

The background of the slide features a soft-focus image of several hands of different skin tones gently holding a globe. Overlaid on the globe is a map of the Philippines, with the islands colored in shades of blue, green, and red. The title text is centered within a white rectangular box that has a thin black border.

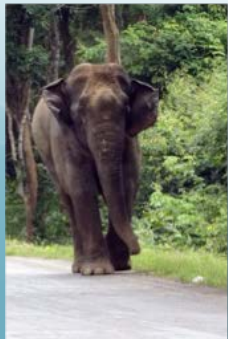
# **Developing Country Implementation of Multilateral Environmental Agreements: The Philippine Experience**

Prof. Rommel J. Casis  
Ms. Nadaine Tongco

# Outline

- I. Introduction
- II. MEAs implemented by Biodiversity Management Bureau (BMB)
- III. MEAs implemented by Environmental Management Bureau (EMB)
- IV. Observations

# INTRODUCTION



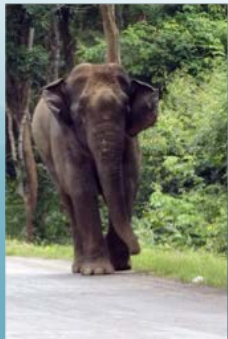


# Common but Differentiated Responsibilities





# MEAs Implemented By BMB



# What is BMB?

- × Biodiversity Management Bureau
- × Bureau under the Department of Environment and Natural Resources
- × Tasked with formulation of policies and regulations involving protected areas and preservation of biological diversity, genetic resources





# MEAs Implemented by Biodiversity Management Bureau

Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

Ramsar Convention

Bonn Convention

Convention for the Protection of the World Cultural and Natural Heritage

Convention on Biological Diversity

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# **Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)**

# BRIEF HISTORY

- ✗ Entered into force on July 1, 1975
- ✗ Ratified by the Philippines: August 18, 1981



# MAJOR LAWS IN THE PHILIPPINES

- × RA 9147 or The Wildlife Act
- × RA 8550 or The Fisheries Code of the Philippines



# THE WILDLIFE ACT

- × Objective: *to regulate the collection and trade of wildlife*
- × WILDLIFE: wild forms and varieties of flora and fauna, in all developmental stages, including those which are in captivity or are being bred or propagated



# THE WILDLIFE ACT

- × Some requirements:
  - × Import and export of the wildlife species only upon authorization of the Secretary
  - × Recipient of the wildlife is technically and financially capable to maintain it
- × Makes trading and transportation of wildlife illegal



# The Fisheries Code of the Philippines

- ✗ Adopts the CITES definition of endangered or threatened species
- ✗ Makes it unlawful to fish or take rare, threatened or endangered species as listed in the CITES





# DEPARTMENT ISSUANCES

Order	Relevant Provision
DAO 88-90, as amended by DAO 90-30 and further amended by DAO 92-47	Provides for the allowable quota for certain wildlife species that may be collected from the wild under a wildlife permit for commercial purposes
DAO 99-96	Provides for the policies on the allocation of quota on wildlife
DAO 89-142	Provides for the guidelines on the disposition of confiscated wildlife species
DAO 90-46	Provides for the format and criteria for proposals to register the first commercial captive-breeding operation for CITES Appendix/ Animal Species
DAO 91-36	Provides for the guidelines governing the confiscation, seizure, and disposition of wild flora and fauna illegally collected, gathered, acquired, transported, and imported including paraphernalia

Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

# DEPARTMENT ISSUANCES

DAO 91-48	Provides for the establishment of national list of rare, endangered, threatened, vulnerable, indeterminate and insufficiently known species of Philippine wild birds, mammals and reptiles
DAO 91-55	Declaring Dugong as protected marine mammal of the Philippines
DMC 91-5	Provides for the Guidelines on the inspection of flora intended for export in commercial quantity
DAO 93-29	Provides for the Guidelines on the collection of additional and replacement of unproductive, aged/over-aged and deceased monkey breeders
DAO 93-30	Provides for incentives for the Wildlife Breeding Industry
DAO 95-22	Provides for the guidelines on the accreditation and registration of zoos and wildlife facilities of private collector/s including wildlife stocks thereat

Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

# DEPARTMENT ISSUANCES

DAO 97-17	Establishing the disposition program for confiscated and donated wildlife in the custody of DENR Wildlife Rescue Centers and similar DENR facilities and providing guidelines therefor
DAO 97-33	Guidelines on the issuance of permit for the collection and transport of biological specimens for pas for use by DENR Biodiversity Conservation Programs/Projects

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**Convention of Wetlands of International  
Importance Especially as Waterfowl  
Habitat (Ramsar Convention)**

# BRIEF HISTORY

- × Adopted in 1971 in Ramsar, Iran
- × Entered into force in 1975
- × Ratified by the Philippines on November 8, 1994



CONVENTION ON WETLANDS

(Ramsar, Iran, 1971)

# WETLAND SITES IN THE PHILIPPINES

- × Six (6) wetland sites in the Philippines have been declared as Ramsar sites



*Onlango Island Wildlife Sanctuary, Cebu*



# WETLAND SITES IN THE PHILIPPINES

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*Naujan Lake National Park, Oriental Mindoro*

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*Agusan Marsh Wildlife Sanctuary, Agusan Del Sur*

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*Tubbataha Reefs National Marine Park, Sulu*

# WETLAND SITES IN THE PHILIPPINES

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*Puerto Princesa Subterranean River National Park, Palawan*

# WETLAND SITES IN THE PHILIPPINES

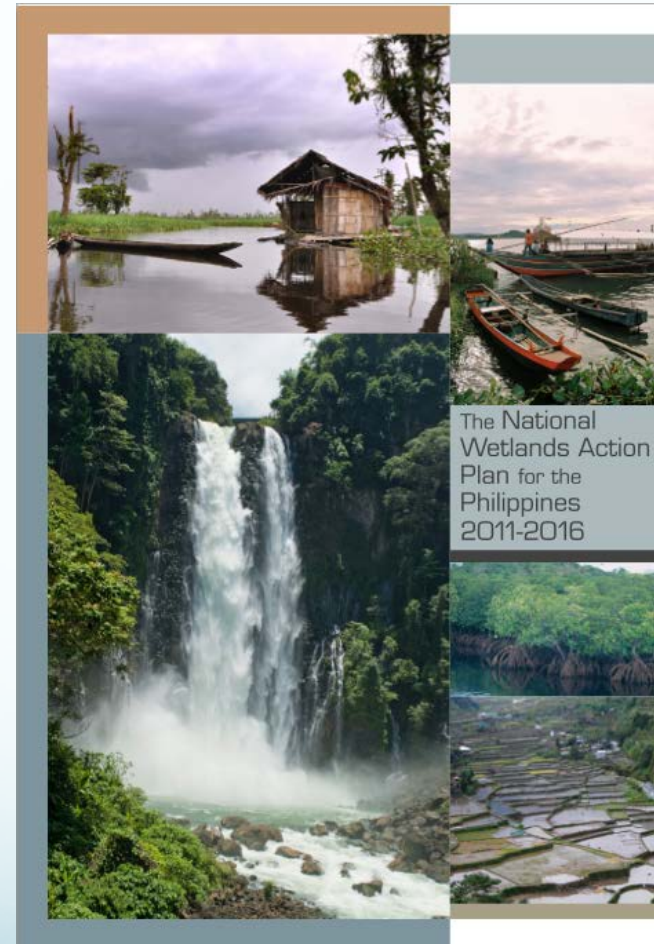
- × Six (6) wetland sites in the Philippines have been declared as Ramsar sites



*Las Pinas – Paranaque Critical Habitat and Ecotourism Area (LPPCHEA), Metro Manila*

# NATIONAL WETLANDS ACTION PLAN 2011-2016

- × Vision, Mission, Goal
- × Guiding principles
- × Relevant laws and policies affecting management of Philippine Wetlands
- × Strategic Actions and Projects



# CONSERVATION PROJECTS

1. DENR-PAWB Pawikan Conservation Project
2. Laguna de Bay Community Watershed Rehabilitation Project
3. Community-Based Forest and Mangrove Management Project
4. National Greening Program
5. Pasig River Rehabilitation Program

# CONSERVATION PROJECTS

6. Manila Bay Project
7. Creation of Protected Area Management Board (PAMB) for each protected area



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# **Convention on the Conservation of Migratory Species of Wild Animals**

# BRIEF HISTORY

- × Adopted in 1980
- × Ratified by the Philippines on March 30, 1993 through Senate Resolution No. 28
- × Parties to CMS should endeavor to conclude agreements covering the conservation and management of migratory species under Appendix II



# PHILIPPINE INITIATIVES

- I. Memorandum of Agreement between the Governments of Malaysia and Philippines
  - ✕ Joint management and protection of the Turtle Island Heritage Protected Area (TIHPA) as a green turtle sanctuary



Borneo Green Turtle

# PHILIPPINE INITIATIVES

## II. Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats

- ✗ MOU among India and Southeast Asian countries
- ✗ Provides a framework for conservation and replenishment of the depleted marine turtle population
- ✗ Pawikan Conservation Project by the DENR



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# **Convention for the Protection of the World Cultural and Natural Heritage**

# BRIEF HISTORY

- × Ratified by the Philippines on September 19, 1985



Convention for the Protection of the World Cultural and Natural Heritage

# THE HERITAGE CONVENTION

Requires each state party to identify and delineate different properties as *cultural* or *natural heritage*



Convention for the Protection of the World Cultural and Natural Heritage

# THE HERITAGE CONVENTION

- × Cultural heritage consists of **monuments**: architectural works, works of monumental sculpture and painting, elements or structures of an archaeological nature, inscriptions, cave dwellings and combinations of features, which are of outstanding universal value from the point of view of history, art or science;
- × **groups of buildings**: groups of separate or connected buildings which, because of their architecture, their homogeneity or their place in the landscape, are of outstanding universal value from the point of view of history, art or science;
- × **sites**: works of man or the combined works of nature and man, and areas including archaeological sites which are of outstanding universal value from the historical, aesthetic, ethnological or anthropological point of view.



Convention for the Protection of the World Cultural and Natural Heritage

# THE HERITAGE CONVENTION

- × Natural Heritage - **natural features** consisting of physical and biological formations or groups of such formations
- × **geological and physiographical formations and precisely delineated areas** which constitute the habitat of threatened species of animals and plants of outstanding universal value from the point of view of science or conservation;
- × **natural sites or precisely delineated natural areas** of outstanding universal value from the point of view of science, conservation or natural beauty.



Convention for the Protection of the World Cultural and Natural Heritage

# NIPAS ACT OF 1992

RA No. 7586 or the National Integrated Protected Areas System (NIPAS) Act of 1992

- × Provides legal framework for the establishment and management of protected areas in the Philippines
- × 3 Protected Areas in the Philippines considered as Natural World Heritage



# Categories of Protected Areas

- × Strict nature reserve;
- × Natural park;
- × Natural monument;
- × Wildlife sanctuary;
- × Protected landscapes and seascapes;
- × Resource reserve;
- × Natural biotic areas; and
- × Other categories established by law, conventions or international agreements which the Philippine Government is a signatory.

# 3 PROTECTED AREAS AS NATURAL WORLD HERITAGE



**MT. HAMIGUITAN RANGE WILDLIFE  
SANCTUARY, DAVAO ORIENTAL (2014)**



# 3 PROTECTED AREAS AS NATURAL WORLD HERITAGE



PUERTO PRINCESA SUBTERRANEAN  
NATURAL PARK, PALAWAN (1999)

# 3 PROTECTED AREAS AS NATURAL WORLD HERITAGE



TUBATAHA REEF NATIONAL  
MARINE PARK, SULU (1996)

# Republic Act 9072

- ✘ Also known as the “National Caves and Cave Resources Management and Protection Act”
- ✘ Mandates conservation, protection and management of cave and cave resources



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# Convention on Biological Diversity

# BRIEF HISTORY

- × Ratified by the Philippines on October 8, 1993



# MAJOR LAWS IN THE PHILIPPINES

- I. NIPAS Act of 1992
  - ✗ “that the use and enjoyment of these protected areas must be consistent with the principles of biological diversity and sustainable development”





# MAJOR LAWS IN THE PHILIPPINES

- II. Republic Act No. 9147
  - ✗ “Wildlife Resources Conservation and Protection Act”
  
  - ✗ policy of the State to conserve the country’s wildlife resources and their habitats for sustainability



# DEPARTMENT ISSUANCES

DMC 90-20	Provides guidelines on the restoration of open and denuded areas within national parks and other protected areas for the enhancement of biological diversity
DAO 92-25	Provides for the implementing rules and regulations of NIPAS
DAO 96-20	Provides for the implementing rules and regulations on the Prospecting of Biological and Genetic Resources
NCIP Admin. Order 98-1	Provides for the rules and regulations implementing RA 8371 or the IPRA
DAO 99-45	Provides for the rules and regulations on the sale and farming of saltwater crocodile
DAO 00-51	Provides for the guidelines and principles in determining fees for access to and sustainable use of resources in protected areas
DAO 00-13	Provides for guidelines on the implementation of the Biodiversity Monitoring System (BMS) in protected areas
DAO 03-29	Provides for the implementing rules and regulations of the Cave Act (RA 9072)

Convention on Biological Diversity

# PHILIPPINE INITIATIVES

## I. Some Biodiversity Conservation Programs

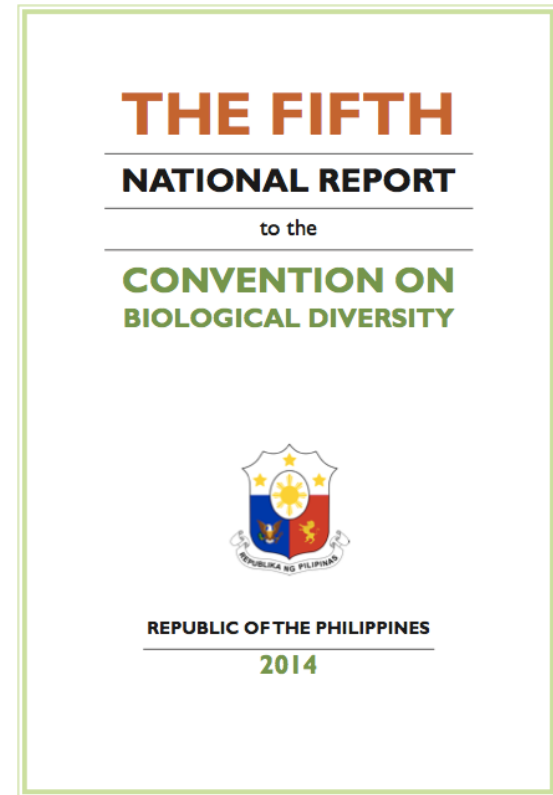
- ✕ Phil. Raptors Conservation Program
- ✕ Pawikan Conservation Program
- ✕ Tamaraw Conservation Program
- ✕ Palawan Wildlife Rescue and Conservation Center (formerly Crocodile Farming Institute)



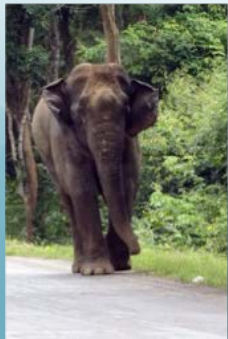
# PHILIPPINE INITIATIVES

## II. Philippine Biodiversity Strategy Action Plan

- × 5<sup>th</sup> Report to the Convention in 2014
- × Enumerates initiatives from different government agencies – economic and fiscal incentives
- × Includes the biodiversity conservation programs



# MEAs Implemented By EMB



# What is EMB?

- × Environmental Management Bureau
- × Staff sectoral bureau under DENR
- × Mandated to oversee the international commitments of the country



# MEAs Implemented by Environmental Management Bureau

UN Framework Convention on Climate Change

Basel Convention

Montreal Protocol

Stockholm Convention

Rotterdam Convention



# **UN Framework Convention on Climate Change**



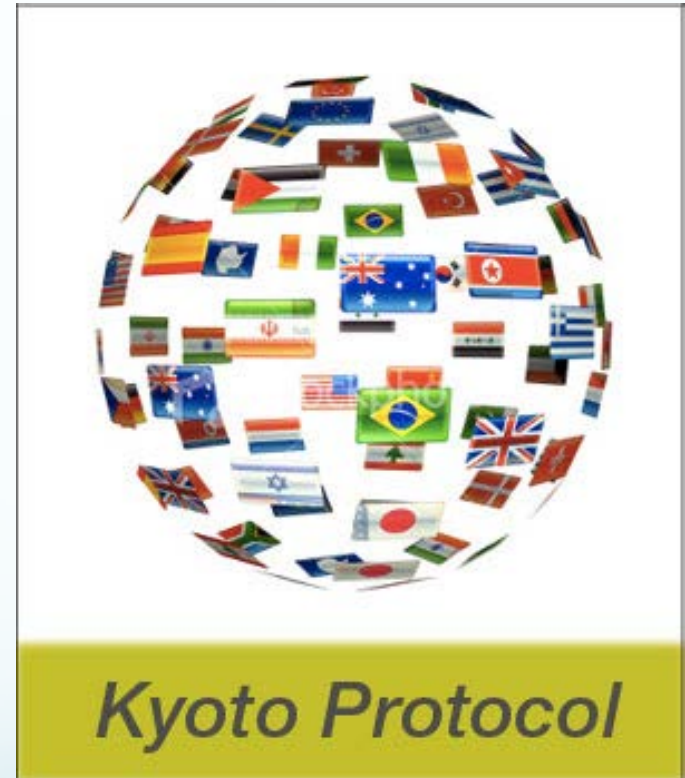
# BRIEF HISTORY

- × Adopted on May 9, 1992
- × Entered into force on March 21, 1994
- × Ratified by the Philippines on August 2, 1994



# KYOTO PROTOCOL

- ✗ Pursuant to Article 17 of UNFCCC
- ✗ It is an international agreement which commits its Parties by setting international binding emission reduction targets
- ✗ Ratified by the Philippines on November 20, 2003



# MAJOR LAWS IN THE PHILIPPINES

- I. Presidential Order No. 220
  - ✗ Signed by Pres. Cory Aquino in 1991, prior to the signing of UNFCCC
  - ✗ Created the Inter-Agency Committee on Climate Change (IACCC)



# MAJOR LAWS IN THE PHILIPPINES

- II. Republic Act No. 9729, as amended by Republic No. 10174 (Also known as Climate Change Act)
  - ✗ Current governing law, pursuant to the UNFCCC
  - ✗ Creation of the Climate Change Commission (CCC), which substituted the defunct IACCC



# MEAs Implemented by Environmental Management Bureau

UN Framework Convention on Climate Change

Basel Convention

Montreal Protocol

Stockholm Convention

Rotterdam Convention

# MEAs Implemented by Environmental Management Bureau

UN Framework Convention on Climate Change

Basel Convention

Montreal Protocol

Stockholm Convention

Rotterdam Convention



# **Convention on the Control of Transboundary Movement of Hazardous Waste and their Disposal**

# BRIEF HISTORY

- × Convention on the Control of Transboundary Movement of Hazardous Waste
- × Adopted on March 22, 1989
- × Ratified by the Philippines on January 19, 1994



**BASEL CONVENTION**



# REPUBLIC ACT 6969

## Toxic Substances and Hazardous and Nuclear Waste Control Act

- × Enacted in 1990 prior to the ratification of the Convention
- × Regulation, restriction and/or prohibition of importation, manufacturing, sale, use or disposal of chemical substances that present unreasonable risk or injury to the health or the environment

# MEAs Implemented by Environmental Management Bureau

UN Framework Convention on Climate Change

Basel Convention

Montreal Protocol

Stockholm Convention

Rotterdam Convention

# MEAs Implemented by Environmental Management Bureau

UN Framework Convention on Climate Change

Basel Convention

Montreal Protocol

Stockholm Convention

Rotterdam Convention



# **MONTREAL PROTOCOL**

# BRIEF HISTORY

- ✘ The Protocol was agreed upon to advance the goal laid down in the Vienna Convention for the Protection of the Ozone Layer



# BRIEF HISTORY

- ✗ The Philippines ratified the Protocol on March 21, 1993
- ✗ Objective: to **gradually** phase out the consumption of all ODS,



# PHILIPPINE OZONE DESK (POD)

- ✗ Agency tasked to monitor compliance and enforce the programs pursuant to the Protocol under the Environmental Management Bureau
- ✗ One of its major functions is issuance of permits to the importers of ODS until total phaseout
- ✗ Issuance of permit is subject to a quota importation



# Philippine Country Program for ODS Phaseout

- × As of March 31, 2016, almost all ODS listed under the Convention have already been phased out except for hydrochlorofluorocarbons (HCFCs)
- × The phasing out of HCFCs started in 2013 and is expected to be totally phased out by 2040, as provided in the Protocol
- × DENR DAO 13-25
  - × Provides for the detailed schedule and control of importation of HCFCs





# MEAs Implemented by Environmental Management Bureau

UN Framework Convention on Climate Change

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# STOCKHOLM CONVENTION

# BRIEF HISTORY

- ✘ An international treaty aimed at protecting human health and the environment from Persistent Organic Pollutants (POPs)
- ✘ Adopted in 2001 and entered into force in 2004
- ✘ Ratified by the Philippines on February 27, 2004



# OBLIGATIONS

- × requires its parties to take measures to eliminate or reduce the release of POPs into the environment.
- × POPs are organic chemical substances that possess a particular combination of physical and chemical properties which let them stay in the body and in the environment over long periods of time



# PHILIPPINE IMPLEMENTATION

- National Implementation Plan on Persistent Organic Pollutants (NIP) submitted in 2006, 2011 AND 2014



# MEAs Implemented by Environmental Management Bureau

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# MEAs Implemented by Environmental Management Bureau

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# ROTTERDAM CONVENTION

# BRIEF HISTORY

- ✗ It was adopted and opened for signature at a Conference of Plenipotentiaries in Rotterdam on 10 September 1998 and entered into force on 24 February 2004.
- ✗ The Philippines has ratified the Convention on July 7, 2006



# MAJOR PROVISIONS

- Covers pesticides and industrial chemicals that have been banned or severely restricted for health or environmental reasons by Parties and which have been notified by Parties for inclusion in the PIC procedure.
- Allows parties after being informed, to decide whether to allow the importation or not



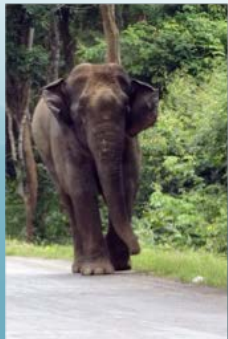
Rotterdam  
Convention

# PHILIPPINE COMPLIANCE

- × Submission of 27 Import Responses to the Convention
  - × Pursuant to Article 10, paragraph 2 of the Convention, which obligates the Party to submit a “response concerning the future import of the chemical concerned”

# OBSERVATIONS

## Part Four



# OBSERVATIONS

- ✘ The same piece of legislation can implement several MEAs.
- ✘ Many laws implementing conventions (“Implementing Laws”) were not enacted specifically for implementing the MEAs.
- ✘ Not all the obligations under the MEAs are strictly implemented by the Implementing Laws.

# OBSERVATIONS

- ✘ Most of the obligations under the MEAs are implemented via administrative issuance from the Bureaus for via projects undertaken by the Bureaus and not by specific legislation.
- ✘ Two Bureaus are generally in charge of all the MEAs. While this set-up makes sure that implementation of one treaty does not conflict with the implementation of another, it also means that resources and manpower are limited.

# OBSERVATIONS

- ✘ The Philippines seem to have no problem generating plans or administrative guidelines. But the question remains whether these plans are actually carried out. If they are carried out, there is still a question whether such plans are effective.



**THANK  
YOU!**

