of the Philippines"</i>	<i>Promulgated on 11 June 1978</i>
	<p>All articles, when imported from any foreign country into the Philippines, shall be subject to duty upon each importation, even though previously exported from the Philippines, except as otherwise specifically provided for in this Code or in other laws. Under Section 102, the importation into the Philippines of dynamite, gunpowder, ammunition and other explosives, firearms and weapons of war, and detached parts thereof, is prohibited except when authorized by law.</p> <p>Under Section 885, additional license is required to keep firearms in excess of amount permitted under original license.</p>	
	<p>http://www.chanrobles.com/tariffandcustomslaws.html</p>	

iii) Does your country use authenticated end-user certificates for this purpose? (II.12)

Yes.

iv) Does your country notify the original exporting State when re-exporting or retransferring previously imported SALW? (II.13)

The Philippines does not re-export SALW.

8. Brokering

i) What national legislation or administrative procedures exist to regulate the activities of those who engage in SALW brokering within national jurisdiction and control? (e.g. registration of brokers, licensing or authorization of brokering transactions and appropriate penalties) (II.14)

The Philippines has no legislation specifically on arms brokering. The country does not usually engage in the large shipment of SALW. However, a similar system is in place to avert illicit trade in small arms. MC 99-009 dated March 16, 1999 which is the "**New Policy on Firearms and Ammunition Dealership**" requires licenses for indentors, or a buying agent, especially one for juridical entities, in

firearms, ammunition, and firearm spare parts. Such license authorizes the indenter to import arms for the PNP, the AFP, and other government entities. Firearms dealers are also required to apply for a License to Operate Dealership in firearm, ammunition, firearm spare parts and accessories, air gun, ammunition reloading components, and bullet proof vests. Indentors/Firearm dealers operate similarly as brokers. Gradually, as demand for SALW exports/imports increases in later years, new procedures will be adopted taking into consideration prevailing security issues.

9. Marking, record keeping and tracing

i) Does your country require licensed manufacturers of SALW to apply an appropriate and reliable marking on each weapon as an integral part of the production process? (II.7)

Yes. PD 1866 as amended by RA 8249 and its Implementing Rules and Regulations require licensed manufacturers of SALW to apply an appropriate and reliable marking system on each weapon as an integral part of the production process. To carry this out, in a memorandum issued on 15 August 1997 by the FED-PNP on "Firearms Description", the FED-PNP requires firearms manufacturers to mark their products showing therein their distinctive or unique marks, the firearms model and serial numbers in at least three main parts of the firearms – the receiver, the barrel and the slide. Buyers of these firearms are required to secure from our police authorities the appropriate license, which duly indicates the firearms type, make, calibre, and serial numbers. All firearms, including those in the possession of the PNP, the AFP, private security agencies, local government units (LGUs), government owned and controlled corporations (GOCCs), and other concerned government agencies are likewise distinctively marked. Any removal or alterations of markings would be noticeable without any technical aid.

Furthermore, the Commission on Audit (COA) continues to assess the internal controls and policies adopted by concerned agencies whose main responsibility deals with the maintenance, safekeeping, and custody of government firearms. COA supports a nationwide inventory-taking of firearms to be witnessed by their field auditors in order to arrive at the correct balance and pinpoint accountabilities.

ii) Is this marking unique? (II.7)

Yes.

iii) Does this marking identify the country of manufacture? (II.7)

Yes.

iv) How does this marking otherwise allow concerned authorities to identify and trace the relevant weapon? (II.7)

The firearms descriptions are shown in the license and unlawful alteration of this nature is pre-empted and detected. Further, firearms data are all recorded in the FIMS of FED-PNP in coordination with the Crime Laboratory.

v) How long are records kept on the manufacture, holding and transfer of SALW under your jurisdiction? (II.9)

Records are kept and remains with the FED-PNP for as long as necessary.

vi) What national measures exist for tracing SALW held and issued by the State? (II.10)

The Firearms Ballistics Information System (FBIS) is implemented by the FED-PNP. This state-of-the-art system of gun "fingerprinting" has been developed relying on computer analysis and is now widely used all over the world. It contains ballistics records which can be matched with firearms.

In addition, the NALECC, as mentioned, collates information to investigate and entrap smugglers. The 41 member agencies meet at least once a month.

To ensure the effective implementation of the International Tracing and Marking Instrument, the following existing regulations and administrative procedures are strictly observed by firearms manufacturers:

- That before the any firm can manufacture firearms, ammunition and major firearm parts for commercial purposes, it should secure a Certificate of Safety from the Division of Industrial Safety, Department of Labor and Employment (DOLE);
- That all manufactured firearms, ammunition and major firearm parts must have their trade marks of brands for easy identification and shall be deposited with the FED-PNP for safekeeping prior to its sale to licensed/authorized dealers only upon approval of the Chief of the Philippine National Police;
- That all importation and/or procurement of principal raw materials and components for the manufacture of firearms, ammunition and major firearm parts must have prior clearance from the Chief of the Philippine National Police;
- That any firearms manufacturing firm shall submit a monthly report to FED-PNP as to the types, calibres and quantities of finished products and sales made during the period as well as the inventory of the products and raw materials in stock;
- That all personnel of the factory employed in the manufacture of firearms, ammunition and major firearm parts shall be thoroughly screened by the Philippine National Police;
- That the factory be subjected to inspection by representatives of the Chief of the PNP as often as necessary

vii) Please give details of any steps taken by your country to cooperate in tracing illicit SALW, including the strengthening of mechanisms based on the exchange of relevant information. (III.11)

Information exchange and international cooperation is done through the Association of Southeast Asian National Police (ASEANAPOL) and the INTERPOL NCB MANILA, which is also based in PNP headquarters. The INTERPOL NCB Secretariat is with the PCTC and co-located with the PNP-FED in Camp Crame.

The Philippine government also shares evidentiary information for law enforcement and prosecution purposes, as the situation occurs, through official government channels on the basis of supporting agreements, such as the Agreement on Information Exchange and Establishment of Communication Procedures signed on 7 May 2002 with the governments of Malaysia and Indonesia to combat terrorism and other forms of transnational crime. Representatives from each country's governments met recently to discuss their commitment to the Agreement.

10. Disarmament, demobilization and reintegration (DDR)

i) Please describe any disarmament, demobilization and reintegration (DDR) programmes your country has developed and implemented, including the effective collection, control, storage and destruction of SALW. (II.21)

A DDR program for development was set up in the Mindanao region to attain peace and development. Executive Order No. 496 places peace and development programs in Mindanao under the jurisdiction of the Office of the Presidential Adviser on the Peace Process. A Study on the Socio Economic Reconstruction and Development of Conflict-Affected Areas in Mindanao (SERD-CAAM) was started with the help of the government of Japan to produce more economic development plans for conflict-prone areas in Mindanao. An order was signed by the Chief Executive to intensify DDR in areas where the Moro Islamic Liberation Front (MILF) and the Abu Sayyaf Group (ASG) operate and temporarily establish encampments.

In addition to this, the National Firearms Control Program (NFCP) was implemented last year pursuant to Executive Order 817. It was conceptualized in the First National Summit on Firearms Control last May 2009, participated by members of the police force, government agencies, and civil society groups, for the purpose of creating a comprehensive and robust mechanism for the accounting of

loose firearms. It seeks to resolve the problem of loose firearms proliferation and reduce the chances of loose firearms being used in election-related crimes through the following seven (7) action plans:

- (1) Accounting of firearms with expired licenses and unregistered firearms in the hands of the general population;
- (2) Accounting of organic and Captured, Confiscated, Surrendered, Deposited, Abandoned and Forfeited (CCSDAF) firearms of the Armed Forces of the Philippines (AFP) and other Law Enforcement Agencies (LEAs), as well as firearms owned by Local Government Units (LGUs), Government Owned and Controlled Corporations (GOCCs), government instrumentalities and other juridical entities;
- (3) Accounting of firearms under "Custodia Legis" or firearms in the custody of a judicial entity as evidence in the prosecution of a case;
- (4) Recovery of firearms in the hands of threat groups and criminal elements in crime or election violence-prone areas;
- (5) Advocacy for responsible gun ownership;
- (6) Establishment of "gun-free zones"; and
- (7) Legislative proposals for the enactment of stricter firearms control laws.

As specified in EO 817, the NFCP also seeks to reduce the number of loose arms nationwide by three percent (3%) monthly.

The implementation of the NFCP is carried out by the NFCP Executive Committee (NFCP EXECOM) with the PNP Chief at its helm, in concert with other government agencies such as the AFP; the BoC; the Bureau of Immigration (BI); the Office for Transportation Security, Department of Transportation and Communication (OTS DOTC); the Philippine Coast Guard (PCG); the Philippine Ports Authority (PPA); the National Bureau of Investigation (NBI); the Philippine Drug Enforcement Agency (PDEA); the Office of the Assistant Secretary for the Interior, Department of the Interior and Local Government (OASI, DILG); LEAs and juridical entities. Different private organizations and civil society groups such as the Philippine Action Network on Small Arms (PhilANSA), the Association of Firearms and Ammunition Dealers of the Philippines (AFAD), United Airsoft Alliance, and the Firearms and Ammunition Manufacturers of the Philippines shall be regularly tapped for assistance, especially for vigilance, and in the dissemination of information.

A series of programs have been put in motion to fulfill the goals of the NFCP:

The PNP activated National Task Force "BILANG-BOGA" to oversee the conduct of accounting, inventory, registration and recording of loose firearms. This includes the accounting of organic and CCSDAF firearms under the custody and possession of the PNP, the AFP, other LEAs, LGUs, GOCCs, government and other juridical entities and firearms under "Custodia Legis," or firearms which are in the custody of a judicial entity or Office of the Prosecutor as evidence in the prosecution of a case, at the national, regional, and provincial levels. Data on all firearms are consolidated and reproduced in weekly accomplishment reports.

A supplementary National Task Force called "KONTRA-BOGA" has also been created to track the activities of armed groups in order to monitor firearms in their possession and prevent their illegal acquisition of loose firearms.

A Last and Final General Firearms Amnesty was conducted from October 1 to 31 2009 and extended to 30 November 2009 to accommodate the registration of firearms and the renewal of expired licenses. The Amnesty program shall also accommodate the surrender of unlicensed firearms and *paltik*. Individuals who do not avail of the amnesty program shall be prosecuted and their firearms confiscated by the PNP. The final repository of surrendered firearms shall be the FED-PNP. There was active involvement of the Crime Laboratory during the last amnesty to prevent tampering and defaced serial numbers. This is expected to be sustained throughout the implementation of the NFCP.

Random weapon-checks shall be conducted in crime-prone areas. Regular mobile checkpoint and chokepoint operations will be maintained. Active police operations for intelligence build-up, application of search warrants, and dismantling of private armed groups shall also be implemented.

Massive information campaigns to promote awareness of the NFCP began last 21 July 2009 with the cooperation of partner agencies and the private sector.

Other operations of the Philippine government, with the cooperation of the PNP and AFP include:

- OPLAN (Operation Plan) "PAGLALANSAG" (Disband) aims to disband Private Armed Groups (PAGs). This measure by the PNP vigorously enforced the arrest, confiscation and seizure of firearms, legally or illegally possessed, that is being used by the politicians and unscrupulous individuals to terrorize the populace.
- OPLAN "BAKAL" (Steel) and OPLAN "KAPKAP" (Frisk) is a surprise on the spot checking of loose firearms in the possession of persons who are in public places.
- LOI (Letter of Instruction) "BAWI" (Recall) is carried out to recover firearms not returned by active, retired or dismissed PNP personnel.
- "BALIK BARIL" (Return Gun) BUY-BACK PROGRAM of the government addresses the issues on firearms surrendered by rebel returnees and other tactical operations against active rebel groups. It is a scheme of organized disarmament with the goal of small arms reduction in circulation, wherein compensation is given to rebels for turning in their weapons and return to the folds of the law. "BARIL" (gun) is the acronym of "Bring a Rifle Improve your Livelihood."
- GUN BAN POLICY is promulgated under the Omnibus Election Code which enforces the gun ban during election period, be it local or national elections. The President ordered an indefinite suspension tantamount to technical revocation of all "Permit to Carry Firearms outside Residence" (PTCFOR) in a bid to curb criminality (please refer to page 4).
- The conduct of checkpoints is a measure taken to curb criminality in the metropolis. The same measure was adopted by police units in all parts of the country. These measures will not only check on criminality but also the proliferation of illicit SALW in the possession of unauthorized carriers.
- The "One-Stop-Shop" Processing Center, established through a Memorandum of Agreement signed on 7 October 2005 by and among different government agencies, facilitates the processing of applications for the required permits and licenses for controlled or regulated chemicals, explosives and explosive ingredients, particularly nitrates, chlorates, and nitric acid.

ii) Please describe how your country has addressed the special needs of children affected by armed conflict, in particular the reunification with their family, their reintegration into civil society, and their appropriate rehabilitation. (II.22)

The Philippine government initiated social welfare programs and projects for the reintegration of rebel returnees and their families to mainstream society. The Amnesty for Rebel Returnee Program is a program that encourages the rebels to return to the folds of the law. The Rebel Returnee is then given resources to start a new life with his family.

The Philippine government also passed RA 7610 (Special Protection of Children against Abuse, Exploitation and Discrimination Act) or an act providing for stronger deterrence and special protection against child abuse, exploitation and discrimination, and other offences. A bill on childproofing firearms is also currently being evaluated in the Philippine Senate.

iii) Please describe any DDR programmes or activities that your country has supported. (II.30, 34)

The Philippines supports the protocol on the prevention of illicit trade in SALW and the proposed Arms Trade Treaty.

11. Awareness-raising

i) Please describe any public awareness and confidence-building programmes on the problems and consequences of the illicit trade in SALW in all its aspects that your country has developed and implemented (including the public destruction of surplus weapons and the voluntary surrender of SALW). (II.20)

The PNP constantly solicits the support and active involvement of civil society by conducting conferences through regional and provincial sorties with owners of private security agencies, companies and guard forces, recognized gun clubs, dealers and manufacturers of firearms and explosives, businessmen and other civic and non-governmental organizations on matters relative to new or updated rules and regulations on firearms and explosives. Ceremonial burnings are also conducted. The last ceremonial burning was conducted in 2007, which destroyed 32,726 assorted firearms.

The Philippine government adheres to the policy of promoting the peaceful settlement of disputes with local/domestic threat groups, specifically through the peace process. It has resumed negotiations with the Moro Islamic Liberation Front (MILF) last month, 8 December 2009, in Malaysia. Peace negotiations in the past have stalled but the Philippine government is constantly looking for ways to establish communication and peaceful dialogue with local insurgent groups.

ii) Please describe any education and public awareness programmes on the problems of the illicit trade in SALW in all its aspects that your country has encouraged. (II.41)

Through the utilization of the media, information campaigns are done through periodic appearances at different television and radio programs with regards to firearms, explosives, firecrackers, pyrotechnic and related matters. A publication of all the updated and related laws, rules, and regulations or the FED-PNP manual on "Firearms and Explosives Laws, Rules, and Regulations" is published regularly.

B.) Regional level

1. Legally binding instruments

i) Has your country been involved in negotiations for the conclusion of legally binding instruments aimed at preventing, combating and eradicating the illicit trade in SALW in all its aspects? (II.25)

The Philippines is one of the signatories to the UN sponsored convention on transnational organized crime. It also participates in international fora discussing the UN Programme of Action on Illicit Trade in SALW and the Arms Trade Treaty.

The Philippines adopted the Work Programme to Implement the ASEAN Plan of Action to Combat Transnational Crime and has assumed the role of "Champion" in Southeast Asia in the field of transnational crime.

ii) Where such instruments exist, please describe the steps your country has taken to ratify and fully implement them. (II.25)

The Philippine government has ratified the convention on the marking of plastic explosives for the purpose of identification (Montreal Convention 1991).

The Philippines is yet to ratify the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition and other Related Materials Supplementary to the UN Convention against Transnational Crime, but has already adopted measures for its application.

2. Moratoria and action programmes

i) Please give details of any support your country has given moratoria or similar initiatives on the transfer and manufacture of SALW, and/or regional action programmes to prevent, combat and eradicate the illicit trade in SALW in all its aspects (including cooperation with States concerned in the implementation of these initiatives). (II.26)

The Philippines and the government of Indonesia drafted an MOU to address the problem on Small Arms and Light Weapons entitled: "Memorandum of Understanding between the Government of the Republic of the Philippines and the Government of the Republic of Indonesia on Cooperation in Preventing, Combating and Eradicating the Illicit Trade in Small Arms and Light Weapons, Ammunitions, Parts and Accessories, Explosives and Explosives Ingredients." The MOU facilitates information sharing and the sharing of best practices and expertise between the two countries.

3. Regional Cooperation

i) Please describe any involvement your country has had in the establishment of subregional or regional mechanisms with a view to preventing, combating and eradicating the illicit trade in SALW across borders (in particular trans-border customs cooperation and networks for information-sharing among law enforcement, border and customs control agencies). (II.27)

In realization of the need to address modern manifestation of transnational crimes in the region, Southeast Asian countries entered into a multilateral "Agreement on Information Exchange and Establishment of Communication Procedures" that includes crucial information on transnational crimes.

The Philippines is currently in detailed negotiations with Indonesia and also in talks with Malaysia in setting up a regional program to combat illegal smuggling of firearms and facilitate information exchange.

ii) Please describe any initiatives your country has undertaken to encourage regional and subregional action on illicit trade in SALW in all its aspects in order to, as appropriate, introduce, adhere, implement or strengthen relevant laws, regulations and administrative procedures. (II.28)

As mentioned, the Philippines is currently in detailed negotiations with Indonesia and in talks with Malaysia regarding illicit trade of SALW and in relation to the problem of having porous borders. The government has also constantly supported international endeavors against the illicit trade in SALW.

C.) Global level

1. International instruments against terrorism and crime

i) What existing international legal instruments against terrorism and transnational organized crime has your country ratified or acceded to? (II.38)

The Philippines is a signatory to many international counter-terrorism instruments. The Philippines also adheres to United Nations resolutions of the General Assembly and the Security Council concerning terrorism and transnational crime. Among the international agreements the Philippines has ratified are:

- Protocol for the suppression of unlawful acts of violence at airports serving international civil aviation (done in Montreal on 23 September 1971)
- Convention for the suppression of unlawful acts against the safety of maritime navigation (signed in Rome on 10 March 1988)
- Protocol for the suppression of unlawful acts against the safety of fixed platforms located on the continental shelf (signed in Rome on 10 March 1988)
- International convention for the suppression of terrorist bombings (signed in New York on 12 January 1999)
- International convention for the suppression of the financing of terrorism (signed in New York on 9 December 1999)
- Convention on the marking of plastic explosives for the purpose of identification (Montreal Convention 1991) (signed in Montreal on 1 March 1991)

In compliance with international treaties and agreements, the Philippine Congress passed in April 2007 the Human Security Act of 2007 (RA 9372) or the anti-terrorism law that aims to “protect life, liberty, and property from acts of terrorism, to condemn terrorism as inimical and dangerous to the national security of the country and to the welfare of the people, and to make terrorism a crime against the Filipino people, against humanity, and against the law of nations.” The Commission on Human Rights (CHR) was given prosecutorial powers and more responsibilities to ensure a thorough investigation and prosecution of offenders. Section 55 of the Act defines the role of the CHR as an agency that has “concurrent jurisdiction to prosecute public officials, law enforcers, and other persons who have violated the civil and political rights of persons suspected of, accused of, or detained for the crime of terrorism or conspiracy to commit terrorism.”

2. International cooperation and assistance

i) Please give details of any assistance, including technical and financial assistance, your country has provided for purposes of supporting the implementation of the measures to prevent, combat and eradicate the illicit trade in SALW in all its aspects as contained in the UN Programme of Action. (III.3, 6, 10, 14)

N/A

ii) Please describe any initiatives your country has undertaken to enhance mutual legal assistance and other forms of cooperation in order to assist investigations and prosecutions in relation to the illicit trade in SALW in all its aspects. (III.13)

The Philippines cooperates with ASEAN in its efforts to combat transnational crime. Information exchange, legal assistance, and strengthening of border controls are constant agenda in ASEAN regional meetings.

iii) Please give details of any assistance your country has provided to combat the illicit trade in SALW linked to drug trafficking, transnational organized crime and terrorism. (III.15)

Information exchange and international cooperation is done through INTERPOL NCB MANILA INITIATIVES and ASEANAPOL and various multilateral agreements between countries.

The Counter-Terrorist Force (CTF) created by the AFP constantly exchanges information on terrorism with parallel foreign agencies.

The Anti-Terrorism Council was created under the Human Security Act of 2007 in order to investigate and facilitate prosecution of those who commit terrorist acts.

iv) Please give details of your country's cooperation with Interpol for the purpose of identifying those groups and individuals engaged in the illicit trade in SALW in all its aspects. (II.37)

The Interpol NCB-Manila Secretariat supervises the I-24/7 system for international law enforcement. It is a secure internet-based system used to send and transmit vital and classified information among its 119 member-countries connected to the network. The I-24/7 is accessible 24/7 in several languages – English, Spanish, Arabic and French. Interpol NCBs can access critical information in Interpol's database directly in seconds. This could be used relative to cases on illicit trade in SALW in all its aspects.

The Interpol NCB-Manila Secretariat also maintained the Interpol's system of International Notices. International notices are documents used to help the world's law enforcement community exchange information about missing persons, unidentified bodies, persons wanted for committing serious crimes, and criminal modus operandi which is a principal tool for international police cooperation. This is also accessible via the new I-24/7.

Law enforcement agencies in the Philippines cooperate constantly with parallel agencies in other countries.

v) Please give details of your country's use and support of Interpol's International Weapons and Explosives Tracking System database (including providing relevant information on the illicit trade in SALW). (III.9)

The PCTC has been utilizing Interpol's International Weapons and Explosives Tracking System database in identifying and tracing firearms.

vi) Please give details of your country's cooperation with the UN system to ensure the effective implementation of arms embargoes decided by the UN Security Council in accordance with the UN Charter. (II.32)

The Philippine government abides by the UN Security arms embargo in accordance with the UN Charter.

vii) Please describe any steps your country has taken in cooperation with other states, or regional or international organizations, to develop common understandings of the basic issues and the scope of the problems related to illicit brokering in SALW. (II.39)

The Philippine government is in constant communication with international organizations and participates in international conferences and seminars that provide greater understanding about problems faced by countries with regards to illicit trade in SALW. The Philippines also participates in discussions surrounding a proposed Arms Trade Treaty.

3. Cooperation with civil society and NGOs

i) Please give details of cooperation with civil society and non-governmental organizations in activities related to the prevention, combat and eradication of the illicit trade in SALW in all its aspects, at the national, regional and global levels. (II.20, 40, 41; III.2, 18)

On the domestic level, the Philippine Government continuously coordinates with non-government organizations in the formulation of rules and regulations affecting the firearms industry like the Association of Firearms Dealers of the Philippines (AFAD), Philippine Action Network on Small Arms (PHILANSA), the Association of Firearms Manufacturers of the Philippines (AFAM) and a number of licensed multi-purpose cooperatives.

Regionally and globally, the Philippine government constantly participates in UN and Regional sponsored programs and conferences that are also participated in by civil society and non-governmental organizations and in activities related to the prevention, combat and eradication of the illicit trade in SALW in all its aspects.

4. Information exchange

i) Please describe any steps taken by your country to exchange information on national marking systems on SALW. (III.12)

PD 1866, as amended by RA 8294, and its Implementing Rules and Regulations requires licensed manufacturers of SALW to apply an appropriate and reliable marking system on each weapon as an integral part of the production process. The Philippine government is always ready to provide assistance to countries with regards to our national marking system.

ii) Please give details of any information on, inter alia, SALW confiscated or destroyed within national jurisdiction, or other relevant information such as illicit trade routes and techniques

of acquisition, that your country has submitted to relevant regional and international organizations. (II.23)

N/A

5. Training, capacity-building, research

i) Please describe any initiatives your country has undertaken to enhance cooperation and exchange of experience and training among competent officials, including customs, police, intelligence and arms control officials, at the national, regional and global levels in order to combat the illicit trade in SALW in all its aspects. (III.7)

The communication and cooperation is between agencies of the Philippines and different states and in some cases person-to-person. The primary agencies involved are the DILG, the OSETC, the FED-PNP, the PCTC, and the Department of Foreign Affairs (DFA).

ii) Please describe any regional and international programmes for specialist training on small arms stockpile management and security that your country has developed or supported. (III.8)

N/A

iii) Please give details of any action-oriented research aimed at facilitating greater awareness and better understanding of the nature and scope of the problems associated with the illicit trade in SALW in all its aspects that your country has developed or supported. (III.18)

The Philippine government designed a national strategy codenamed SLIDE, to combat the proliferation of illicit trafficking in SALW. This strategy is anchored on the following 5-point agenda namely (1) Storage Safety, (2) Law Enforcement/Legal Measures, (3) Information Exchange, Intensive Training, Public Awareness and Assistance Program, (4) Disposition and Accounting of CCSDAF Firearms and Transport of Arms/Weapons, and (5) Export/Import Control.