



Republic of the Philippines
Department of Environment and Natural Resources
PROTECTED AREAS AND WILDLIFE BUREAU

Quezon Avenue, Diliman, Quezon City
Tel. Nos. (632) 924-6031 to 35 Fax: (632) 924-0109, (632) 920-4486
Website: <http://www.pawb.gov.ph> E-mail: planning@pawb.gov.ph

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Mr. JOHN E. SCANLON
CITES Secretary General
International Environment House
Chemin des anemones
CH-1219 Chatelaine
Geneva, Switzerland
Fax No. (+4122) 7973417

Attention: CITES Standing Committee

Dear Secretary Scanlon,

This refers to your letter dated 19 February 2013 (ref: SC63/04/02/2013) requesting a written report on the Philippines' controls of trade in ivory, including measures to control domestic ivory trade, following the recommendations adopted at 62th Standing Committee.

In this regard, please find attached the updated Philippine report (Annex) on the matter.

Thank you and warm regards.

Very truly yours,

THERESA MUNDITA S. LIM, DVM
Director

CC: Luis Roberto Proenca
Enforcement Support Officer
CITES Secretariat
Email: luis-roberto.proenca@cites.org

Department of Foreign Affairs-UNIO
Email: unio.div2@dfa.gov.ph

LBC/CITES Secretariat-ivory



ANNEX A

Report on the implementation of the provisions of CITES Resolution Conf.10.10 (Rev. COP15) and Decision 13.26 (Rev. CoP15) concerning the controls of trade in ivory

- 1) The CITES Standing Committee, in its 62th Meeting held last 23-27 July 2012 in Geneva, Switzerland recognized the Philippines as one of the principal transit gateways of illegal consignments of ivory for re-export into China and Thailand. Based on the records of the Department of Environment and Natural Resources-Protected Areas and Wildlife Bureau (DENR-PAWB), the Philippines' CITES Management Authority for terrestrial species, there had been eight (8) ivory confiscations in the Philippines from 1996 to 2009. Six of these confiscations were made by the Bureau of Customs (BoC), one (1) by the National Bureau of Investigation (NBI), and the other one by the DENR-National Capital Region. These confiscations involved a total of about 12,780 kilograms of Elephant tusks/ivory. All the confiscated items were declared to have originated from African countries such as Kenya, Libya, South Africa, Tanzania, Uganda, and Zambia. **Annex A.1** provides the detailed ivory seizures in the Philippines;
- 2) The apprehending agencies turned over to the DENR-PAWB a total of 2,095 pieces or about 6,140.03 kilograms of the confiscated items. As of this date, the Bureau is keeping a total of 1,902 pieces or about 5,343.89 kilograms of ivory. The discrepancy of 193 pieces or 796.14 kgs got lost in 2009. Medardo Medel Eduarte, the then Protected Area Superintendent of the Ninoy Aquino Parks and Wildlife Center where the stockpiles of ivory under PAWB's custody are kept, had been charged criminally and administratively. On 07 May 2012, the Regional Trial Court-National Capital Judicial Region, Quezon City had issued a Warrant of Arrest against Eduarte who is facing a criminal case (No. Q-12-175301) for Qualified Theft. Eduarte remains at large to date. The NBI, though, had launched a manhunt for Eduarte. On the administrative case, the DENR had issued an Order finding Eduarte guilty of the offense of Grave Misconduct and Conduct Grossly Prejudicial to the Best Interest of the Service and dismissing him from the service with accessory penalty of perpetual disqualification from holding public office;
- 3) As part of the Philippines' compliance to the Convention, the DENR-PAWB had reported the aforesaid ivory confiscations to the CITES. This Bureau had also coordinated with the aforesaid African countries, which resulted to the verification visits of members of the Lusaka Agreement Task Force (LATF) to the Philippines in 2006 and 2009. The said Task Force was provided samples of the seized ivory in 2006 for DNA to possibly determine the country of origin of the seized items. As of this writing, the Philippines has not yet received any information from LATF on this matter.

Further, in accordance with Article VIII (b) of CITES, the Bureau had communicated with the aforesaid African countries as to whether they would like to have the ivory repatriated to their countries at their cost. As of 25 February 2013, only Kenya had responded by stating that its CITES

Management Authority is amenable to the repatriation of ivory stock that could have originated from said country based on shipment records. In case the other source countries have no intent to get back the ivory, the Philippine CITES Management Authority will seek advice from the CITES Secretariat on disposition option/s;

- 4) The DENR (PAWB and NCR), through the assistance of NBI had filed criminal complaints against certain individuals who were involved in the illegal shipment of the ivory unto the country. Consequently, the Department of Justice (DOJ) had filed criminal charges against three (3) suspected violators. Warrants of Arrest had been issued against the two (2) suspected violators (Cruz and Remarozza), who remain at large to date. However, the case against certain Lubiano had been dismissed as the Municipal Trial Court Branch 48, Pasay City found merit with the testimony and evidence submitted by Lubiano that he has no knowledge of nor participated in the smuggling of ivory;
- 5) The DENR had also instituted certain measures to address illegal trade of wildlife, their parts (e.g. ivory), by-products and derivatives. These measures included the following:
 - 5.1 **Establishment of collaborative mechanism with various agencies and organizations.** This collaboration was formalized in 2005 through a Memorandum of Agreement entered into by the DENR with sixteen (16) other entities, including key law enforcement agencies (i.e. Philippine National Police, Bureau of Customs, National Bureau of Investigation, etc.), Ports Authorities, Department of Education and non-government organizations. The Agreement binds the parties to work together to abate illegal wildlife trade;
 - 5.2 **Deputation of Wildlife Law Enforcement Officers (WEOs).** Currently, we have more than 1250 deputized WEOs all over the country who assist in wildlife trade monitoring and case-building operations. The DENR had also created Wildlife Traffic Monitoring Units (WTMUs), which man the international air and sea ports in the country to ensure the strict compliance and effective implementation of existing laws, rules and regulations governing wildlife, including pertinent international agreements such as CITES. These WEOs and WTMUs have been instrumental in effecting wildlife confiscations, involving thousands of wildlife products and live specimens from both local and foreign nationals. At least 29 cases/criminal complaints had been filed in courts as of 2012.
 - 5.3 **Development and production of the Wildlife Law Enforcement Manual of Operation (WLE-MOP).** This Manual has been adopted, through DENR Memorandum Circular, as guide in the enforcement of the Philippines' Republic Act 9147 (Wildlife Resources Conservation and Protection Act of 2001) throughout the country. This Manual presents, among others; the protocols in investigation and surveillance; arrest and search; detention and seizure; handling and custody of

seized specimens; filing and prosecution of case in harmony with the Supreme Court's New Rules of Procedure for Environmental Cases. It also provides standard monitoring, reporting, and documentary forms to facilitate the prosecution of wildlife-related cases, as well as reference materials that would enhance technical and legal capacities of WEOs to enforce the law;

- 5.4 **Implementation of capacity building programs for WEOs.** All the DENR Regional Offices and PAWB have been training WEOs all over the country since 2005 to date. In addition, the PAWB had embarked on the Training of Trainers on the Application of the Wildlife Law Enforcement Manual of Operations since 2011, in partnership with the US-Department of the Interior, USAID and Tanggol Kalikasan to ensure efficient and effective application of the Manual by all concerned. Two (2) national trainings were conducted in June 2011 and April 2012 for the purpose. A third national training is proposed for 2013;
- 5.5 **Continuous information, education and communication campaign (IEC).** We have produced and disseminate IEC material, established linkage with local media networks, pursued seminars and other activities with the end in view of enhancing awareness, and gaining support of the general public in the conservation of the wildlife resources. In collaboration with ASEAN-Wildlife Enforcement Network and FREELAND Foundation, we have launched an airport campaign particularly at the Ninoy Aquino International Airport as a step to engage support of travelers, air transport service providers, and airport authorities in abating illegal wildlife trade. We intend to hold this activity in all other international ports in the country in the coming years, and
- 5.6 **Partnership with international network.** The Philippines, through the DENR and NBI participated in the previous program of the International Criminal Police Organization (INTERPOL), particularly in the operations against illegal trade of reptiles and amphibians in markets (or OPERATIONS RAMP). The DENR had also the privileged to participate in the INTERPOL-UNEP's co-organized 1st International Chiefs of Environmental Compliance and Enforcement Summit held last March 2012 in Lyon, France. Building on these initial partnerships with INTERPOL and on our past enforcement experiences, we are looking into the possibility of strengthening collaboration with INTERPOL especially on areas of investigative skills development, handling and exchange of sensitive information, and strategic intelligence gathering towards an intelligence-led enforcement work, especially involving wildlife resources and parts (i.e. elephant tusks and ivory) in the country.

With regard to the article “Ivory Worship” featured in the October 2012 issue of the National Geographic Magazine, please be informed that the DENR had created a team that worked with the NBI (Manila and Cebu) in the conduct of in-depth investigation on the matter. The joint DENR-NBI team had closely monitored the alleged involvement of certain Catholic priests and private individuals in the smuggling of ivory and/or use of smuggled ivory in the production of religious icons. To date, the team had already gathered vital leads, which are the focus of the on-going investigation.