

INITIAL REPORTING TEMPLATE
16 July 2021

GOVERNMENT OF THE PHILIPPINES

**INITIAL REPORT ON MEASURES UNDERTAKEN TO IMPLEMENT THE ARMS
TRADE TREATY, IN ACCORDANCE WITH ITS ARTICLE 13(1)**

DATE OF REPORT 21 June 2023

This Initial Report may be made publicly available	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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This Report contains only updates to a previously submitted initial report dated (If you tick this box, please highlight or track the changes made to each section OR provide a brief summary of your updates in Annex A)	<input type="checkbox"/>
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1. NATIONAL CONTROL SYSTEM AND LIST

1.1 GENERAL OVERVIEW		
A. Overview of legislation and ordinances governing the national control system [Article 5(2)] (Please list below. If the national control system is governed in whole or part by other means than legislation or ordinances, please indicate these also)		
Republic Act. No. 10697, otherwise known as the Strategic Trade Management Act (STMA) of 2015, An Act Preventing the Proliferation of Weapons of Mass Destruction by Managing the Trade in Strategic Goods, the Provision of Related Services, and for Other Purposes		
B. The national control system includes the following:	Yes	No
i) a national control list [Article 5(2)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) competent national authorities [Article 5(5)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) one or more national points of contact to exchange information on ATT implementation [Article 5(6)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If 'Yes' to any of the items above, please consider providing further information. If 'No' to any of the items above, please explain in more detail.		
<p>i) The Philippine National Strategic Goods List (NSGL). The NSGL has three (3) annexes, i.e., Annex 1: Military List, Annex 2: Dual-use List, and Annex 3: Nationally Controlled List.</p> <p>ii) The STMA Implementing Rules and Regulations (IRR) created the national regulating body named Strategic Trade Management Office (STMO). The IRR also created the National Security Council – Strategic Trade Management Committee (NSC-STMCom) which is an inter-agency mechanism created to provide policy guidelines on STM related matters.</p> <p>iii) Department of Foreign Affairs through the Office of United Nations and International Organizations and the Office of the Special Envoy on Transnational Crime for national coordination.</p> <p style="text-align: center;">Strategic Trade Management Office and the Philippine National Police – Firearms and Explosives Office as the implementing agencies</p>		
C. Additional voluntary information about the national control system (Please elaborate below - for instance regarding inter-agency coordination structures, training systems for relevant officials, transparency and accountability mechanisms, outreach to private actors such as industry, or any ongoing / planned review or change of the national control system or parts thereof)		

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1.2 NATIONAL CONTROL LIST			
D. The national control list covers the following arms:		Yes	No
i)	Battle tanks [Article 2(1)(a)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii)	Armored combat vehicles [Article 2(1)(b)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	Large-caliber artillery systems [Article 2(1)(c)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv)	Combat aircraft [Article 2(1)(d)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v)	Attack helicopters [Article 2(1)(e)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
vi)	Warships [Article 2(1)(f)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
vii)	Missiles and missile launchers [Article 2(1)(g)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
viii)	Small arms and light weapons [Article 2(1)(h)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The national control list also includes the following items, in order to enable the application of Articles 3 and 4:		Yes	No
ix)	Ammunition/Munitions for the conventional arms covered in Article 2(1) [for the application of Article 3]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
x)	Parts and components in a form that provides the capability to assemble the conventional arms covered in Article 2(1) [for the application of Article 4]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If 'Yes' to any of the items above, please consider providing further information. If 'No' to any of the items above, please explain in more detail below			
The Philippine National Strategic Goods List covers all military items outlined by the ATT including ammunition/munitions and parts and components.			
E. Does your State maintain a national control list for the following types of transfers? [Articles 2(2) & 5(2)]:		Yes	No
i)	Export	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii)	Import	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	Transit or trans-shipment	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv)	Brokering	<input checked="" type="checkbox"/>	<input type="checkbox"/>
F. Does the same control list apply to all these types of transfers (or do you maintain different lists for different types of transfers)? (If 'No', please explain)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
G. Arms for recreational, cultural, historical and sporting purposes are included in the national control list [Article 2(1)(h) & Preamble, 13th para]		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If 'No', please provide further information below, for instance whether a separate set of controls are applied to these types of arms			
Arms for hunting and sporting are excluded from the controls under the STMA. However, they are regulated under Republic Act No. 10591, otherwise known as the Comprehensive Firearms and Ammunition Regulations Act (CFARA) of 2013.			
H. Additional categories not listed under Section A1.D are included in the national control list [Article 5(3)] (If 'Yes', please specify below what the additional categories are)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<ul style="list-style-type: none"> • Ammunition and fuze setting devices • Fire control, and related alerting and warning equipment 			

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<ul style="list-style-type: none"> • Chemical or biological toxic agents, 'riot controls', radioactive materials • Energetic materials (explosives) • Electronic equipment, 'spacecraft' and components • High velocity kinetic energy weapon systems • Armoured or protective equipment • 'Specialised equipment for military training' or for simulating military scenarios • Imaging or countermeasure equipment • Forgings, casting, and other unfinished products, specially designed for military • Miscellaneous equipment, materials and 'libraries' • Production equipment and components • Directed Energy Weapon systems, related or countermeasure equipment • Cryogenic and 'superconductive' equipment • Software and technology for military 			
I. Are items on the national control list defined? [Article 5(3)]		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
(If 'Yes', which definition(s) or descriptions do you use:			
i)	United Nations Register of Conventional Arms [Article 5(3)]	<input type="checkbox"/>	<input type="checkbox"/>
ii)	National definitions	<input type="checkbox"/>	<input type="checkbox"/>
iii)	Other (please specify, e.g. Wassenaar Arrangement, EU Common Military List, etc.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
EU Common Military List			
J. The national control list is publicly available [Article 5(4)]		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
(If 'Yes', please provide information below as to how your control list is made publicly available - if available on the open internet please provide the hyperlink. If 'No', please explain)			
https://dtiwebfiles.s3.ap-southeast-1.amazonaws.com/STMO/Policies/Annex+I/NSGL+Annex+1.pdf			
1.3 NATIONAL POINT(S) OF CONTACT			
K. The contact details of the national point(s) of contact are as follows [Article 5(6)]:			
Name:		Mr. <input checked="" type="checkbox"/>	Ms. <input type="checkbox"/>
Position/Job:	Special Envoy on Transnational Crime		
Ministry:			
Agency/Department:	Office of the Special Envoy on Transnational Crime		
Email address (individual and/or institutional) :	osetc-op@osetc.gov.ph		
Telephone no.:	+632 87256518		
Address:	4 th Floor ACTC Building, Camp Rafael T Crame Quezon City, Philippines 1111		

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2. PROHIBITIONS

A. The national control system prohibits authorization of transfers as defined by Article 2(2), of conventional arms covered under Article 2(1) and items covered under Articles 3 and 4, if:		Yes	No
i)	the transfer would violate its obligations under measures adopted by the United Nations Security Council acting under Chapter VII of the Charter of the United Nations, in particular arms embargoes [Article 6(1)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii)	the transfer would violate its relevant international obligations under international agreements to which it is a Party, in particular those relating to the transfer of, or illicit trafficking in, conventional arms [Article 6(2)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	the State Party has knowledge at the time of authorization that the arms or items would be used in the commission of genocide, crimes against humanity, grave breaches of the Geneva Conventions of 1949, attacks directed against civilian objects or civilians protected as such, or other war crimes as defined by international agreements to which it is a Party [Article 6(3)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(If 'Yes', please consider providing further information. If 'No' in any respect, please elaborate below)			
The STMA Implementing Rules and Regulations (IRR) Rule IV Sec 6 contains the prohibitions and risk assessment criteria which includes the prohibitions outlined by the ATT.			
B. Which international agreements that you are a Party to do you consider relevant for the application of Article 6(2)? (Please list below. Please be advised that the ATT Secretariat maintains a non exhaustive list of examples of the international agreements other States Parties have reported 'are relevant' to Article 6(2) in their Initial Reports. The list is available at https://www.thearmstradetreaty.org/initial-report-list-of-examples-for-q-2-b-2-c.html . States Parties are welcome to consult the list when preparing their answer to this question.)			
The Philippines is a Party to the following international agreements: Hague Code of Conduct against Ballistic Missile Proliferation, Ottawa Convention, and Convention on Certain Conventional Weapons, Anti-Personnel Mine Ban Treaty, and Convention on Cluster Munitions.			
The Philippines has also expressed commitment and support to some politically binding instruments related to arms control such as the United Nations Programme of Action (UNPoA) to Prevent, Combat and Eradicate Illicit Trafficking of Small Arms and Light Weapons in All Its Aspects in 2001 and the International Tracing Instrument (ITI) to enable States to Identify and Trace, in a timely manner, illicit small arms and light weapons.			
C. Which international agreements are you a Party to and do you consider relevant for defining 'war crimes' in the context of Article 6(3) (Please list below. Please be advised that the ATT Secretariat maintains a non exhaustive list of examples of the international agreements other States Parties have reported 'are relevant' to Article 6(3) in their Initial Reports. The list is available at https://www.thearmstradetreaty.org/initial-report-list-of-examples-for-q-2-b-2-c.html . States Parties are welcome to consult the list when preparing their answer to this question.)			
Please refer to Annex to 2.C – List of international instruments that the Philippines is a Party to and are considered relevant to Article 6(3)			
D. Do you have guidelines on the application of the prohibitions to an individual case? (If 'Yes', please provide further information)		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
E. Additional voluntary information relevant to prohibitions under Article 6 (Please elaborate below - for instance: if prohibitions are applied to a wider range of products than defined in Articles 2(1), 3 and 4; the national interpretation of key concepts in Article 6)			

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3. EXPORTS

A. The national control system includes the following:		Yes	No
i)	an authorization or licensing system for arms exports [Article 5(2)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii)	export assessment criteria [Article 7]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	a risk assessment procedure [Article 7]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If 'No' to any of the items above, please explain in more detail below			
B. National legislation, regulations or administrative procedures include a definition of export [Articles 6(1) to 6(3) and Article 7] (If 'Yes', please specify. If 'No', please explain.)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Section 5(h), Republic Act No. 10697 states that "export" refers to an actual shipment of strategic goods out of the Philippines, or to a transmission of software and technology by electronic media, including by fax, telephone, electronic mail or any other electronic means to an ultimate destination outside the Philippines. The term includes making available in electronic form such software and technology to persons outside the Philippines. It also applies to non-electronic reassignments of software or technology through face-to-face communication, personal demonstration, or handing over material or information to a foreign person wherever located.			
C. National export controls apply to all the conventional arms covered under Article 2(1), and the items covered under Articles 3 and 4 (If 'No', please provide further information below)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
D. The competent national authority(-ies) for the control of exports [Article 5(5)] (Please specify the Ministry, Government Agency or Department below)			
Department of Trade and Industry – Strategic Trade Management Office Philippine National Police – Firearms and Explosives Office			
E. The national risk assessment procedure includes all the criteria described in Article 7(1)(a) and (b), and Article 7(4) (If 'Yes', please consider providing further information. If 'No' in any respect, please elaborate below)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
The STMA Implementing Rules and Regulations (IRR) Rule IV Sec 6 contains the prohibitions and risk assessment criteria which includes the prohibitions outlined by the ATT.			
F. If a risk is identified, does the State ever consider whether there are measures that could be undertaken to mitigate identified risks [Article 7(2)] (If 'Yes' please give examples when mitigation measures are considered and the types of risk mitigation measures that are most often used)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
An authorization may be denied or approved with conditions to mitigate the risks.			
G. The national control system includes measures to ensure that all export authorizations are detailed and issued prior to export [Article 7(5)] (If 'Yes', please consider providing further information. If 'No', please provide further information below)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Export authorization application is required prior to actual export of goods.			
H. The national control system allows appropriate information about an export authorization to be made available, upon request, to the importing State Party and/or to the transit or trans-shipment States Parties [Article 7(6)] (If 'No' please elaborate below)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
I. The national control system allows exports of controlled equipment without a licence or under simplified procedure under certain circumstances [for instance temporary exports or exports to trusted partners] (If 'Yes' please provide further information below)		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

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J. Do you have guidelines on the application of the export assessment requirements to an individual case? (If 'Yes', please provide further information)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Refer to STMO Memorandum Circular 20-26: Guidelines on Export Authorization		
K. The national risk assessment procedure includes other criteria <u>not</u> mentioned in the articles cited in 3.E above (If 'Yes' please specify below)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Refer to Rule IV Section 6 of the STMA IRR		
L. Measures to exercise control over exports are applicable also to other categories of conventional arms than those covered in Articles 2(1), 3 and 4 [Article 5(3)] (If 'Yes', please elaborate below)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
STMA controls strategic goods outside the scope of the ATT such as chemical, nuclear, biological weapons – related items.		
M. An export authorization can be reassessed if new relevant information becomes available [Article 7(7)] (If 'Yes', please provide further information below.)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
N. Are there measures in place to suspend or withdraw a license? [Article 7(7)] (If 'Yes', please elaborate under which circumstances. For example, such a provision might exist with respect to arms embargoes but not otherwise. If 'No', please explain.)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
STMO Memorandum Circular 20-26: Guidelines on Export Authorization		
O. Information / documentation included in an application for an export authorization (Please specify below)		
End-User Certificate Securities and Exchange Commission (SEC)/Department of Trade and Industry (DTI) Business Registration Technical Specification Sheet of items		
P. Apart from the competent national authority, the following ministries or government authorities may be involved in the decision-making process for an export authorization [Article 5(5)] (Please specify below)		
Members of the National Security Council – Strategic Trade Management Committee Subcommittees on Technical Reachback and Risk-Assessment		
Q. The national control system provides information requested of it by a State of final destination concerning pending or actual export authorizations pertaining to it [Article 8(3)] (If 'No', please elaborate below)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
R. Additional voluntary information relevant to national export controls (Please specify below - for instance: on the control of re-exports, or further detail on relevant national measures; the national interpretation of key concepts in Article 7)		
Rule IV Section 6 Paragraph 1 and 2 of the STMA IRR provides the risk assessment criteria to either deny or approve authorization. The STMO also utilizes Risk Assessment Matrix in the assessment of authorization to provide objective assessment and determine overall risk score associated with the transfer. Based on the risk score, the STMO may approve, approve with specific conditions, or deny and authorization.		

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4. IMPORTS

<p>A. The national control system includes measures to prevent imports of conventional arms covered under Article 2(1) [Article 8(2)], as well as items covered under Articles 3 and 4 in violation of the prohibitions in Article 6. [Articles 6(1) to 6(3)] (If 'Yes', please provide further information below on the nature of control measures and confirm whether they apply to all items in the national control list. If 'No', please elaborate below)</p>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<p>The STMA regulates the import of strategic goods.</p>		
<p>If 'Yes', please also answer the following question</p>		
<p>B. The competent national authority(-ies) for the regulation of imports [Article 5(5)] (Please specify the Ministry, Government Agency or Department below)</p>		
<p>Department of Trade and Industry – Strategic Trade Management Office Philippine National Police – Firearms Explosives Office</p>		
<p>C. National legislation, regulations or administrative procedures include a definition of import [Articles 6(1) to 6(3) and Article 8] (If 'Yes', please specify. If 'No', please explain.)</p>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<p>STMA Sec 5 j. states that import refers to the shipment of strategic goods or transmission of software or technology by any means from a foreign country into the Philippines;</p>		
<p>D. The national control system allows the State to provide, pursuant to national law and upon request, appropriate and relevant information to assist another State Party that is conducting an export assessment [Article 8(1)] (If 'No', please elaborate below)</p>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<p>E. Imports of conventional arms subject to regulation are, under specific circumstances, permitted without specific authorization or under simplified procedure (If 'Yes' please provide further information below)</p>		
<p>Pursuant to Section 15 of the STMA, an import authorization is not required if the import of conventional arms by the government for the use of the Philippine military or police forces or in connection with law enforcement activities. Refer to STMO Memorandum Circular 22-02: Revised Guidelines on STMA Authorization Exemption</p>		
<p>F. Measures to regulate imports are applicable also to other categories of conventional arms than those covered in Article 2(1) [Article 5(3)] (If 'Yes', please elaborate below)</p>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<ul style="list-style-type: none"> • Ammunition and fuze setting devices • Fire control, and related alerting and warning equipment • Chemical or biological toxic agents, 'riot controls', radioactive materials • Energetic materials (explosives) • Electronic equipment, 'spacecraft' and components • High velocity kinetic energy weapon systems • Armoured or protective equipment • 'Specialised equipment for military training' or for simulating military scenarios • Imaging or countermeasure equipment • Forgings, casting, and other unfinished products, specially designed for military • Miscellaneous equipment, materials and 'libraries' • Production equipment and components • Directed Energy Weapon systems, related or countermeasure equipment • Cryogenic and 'superconductive' equipment • Software and technology for military 		
<p>G. Apart from the competent national authority, the following ministries or government authorities may be involved in the decision-making process for an import authorization (when such an authorization is required) [Article 5(5)] (Please specify below)</p>		

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Department of National Defense, Philippine National Police – Firearms and Explosive Office, Department of Foreign Affairs
H. Information / documentation required for an import authorization (Please specify below)
<ul style="list-style-type: none"> Technical specifications, allowing the STMO to classify the commodity against the control list; Copy/ies of relevant commercial documents, in particular, any sales contract, order confirmation, invoice, or dispatch note, if available; Copy/ies of export control license if the goods come from a country with export control laws; Copy/ies of relevant license/s or business permits, if applicable
I. Additional voluntary information relevant to national import controls (Please specify below)
Section 15, STMA or the Exemption from Authorization Requirement provides that an authorization is not required for the import of strategic goods by the government for the use of the Philippine military or police forces; import of strategic goods by the government in connection with law enforcement activities; and any other circumstances as provided by the NSC-STMCom.

5. TRANSIT & TRANS-SHIPMENT

A. The national control system includes measures to prevent the transit of conventional arms covered under Article 2(1) [Article 9], as well as items covered under Articles 3 and 4 in violation of the prohibitions in Article 6. [Articles 6(1) to 6(3)] (If 'Yes', please provide further information below on the nature of control measures and confirm whether they apply to all items in the national control list. If 'No', please elaborate below)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
The STMA regulates the transit and transshipment of strategic goods.		
B. The national control system includes measures to prevent the trans-shipment of conventional arms covered under Article 2(1) [Article 9], as well as items covered under Articles 3 and 4 in violation of the prohibitions in Article 6. [Articles 6(1) to 6(3)] (If 'Yes', please provide further information below on the nature of control measures and confirm whether they apply to all items in the national control list. If 'No', please elaborate below)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
The guidelines on transit and transshipment are to be issued this 2023.		
C. National legislation, regulations or administrative procedures include a definition of transit [Articles 6(1) to 6(3) and Article 9] (If 'Yes', please specify. If 'No', please explain.)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
STMA Sec. 5 z states that transit refers to shipment of strategic goods within the Philippines and those entering and passing through the territory of the Philippines with an ultimate destination outside the Philippines in such a manner that the strategic goods remain at all times in or on the same carrier;		
D. National legislation, regulations or administrative procedures include a definition of trans-shipment [Articles 6(1) to 6(3) and Article 9] (If 'Yes', please specify. If 'No', please explain.)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
STMA Sec. 5 aa states that transshipment refers to a mode of shipping a good on a carrier which enters the territory of the Philippines, wherein the good is unloaded from the carrier and reloaded in the same or on another carrier that is bound for an ultimate destination outside the Philippines.		
E. Measures to regulate transit and/or trans-shipment cover : (If 'Yes' to (ii) or (iii), please indicate in the free text field how enforcement is conceived - systematic control or only when information is available?)	Yes	No
i) Transit / trans-shipment through land territory (including internal waters)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Transit / trans-shipment through territorial waters	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Transit / trans-shipment through national air space	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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When information is available.		
F. Does your State apply control measures to prevent transit and trans-shipment other than in violation of the prohibitions in Article 6? (If 'Yes', please specify the other control measures that your States applies to transit and trans-shipment.)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Rule IV Sec 6 paragraph 1 and 2 of the STMA IRR provides the grounds for refusal and risk assessment criteria for authorization.		
G. The competent national authority(-ies) for the regulation of transit and trans-shipment [Article 5(5)] (Please specify below)		
Department of Trade and Industry – Strategic Trade Management Office		
H. Transit / trans-shipment of controlled equipment is permitted without a specific authorization or under simplified procedure under certain circumstances (for instance in a free trade area) (If 'Yes' please provide further information below)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Pursuant to Section 15 of the STMA, authorization is not required if the transit and transshipment of conventional arms are provided in connection with a military, peacekeeping, or government humanitarian mission or if the transit, and transshipment of conventional arms by the government in connection with law enforcement activities. Refer to STMO Memorandum Circular 22-02: Revised Guidelines on STMA Authorization Exemption		
I. Measures to regulate transit and/or trans-shipment are applicable also to other categories of conventional arms than those covered in Article 2(1) [Article 5(3)] (If 'Yes', please elaborate below)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<ul style="list-style-type: none"> • Ammunition and fuze setting devices • Fire control, and related alerting and warning equipment • Chemical or biological toxic agents, 'riot controls', radioactive materials • Energetic materials (explosives) • Electronic equipment, 'spacecraft' and components • High velocity kinetic energy weapon systems • Armoured or protective equipment • 'Specialised equipment for military training' or for simulating military scenarios • Imaging or countermeasure equipment • Forgings, casting, and other unfinished products, specially designed for military • Miscellaneous equipment, materials and 'libraries' • Production equipment and components • Directed Energy Weapon systems, related or countermeasure equipment • Cryogenic and 'superconductive' equipment • Software and technology for military 		
J. Apart from the competent national authority, the following ministries or government authorities may be involved in the decision-making process for a transit or trans-shipment authorization (when such an authorization is required) [Article 5(5)] (Please specify below)		
Department of National Defense, Philippine National Police – Firearms and Explosive Office, Department of Foreign Affairs		
K. Information / documentation required in an application for a transit / trans-shipment authorization (Please specify below)		
<ul style="list-style-type: none"> • Technical specifications, allowing the STMO to classify the commodity against the control list; • Copy/ies of relevant commercial documents, in particular, any sales contract, order confirmation, invoice, or dispatch note, if available; • Copy/ies of the End-Use documents; • Copy/ies of authorizations from exporting country and importing country, if applicable; • Copy/ies of transit authorization from the next country in the shipment route, if applicable; and • Copy/ies of authorization to transport dangerous or hazardous items, if applicable. 		
L. Additional voluntary information relevant to national transit / trans-shipment controls (Please specify below)		

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6. BROKERING

<p>A. The national control system includes measures to prevent the brokering of conventional arms covered under Article 2(1) [Article 10], as well as items covered under Articles 3 and 4 in violation of the prohibitions in Article 6. [Articles 6(1) to 6(3)] (If 'Yes', please provide further information below on the nature of control measures and confirm that they apply to all items in the national control list. If 'No', please elaborate below)</p>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<p>Yes, applies to all items in the national control list.</p>		
<p>If 'Yes', please also answer the following question</p>		
<p>B. The measures to regulate brokering include:</p>	Yes	No
<p>i) Requiring brokers to register before engaging in brokering [Article 10]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>ii) Requiring brokers to obtain written authorization before engaging in brokering [Article 10]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>iii) Other (please specify)</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>C. National legislation, regulations or administrative procedures include a definition of brokering [Articles 6(1) to 6(3) and Article 10] (If 'Yes', please specify. If 'No', please explain.)</p>		
<p>STMA Section 5t refers to Related services as brokering, financing, and transporting in relation to the movement of strategic goods between two (2) foreign countries and providing technical assistance. For this purpose, brokering refers to activities such as: (a) negotiating or arranging transactions that involve the shipment of strategic goods from a foreign country to any other foreign country; or (b) selling or buying with the intent to move strategic goods that are in a broker's possession or control from a foreign country to any other foreign country.</p>		
<p>D. Does your State apply control measures to prevent brokering other than in violation of the prohibitions in Article 6? (If 'Yes', please specify the other control measures that your States applies to brokering)</p>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<p>Rule IV Sec 6 paragraph 1 and 2 of the STMA IRR provides the grounds for refusal and risk assessment criteria for authorization.</p>		
<p>E. The competent national authority(-ies) for the regulation of brokering [Article 5(5)] (Please specify below)</p>		
<p>Department of Trade and Industry – Strategic Trade Management Office</p>		
<p>F. National brokering controls contain exemptions (for instance for national armed forces or defence industry) [Articles 6 & 10] (If 'Yes', please provide further information below)</p>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<p>G. Measures to regulate brokering are applicable also to other categories of conventional arms than those covered in Article 2(1) [Article 5(3)] (If 'Yes', please elaborate below)</p>		
<p>Includes all items listed in Annex 1 of the NSGL.</p>		
<p>H. Apart from the competent national authority, the following ministries or government authorities may be involved in the decision-making process for a control measure related to brokering [Article 5(5)] (Please specify below)</p>		
<p>Department of National Defense, Philippine National Police – Firearms and Explosive Office, Department of Foreign Affairs</p>		
<p>I. Information / documentation required in an application related to brokering</p>		

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(Please elaborate below)
<ul style="list-style-type: none"> • Technical specifications, allowing the STMO to classify the commodity against the control list, if available; • Copy/ies of relevant commercial documents, in particular, any sales contract, order confirmation, invoice, or dispatch note, if available; • Copy/ies of the End-Use documents, if available; • Copy/ies of authorizations from exporting, importing, and transiting country, if applicable; and • Copy/ies of transit authorization form the next country in the shipment route, if applicable.
J. Additional voluntary information relevant to national brokering controls (Please specify below)

7. DIVERSION

A. Measures foreseen in the national control system to prevent the diversion of conventional arms covered by Article 2(1) [Article 11(1)]		Yes	No
i)	assessing the risk of diversion of an export [Article 11(2)] (if 'No', please provide background below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii)	cooperation and information exchange, where appropriate and feasible and pursuant to national law, with other States Parties [Article 11(3)] (if 'No', please provide background below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Section 6 Rule IV of the STMA IRR, risk of diversion is one of the criteria for denying an authorization.			
B. The national control system includes appropriate measures to be taken, pursuant to national law and in accordance with international law, when a diversion of transferred conventional arms under Article 2(1) has been detected [Article 11(4)] (If 'No', please elaborate below)		<input checked="" type="checkbox"/>	<input type="checkbox"/>
C. Measures included in the national control system to prevent the diversion of conventional arms covered by Article 2(1) [Article 11(1)] :		Yes	No
i)	establishment of mitigation measures [Article 11(2)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii)	provision, upon request, of end use / end user documentation to the exporting State [Article 8(1)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	requirement for end use / end user assurances from an importing State (or industry) [Article 8(1)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv)	examination, where appropriate, of parties involved in a transfer [Article 11(2)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v)	requirement, where appropriate, for additional documentation, certificates, assurances for a transfer [Article 11(2)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
vi)	exchange of relevant information with other States Parties on effective measures to address diversion, as well as on illicit activities and actors [Articles 11(5) & 15(4)]	<input type="checkbox"/>	<input type="checkbox"/>
vii)	reporting through the Secretariat to other States Parties on measures taken to address diversion of transferred conventional arms covered under Article 2(1) [Articles 11(6) & 13(2)]	<input type="checkbox"/>	<input type="checkbox"/>
viii)	other measures [Article 11(1)]	<input type="checkbox"/>	<input type="checkbox"/>

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(if 'Yes', please specify below)			
D. Measures included in the national control system, to be taken when a diversion of transferred conventional arms has been detected [Article 11(4)]			
		Yes	No
i)	alerting potentially affected States Parties	<input type="checkbox"/>	<input type="checkbox"/>
ii)	investigative and law enforcement measures at the national level	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	using international tracing mechanisms to identify points of diversion	<input type="checkbox"/>	<input type="checkbox"/>
iv)	other measures (if 'Yes', please specify below)	<input type="checkbox"/>	<input type="checkbox"/>
E. Measures taken to prevent or address diversion are applicable also to other categories of conventional arms than those covered in Article 2(1) [Article 5(3)] (If 'Yes', please elaborate below)			
		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Items listed in Annex 1 of the NSGL are included.			
F. Additional voluntary information relevant to the prevention of diversion of conventional arms (Please specify below - for instance regarding measures in place to avoid diversion in the context of the international movement of conventional arms referred to in Article 2(3) of the Treaty)			

8. RECORD KEEPING

A. The national control system includes provisions for maintaining records regarding: [Article 12(1)] (it is mandatory to retain records for one of the two options below)		Yes	No
i)	issued authorizations for the export of conventional arms covered under Article 2(1) [Article 12(1)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii)	actual exports of conventional arms covered under Article 2(1) [Article 12(1)] (if 'No' to both (i) and (ii), please elaborate below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B. Records are kept for a minimum of 10 years [Article 12(4)] (If 'Yes', please elaborate for how many years records are kept. If 'No', please elaborate below)			
		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
STMA Sec 10 specifies record keeping requirements for a minimum of 10 years.			
C. The national control system includes provisions for maintaining records regarding :		Yes	No
i)	imports of conventional arms covered under Article 2(1) into national territory as final destination [Article 12(2)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii)	authorizations for the transit and/or trans-shipment through national territory of conventional arms covered under Article 2(1) [Article 12(2)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	authorizations related to the conduct of brokering activities included in the scope of the national control system (for instance relating to a register of brokers) [Article 10]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D. Records cover other categories of conventional arms than those specified in Article 2(1)			
		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

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(If 'Yes', please elaborate below)		
E. Additional voluntary information relevant to national record keeping (Please specify below - for instance types of information preserved in national records for exports and imports respectively)		

9. REPORTING

A. The national control system allows for the provision of information for the preceding calendar year concerning authorized or actual exports and imports of conventional arms covered under article 2(1) as required by Article 13(3) (If 'No' or only partially, please elaborate below)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
YES. While the STMA (RA 10697) does not contain a specific provision on submission of a report to the Secretariat of the preceding year's authorized or actual exports and imports of conventional arms, it however mandates the NSC-STMCom to establish and maintain information sharing with other nations in the regulation of strategic goods, subject to exclusion of commercially sensitive or national security information.		
B. Additional voluntary information relevant to national reporting (please specify below, for instance if national reports are publicly available - if available on the open internet please provide the relevant hyperlink)		

10. ENFORCEMENT

A. Measures are in place that provide the ability to enforce of the national laws and regulations that implement the provisions of the Arms Trade Treaty [Article 14] (If 'No', please elaborate below)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
B. National legislation allows the provision to another State Party of jointly agreed assistance in investigations, prosecutions and judicial proceedings in relation to violations of national measures established pursuant to this Treaty [Article 15(5)] (If 'No', please elaborate below)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
C. National measures have been taken to prevent, in cooperation with other States Parties, the transfer of conventional arms covered under Article 2(1) of the Treaty becoming subject to corrupt practices [Article 15(6)] (Please elaborate below)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
D. Additional voluntary information relevant to national enforcement (Please elaborate below - for instance measures taken to criminalize offences against national laws and regulations that implement the provisions of the Arms Trade Treaty and to prescribe legal penalties in these cases.)		

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11. INTERNATIONAL COOPERATION

A. Cooperation is possible with other States Parties of the Treaty with a view to its effective implementation, where such cooperation is consistent with national law and security interests [Article 15(1)] (If 'No', please elaborate below)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
B. Additional voluntary information relevant to participation in international cooperation (Please elaborate below - for instance in terms of the measures suggested in Article 15, or in terms of participation in international or regional cooperation in the transfer control area)		

12. INTERNATIONAL ASSISTANCE

A. National regulations and policy allow for the provision - upon request and if in a position to do so - of implementation assistance as set out in Article 16(1) (If 'No', please elaborate below)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
B. The State is in a position to provide assistance with the following:		Yes	No
i)	Establishing and/or maintaining a national control system [Article 5(2)] (if 'Yes', please specify below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii)	Establishing and/or maintaining a national control list [Articles 5(2)-(4)] (if 'Yes', please specify below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii)	Designating competent national authority (-ies) [Article 5(4)] (if 'Yes', please specify below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv)	Designating a national point of contact(s) [Article 5(6)] (if 'Yes', please specify below)	<input type="checkbox"/>	<input type="checkbox"/>
v)	Establishing measures to regulate the export of arms and items, including a process for conducting risk assessments [Article 7] (if 'Yes', please specify below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
vi)	Establishing measures to regulate the import of arms [Article 8] (if 'Yes', please specify below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
vii)	Establishing measures to regulate the transit and trans-shipment of arms [Article 9] (if 'Yes', please specify below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
viii)	Establishing measures to regulate the brokering of arms [Article 10] (if 'Yes', please specify below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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ix)	Establishing measures to prevent and address diversion [Article 11] (if 'Yes', please specify below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
x)	Record-keeping [Article 12] (if 'Yes', please specify below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
xi)	Reporting [Article 13] (if 'Yes', please specify below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
xii)	Other (if 'Yes', please specify below)	<input type="checkbox"/>	<input type="checkbox"/>
C. The State would like to receive assistance with the following:		Yes	No
i)	Establishing and/or maintaining a national control system [Article 5(2)] (if 'Yes', please specify below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii)	Establishing and/or maintaining a national control list [Articles 5(2)-(4)] (if 'Yes', please specify below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii)	Designating competent national authority (-ies) [Article 5(4)] (if 'Yes', please specify below)	<input type="checkbox"/>	<input type="checkbox"/>
iv)	Designating a national point of contact(s) [Article 5(6)] (if 'Yes', please specify below)	<input type="checkbox"/>	<input type="checkbox"/>
v)	Establishing measures to regulate the export of arms and items, including a process for conducting risk assessments [Article 7] (if 'Yes', please specify below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Best practices in regulating export of items under the ATT and related training/workshop			
vi)	Establishing measures to regulate the import of arms [Article 8] (if 'Yes', please specify below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Best practices in regulating import of items under the ATT and related training/workshop			
vii)	Establishing measures to regulate the transit and trans-shipment of arms [Article 9] (if 'Yes', please specify below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Best practices in regulating export of items under the ATT and related training/workshop			
viii)	Establishing measures to regulate the brokering of arms [Article 10] (if 'Yes', please specify below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Best practices in regulating brokering of items under the ATT and related training/workshop			
ix)	Establishing measures to prevent and address diversion [Article 11] (if 'Yes', please specify below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Best practices in preventing and addressing diversion and related training/workshop			
x)	Record-keeping [Article 12] (if 'Yes', please specify below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Best practices in recordkeeping and related training/workshop			
xi)	Reporting [Article 13] (if 'Yes', please specify below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Training/working in accomplishing reports			
xii)	Other (if 'Yes', please specify below)	<input type="checkbox"/>	<input type="checkbox"/>
D. National regulations and policy allow for contribution of financial resources to the Voluntary Trust Fund established under Article 16(3) of the Treaty (If 'No', please elaborate below)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
E. Additional voluntary information relevant to the provision- or receipt of implementation assistance (Please specify below - for instance regarding assistance provision capacities or assistance needs,)			

13. DISPUTE SETTLEMENT

A. National regulations and policy allow for consultations and, by mutual consent, cooperation in the settlement of disputes regarding the interpretation or application of the Treaty by at least one of the means outlined in Article 19(1) (If 'No', please elaborate below)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
YES.		
B. National regulations and policy allow for the settlement of disputes concerning the interpretation or application of the Treaty through recourse by mutual consent to arbitration as outlined in Article 19(2) (If 'No', please elaborate below)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
C. Additional voluntary information relevant to dispute settlement under the terms of the Treaty (Please specify below)		

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ANNEX A. Summary of updates to the previous Initial Report

Please include a description of the parts of the State's previous Initial Report that have been updated:

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Annex to 2.C-List of international instruments that the Philippines is a Party to and are considered relevant to Article 6(3)

i)	1907 Hague Regulations	•	Ratification (14 Jul 2010)
ii)	1948 Convention on the Prevention and Punishment of the Crime of Genocide	•	Signature (11 Dec 1948) Ratification (7 Jul 1950)
iii)	1949 Geneva Conventions	•	Signature (08.Dec.1949) Entrée en vigueur (07 Sept 1951)
iv)	1949 Geneva Conventions: Common Article 3	•	Signature (08 Dec 1949) Entrée en vigueur (06 Apr 1953)
v)	1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict	•	Signature (N.A.)
vi)	1954 Hague Protocol for the Protection of Cultural Property in the Event of Armed Conflict	•	Signature (14 May 1954)
vii)	1977 Protocol I to the Geneva Conventions	•	Signature (12 Dec 1977) Entrée en vigueur Réserve/ Déclaration (30 Sept 2012)
viii)	1977 Protocol II to the Geneva Conventions	•	Entrée en vigueur (11 Jun 1987)
ix)	1994 Convention on the Safety of United Nations and Associated Personnel	•	Signature (27 Feb 1995) Ratification (17 Jun 1997)
x)	1995 Protocol on Blinding Laser Weapons	•	Consent to be bound (12 Jun 1997)
xi)	1996 Protocol II to the Convention on the Use of Certain Conventional Weapons	•	Consent to be bound (12 Jun 1997)
xii)	1997 Anti-Personnel Mine Ban Treaty	•	Signature (3 Dec 1997) Ratification (15 Feb 2000)