

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



'14 FEB 17 P1:46

SENATE
P. S. R. No. 509

RECEIVED BY: *ji*

Introduced by Senator Miriam Defensor Santiago

RESOLUTION

DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE REPORT THAT THE PHILIPPINES HAS BECOME THE DUMPING GROUND OF GARBAGE, IMPROPERLY DECLARED AS SCRAP, FROM OTHER COUNTRIES

WHEREAS, the Constitution, Article 2, Section 16, provides: “The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature”;

WHEREAS, the Constitution, Article 2, Section 7, states: “The State shall pursue an independent foreign policy. In its relations with other states, the paramount consideration shall be national sovereignty, territorial integrity, national interest, and the right to self-determination”;

WHEREAS, the *Philippine Daily Inquirer*, in its 11 February 2014 issue, reported that the Bureau of Customs (BOC) has discovered several container vans of garbage from Canada shipped into the Philippines;

WHEREAS, the report claimed that 50 40-foot container vans was shipped by Chronic, Inc., from Ontario Canada and that the shipper declared the shipment as “scrap plastic materials for recycling”;

WHEREAS, the BOC is now investigating Chronic Plastic, a Valenzuela City trading firm that is said to be the consignee of the container vans;

WHEREAS, the BOC claimed that although companies are allowed to ship scrap material for recycling purposes, only one kind of scrap material is allowed per shipment; thus, Chronic Plastics could be held liable for allegedly violating the Tariff and Customs Code and Republic Act 6969, also known as the “Toxic Substances and Hazardous Wastes Control Act of 1990”;

WHEREAS, in a press statement, the BOC reportedly said that the container vans arrived at the Manila International Container Port in August and September of 2013; alerts were therefore promptly issued on the shipment because the consignee had submitted incorrect documents for the importation, which has a declared value of over \$220,000;

WHEREAS, the report said that Ariel Nepomuceno, customs deputy commissioner for enforcement, warned that “this junk,” which was discovered during a BOC spot check, “could pose biohazard risks for our the people”;

WHEREAS, Nepomuceno also reportedly pointed out that under the Basel Convention on the control of transboundary movements of hazardous wastes and their disposal, the exporting country must take back the waste materials if the receiving country refuses to accept them;

WHEREAS, according to the report, the Philippines and Canada are both signatories to the international treaty, which went into force on 5 May 1992;


WHEREAS, although the Philippines is a signatory to the Basel Convention, it is imperative for the legislature to increase tariff and penalties, and create stricter guidelines in order to prevent this incident from recurring;

WHEREAS, if not for the spot check conducted by the BOC, 50 container vans of garbage would have been dumped in Philippine soil and would have been the problem of the government;

WHEREAS, there is thus a need for the Philippines to increase the penalty for Filipino entrepreneurs who improperly declare goods to the detriment of the Filipino people and the Philippine environment;

WHEREFORE, BE IT HEREBY RESOLVED BY THE PHILIPPINE SENATE to direct the proper Senate committee to conduct an inquiry, in aid of legislation, on the report that the Philippines has become the dumping ground of garbage, improperly declared as scrap, from other countries.

Adopted,


MIRIAM DEFENSOR SANTIAGO

/mamt