

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



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SENATE
P.S. Res. No. 970

Introduced by Senator JOEL VILLANUEVA

RESOLUTION

DIRECTING THE APPROPRIATE COMMITTEE/S OF THE SENATE, TO CONDUCT AN INQUIRY INTO REPORTS ON THE DESTRUCTION OF CHOCOLATE HILLS AND DEFACEMENT BY TOURIST RESORTS AND OTHER PROJECTS

WHEREAS, Republic Act No. 7586 or the “National Integrated Protect Areas System Act of 1992” (NIPAS Act), enacted in 1992, declared it the policy of the State to ensure that “the use and enjoyment of... protected areas... be consistent with the principles of biological diversity and sustainable development”¹ in recognition of “the profound impact of human activities on the natural environment;”²

WHEREAS, in 2018, Republic Act No. 11038 or the “Expanded National Integrated Protected Areas System Act of 2018” (E-NIPAS Act) established, among others, the Chocolate Hills Natural Monument in Bohol as a “protected area within the classification of a national park pursuant to the Philippine Constitution;”³

WHEREAS, in 2023, the United Nations Educational, Scientific and Cultural Organization (UNESCO) declared Bohol Island—including the Chocolate Hills—as a global geopark⁴ and the first of its kind in the entire country, in recognition of Bohol’s “geological heritage of international value” and the need to “adopt a sustainable approach to the development of [such] area;”⁵

WHEREAS, the NIPAS Act as amended by the E-NIPAS Act prohibits “[m]utilating, defacing, destroying, excavating, vandalizing or, in any manner, damaging any natural formation... and other objects of natural beauty, scenic value” within protected areas;⁶

WHEREAS, it also prohibits “[c]onstructing, erecting, or maintaining any kind of structure, fence or enclosure, conducting any business enterprise within the protected area without prior clearance from the Protected Area Management Board (PAMB) and permit from the Department of Environment and Natural Resources (DENR), or

¹ NIPAS Act, sec. 2.

² *Id.*

³ Republic Act No. 7586, sec. 5 as amended by Republic Act No. 11038, sec. 4.

⁴ UNESCO (2023). UNESCO names 18 new Global Geoparks. Available at <https://www.unesco.org/en/articles/unesco-names-18-new-global-geoparks> (last accessed March 13, 2024).

⁵ UNESCO. Statutes of the International Geoscience and Geoparks Programme, Part B, Article 1. Available at <https://unesdoc.unesco.org/ark:/48223/pf0000260675> (last accessed March 13, 2024).

⁶ NIPAS Act, sec. 20(j) as amended by Republic Act No. 11038, sec. 18.

conducting these activities in a manner that is consistent with the management plan duly approved by the PAMB;⁷

WHEREAS, in 2023—the same year that Bohol was declared as the country's first global geopark—several reports exposed the construction of tourist resorts in areas close to Chocolate Hills, such as the Captain's Peak Garden and Resort in the Municipality of Sagbayan⁸ and Bud Agta in the Municipality of Carmen, Bohol;⁹

WHEREAS, during an investigation, the Bohol Provincial Board Members found that Captain's Peak Garden and Resort cottages and two water slides for a swimming pool were constructed at the foot or sides of at least three (3) hills that may be considered Chocolate Hills;¹⁰

WHEREAS, the development of the Captain's Peak Resort had received a favorable endorsement from the PAMB via Resolution No. 21, s. 2023, as approved on July 22, 2022,¹¹ while the Bud Agta Resort had been given the "go-signal" by both the PAMB and DENR;¹²

WHEREAS, the PAMB governing the Chocolate Hills has a policy to allow "20% of the land mass of a hill considered one of the Chocolate Hills... to be used or developed in a [privately] titled lot that includes the hill."¹³ However, upon investigation, the Sangguniang Panlalawigan of the province found that the DENR "could not provide data or insights on how they measure the 20% allotted for development" specifically for the Captain's Peak Resort;¹⁴

WHEREAS, despite the earlier clearance from the PAMB, the Captain's Peak Resort was issued a Temporary Closure Order on September 6, 2023 and a Notice of Violation on January 22, 2024 for operating without an environmental compliance certificate by the DENR;¹⁵

WHEREAS, despite not having been accredited by the Department of Tourism, the Captain's Peak Resort had a tourist police assigned to it;¹⁶

WHEREAS, despite clear "NP" markers indicating their protected status as national parks, two (2) hills considered as Chocolate Hills have been excavated to construct an access road—another project that had reportedly been cleared by the PAMB;¹⁷

WHEREAS, given these, there is an urgent need to scrutinize the implementation of applicable laws, rules, and regulations governing protected areas, such as the NIPAS Act as amended by the E- NIPAS Act, PAMB resolutions, among others, to ascertain their

⁷ NIPAS Act, sec. 20(o) as amended by Republic Act No. 11038, sec. 18.

⁸ Magumbol, Caecent No-ot (2023). Resort, other projects ruining Chocolate Hills. Available at <https://www.philstar.com/the-freeman/cebu-news/2023/08/14/2288532/resort-other-projects-ruining-chocolate-hills> (last accessed March 13, 2024).

⁹ Bohol Chronicle (2023). Another Chocolate Hills resort under probe. Available at <https://www.boholchronicle.com.ph/2023/09/14/another-choco-hills-resort-under-probe/> (last accessed March 13, 2024).

¹⁰ Bohol Island News (2023). New twists on Sagbayan Choco Hills fiasco raised. Available at <https://boholislandnews.com/2023/09/03/new-twists-on-sagbayanchoco-hills-fiasco-raised/> (last accessed March 13, 2024).

¹¹ Bohol Chronicle (2023). Probe on Chocolate Hills 'destruction' ordered. Available at <https://www.boholchronicle.com.ph/2023/08/21/probe-on-chocolate-hills-destruction-ordered/> (last accessed March 13, 2024).

¹² Bohol Chronicle (2023). Another Chocolate Hills resort under probe. Available at <https://www.boholchronicle.com.ph/2023/09/14/another-choco-hills-resort-under-probe/> (last accessed March 13, 2024).

¹³ *Id.*

¹⁴ *Id.*

¹⁵ Department of Environment and Natural Resources (DENR). Official Statement dated March 13, 2024. Available at <https://www.gmanetwork.com/lifestyle/travel/110713/denr-issues-statement-on-viral-chocolate-hills-resort-in-bohol/story> (last accessed March 13, 2024).


¹⁶ Magumbol, Caecent No-ot (2023). Defacing a national treasure: Resort, other projects ruining Chocolate Hills. Available at <https://www.philstar.com/the-freeman/cebu-news/2023/08/19/2289765/defacing-national-treasure-resort-other-projects-ruining-chocolate-hills> (last accessed March 13, 2024).

¹⁷ Magumbol, Caecent No-ot (2023). Resort, other projects ruining Chocolate Hills. Available at <https://www.philstar.com/the-freeman/cebu-news/2023/08/14/2288532/resort-other-projects-ruining-chocolate-hills> (last accessed March 13, 2024).

effectiveness in safeguarding the Chocolate Hills and other protected areas, while promoting sustainable development;

NOW, THEREFORE, BE IT RESOLVED, as it is hereby resolved to direct the appropriate Committee/s of the Senate, to conduct an inquiry, in aid of legislation, into the construction of resorts and other projects in protected areas, such as the Chocolate Hills, with a view to identifying gaps in the laws, if any, and introducing remedial legislation, if appropriate, to fully protect the Chocolate Hills and other protected areas, as well hold the officials accountable involved in the approval of the permit/s for these projects.

Adopted,


JOEI VILLANUEVA ¹³