



Republic of the Philippines
Department of Environment and Natural Resources
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MEMORANDUM

FOR : The Directors
Biodiversity Management Bureau
Ecosystems Research and Development Bureau
Environmental Management Bureau
Forest Management Bureau
Mines and Geoscience Bureau
Climate Change Service
Legal Affairs Service

FROM : The OIC Director
Policy and Planning Service

SUBJECT : **REQUEST FOR INPUTS ON THE FIRST DRAFT OF THE GAP ASSESSMENT STUDY RELATIVE TO THE PHILIPPINES' PROPOSED ACCESSION TO THE COMPREHENSIVE AND PROGRESSIVE AGREEMENT FOR TRANS-PACIFIC PARTNERSHIP**

DATE : 18 OCT 2022

This refers to the letter dated 06 October 2022 of Undersecretary Cerefino S. Rodolfo of the Industry Development and Trade Policy Group-Department of Trade and Industry (IDTPG-DTI), requesting for inputs on the first draft of the gap assessment study of the Philippines' legal regime vis-à-vis the provisions of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP).

In line with the preparatory work being undertaken relative to the Philippines' proposed accession to the CPTPP, please be informed that the DTI had commissioned the UP Law Center-Institute of International Legal Studies (UPLC-IILS) to undertake the said gap assessment study on gauging the country's readiness and capacity to accede to the CPTPP. Fourteen out of 30 Chapters of the gap assessment study have already been reviewed by the UPLC-IILS.

Together with the National Economic and Development Authority (NEDA), the Department is assigned to be a Lead Agency for the Environment Chapter. In this regard, we would like to request your comments/inputs on the said study, particularly on the First Draft document and Chapter 20 (Environment), which can be accessed through this link: <https://bit.ly/3S95nuG>.

We would appreciate receiving an advance copy of your comments/inputs by **21 October 2022** to psddivision@gmail.com and/or policy@denr.gov.ph, for the facilitation of timely submission to the DTI.

For your appropriate action, please.


MELINDA C. CARISTRANO



**TRABAH
NEGOSYO
KONSYUMER**

06 October 2022

(Please see Distribution List)

Dear Sir/Madame:

We write in relation to the preparatory work being undertaken in relation to the Philippines' proposed accession to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP).

It may be recalled that during the Virtual Dialogue on CPTPP convened by the DTI's Bureau of International Trade Relations (DTI-BITR) on 26-27 May 2022, it was mentioned that the DTI will commission the UP Law Center-Institute of International Legal Studies (UPLC-IILS) to undertake a gap assessment study of the Philippines' legal regime vis-à-vis the provisions of the CPTPP. This study is crucial in gauging the country's readiness and capacity to accede to the CPTPP.

In line with this, we would like to request for your inputs/comments to be incorporated in tracked changes on the attached first draft of the gap assessment study (see **Annex A**). Kindly note that only 14 Chapters have undergone review by UPLC-IILS. We will be sending the remaining 16 Chapters as soon as it is available. We also request that the document be treated with confidentiality.

To guide agencies in their review, we have attached a list indicating the concerned agencies per CPTPP chapter and the status of the chapter under review (see **Annex B**). We would appreciate receiving the requested feedback on or before 25 October 2022. ||

For queries/clarifications, you may coordinate with the DTI-BITR through Ms. Naisy Abastillas (AnaClarisaAbastillas@dti.gov.ph), Ms. Kareen Eltagon (KareenHopeEltagon@dti.gov.ph) and Mr. John Tirado (JohnJocelTirado@dti.gov.ph), copy Ms. Norma Arpafo (NormaArpafo@dti.gov.ph).

Thank you.

Very truly yours,


Dr. Ceferino S. Rodolfo
Undersecretary

OFFICE OF THE UNDERSECRETARY FOR INDUSTRY DEVELOPMENT AND TRADE POLICY GROUP

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International Finance Group

Attn: Assistant Secretary Neil Adrian S. Cabiles
International Finance Group

Gap Assessment of the Philippines' Current Legal Regime vis-a-vis the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) Provisions, Including Existing Laws, Relevant Legislation, and its Commitments under Existing FTAs and International Trade Agreements

Chapters	Lead Agency ¹	Status ²
1. Initial Provisions and General Definitions	Department of Justice	Pending review
2. National Treatment and Market Access for Goods	Board of Investments Department of Agriculture	Pending review
3. Rules of Origin and Origin Procedures	Bureau of Customs Tariff Commission Board of Investments	Pending review
4. Textile and Apparel Goods	Board of Investments	Review completed by UPLC-IILS
5. Customs Administration and Trade Facilitation	Bureau of Customs	Pending review
6. Trade Remedies	DTI - Bureau of Import Services Tariff Commission Department of Agriculture	Pending review
7. Sanitary and Phytosanitary Measures	Department of Agriculture	Pending review
8. Technical Barriers to Trade	DTI - Bureau of Philippine Standards	Pending review
9. Investments	Board of Investments	Pending review
10. Cross-Border Trade in Services	National Economic Development Authority/ Inter-agency Committee on Trade in Services (IACTS)	Review completed by UPLC-IILS
11. Financial Services	Bangko Sentral ng Pilipinas, Department of Finance	Pending review
12. Temporary Entry for Business Persons	Department of Labor and Employment National Economic Development Authority	Review completed by UPLC-IILS
13. Telecommunications	National Telecommunications Commission Department of Information and Communications Technology	Pending review
14. Electronic Commerce	DTI – Bureau of International Trade Relations	Review completed by UPLC-IILS
15. Government Procurement	Government Procurement Policy Board	Pending review
16. Competition Policy	Philippine Competition Commission	Review completed by UPLC-IILS
17. State-Owned Enterprises and Designated Monopolies	Philippine Competition Commission, Department of Agriculture	Pending review
18. Intellectual Property	Intellectual Property Office of the Philippines	Review completed by UPLC-IILS
19. Labour	Department of Labor and Employment	Review completed by UPLC-IILS

¹ Lead agency will be in-charge in creating its negotiating team for the assigned chapters

² Only 14 chapters have completely undergone review of UPLC-IILS; 16 chapters pending

20. Environment	Department of Environment and Natural Resources National Economic Development Authority - Agriculture, Natural Resource and Environment Staff	Review completed by UPLC-IILS
21. Cooperation and Capacity Building	DTI – Bureau of International Trade Relations DTI – Resource Generation and Management Service	Review completed by UPLC-IILS
22. Competitiveness and Business Facilitation	Board of Investments	Pending review
23. Development	DTI – Bureau of International Trade Relations	Review completed by UPLC-IILS
24. Small and Medium-Sized Enterprises	DTI – Bureau of Small and Medium Enterprise Development	Review completed by UPLC-IILS
25. Regulatory Coherence	Department of Justice National Economic Development Authority, DTI - Bureau of Philippine Standards	Review completed by UPLC-IILS
26. Transparency and Anti-Corruption	Department of Justice	Review completed by UPLC-IILS
27. Administrative and Institutional Provisions	Department of Justice	Review completed by UPLC-IILS
28. Dispute Settlement	Department of Justice	Pending review
29. Exceptions and General Provisions	Department of Justice	Pending review
30. Final Provisions	Department of Justice	Pending review