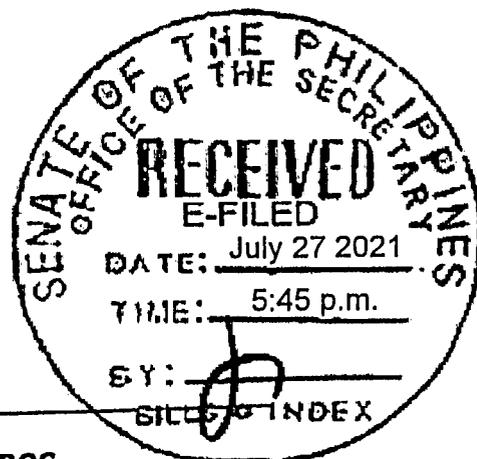


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)

SENATE

P.S.R. No. 807



INTRODUCED BY SENATOR RISA HONTIVEROS

RESOLUTION

URGING THE APPROPRIATE SENATE COMMITTEES TO CONDUCT AN INVESTIGATION IN AID OF LEGISLATION ON THE PROPOSED 174-HECTARE RECLAMATION IN DUMAGUETE CITY PHILIPPINES

WHEREAS, the Editorial of Philippine Daily Inquirer on July 22, 2021 exposed massive opposition of residents of Dumaguete City against the proposed Php 23-billion reclamation project, on economic, environmental, and legal grounds;

WHEREAS, this project involves the creation of at least 2 Islands covering an area of 174 hectares via reclamation;

WHEREAS, according to the Philippine Association of Marine Science (PAMS), the reclamation project will lead to hectares of coral reefs and seagrass beds being buried, thereby endangering food security and livelihood of more than 900 local fishers and their families and impacting the rich biodiversity of the region including 150 species of corals, 200 species of fish including sharks and rays, 9 species of seagrasses and 20 species of mangroves;

WHEREAS, reclamation will likely impede the natural flow from the rivers and streams of Mt. Talinis, and may worsen flooding in the coastal barangays of Dumaguete, home to approximately 38,000 residents;

WHEREAS, the design of the proposed island puts it 30 meters away from Dumaguete, making it highly likely that the reclamation works, set by the joint venture agreement to last for three years, will be done by ships entering the coast of Negros Oriental and thus creating serious concerns to both local and national security;

WHEREAS, the City Council of Dumaguete already issued a resolution authorizing the signing of the joint venture agreement with a Filipino construction firm called E.M. Cuerpo, which they call a "memorandum of agreement", without public consultations and public hearing despite a clear requirement in the City of Dumaguete PPP Code of 2021;

WHEREAS, an initial check of E.M. Cuerpo's profile reveals that reclamation, especially at this scale, is not one of its corporate purposes, it appears not to have any established track record in reclamation work, and does not appear to have the financial capacity to undertake the project -- which casts serious doubt on its qualifications for this project;

WHEREAS, even more alarming is a surfaced copy of a Memorandum of Agreement between E.M. Cuerpo Inc and a China-based, state-owned company called Poly Changda Overseas Engineering Co., Ltd which shows that Poly Changda agrees to be E.M. Cuerpo's reclamation subcontractor and as payment, E.M. Cuerpo will sell its share in the reclaimed lands and use the proceeds to pay Poly Changda Co. -- giving rise to suspicions by

advocates that E.M. Cuerpo is a mere dummy of a Chinese state-owned company;

WHEREAS, initial due diligence efforts reveal that Poly Changda is not registered in the Securities and Exchange Commission and has no license from the Philippine Contractors Accreditation Board;

WHEREAS, considering the far-reaching implications of the project and its precedent-setting impacts, there is urgent need to investigate the project and its avowed benefits against its costs, as well as to pursue potential reforms of our environmental laws and our laws against graft and corruption, procurement, security and defense, public-private partnership, anti-dummy, and other relevant laws.

NOW BE IT RESOLVED, AS IT IS HEREBY RESOLVED by the Senate of the Philippines to direct the **APPROPRIATE SENATE COMMITTEES** to conduct an investigation in aid of legislation on the proposed 174-hectare reclamation project.

Adopted.


RISA HONTIVEROS
Senator