

SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

SENATE

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P. S. R. No. 553

RECEIVED BY

Introduced by Senator Aquilino "Koko" Pimentel III

RESOLUTION

DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ENTRY AND DUMPING OF HARMFUL TRASH FROM CANADA INTO THE PHILIPPINES WITH THE END IN VIEW OF DETERMINING WHETHER THERE ARE SUFFICIENT LEGAL SAFEGUARDS AGAINST THE INDISCRIMINATE ENTRY OF SOLID WASTE AND OTHER FORMS OF HARMFUL TRASH INTO THE PHILIPPINES

WHEREAS, beginning June 2013, shipments of 50 container vans, declared to contain recyclable plastics, arrived in six batches at the Manila International Container Port. The container vans were shipped by Chronic Inc., a plastics export company based in Ontario, Canada, to its Philippine counterpart, the Valenzuela-based firm, Chronic Plastics Inc.;

WHEREAS, upon inspection conducted by the Bureau of Customs (BOC) on January 21, 2014, 18 of these container vans were revealed to actually be filled with non-recyclable household trash, including used adult diapers. To prevent possible contamination, the rest of the containers were no longer opened for inspection;

WHEREAS, the BOC filed in February 2014 a criminal case against Chronic Plastics Inc., its owner, Adelfa Eduardo, and its licensed Customs brokers, Leonora Flores and Sherjun Saldon, 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 Republic Act No. 6969 or the Toxic Substance and Hazardous Wastes and Nuclear Wastes Control Act of*

1990. The case was raffled to Manila Regional Trial Court Branch 1 under Presiding Judge Tita Alisuag;

WHEREAS, the Philippines, through the Department of Foreign Affairs (DFA) formally requested the Canadian embassy for assistance in bringing the garbage back to Canada. In spite of this, as well as of the protests held by various environmental groups to ship back the garbage, the Canadian government did not extend any form of assistance to resolve the situation;

WHEREAS, in 2015, it was discovered by the BOC that more container vans of garbage have been shipped by Live Green Enterprise from Canada to Manila in several batches between December 2013 and January 2014. This brought the total number of container vans to 103;

WHEREAS, despite strong protests by environmental groups and the local government unit concerned, the contents of 26 container vans were dumped at a private landfill in Capas, Tarlac in June 2015;

WHEREAS, on June 30, 2016, Judge Alisuag issued an order directing the shipment of 50 container vans back to Canada at the expense of Chronic Plastics, Inc.;

WHEREAS, in the recent visit of Canadian Prime Minister Justin Trudeau for the 31st Summit of the Association of Southeast Asian Nations (ASEAN) held in the Philippines, he declared that the legal barriers and restrictions preventing the return of the garbage to Canada have been addressed and that it is now "theoretically possible" for Canada to get the trash back;

WHEREAS, notwithstanding this seemingly optimistic pronouncement, the fact remains that, for more than four years, the imported trash has continued to reek and rot on Philippine soil. Aside from being useless, these tons of solid wastes pose great and irreversible damage to the Philippine environment and an even greater risk to the health of millions of Filipinos;

WHEREAS, no less than *Article II, Section 16* of the *Constitution* mandates the State to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature;

WHEREAS, it is also a declared policy of the State under *Republic Act No. 6969* to “*regulate, restrict or prohibit the importation, manufacture, processing, sale, distribution, use and disposal of chemical substances and mixtures that present unreasonable risk and/or injury to health or the environment and to prohibit the entry, even in transit, of hazardous and nuclear wastes and their disposal into the Philippine territorial limits for whatever purpose*”;

WHEREAS, considering the monumental consequences of allowing Canadian garbage to remain in the country, it behooves the Senate, in consonance with its mandate under the Constitution, to conduct an inquiry, in aid of legislation, to determine whether there are sufficient laws restricting the indiscriminate entry and dumping of solid waste and other forms of harmful trash into the Philippines and to formulate laws imposing high penalties for the introduction into the country of all forms of trash;

NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED BY THE SENATE OF THE PHILIPPINES, TO DIRECT THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ENTRY AND DUMPING OF HARMFUL TRASH FROM CANADA INTO THE PHILIPPINES WITH THE END IN VIEW OF DETERMINING WHETHER THERE ARE SUFFICIENT LEGAL SAFEGUARDS AGAINST THE INDISCRIMINATE ENTRY OF SOLID WASTE AND OTHER FORMS OF HARMFUL TRASH INTO THE PHILIPPINES.

Adopted,


AQUILINO “KOKO” PIMENTEL III