

SENATE

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P. S. Res. No. 77

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Introduced by Senator Aquilino “Koko” Pimentel III

RESOLUTION
URGING THE EXECUTIVE DEPARTMENT TO
EXPEDITE THE RETURN TO SOUTH KOREA OF THE
ILLEGALLY IMPORTED PLASTIC WASTES IN
MINDANAO

1 **WHEREAS**, a shipment from South Korea declared as “plastic
2 synthetic flakes” arrived at the Mindanao Container Terminal (MCT) in
3 Tagoloan, Misamis Oriental on board MV Affluent Ocean in July 2018;
4

5 **WHEREAS**, it was discovered in November 2018 that the shipment
6 actually contained tons of plastic wastes, wood, and other materials (the
7 “South Korea trash”) instead of the declared plastic synthetic flakes;
8

9 **WHEREAS**, *Section 1400 of Republic Act No. 10863* or the
10 *Customs Modernization and Tariff Act* heavily punishes misdeclaration or
11 misclassification of goods with 250% of the duty and tax due and when
12 the same is intentional or fraudulent, a 500% surcharge shall be imposed
13 on the importer or person(s) who willfully participated in the fraudulent
14 act;
15

16 **WHEREAS**, in November 2018, *Proposed Senate Resolution No.*
17 *939* was filed in the Senate, to conduct an inquiry in aid of legislation, on
18 the reported importation of plastic wastes from South Korea;
19

20 **WHEREAS**, as a solution to this, a Bilateral Agreement between
21 Philippines and South Korea to have the bulk wastes repatriated to its
22 country of origin, was held in December 2018, and the South Korean
23 Government agreed that they shall start shipping the bulk wastes, in

1 accordance to its existing laws, rules and regulations, back to Korea as
2 soon as possible;

3
4 **WHEREAS**, on January 13, 2019, 1,400 tons of waste were
5 returned to South Korea, while the rest, were supposedly to be shipped
6 back by the end of that month;

7
8 **WHEREAS**, despite the agreement between the Philippines and the
9 South Korean Government to take back to South Korea all of the said
10 illegally shipped waste matter, about 5,177 tons of trash still remain in the
11 country;

12
13 **WHEREAS**, our country appears to be heading towards the path of
14 the so-called “global waste trade”, and the government has to act swiftly
15 to ensure that the Philippines is prevented from being a dumping site of
16 other countries;

17
18 **WHEREAS**, the undersigned, filed *Senate Bill No. 98* or “*An Act*
19 *Banning the Importation of Solid Waste*” on July 1, 2019, to prohibit and
20 prevent incidents of trash dumping by foreign countries to the Philippines;

21
22 **WHEREAS**, protecting and advancing the right of the people to a
23 balanced and healthful ecology is a Constitutional duty and an
24 intergenerational responsibility;

25
26 **NOW THEREFORE, BE IT RESOLVED**, as it is hereby
27 resolved, as a matter of paramount public interest, to urge the Executive
28 Department to expedite the return to South Korea of the illegally shipped
29 plastic wastes in Mindanao, with the end in view of preventing the
30 Philippines from being a dumping site of other countries, in this so-called
31 “global waste trade”.

Adopted,


AQUILINO “KOKO” PIMENTEL III