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SENATE
P.S. Resolution No. 640

RECEIVED BY: ASV

Introduced by **SENATOR CYNTHIA A. VILLAR**

RESOLUTION

DIRECTING THE SENATE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE RAMPANT NON-COMPLIANCE WITH THE ENVIRONMENTAL LAWS, RULES AND REGULATIONS BY NUMEROUS BORACAY ESTABLISHMENTS AND RESIDENTS AS WELL AS THE LOCAL GOVERNMENT UNITS THEREBY CONTRIBUTING TO THE DETERIORATING ECOLOGICAL CONDITION OF THE ISLAND AND COMPROMISING BORACAY'S POSITION AS ONE OF THE PRIME TOURISTS ATTRACTIONS IN THE PHILIPPINES

WHEREAS, it is the policy of the State, as enunciated in our 1987 Philippine Constitution, "to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature"¹;

WHEREAS, Republic Act No. 9003 or the "Ecological Solid Waste Management Act" provides the legal framework for the adoption of a systematic, comprehensive, and ecological solid waste management program that will ensure the protection of public health and the environment. The law gives emphasis, among others, on the importance of proper segregation, collection, transport, storage and disposal of solid waste, and promotes source reduction and waste minimization measures;

WHEREAS, Republic Act No. 9275 or the "Philippine Clean Water Act of 2004" provides, among others, for the formulation of a "holistic national program of water quality management that recognizes that water quality management issues cannot be separated from concerns about water sources and ecological protection, water supply, public health and quality of life" and the "comprehensive management program for water pollution focusing on pollution prevention"²;

WHEREAS, the Boracay Island, located in the Province of Aklan in Region VI and with a total land area of 10.32 square kilometers, is regarded as one of the prime tourists attractions in the Philippines primarily because of its stunning long-

¹ Article II, Section 16 of the 1987 Philippine Constitution.

² Section 2, Article 1 under Chapter 1 of Republic Act 9275

stretch of white beach bearing powdery white sand and crystal clear blue waters;

WHEREAS, Boracay is a world-renowned tourist destination and has through the years received several distinctions, which include, among others: World's Best Island 2012 by Travel and Leisure³; Asia's No. 1 Beach in 2013 by TripAdvisor⁴; No.1 World's Best Island 2016 by Condé Nast Traveler's Readers' Choice Awards⁵; and No.1 World's Best Island 2017 by Condé Nast Traveler's Readers' Choice Awards⁶;

WHEREAS, even with the foregoing accolades, the continuing increase in the number of visitors and the thriving tourism development in Boracay are taking a toll on the sustainability of the ecological attributes of Boracay;

WHEREAS, recent news reports have exposed Boracay's daunting environmental problems, particularly with its improper solid waste management and deficient sewerage system, which problems appear to have been aggravated by the rampant non-compliance with environmental laws, rules and regulations by numerous establishments, businesses, residents and local government units in the island;

WHEREAS, Secretary Roy Cimatu of the Department of Environment and Natural Resources (DENR) has called the attention of the local government of Malay, Aklan late last year when it was discovered that residual wastes were being dumped at the Materials Recovery Facility (MRF) in Barangay Manoc-Manoc in Boracay, which has turned such MRF into an open dumpsite and in clear violation of Republic Act No. 9003 or the Ecological Solid Waste Management Act⁷;

WHEREAS, the sewerage problem in Boracay has caught the attention of President Rodrigo Duterte and even issued a warning that he will close the island if the rampant environmental violations with not be solved within six (6) months; the President has even remarked that "Boracay is a cesspool" and "You go into the water, it's smelly. Smell of what? Sh**. Because everything that goes out in Boracay...it's destroying the environment or the Republic of the Philippines and creating a disaster coming"⁸;

WHEREAS, in addition, the Japan International Cooperation Agency (JICA), in line with its study on its Coastal Ecosystem Conservation and Adaptive Management (CECAM) project, has reported that in Boracay, the direct discharge of untreated waste water near the shore brings about poor water quality level that consequently results in frequent algal blooms and coral reef deterioration⁹;

³ <http://www.travelandleisure.com/slideshows/worlds-best-islands-2012>

⁴ <http://www.boracaybeachrealestate.com/mag/tripadvisor-names-boracay-asias-no-1-beach-for-2013/>

⁵ <http://news.abs-cbn.com/life/10/22/16/boracay-named-worlds-best-island-for-2016>

⁶ <https://www.cntraveler.com/galleries/2014-10-20/top-30-islands-in-the-world-readers-choice-awards-2014>

⁷ <http://www.denr.gov.ph/news-and-features/latest-news/3802-denr-to-mobilize-resources-to-address-boracay-woes.html>

⁸ <https://www.rappler.com/nation/195703-duterte-warning-close-boracay>

⁹ <https://www.jica.go.jp/philippine/english/office/topics/news/150528.html>

WHEREAS, on 13 February 2018, it was reported that DENR has served Notices of Violations to fifty-one (51) establishments in Boracay for violating Republic Act No. 9275 or the Philippine Clean Water Act of 2004¹⁰;

WHEREFORE, BE IT RESOLVED, as it is hereby resolved by the Senate of the Philippines, to direct the Senate Committee on Environment and Natural Resources to conduct an inquiry, in aid of legislation, on the rampant non-compliance with environmental laws, rules and regulations of numerous resorts and establishment owners as well as of residents in Boracay, thereby contributing to the deteriorating ecological condition of the island and compromising Boracay's position as one of the prime tourists attractions in the Philippines, with the end in view of adopting the appropriate measures, policies and strategies to sustain the beauty, allure and ideal ecological condition of the island.

Adopted,



CYNTHIA A. VILLAR

¹⁰ Retrieved from <http://denr.gov.ph/news-and-features/latest-news/3831-cimatu-reminds-lgu-of-its-shared-responsibility-to-enforce-environmental-laws-in-boracay.html>.