



UN Programme of Action

National Reporting Tool

Philippines

2016

SECTION 1: POINTS OF CONTACT

Sources National Coordination Agency

- PoA II.4 1. Has your country established a National Coordination Agency or other body responsible for policy guidance, research and monitoring of efforts to prevent, combat and eradicate the illicit trade in SALW in all its aspects? Yes ▾
- a) Name of agency : Office of the Special Envoy on Transnational Crime
 b) Address : 4th Floor, PCTC Building, Camp Crame, Quezon City
 c) Contact details :
 i) Contact person : REX DEREQUITO PIAD, Special Envoy on Transnational Crime
 ii) Telephone number(s) : +63 725 65 38
 iv) Email : osetc.phl@gmail.com and/or rex_0_5795@yahoo.com

Sources National Point of Contact

- PoA II.5, 24 2. Does your country have a National Point of Contact designated to act as a liaison on matters relating to the implementation of the UN Programme of Action on Small Arms (PoA)? Yes ▾
- 2.1. Details:
 a) Name : REX DEREQUITO PIAD, Special Envoy on Transnational Crime (secondary) Raison Arobinto, OIC, Arms Smuggling
 b) Organization or agency : Office of the Special Envoy on Transnational Crime
 c) Address : 4th Floor, PCTC Building, Camp Crame, Quezon City
 d) Telephone number(s) : Tel: +63 725 65 38 Mobile: +63 917 5282 848 and/or +63 999 7417 554
 f) Email : osetc.phl@gmail.com; rex_0_5795@yahoo.com and/or rdarobinto@gmail.com
- ITI 25 2.2. Is the National Point of Contact identified above also responsible for exchanging information and liaising on matters relating to the International Tracing Instrument (ITI)? Yes ▾

SECTION 2: MANUFACTURE

Sources Laws, regulations and administrative procedures

- PoA II.2 3. Are there any SALW manufactured in your country? Yes ▾
- 3.1. Does your country have laws, regulations and/or administrative procedures to exercise effective control over the manufacture of SALW? Yes ▾
- 3.1.1 List laws, regulations and/or administrative procedures regulating the manufacture of SALW in your country
 Listed below are the major laws and regulations regarding SALW in the Philippines 1.) Republic Act 10591 and It's Implementing Rules and Regulations 2.) Republic Act 1937 otherwise know as Tariff and Customs Code of the Philippines 3.) Republic Act 10697 otherwise known as Strategic Trade Management Act.
- 3.1.2. Does your country license the manufacture of SALW? Yes ▾
- PoA II.3 3.1.3. Is illegal manufacture of SALW considered a criminal offence in your country? Yes ▾

Sources Marking at manufacture

- PoA II.7; ITI 8a 3.2. Does your country require that SALW be marked at the time of manufacture? Yes ▾
- ITI 8a 3.2.1. What information is included in the marking (check relevant boxes)?
- | | |
|-----------------------------|-------------------------------------|
| a) Name of the manufacturer | <input checked="" type="checkbox"/> |
| b) Country of manufacture | <input checked="" type="checkbox"/> |
| c) Serial number | <input checked="" type="checkbox"/> |
| d) Year of manufacture | <input type="checkbox"/> |
| e) Weapon type/model | <input checked="" type="checkbox"/> |
| f) Caliber | <input checked="" type="checkbox"/> |
| g) Other | <input type="checkbox"/> |
- ITI 10a 3.2.2. What part of the SALW is marked?
 Pursuant to Republic Act 10591, the following parts are being marked: 1.) Barrel 2.) Slide and Frame
- 3.2.3 Are there exceptions to the requirement to mark SALW at the time of manufacture? No ▾

Sources Record-keeping by manufactures

- PoA II.9; ITI 11 3.3. Does your country require that manufacturers keep records of their activities? Yes ▾
- ITI 12a 3.3.1. What information must be recorded (check relevant boxes)?
- | | |
|---------------------------------------|-------------------------------------|
| a) Quantity of SALW manufactured | <input checked="" type="checkbox"/> |
| b) Type or model of SALW manufactured | <input checked="" type="checkbox"/> |

- c) Markings applied to manufactured SALW
- d) Transactions (e.g. sales of manufactured and marked SALW)
- e) Other

ITI 12a 3.3.2. How long must manufacturing records be kept? Indefinitely ▼

Sources Actions taken during the reporting period

PoA II.6 3.4. During the reporting period, was action taken against groups or individuals engaged in illegal manufacturing of SALW (e.g. prosecution)? No ▼

Sources International assistance

PoA III.6 4. Does your country wish to request assistance in developing laws, regulations and/or administrative procedures regarding SALW manufacture? No ▼

SECTION 3: INTERNATIONAL TRANSFERS

Sources Laws, regulations and administrative procedures

PoA II.2, 12 5. Does your country have laws, regulations or administrative procedures to exercise effective control over the export, import, transit or retransfer of SALW? Yes ▼

PoA II.11 5.1. List laws, regulations or administrative procedures to exercise effective control over the export, import, transit or retransfer of SALW.
Listed below are the major laws and regulations regarding SALW in the Philippines 1.) Republic Act 10591 and It's Implementing Rules and Regulations. 2.) Republic Act 1937 otherwise know as Tariff and Customs Code of the Philippines. 3.) Republic Act 10697 otherwise known as Strategic Trade Management Act

Sources Licensing and authorisation

PoA II.11 5.2. Does a person or an entity who transfers SALW require a licence or other form of authorisation to transfer SALW from/into your country? Yes ▼

PoA II.3 5.3. Is it a criminal offence to trade SALW without a licence or authorisation, or to do so in a manner that is in contradiction to the terms of a licence or authorisation, in your country? Yes ▼

PoA II.11 5.4. What kind of documentation does your country require prior to authorising an export of SALW to another country? Yes ▼

PoA II.12 a) An end-user certificate (EUC) from the importing country Yes ▼
 i) What elements does an end-user certificate in your country contain (check relevant boxes)?
 1) Detailed description (type, quantity, characteristics) of the SALW or technology
 2) Contract number or order reference and date
 3) Final destination country
 4) Description of the end-use of the SALW
 5) Exporter's details (name, address and business name)
 6) End-user information (name, position, full address and original signature)
 7) Information on other parties involved in the transaction
 8) Certification by the relevant government authorities of the authenticity of the end-user
 9) Date of issue
 10) Other

PoA II.12 b) Other types of end-user documentation
 5.5. Does your country verify or seek to authenticate EUCs or other types of end-user documentation provided? Yes ▼
 5.5.1 Details:
 Specially when there is a doubt in the declared information, verification is being done.

5.6. Does your country have measures in place aimed at preventing the forgery and misuse of EUCs or other types of end-user documentation? Yes ▼
 5.6.1 Details:
 As to specific action with regards to verifying the authenticity of the EUCs, there is no in place yet but we require only the original EUC to prevent such forgery conducts.

Sources Post-delivery controls

5.7. When exporting, does your country require a Delivery Verification Certificate (DVC) to confirm that SALW have reached their intended end-user or intended importer in the importing State? No ▼

5.8. After exporting, does your country verify or seek to authenticate DVCs provided? No ▼

5.9. When importing, does your country grant the right to the exporting State to conduct a physical check at the point of delivery? Yes ▾

Sources Marking at import

ITI 8b 5.10. Does your country require that SALW imported into your country be marked at the time of import? No ▾

Sources Record-keeping

PoA II.9; ITI 12 5.11. Does your country require that exporters and importers of SALW keep records of their activities? Yes ▾

5.11.1. What information must be recorded (check relevant boxes)?

- a) Quantity of SALW traded
- b) Type or model of SALW traded
- c) Markings appearing on transferred SALW
- d) Transactions
 - i) Identity of buyer/seller
 - ii) Country SALW are to be delivered to or purchased from
 - iii) Date of delivery
- e) Other

5.11.2. How long must records of transfers be kept? Indefinitely ▾

Sources Actions taken during the reporting period

PoA II.6 5.12. During the reporting period, was action taken against groups or individuals engaged in transferring SALW illegally (e.g. prosecution)? No ▾

Sources International assistance

PoA III.6 6. Does your country wish to request assistance in developing laws, regulations or administrative procedures to exercise effective control over the export, import, transit or retransfer of SALW? No ▾

SECTION 4: BROKERING

Sources Laws, regulations and administrative procedures

PoA II.14 7. Does your country have laws, regulations and/or administrative procedures governing brokering of SALW? Yes ▾

7.1. List laws and/or administrative procedures regulating SALW brokering in your country.
All laws, regulations and/or administrative procedures governing brokering of SALW are addressed in the Republic Act 10697 otherwise known as Strategic Trade Security Management Act (STMA). However, its Implementing Rules and Regulations (IRR) is still in progress.

8.1.1 Are those laws and procedures part of the national arms export control system? --- Select --- ▾

7.2. Does your country require registration of SALW brokers? Yes ▾

7.3. Does your country require a licence, permit or other authorisation for each brokering transaction? Yes ▾

8.4. Does your country have measures to validate the authenticity of documentation submitted by the broker? --- Select --- ▾

7.4. Does your country regulate activities that are closely associated with the brokering of SALW? Yes ▾

7.4.1. If so which of the following activities are regulated when undertaken in connection with the

brokering of SALW (check relevant boxes)?

- a) Acting as dealers or agents
- b) Providing technical assistance
- c) Training
- d) Transport
- e) Freight forwarding
- f) Storage
- g) Finance
- h) Insurance
- i) Maintenance
- j) Security
- k) Other services

Other activities may be covered in the on-going draft of IRR of the STMA. Checked relevant activities above are those that are identified and defined in the STMA.

Sources **Actions taken during the reporting period**

7.5 During the reporting period, was action taken against groups or individuals engaged in illegal brokering (e.g. prosecution)? No ▾

Sources **International assistance**

PoA III.6 8. Does your country wish to request assistance in developing laws, regulations or administrative procedures to regulate SALW brokering? No ▾

SECTION 5: STOCKPILE MANAGEMENT

Sources **Laws, regulations and administrative procedures**

PoA II.17 9. Does your country have standards and procedures relating to the management and security of SALW held by the armed forces, police or any other entity authorised to hold SALW? Yes ▾

PoA II.17 9.1. If so, which of the following provisions are included in these standards and procedures (check relevant boxes)?

- a) Appropriate locations for stockpiles
- b) Physical security measures
- c) Control of access to stocks
- d) Inventory management and accounting control
- e) Staff training
- f) Security, accounting and control of SALW held or transported by operational units or authorised personnel
- g) Procedures and sanctions in the event of theft or loss
- h) Other

Sources **Surplus**

PoA II.18 9.2. When stocks are identified as surplus, what actions does your country take with regard to the surplus (check relevant boxes)?

- a) Officially declare as surplus
- b) Take out of service
- c) Record by type, lot, batch, and serial number
- d) Store separately

e) Other

9.3. In disposing of the surplus stocks, which of the following methods may be used (check relevant boxes)?

- a) Destruction
- b) Sale to another State
- c) Donation to another State
- d) Transfer to another state agency
- e) Sale to civilians
- f) Sale or transfer to legal entities (e.g. museums, private security companies, etc.)
- g) Other

Sources Actions taken during the reporting period

PoA II.19 9.4. During the reporting period, has your country destroyed surplus stocks?

Sources International assistance

PoA II.29; III.6 10. Does your country wish to request assistance in developing standards and procedures on stockpile management?

PoA III.6; 14 11. Does your country wish to request assistance in developing capacity for the destruction of weapons?

SECTION 6: COLLECTION

Sources Collection

12. During the reporting period, did your country collect any SALW?

PoA II.21 12.1. How many SALW were collected?
There's no exact figure at the moment because collected SALWs are still subject to inventory and/or accounting.

12.2. What action was taken with respect to the SALW collected (check relevant boxes)?

- a) Stored securely pending further action
- b) Marked
- c) Registered or recorded
- d) Destroyed
- e) Other

Sources International assistance

PoA III.6 13 Does your country wish to request assistance in building capacity for confiscation and seizure of the illicit SALW?

SECTION 7: MARKING AND RECORD KEEPING

Sources Marking

- ITI 8d **14. Does your country take measures to ensure that all SALW in the possession of government armed and security forces for their own use are duly marked?** Yes ▾
- 14.1. Describe the markings that are applied to government-held stocks.**
There's an agency identification indicated in the SALW possessed by government armed and security forces.
- ITI 8c **14.2. When government stocks are transferred to civilians or private companies in your territory, are such stocks marked to indicate that your government transferred the stocks?** No ▾
- ITI 8e **15. Does your country encourage manufacturers of SALW to develop measures against the removal or alteration of markings?** Yes ▾
- 15.1 Details**
There's a provision under RA 10591 and Its IRR, in Section 34 which provides penalty for tampering/ Obliteration/ Alteration of Firearms Identification.

Record-keeping

- PoA II.9 **16. Does your country have standards and procedures related to keeping of records for all marked SALW in its territory?** Yes ▾
- 16.1. What records relating to SALW are kept by the State (e.g. manufacturing, brokering, import and export licences granted, sales to other States, SALW held by State agencies such as the armed forces etc)?**
1.) 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. 2.) The Firearms Ballistics Information System (FBIS) is implemented by the PNP-Crime Labory. 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.
- ITI 12 a,b **16.2. How long does the government keep such records?**
Indefinitely
- ITI 13 **163. In the event that they go out of business, are companies engaged in SALW activities (e.g. manufacturing, importing, exporting etc) required to submit all records held by them to the government?** Yes ▾

Sources International assistance

- PoA III.6, ITI 27 **17. Does your country wish to request assistance in building capacity for record-keeping?** No ▾

SECTION 8: INTERNATIONAL TRACING

Sources Laws, regulations and administrative procedures

- PoA II.10; ITI 14, 24 **18. Does your country have procedures in place to trace SALW?** Yes ▾

Sources Tracing requests

- ITI 25; 31a **18.1. Which government agency is responsible for making a tracing request to another country?**
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 Philippine National Police (PNP) headquarters. The INTERPOL NCB Secretariat is with the Philippine Center on Transnational Crime (PCTC) which is housed in the PNP in Camp Crame.
- ITI 17 **18.2. What information does the designated agency include in a tracing request? (check relevant boxes)**
- a) Circumstances under which the SALW was found
 - b) Reasons why the SALW is considered to be illegal or illicit
 - c) The intended use of the information being sought
 - d) Any markings on the SALW
 - e) Type/calibre of SALW
 - f) Other

Sources Cooperation with INTERPOL

PoA II.37; ITI 33 **19. During the reporting period, has your country cooperated on the issue of tracing SALW with the International Criminal Police Organization (INTERPOL) ?** Yes

Sources International assistance

PoA II.36; III.6; ITI 27 **2420. Does your country wish to request assistance in developing procedures to trace SALW? <td>** No

&n

PoA III.10; ITI 28 **2521. Has your country considered providing assistance to examine technologies to improve the tracing and detection of illicit SALW?<td>** No

&n

SECTION 9: INTERNATIONAL COOPERATION & ASSISTANCE

Sources Assistance requested / received / provided

PoA III.3, 6 **2622. During the reporting period, in addition to the assistance requested/received mentioned in the Sections 2-8 above, has your country requested / received / provided assistance to implement the PoA and ITI?<td>** Yes

PoA III.16, PoA III. 6, PoA III.7, PoA III.18, PoA III. 15 **22.1 If so, in what areas (check relevant boxes)?**

a. Establishing/designating National Coordination Agency/National Point of Contact --- Select ---

b. Disarmament, demobilization and reintegration (DDR) --- Select ---

c. Capacity-building and training on SALW issues Received

a) Nature of the assistance:

i) financial --- Select ---

ii) technical Received

b) Amount of assistance provided/received (if financial):

n/a

c) Description of the assistance activity:

Capacity-Building Workshop on SALW

d) Duration of the assistance provided/received:

2 days

e) State(s) or organization(s) that provided/received the assistance:

UN Regional Center for Peace and Disarmament in Asia and the Pacific (UNRCPD)

&n

d. Law enforcement --- Select ---

e. Customs and borders --- Select ---

f. Action-oriented research --- Select ---

g. Children/youth --- Select ---

h. Awareness-raising --- Select ---

i. Organized crime, drug trafficking and terrorism --- Select ---

j Other --- Select ---

Any further comments on PoA and ITI, including implementation challenges and opportunities?<td>

The government of the Philippines continue its efforts to support the implementation of the PoA and the ITI in accordance with its international commitment to combat transnational crimes particularly on Arms Smuggling.

Additional information may be uploaded/attached, if necessary:

SECTION 10: INFORMATION TO BE SUBMITTED

Information on national marking practice

2823. Pursuant to paragraph 31 of the International Tracing Instrument, States will provide the Secretary-General with the following information, updating it when necessary:

- a) **National marking practices related to marking used to indicate country of manufacture and/or country of import as applicable.**

The manufactured SALW in the Philippines indicates the country of origin.

Additional information such as images and illustrations may be uploaded/attached, if necessary:

Note: Relevant information might have been provided in questions 4.2.1, 4.2.2 and 18.1 in this report.