



SIXTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
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SENATE  
P. S. R. No. 919

RECEIVED BY: *[Signature]*

Introduced by Senator Miriam Defensor Santiago

RESOLUTION

DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY,  
IN AID OF LEGISLATION, ON WAYS TO PREVENT ILLEGAL WASTE DUMPING  
FROM OVERSEAS IN LIGHT OF THE BOTCHED IMPORTATION OF  
MIXED HAZARDOUS GARBAGE FROM CANADA

WHEREAS, the Constitution, Article 2, Sections 15 provides: "The State shall protect and promote the right to health of the people and instill health consciousness among them";

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, Republic Act 6969, also known as the "Toxic Substances and Hazardous, and Nuclear Wastes Control Act of 1990," Section 13, considers it unlawful to "cause, aid or facilitate, directly or indirectly, in the storage, importation or bringing into Philippine territory...any amount of hazardous and nuclear wastes";

WHEREAS, Republic Act 9003, also known as the "Ecological Solid Waste Management Act of 2000," Section 48, prohibits the "importation of toxic wastes misrepresented as "recyclable" or "with recyclable content";

WHEREAS, the Philippines is a party to the "Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal" whose overarching objective is "to protect human health and the environment against the adverse effects of hazardous wastes;

WHEREAS, the "Basel Convention Ban Amendment," which the Philippines has yet to ratify, essentially prohibits all forms of hazardous waste exports from the highly industrialized countries of the Organization of Economic Cooperation and Development (OECD) to developing countries;

WHEREAS, fifty (50) container vans of mixed garbage from Canada (an OECD country), wrongly declared as recyclable plastic materials, arrived in six batches between June to August 2013 at the Manila International Container Port;

WHEREAS, a probe conducted by the Bureau of Customs (BOC) found that the container vans actually contained "heterogenous" plastic materials, including mixed

household garbage and adult diapers that could pose biohazard to the public and the environment;

WHEREAS, the BOC has filed smuggling charges before the Department of Justice against the consignee (Chronic Plastics) and the company's licensed customs brokers for violating Sections 3601 and 3602 of the Tariff and Customs Code of the Philippines, Article 172 in relation to Article 171 of the Revised Penal Code of the Philippines, and R.A. 6969;

WHEREAS, environmental health and Zero Waste advocates and other concerned citizens from the Philippines and Canada have expressed their disgust over the botched garbage dumping and demanded that Canada take back its trash;

WHEREAS, despite the assurance from the Embassy of Canada to have the problem resolved, the 50 container vans of mixed waste remain sitting at the Manila port and reportedly leaking health-threatening garbage juice;

WHEREAS, BOC Spokesperson Charo Logarta-Lagamon was quoted in an article published at the Philippine Daily Inquirer as saying "our proposal is to just dispose (the Canadian waste) here. But we need to be given the legal backing for us to do so," drawing immediate condemnation from the EcoWaste Coalition, an environmental justice and Zero Waste advocate, which likened the legal backing being sought by Lagamon as "an open invitation to make the Philippines a dumping ground for the unwanted waste of other countries;"

WHEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED BY THE PHILIPPINE SENATE to direct the proper Committee to conduct an inquiry, in aid of legislation, on ways to decisively prevent illegal waste dumping from abroad, including the ratification of the "Basel Convention Ban Amendment" and other legal measures to protect the country from becoming a global dump for hazardous wastes.

Adopted,

*acs.*   
MIRIAM DEFENSOR SANTIAGO

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