

PAWB MEMORANDUM ORDER

No. 2010 -

SUBJECT: GUIDELINES ON STRENGTHENING THE INTERNAL CONTROL SYSTEM IN THE ISSUANCE OF CITES PERMITS

Pursuant to the DENR's agency-specific Integrity Development Action Plan (IDAP) commitments to the Presidential Anti-Graft Commission of pursuing anticorruption efforts that is focused on three areas of reform: punitive measures, preventive measures and educational measures, and to further help the Bureau attain its vision and mission, the guidelines on strengthening the internal control system in the issuance of CITES permits of PAWB is hereby promulgated for the information and guidance of all concerned.

Section 1. Scope and Applicability

This Order shall apply to concerned officials and employees of the Bureau whose duties and responsibilities are related to the issuance of export, import and re-export permits in compliance to the commitments of the Philippines to the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES).

This Order shall also complement the plan of the Bureau and all the coordinated methods and measures adopted within the organization to ensure that wildlife resources are used consistent with laws, regulations and policies; resources are safeguarded against loss, wastage and misuse; financial and non-financial information are reliable, accurate and timely; and operations are economically, efficiently and effectively delivered with integrity by the officials and employees, and all others concerned.

Section 2. Definition of Terms. As defined in this Order, the following terms shall mean as:

- 1) CITES - refers to the Convention on International Trade in Endangered Species of Wild Fauna and Flora, an inter-governmental treaty that regulates the international trade of wildlife listed in its Appendices.
- 2) Citizen's Charter - refers to an official document, a service standard, or a pledge, that communicates in simple terms, information on the services provided by the

Government to its citizen. It describes the step to step procedures for availing particular service, and the guaranteed performance level that they may expect for that level.

- 3) Corruption - refers to the impairment of integrity, virtue or moral principle, and the breakdown or rupture of the relationship between the Government and the people.
- 4) Corrupt practice - refers to the abuse of authority and power, the offering, giving, receiving, or soliciting, directly or indirectly, anything of value to influence improperly the actions of the official(s) and/or employee(s) of the Bureau.
- 5) Collusive practice - refers to an arrangement between two or more officials and/ or employees designed to achieve an improper purpose, including influencing improperly the actions of another official.
- 6) Fraudulent practice - refers to any omission, including a misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, a party to obtain a financial or other benefit or to avoid an obligation.
- 7) Integrity – refers to the state of adherence to a code of moral values which are principles of right and wrong in behavior.
- 8) Internal Control – refers to the integral process that is effected by the management and personnel, and is designed to address risks and provide reasonable assurance that the objectives of the general public is achieved by the agency.
- 9) IDAP- refers to the Integrity Development Action Plan, a national anti-corruption framework that calls for the implementation of several anti-corruption measures in the Government.
- 10) Misconduct - refers to a failure by an official or employee of the Bureau to observe the rules of conduct or the standards of behaviors prescribed by the Office.
- 11) Red flagging- refers to noting all the possible risks of corruption that may arise at the different stages of the procedures.

13) WRS – refers to the Wildlife Regulation Section, the focal point at PAWB in the issuance of the CITES permits.

Section 3. Objectives

The following are the objectives of this Order:

- To serve as a tool in attaining the Bureau vision and mission;
- To support an honest, efficient, effective, accountable and transparent process flow in the issuance of CITES permits as part of the Bureau's work on good governance;
- To ensure that concern officials and employees of the Bureau adhere to the highest ethical standards. The purpose of which is to prevent the occurrence of inconsistency, or the appearance of conflict, among officials and employees, between their personal interests and their duties and responsibilities; and
- To strengthen and capacitate the Wildlife Regulation Section, in addressing anticorruption issues effectively.

Section 4. Control Measures to Enhance Integrity

This Order recommends a number of concrete control measures for enhancing integrity in the issuance of CITES permits by the Bureau, broken down along four (4) elements, as follows:

4.1. Elements of transparency

1. The Citizen's Charter shall be revised to reflect clear and consistent information on the requirements and procedures in the issuance of CITES permits, and shall be posted in conspicuous area of PAWB for efficient, responsive and satisfactory delivery of frontline service;
2. The applications for CITES permits shall be received and recorded only by the PAWB's Record Unit, and WRS shall not accept applications that are not officially recorded;
3. The applications for CITES permits and other related documents shall be time-stamped for maximum transparency, taking precautionary measures to incorporate integrity at all stages of the process flow;

4.2. Elements of good management

1. The concerned officials and employees tasked to evaluate and process CITES permits shall be allowed to undergo trainings and seminars on anti-corruption to increase their awareness on the corruption risks in the workplace;
2. The WRS shall conduct regular meetings to monitor the knowledge, skills and integrity of the staff in the performance of their duties and responsibilities;
3. The WRS staff and/ or other employees of PAWB shall be provided merit-based awards and recognitions for exhibiting exemplary performance of their duties and responsibilities.

4.3. Elements of prevention of misconduct

1. The key officials and employees of the WRS shall be rotated, not only during conduct of daily inspection of “walk-in” applications, but also as regional focal persons for wildlife-related matters, to avoid long-term familiarity with clients;
2. The concentration of key decision areas in the hands of a single wildlife inspector shall be avoided by ensuring that there are at least two persons in decision making and control;
3. Red flagging chronologically all the risks that may arise at the different stages of the CITES issuance process/ procedures and checking the process and structure to detect possible collusive practice;

4.4. Elements of accountability and control

1. The cooperation of the wildlife industry sector shall be encouraged to maintain high standards of integrity, particularly in observing rules and regulations in obtaining CITES permits.
2. External control and audits by civil society organizations (i.e. NGOs, media) shall be encouraged to provide effective assistance in detecting any fraudulent practice or deviations in wildlife inspections;
3. Constructive feedback or complaints from wildlife industry regarding any corrupt practice shall be acted in a fair and timely manner.

Section 5. Penalties and Sanction. Any administrative offense arising herein shall be prosecuted, without prejudice to the filing of appropriate criminal and civil charges, if warranted.

Section 6. Repealing Clause. All orders, circulars and issuances which are inconsistent herewith are hereby repealed and/or modified accordingly.

Section 7. Separability Clause. If any part of this Order is declared unconstitutional or otherwise defective on any ground, the remaining parts not affected thereby shall remain valid and effective.

Section 8. Effectivity. This Order takes effect immediately.

THERESA MUNDITA S. LIM, DVM
Director