PHILIPPINE ATT IMPLEMENTATION
(INTERAGENCY COOPERATION)

20 February 2024 | Working Group on Effective Treaty Implementation
ENABLING LAWS

**Strategic Trade Management Act (STMA)**
Republic Act No. 10697 | 13 November 2015

- Export, import, transit, transshipment
- Strategic Trade Management Office (STMO)

**Comprehensive Firearms and Ammunition Regulation Act**
Republic Act No. 10591 | 29 May 2013

- Export and import of SALW
- Philippine National Police – Firearms and Explosives Office (PNP-FEO)
Republic Act No. 10697 or the Strategic Trade Management Act (STMA) enacted on 13 November 2015.

Creation of the Strategic Trade Management Office (STMO) under the Department of Trade and Industry

Regulate export, import, transit, and transshipment, reexport and reassignment of strategic goods, software, and technology.

STMA Implementing Rules and Regulations outline the risk assessment criteria
WHOLE-OF-NATION APPROACH

Executive Secretary

- Trade and Industry
- Foreign Affairs
- Justice
- National Defense
- Health
- Finance
- Transportation
- Information and Communications Technology
- National Security Council
- Environment and Natural Resources
- Science and Technology
- Interior and Local Government
- Agriculture
INTERAGENCY MECHANISM
NSC-STMCom Resolution No. 7 s. 2023 Amending the Resolution 01 (2018)

Subcommittee on Technical Reachback

Subcommittee on Risk Assessment

Subcommittee on Enforcement

Subcommittee on Trade Facilitation
### Subcommittee on Technical Reachback

**Members:**
- Technical government agencies and national research laboratories with subject matter experts and laboratory facilities.
- Includes Armed Forces and National Defense

**Functions:**
- Assist the STMO in classifying strategic commodities during licensing determination through laboratory testing and/or experts’ advice; and
- Assist law enforcement agencies in identifying strategic goods, in the performance of enforcement functions.

### Subcommittee on Risk Assessment

**Members:**
- Intelligence agencies with databases on certain individuals who might be of national security concern which the STMO has no access.
- Including Foreign Affairs and Special Envoy on Transnational Crime

**Functions:**
- Assist the STMO in evaluating applications for registration and authorization based on the risk assessment criteria provided in the STMA Implementing Rules and Regulations.
**Subcommittee on Enforcement**

**Members:**
- Agencies with enforcement, intelligence, investigation, and prosecution functions

**Functions:**
- Establish intelligence-based risk assessment process, including profiling and targeting high-risk shipments
- Develop mechanisms on STMA-related investigation, case disposition, and prosecution including interagency information sharing

**Subcommittee on Strategic Trade Facilitation**

**Members:**
- Border control agencies such as the Customs and free trade zone authorities.

**Functions:**
- Establish communication mechanisms on notification of license decision and commodity identification inquiries on identified shipment and coordinate with the STMO for flagged shipments.
Subcommittee on Technical and Risk Assessment Protocols
- Responsibilities, capability matrix, step-by-step procedure for requesting assistance from government partners to submitting requests, including processing timeline

Subcommittee on Enforcement Protocols
- Outlines procedure on conduct of enforcement and request for assistance including intelligence and information sharing, investigation, prosecution

Memorandum of Agreement between STMO and BOC including other free trade zone authorities
- Procedures on license verification, risk profiling/targeting, technical reachback, data sharing, capacity-building, and referral of STMA violations
SPECIALIZED BOC UNIT FOR STMA-RELATED MATTERS

TRADE FACILITATION + ENFORCEMENT

- License Verification
- Technical Reachback
- Risk Management
- Training

Lead Agency responsible for criminal investigations into the export and import violations of the STMA vis-à-vis the CMTA.

Interdiction, Detainment, Seizure, Post Clearance Audit, Compliance Audit, and Notifying recipient countries of high-risk shipments.
Office of the President
Of the Philippines
Malacañang

National Security Council – Strategic Trade Management Committee

Resolution 06 (2023): Approval of the regulatory jurisdiction between Department of Trade and Industry – Strategic Trade Management Office and Philippine National Police – Firearms and Explosives Office on the items under the National Strategic Goods List Annexes 1 and 2 of Republic Act No. 10697, also known as the Strategic Trade Management Act of 2015.

Adopted and signed by the NSC-STMCom at its eighth (8th) regular meeting on 24 May 2023.

WHEREAS, Section 3 of Republic Act No. 10697 or the Strategic Trade Management Act (STMA) states that the following activities shall be subject to an authorization issued by the Department of Trade and Industry – Strategic Trade Management Office (DTI-STMO): export, import, transit, transshipment, re-export, and the reassignment of strategic goods, and the provision of related services.

WHEREAS, Section 4 of the STMA states that the National Strategic Goods List (NSGL) shall describe with specificity the strategic goods subject to authorization and shall be in conformity with international commitments and nonproliferation obligations pursuant to bilateral and multilateral treaties, international conventions, and international nonproliferation regimes.
Commitments under UNSC sanctions/international treaties and non-proliferation agreements

Preservation of regional peace, security and stability

International tensions or armed conflict in the destination country

Human rights and international humanitarian law

Terrorism or organized criminal activities

Security interests of a country which is an ally to the Philippines

Risk of illegal end-use or by a restricted party

Risk of diversion to an unauthorized end-user or end-use

Technical capacity of the recipient country

Submit false documents, made misleading information and concealed material facts

Criminal/civil proceedings related to national security have commenced against the applicant

Violation of the STMA and its IRR

Goods are under a police investigation or court proceedings

Violation of an international embargo or sanction binding on the Philippines

Other national security or foreign policy reasons
THANK YOU

dti.gov.ph/strategictrade
facebook.com/DTI.STMO
ph.linkedin.com/company/dtistmo
Join our Viber Community!