



07 DEC 2022

**MEMORANDUM**

**TO :** The Director  
Biodiversity Management Bureau

**:** The Director  
Mines and Geosciences Bureau

**:** The Director  
Forest Management Bureau

**FROM :** The Assistant Secretary  
Legal Affairs

**SUBJECT :** REFERRAL OF ENVIRONMENTAL PREDICATE CRIMES  
OF MONEY LAUNDERING TO THE ANTI-MONEY  
LAUNDERING COUNCIL FOR FINANCIAL  
INVESTIGATION.

This has reference to the training attended by lawyers from the Legal Affairs Service pursuant to Special Order 2022-817 dated 16 November 2022 with the Department of Justice (DOJ), the Anti-Money Laundering Council (AMLC) and the National Bureau of Investigation (NBI) regarding the addition of Money Laundering charges on Wildlife, and other environmental cases.

The attendees from the AMLC has expressed their concern regarding the Philippines inclusion in the "Gray List" of the world dirty money watchdog, Financial Action Task Force (FATF)<sup>1</sup>. One way to improve the Philippines' standing is to investigate and prosecute financial crimes other than those related to drugs, terrorism, and human trafficking.

The relevant laws on money laundering are as follows:

- Republic Act (RA) 9160<sup>2</sup> - Anti-Money Laundering Act (AMLA) of 2001; and its amendments:

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<sup>1</sup> The Financial Action Task Force (FATF) is the global money laundering and terrorist financing watchdog. The inter-governmental body sets international standards that aim to prevent these illegal activities and the harm they cause to society. As a policy-making body, the FATF works to generate the necessary political will to bring about national legislative and regulatory reforms in these areas. Retrieved from: <https://www.fatf-gafi.org/about/>

<sup>2</sup> <http://www.amlc.gov.ph/laws/money-laundering/2015-10-16-02-50-56/republic-act-9160>

- RA 9194<sup>3</sup> ;
- RA 10167<sup>4</sup> ;
- RA 10365<sup>5</sup>; and
- RA 11521<sup>6</sup>.

Per the 2021 Amendments to the Implementing Rules and Regulations<sup>7</sup> of RA 9160, As Amended, the following environmental crimes are identified as “Unlawful Activities” and are covered by the AMLA, to wit:

### RULE 3 - UNLAWFUL ACTIVITIES

Section 1. Unlawful Activities. Unlawful activities refer to any act or omission, or series or combination thereof, involving or having direct relation, to the following:

xxx

(t) **Violations of Sections 78 to 79** of Chapter IV of Presidential Decree No. 705, otherwise known as the “**Revised Forestry Code of the Philippines**, as amended”;

(u) **Violations of Sections 86 to 106** of Chapter IV of Republic Act No. 8550, otherwise known as the “**Philippine Fisheries Code of 1998**”;

(v) **Violations of Sections 101 to 107, and 110** of Republic Act No. 7942, otherwise known as the “**Philippine Mining Act of 1995**”;

(w) **Violations of Section 27(c), (e), (f), (g) and (i)** of Republic Act No. 9147, otherwise known as the “**Wildlife Resources Conservation and Protection Act**”;

(x) **Violations of Section 7(b) of Republic Act No. 9072**, otherwise known as the “**National Caves and Cave Resources Management Protection Act**”;

xxx

(jj) Felonies and offenses of a similar nature that are punishable under the penal laws of other countries.

<sup>3</sup> <http://www.amlc.gov.ph/laws/money-laundering/2015-10-16-02-50-56/republic-act-9194>

<sup>4</sup> <http://www.amlc.gov.ph/laws/money-laundering/2015-10-16-02-50-56/republic-act-10167>

<sup>5</sup> <http://www.amlc.gov.ph/laws/money-laundering/2015-10-16-02-50-56/republic-act-10365>

<sup>6</sup> <http://www.amlc.gov.ph/images/PDFs/RA%2011521.pdf>

<sup>7</sup>

<http://www.amlc.gov.ph/laws/money-laundering/2021-02-03-14-02-32/2016-revised-implementing-rules-and-regulations-of-republic-act-no-9160-as-amended>

It is quite important to note that the AMLA not only covers the most known crimes of human trafficking, drugs, and terrorism but also includes environmental laws such as the Revised Forestry Code, in particular, Sections 78 and 79; Sections 101 to 107, and 110 of the Mining Act; Section 27(c), (e), (f), (g) and (i) of the Wildlife Act; and Section 7(b) of the National Caves and Caves Resources Management Act.

In view of the foregoing, this Office requests your Offices to look into investigations of the abovementioned crimes, which may need a referral to the AMLC for financial investigations, so that money laundering charges may be added to the prosecution of said crimes.

Please submit to this Office a list of cases for referral to the AMLC, if any investigation of the above crimes would yield to a possibility of money laundering.

Should you have any concerns on this matter, please coordinate with the Legal Affairs Service through [las.denr@gmail.com](mailto:las.denr@gmail.com) or the Legal Crisis Prevention and Management Division through [legal.cpmnd@denr.gov.ph](mailto:legal.cpmnd@denr.gov.ph).

For your appropriate action, please.



ATTY. MICHELLE ANGELICA D. GO, CESO II

Copy furnished:

**The Office of the Secretary**

**The Undersecretary**

Legal, Administration, Human Resources and  
Legislative Affairs

**The Undersecretary**

Field Operations - Luzon, Visayas, Environment

**The Undersecretary**

Field Operations - Mindanao